



PLANNING COMMISSION REGULAR MEETING AGENDA

Monday, July 10, 2023 at 6:00 PM

Kerman City Hall, 850 S. Madera Avenue, Kerman, CA 93630

1. OPENING CEREMONIES

- A. Call to Order 6:04 PM
- B. Roll Call

Present: S. Bishop, R Bandy, C. Molloy, V. Villar, Mario Nunez, K. Nehring (late @6:13)

Absent: R. Felker

- C. Pledge of Allegiance: performed
- D. Introduction of Staff

Staff present: Ruth Padilla, Recording Secretary; Manuel Campos, Assistant Planner; Jesus Orozco, Community Development Director; Jerry Jones, City Engineer; John Jansons, City Manager

2. AGENDA APPROVAL / ADDITIONS / DELETIONS

To accommodate members of the public or convenience, items on the agenda may not be presented or acted upon in the order listed.

Commissioner Molloy motioned to approve, seconded to approve to Commissioner Villar.

Yes: Scott Bishop, Robert Bandy, Cory Molloy, Victor Villar, Mario Nunez (5,0)

Noes: None

3. PRESENTATIONS / CEREMONIAL MATTERS

- A. Railroad Improvements Update (Jerry Jones)

SUBJECT: Informational Item

City Engineer Mr. Jerry Jones updated commissioners on a field diagnostic meeting that was held with developer representatives, city staff, rail road staff and California Public Utility Commission (CPUC) staff. The meeting was the first step in the process to get approvals and permits from the CPUC and the railroad companies involved. In the meeting concerns regarding the existing pedestrian crossing were mentioned by rail road and CPUC representatives. It was directed to the city that the crossing would need to be moved north if they are going to move forward with permitting the crossing improvements.

This new location to the north would have to be determined by a traffic analysis specifically a queuing analysis. Moving the crossing north is not a preferable option amongst staff. This was a temporary setup to get pedestrians north to California Ave. not to be a permanent fix.

Staff's proposed solution to this would be in lieu of relocating the crossing further north we would construct a temporary asphalt sidewalk from the end of the trail along the existing residential properties, this would tie into the new sidewalk that will be built as part of the tract 6293 at the north of the residential properties and will continue onto California Ave. Here there will be safe crossings at the intersection to take you east, west and north to Siskiyou. Temporary asphalt is being proposed because there is not enough right of way to construct the frontage improvements. Mr. Jones stated that if we were to do more a permanent of the sidewalk it would be more of a throw away cost than just a temporary asphalt sidewalk.

Commissioner Molloy asked if the temporary asphalt sidewalk would become permanent down the road?

Mr. Jones replied in the future it would be the city standard curb, gutter, sidewalk and landscaping along the area. These residential properties are not being developed right now, and they are not part of the tract 6293.

Commissioner Molloy asked if this would be the City's responsibility to make this a permanent sidewalk or is it up to the property owners?

Mr. Jones answered it would be the condition of approval with the development of those properties. He stated that the City could potentially apply for some funding or use some traffic funding to widen the road.

Commissioner Bandy asked if the resident who lives just north of the railroad tracks who parks his trucks on this lot will he be able to cross the asphalt sidewalk?

Mr. Jones stated that the one thing that will come out of the railroad improvements would be the median island on Siskiyou would extend all the way down to the tracks. This would make it difficult to maneuver their trucks he suggested that possibly thickening up the asphalt would keep the asphalt from crumbling, and mentioned that they shouldn't be parking in this area.

Chairperson Bishop asked if they are permitted to park in this area?

Mr. Orozco answered that the City currently has an active case working with Code Enforcement to abate this parking issue.

Commissioner Bandy asks who the property that is unkempt belong to.

Mr. Jones answered that the railroad has 50 ft. on either side of the tracks. He stated that he would confirm and will let Mr. Orozco know.

Commissioner (unknown) asked what the estimated time of the construction and if there were any safety concerns.

Mr. Jones answered that 1- 2 years would be the estimated time and there will be an asphalt curb that will act as a bumper if someone were to get close to it. It is safer than moving the crosswalk further north mid-block.

B. Fresno LAFCo Workshop (Brian Spaunhurst) Informative

Brian Spaunhurst gave a presentation of the services LAFCo provides for various cities regarding annexations, general plan implementation, and enable an efficient annexation application. Working with the City and municipal services such as sewer, water, police and fire. Brian stated that it is important that the CEQA portion of the project to list LAFCo as a responsible agency as this will help streamline things along the way. Once entitlements are in place LAFCo will send a notice of intent to the county. He stated that working County department's MOUs so that both parties are on the same page will make for a project to move smoother and in

a timely matter. LAFCo is not a party to the MOU but does play a part in making sure both the City and County are on the same page.

The NOI must be submitted 30 days prior to the application to LAFCo. To avoid an incomplete application. Brian indicated the earlier the project can start the sooner the project will go to the planning commission and then to city council. Once County's response is received indicating they are in agreement with the project, fits with the MOU and all other items on the check list are complete they can move onto the proposal. LAFCo will receive the completed application and will provide a certificate of filing, which will then start the clock to schedule a hearing date. LAFCo will then prepare the staff report for council. Once it has reached the planning commission and is on the agenda for consent this means that it is uninhabited and 100 percent consent, if it is inhabited and not a 100 percent consent this must have a typical noticing of public hearing where the public can come in and share their thoughts and opinions. When the project is approved there is a 30 day reconsideration period to ensure the project is going smoothly. The Board of equalization is the final step will then record the map along with other documents.

Chairperson Bishop: Questioned when LAFCo speaks with the County regarding the MOU who at the county do they speak to?

Brian Spaunhurst- responded that they speak with Bernard Jimenez with Public Works.

Chairperson Bishop: Most counties that I deal with deal with the county's server dept.

Jesus- Mentioned city staff is responsible for reviewing MOU even before accepting a development application just to make sure that application will meet the requirements under the MOU. Jesus went out to say that both the City of Kerman and County MOU does state that no annexation can pursue without at least 25 percent of project meaning be included or if it is part of the housing element or housing need purposes.

4. REQUEST TO ADDRESS COMMISSION

This portion of the meeting is reserved for members of the public to address the Commission on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Commission. Speakers shall be limited to three minutes. It is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Commission on items on the Agenda should notify the Chairperson when that Agenda item is called, and the Chairperson will recognize your discussion at that time. It should be noted that the Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda. Speakers are asked to please use the microphone, and provide their name and address.

No public comment

5. CONSENT AGENDA

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Commission Member may request an item be removed from the Consent Calendar and it will be considered separately.

NONE

6. PUBLIC HEARINGS

- A. **SUBJECT:** Public hearing regarding Conditional Use Permit 2023-07 to allow for the installation of barbed wire fencing and to approve the private parking lot use necessary to bring into conformance Overnite Truck Parking located at 15160 W Commerce Way, including adopting a finding of Categorical Exemption pursuant to section 15301 of CEQA Guidelines. (MC)

RECOMMENDATION: Planning Commission conducts a public hearing, deliberates, and by motion adopt a resolution approving CUP 2023-07 to allow for the installation of barbed wire fencing and to approve the private parking lot use necessary to bring into conformance Overnite Truck Parking located at 15160 W Commerce Way, including adopting a finding of Categorical Exemption pursuant to section 15301 of CEQA Guidelines.

Public Hearing Opened at: 6:37 PM

Mr. Campos presented the project as described in the staff report.

Commissioner Molloy asked a question regarding the fence, specific to the type of fence. Mr. Campos responded it was going to be conventional fencing material with three rungs.

Commissioner asked a question regarding repairs or mechanical work.

Mr. Orozco stated that on condition 19 of the Agenda Packet is states that no repair or mechanical activity of vehicles are not allowed.

Commissioner Bishop asked a question regarding idling of vehicles and the noise.

Mr. Orozco answered that there are no conditions for this specifically, It would be up to the operator does have concerns this would be addressed directly with the business.

Commissioner Molloy asked if the drivers are allowed to sleep in their sleeper overnight.

The applicant- the driver is allowed to stay with their vehicles overnight.

Commissioner Molloy asked if they have to be a resident of the City of Kerman to use the facility.

Applicant stated that it is open to everyone who would needs a place to stay overnight.

Commissioners asked if there was an onsite manager for security. Is there a time line as to when the cameras would need to be installed.

Applicant stated that the site would be monitored by cameras.

Mr. Orozco stated that all safety matters should be installed prior to obtaining a business license.

Commissioner Bishop asked the applicant if they are agreement with all the conditions that the city has provided and presented it with.

Applicant stated yes.

Commissioner Bishop to close the meeting with motion to approve.

Commissioner Molloy motioned to approve, seconded to approve to Commissioner Villar.

Yes: Scott Bishop, Robert Bandy, Cory Molloy, Victor Villar, Mario Nunez, Kevin Nehring (6,0)

Noes: **None**

- B. **SUBJECT:** Public Hearing regarding an ordinance to repeal Chapter 17.94 related to expedited permit process for small residential rooftop solar systems from Title 17 of the Kerman Municipal Code (JRO)

RECOMMENDATION: Planning Commission conduct a public hearing, deliberate, and adopt a resolution recommending to the City Council that the Council adopt Ordinance Text Amendment 2023-03 repealing Chapter 17.94 related to expedited permit process for small residential rooftop solar systems from Title 17 of the Kerman Municipal Code

Mr. Orozco requested to repeal Title 17 which is currently in the Zoning code and place it under Title 15 which is the building code. Mr. Orozco stated this was a house keeping matter necessary and repeal of this chapter which would be best implemented under Title 15.

Commissioner Molloy motioned to approve Commissioner Nunez seconded.

Yes: Scott Bishop, Robert Bandy, Cory Molloy, Victor Villar, Mario Nunez, Kevin Nehring (6,0)

Noes: **None**

7. PETITIONS / RESOLUTIONS

NONE

8. ADMINISTRATIVE REPORTS

- A. **SUBJECT:** Pre-Approved Multi-Family Conceptual Site Design Program (JRO)

RECOMMENDATION: Commission Accept Information Regarding the Pre-Approved Multi-Family Conceptual Design Program

Mr. Orozco gave an update on an infield study that staff had endured. Staff was able to identify 4 specific sites within the city. Mr. Orozco showed two different floor plans, with the idea to maximize the floor area and accommodate them. Mr. Orozco made it clear that these are not construction-ready plans, the idea is for individuals to streamline the design and review process. This program will be before the city council, City council does need to take action as part of our agreement with the State's Department of Housing Community Development.

Commissioner's asked if there will additional information regarding loans.

Mr. Orozco stated this program does not include that component. This matter was for informational only. No Commission action was required.

9. COMMUNICATIONS

- A. Housing Element Update

Mr. Orozco provided an update on this matter.

B. Downtown Revitalization Community Meeting

Mr. Orozco presented a flyer and invitation to Commissioners to participate.

City Manager also gave an update on Chief Golden’s retirement. Currently Lt. Barcoma will be Acting Chief of Police while the city undergoes the hiring of a new Chief. Mr. Jansons mentioned that Mary Rodrigues the Administrative Assistant for the Police Dept. will also be retiring after serving 33 years working for the city effective 07/14/2023 . An update on the 2023-2024 State budget was finalized and in the budget two awards were included for the City of Kerman. A \$3 million dollar ear mark award for the new Kerman Police station which was sponsored by the office of Assemblywomen Soria’s office. The other was for a \$1 million ear mark dedicated to the Heart Ranch Park project made possible by the advocacy of Senator Anna Caballero. No matching funds were discussed in regards to these awards.

10. ADJOURNMENT

Adjourned at 7:22 PM

NOTICE OF AVAILABILITY OF AGENDA MATERIALS: Any writings or documents provided to a majority of the Commission within 72 hours of the meeting regarding any item on this agenda will be made available for public inspection at the Community Development Department located at 850 S. Madera Ave., Kerman, CA 93630 and on the City website at www.cityofkerman.net

In compliance with the American with Disabilities Act (ADA), if you need special assistance to participate at this meeting, please contact the Planning Commission Secretary at (559) 842-2301. Notification of 48 hours prior to the meeting will enable the Planning Commission Secretary to make reasonable arrangements to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically handicapped.

AGENDA POSTING CERTIFICATION

I, Jesus R. Orozco, Community Development Director for the City of Kerman, do hereby declare under penalty of perjury that I caused the above agenda to be posted at City of Kerman Council Chambers, at 850 S. Madera Avenue, Kerman, CA 93630 and on the City website at www.cityofkerman.net.

Date: July 07, 2023 /s/ Jesus R. Orozco, Community Development Director