

Attachment 'B'

Resolution 2024-11

A RESOLUTION OF THE CITY OF KERMAN PLANNING COMMISSION REPORTING AND RECOMMENDING ADOPTION OF ORDINANCE TEXT AMENDMENT 2024-01 WITH THE CITY COUNCIL'S REFERRED MINOR MODIFICATIONS

WHEREAS, on March 18, 2024, the Planning Commission adopted Resolution No. 2024-07, recommending that the City Council adopt Ordinance Text Amendment 2024-01, repealing Title 17 and adding a new Title 17 to the Kerman Municipal Code; and

WHEREAS, on April 24, 2024, City Council considered said resolution along with other minor modifications to Ordinance Text Amendment 2024-01 proposed by Staff not originally considered by the Planning Commission; and

WHEREAS, the City Council introduced Ordinance Text Amendment 2024-01 with minor modifications included as **Exhibit 'A'**, subject to the Planning Commission's report and recommendation back to the City Council on the minor modifications consistent with KMC 17.26.060; and

WHEREAS, the Planning Commission reviewed all the evidence, staff report analysis, and associated revisions and determined that the proposed minor modifications to Ordinance Text Amendment 2024-01 substantially comply with the City's goals and policies, and will not be detrimental to the public health, safety, and welfare of the persons residing or working in the City of Kerman; and

WHEREAS, the Planning Commission now desires to recommend to the City Council to move forward with adoption of Ordinance Text Amendment 2024-01 with the proposed minor modifications.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, as follows:

SECTION 1. The foregoing recitals are true and correct and incorporated by reference.


SECTION 2. Based upon the evidence in the staff report, staff's presentation, public testimony, and the project file, the Planning Commission recommends that the City Council move forward with adoption of Ordinance Text Amendment 2024-01 with the proposed minor modifications included herein as **Exhibit 'A'**.

SECTION 3. This resolution is effective upon adoption.

The foregoing resolution was adopted at a regular meeting of the City of Kerman Planning Commission held on May 13, 2024, by the following vote:

AYES: S. Bishop, K. Nehring, R. Bandy, C. Molloy
NOES: NONE
ABSTAIN: NONE
ABSENT: R. Felker

The foregoing resolution is approved.



Scott Bishop
Chairperson

Attest:



Jesus R. Orozco
Planning Commission Secretary

Exhibit 'A'

SECTION	PAGE	MODIFIED FROM	MODIFIED TO
17.10.020	3	TERM MOD. (Table17.10-1) (Dwelling, Multi-Unit (Up to 40 units)	Dwelling, Multi-Unit (<i>three or more units</i>)
17.10.020	3	TABLE MOD. (Table17.10-1) remove; <i>Dwelling, Multi-Unit (41 or more units)</i>	Remove Use
17.10.020	3	TABLE MOD. (Table17.10-1) remove; <i>Dwelling, Multi-Unit (20%)</i>	Remove Use
17.12.030	18	TABLE MOD. (Table17.10-1) remove; <i>Retail Sales, Secondhand</i>	Remove Use
17.12.060 (A)	20	TEXT MOD. Fences, walls, and hedges shall be consistent with the requirements for <i>residential zones</i> as established in Chapter 17.24 (Fences, Walls, and Hedges).	Fences, walls, and hedges shall be consistent with the requirements for <i>the zone</i> as established in Chapter 17.24 (Fences, Walls, and Hedges).
17.14.020	26	TERM MOD. (Table17.14-1) <i>infectious Disease Laboratory</i>	<i>Infectious Nonclinical Laboratory</i>
17.14.020	27	TERM MOD. (Table17.14-1) <i>Wireless Telecommunication Facility, Tower</i>	Remove duplicate text
17.18.020 (G) (3)	42	TEXT MOD. 36 inches	42 inches
17.18.020 (A) (2)	39	TEXT MOD. Existing uses in PD combining zones shall continue to be governed by this Section, but no additional PD combining zones shall be established. <i>Modifications, expansions, or changes of use within existing PD zones shall require rezoning to be compatible with adjacent uses, and may be, but is not required to be, rezoned to the SD combining zone as specified in Section 17.18.030 (Smart Development combining Zone).</i>	Existing uses in PD combining zones shall continue to be governed by this Section, but no additional PD combining zones shall be established. <i>Modifications or expansions to an existing use within an existing PD zone shall require an amendment to the Development Plan Permit approved for the use and any other applicable planning permit. New uses within an existing PD zone may be allowed as permitted by Subsection 17.18.020 (B) (PD Combining Zone Land Use Regulations).</i>
17.18.020 (I)	42	TEXT MOD. Delete subsection	
17.40.040(C) (2)	18	TEXT MOD. <i>There shall be no employment help. Permanent residents of the dwelling are the</i>	<i>The home occupation business may employ help. Employees not residing within the home occupation residence</i>

		<i>only persons permitted to engage or be employed in the home occupation at the residence. Workers shall not be allowed to physically report for activities such as dispatching or assignment to off-site locations.</i>	<i>shall not be allowed to physically report to the home occupation residence for business activities.</i>
17.40.040(C) (7)	19	TEXT MOD. <i>Vehicles used to conduct the home occupation, such as tow trucks or other maintenance vehicles, shall be stored in a fully enclosed garage or behind a six-foot wall.</i>	<i>Large vehicles, trailers, and other forms of commercial vehicles used to conduct the home occupation may be required to be stored at an off-site location.</i>
17.120.090	25	TEXT MOD. <i>Infectious Disease Laboratory</i>	<i>Infectious Nonclinical Laboratory</i>
17.120.160	34	Remove Text: Parking Space	Remove text
17.120.160	34	TERM MOD. Pawn Shop: see "Retail Sales, General"	Pawn Shop: see Retail Sales, Restricted
17.120.180	42	TERM MOD. <i>Thrift store</i>	<i>Thrift Store / Secondhand retail sales</i>
17.120.180	42	TEXT MOD. <i>Retail sales, Secondhand</i>	<i>Includes secondhand clothing and antique stores, but not pawn shops.</i>
17.120.200	51	TERM MOD. <i>Thrift Shop</i>	<i>Thrift Store</i>
17.120.200	51	TEXT MOD. <i>See "Retail Sales, General"</i>	<i>A commercial establishment typically operated by and in benefit of a non-profit or charitable organization, engaged in the sale of used articles such as clothes, furniture, kitchen utensils and other used home goods, primarily sourced from donations.</i>