



STAFF REPORT

MEETING DATE: February 14, 2024

PRESENTER: Jesus Orozco, Community Development Director

SUBJECT: Tentative Parcel Map No. 2023-01 (JRO)

RECOMMENDATION: Council conduct a Public Hearing, close the Public Hearing; adopt a resolution approving Tentative Parcel Map 2023-01, APN: 025-130-14S; and find the project exempt under California Environmental Quality Act; and approve Notice of Exemption for the project.

EXECUTIVE SUMMARY:

A tentative parcel map (TPM 2023-01) application has been filed by Central Valley Engineering & Surveying, Inc. for the division of an approximately 8.9-acre parcel of land into three (3) parcels located at the northeast corner of West Whitesbridge Road (SR 180) and North Vineland Avenue, as shown in Exhibit 'B' of Attachment 1. The site is currently being utilized for agricultural purposes with a single-family residence also occupying the site. The proposed parcels will range from 1 acre to 4.3 acres. Approval of TPM 2023-01 will allow for the sale of and development of vacant parcels at a future date.

At the January 8, 2024, City of Kerman Planning Commission (Commission) meeting, the Commission considered a staff report prepared for TPM 2023-01. The Commission determined the proposed map is consistent with the Kerman General Plan, Title 16 (Subdivision Ordinance), and applicable section of the Subdivision Map Act. Based on an initial assessment, the Commission also determined that the project was exempt under the California Environmental Quality Act (CEQA) according to categorical exemption § 15315 (Minor Land Divisions). The Commission then adopted Resolution 2024-01, included as Attachment 2, which recommends the City Council approve TPM 2023-01 and the associated CEQA exemption determination. After the Commission approved the TPM, it was discovered that an outdated version of the conditions of approval was inadvertently approved. Staff is recommending that the City Council approve TPM 2023-01 with the revised conditions, which will not impact the map design, original analysis, or CEQA determination.

APPLICABLE CODES AND PROCEDURES:

KMC 16.24 – Parcel Map Process

KMC 16.36 – Final Maps

KMC 17.50.040 – Service Commercial Development Standards

CEQA Guidelines Section 15315

BACKGROUND

Prior Action

The project site has not been subject to past planning or land use entitlements e.g. conditional use permit, parcel map, site plan review, or variance.

Site Information

Location	Existing Land Uses	General Plan Land Use	Zone Districts
North	Agricultural Land	Medium Density	County Zoning
South	Undeveloped, Contractor's Office, Vacant Building, Multi-Family (non-conforming)	Service Commercial	CS
East	Automobile Wrecking Yard	Industrial	M-2
West	Agricultural Land, Single-Family Structures	Service Commercial	CS

ANALYSIS

The request is for a Tentative Parcel Map to subdivide an 8.9-acre parcel into three (3) parcels. Approval of TPM 2023-01 will allow the applicant/developer to develop or sell the parcels individually, at their respective phases. The proposed parcels are summarized in Table 1 below and as presented in Exhibit 'B' of Attachment 1.

Subdivision Map Act

The proposed Tentative Parcel Map will create three (3) parcels which is consistent with Section 66428 of the Subdivision Map Act. The tentative parcel map shows the preliminary design of the proposed land division and allows various City departments to determine that the design conforms to the General Plan's goals and policies. A Final Parcel Map will be filed and recorded following approval of the Tentative Parcel Map.

General Plan Consistency

Staff has evaluated the project for consistency with the goals and policies contained in the Land Use Element of the General Plan. The following goals and policies reflect Kerman's desire for a balanced community that is economically viable, provides for a variety of housing needs, and retains its small-town character. Approval of TPM 2023-01 will directly or indirectly provide compliance with the following General Plan goals and policies.

Goal LU-1: To guide the development of a mix of land uses that fulfill residents' daily needs and provide recreational and entertainment amenities.

Policy LU-1.1: Land Designated for Service Commercial Uses, The City shall continue to designate adequate land for service commercial uses.

Goal LU-2: To enhance the design, character, and vibrancy of Kerman as a family-friendly hometown community representative of the Central Valley

Policy LU-2.9: Utility Service Line Placement, During the development review process, the City shall require that new development projects place utility service lines underground or parallel to existing utility rights-of-way, wherever feasible, to minimize their visual impact.

DISCUSSION

The project would subdivide an 8.9-acre parcel into three (3) parcels. One of the three proposed parcels will remain for residential use. The other two parcels are currently utilized for agricultural (almond orchard) purposes. Future development will require that all trees be removed on parcel 1 and parcel 3. Development on future parcels would also be subject to the development standards of the CS Zone district, which apply to site layout, building design, landscaping, interior street design, lighting, parking, and signage. The parcel map's design is situated in a way that would allow future development to place utility service lines underground or parallel to existing easements feasibly to minimize their visual impact. Additionally, detailed architectural plans, color palettes, and building materials as well as landscaping plans will be required of the future developer and subject to review by the City of Kerman. All of which will implement the aforementioned General Plan goals and policies.

Subdivision Ordinance

In order to approve the proposed Tentative Parcel Map, the Subdivisions Ordinance (KMC 16.16.030) requires the proposed parcel map to be consistent with the General Plan, Zoning Ordinance, and the Subdivision Map Act. Based on the following analysis and findings, Staff recommends approval of the Tentative Parcel Map:

(a) The proposed map is consistent with the applicable General Plan, Subdivision Ordinance, Specific Plan, and the Subdivision Map Act.

The procedural requirements of the Map Act are being followed and all parcels comply with the Kerman applicable general plan and engineering and zoning standards pertaining to grading, drainage, utility connections, lot size, and density. There is no applicable specific plan governing the site.

(b) The design or improvement of the proposed land division is consistent with applicable general plans and specific plans.

The parcel map is consistent with the Kerman General Plan – the proposed parcels comply with minimum lot size standards for service commercial uses consistent with the General Plan and Zoning Ordinance. There is no applicable specific plan governing the site.

(c) That the site is physically suitable for the proposed type of development.

The parcel map will create three (3) parcels that will have adequate land area to support various service commercial land uses with standard setbacks and ample developable space. As depicted in Exhibit 'B', the parcels will range from 1 acre to 4.3 acres. Any subsequent development would be required to be consistent with the General Plan, zoning ordinance, and this parcel map. There are no unusual conditions

that would render the site physically unsuitable for such subsequent commercial development.

(d) That the site is physically suitable for the proposed density of development.

The parcel map will create three (3) parcels, that will have the adequate land area to support various commercial uses with required setbacks, and ample useable space As depicted in Exhibit 'B', each parcel will range from 1 acre to 4.3 acres. Any subsequent commercial development would be required to be consistent with the General Plan's goals and policies, the zoning ordinance, and this parcel map. Such consistency would likewise require consistency with setbacks, height, floor area ratio (FAR) requirements, and other requirements that would ensure suitable density of development,

(e) The design of the parcels or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat.

The project site is not located in a sensitive environment but rather in an area surrounded by similar agricultural uses with residential structures, industrial land uses, and service commercial land uses. This division of land does not propose the development of structures and anticipated physical changes to the site would include minimal improvements to facilitate future commercial development. Further, any future physical improvements subject to discretionary approval on the project site would be subject to a separate environmental review on a project-and-site-specific basis, in accordance with the provisions of CEQA and applicable CEQA Guidelines. Therefore, the proposed creation of three (3) new parcels would not result in a substantial adverse effect on special status species, riparian or other natural habitats, wetlands, movement of migratory fish or wildlife species, or conflict with any local, regional, or state preservation or conservation plans as analyzed in the General Plan EIR.

(f) The design of the land division or the type of improvements being required is not likely to cause serious public health problems.

The parcels created will comply with all applicable sanitary sewer, water service, and stormwater runoff requirements, as well as other similar environmental and life safety regulations and standards. Thus, the project is not likely to cause serious public health problems.

(g) The design of the parcels or the type of improvements will not conflict with easements acquired by the public-at-large for access through or use of property within the proposed subdivision.

There are no public easements that currently encumber the property to be parceled, and all modifications made to the existing public improvements fronting the parcels upon the development of the properties will be required to current City standards.

(h) The proposed design provides, to the extent feasible, for future passive or natural heating or cooling opportunities for the subdivision pursuant to Government Code Section 66473.1.

This parcel map is not a subdivision that is contemplated by Government Code Section 66473.1. Additionally, current and future construction will be required to comply with regulations related to passive of natural heating or cooling opportunities. The design of the proposed parcel map does not inhibit such use.

Zoning

The site is zoned Service Commercial (CS) and the purpose of the Service Commercial zone district is to provide a location for wholesale and heavy commercial uses and services in Kerman that are not suited for other commercial zones. Some permitted uses in the CS zone district include appliance sales and repair, automotive repair, and professional offices as well as general commercial uses. Table 1 depicts the sizes of the proposed parcels. Parcels are consistent with the minimum lot size requirement of the Service Commercial (CS), which is 6,000 square feet or 0.14 acres for newly created parcels.

Table 1. Proposed Lot Sizes and Zoning		
Proposed Parcel	Lot Size	Zoning
Parcel 1	3.6 ac	CS (Service Commercial)
Parcel 2	1 ac	CS (Service Commercial)
Parcel 3	4.3 ac	CS (Service Commercial)

Access

The subject parcels are located at the northeast corner of West Whitesbridge Road (SR 180) and Vineland Ave. The project site will be accessible by motor vehicles via two (2) entry points one on W. Whitesbridge Rd. and the other on N. Vineland Ave. As part of a development requirement sewer infrastructure and storm drain infrastructure will need to extend onto the project site. Water infrastructure is available via W. Whitesbridge Rd. All other necessary improvements would be installed at the time of construction for each parcel.

ENVIRONMENTAL REVIEW

Staff has determined that this site is covered under categorical exemption § 15315 (Minor Land Divisions). Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

PUBLIC HEARING

A public hearing notice was mailed to property owners and residents within 300 feet of the site. The City also published a notice of this public hearing in the Kerman News on Wednesday, January 31, 2024. As of the date of this report, Staff has not received any written testimony from the public or nearby residents of the project.

ATTACHMENTS

1. Resolution
 - Exhibit 'A' – Conditions of Approval
 - Exhibit 'B' – Tentative Parcel Map
2. Planning Commission Resolution 2024-01
3. Notice of Exemption
4. Aerial View Map