

**Resolution No. 2024-XX**

**A RESOLUTION OF THE CITY OF KERMAN PLANNING COMMISSION RECOMMENDING APPROVAL OF TENTATIVE PARCEL MAP 2023-01, APN: 025-130-14S, AND A NOTICE OF EXEMPTION TO THE CITY OF KERMAN CITY COUNCIL**

WHEREAS, a tentative parcel map application has been filed by Central Valley Engineering and Surveying Inc. for the division of an approximately 8.9 parcel of land into three (3) parcels located on the northeast corner of Whitesbridge Road (SR 180) and Vineland Ave.; and

WHEREAS, City staff has conducted necessary investigations to ensure the proposed division of land is consistent with the goals and policies of the City's General Plan, Subdivision and Zoning Ordinance, and the State Subdivision Map Act; and

WHEREAS, City staff determined no further environmental review is required because the project is exempt from CEQA review under Class 15 and has prepared a Notice of Exemption for TPM 2023-01 for consideration; and

WHEREAS, a written report was prepared by Staff which included a recommendation for approval of Tentative Parcel Map 2023-01 as presented in Exhibit 'B' subject to conditions attached herein as Exhibit 'A'; and

WHEREAS, a public notice was circulated to adjacent properties and published in the local newspaper as required by law, and a public hearing was duly held on Monday, January 8, 2024; and

WHEREAS, after a public hearing and consideration of all the evidence before it, the Planning Commission now desires to recommend approval of Tentative Parcel Map 2023-01 to the City of Kerman City Council.

NOW, THEREFORE, the City of Kerman Planning Commission does resolve as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein:
2. CEQA: The Planning Commission finds that the project is exempt from CEQA under categorical exemption Class 15. 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.

(a) The Planning Commission recommends the adoption of the Notice of Exemption for TPM 2023-01.

3. Findings: The Planning Commission finds that all findings required for approval of Tentative Parcel Map 2023-01 can be made, including those required by the City of Kerman Municipal Code Section 16.16.030:

(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.*

In conclusion, the Planning Commission, after considering all evidence presented, finds that approval of Tentative Parcel Map 2023-01 will promote the orderly growth and development of the City.

4. Recommendation of Approval of Tentative Parcel Map: Given the foregoing, the Planning Commission recommends the City Council approve Tentative Parcel Map 2023-01 as presented in Exhibit 'B', subject to the conditions of approval attached hereto as Exhibit 'A'.

5. Effective Date of Resolution: This Resolution shall be effective immediately.

**I HEREBY CERTIFY** that the foregoing Resolution was approved at a regular meeting of the Planning Commission of the City of Kerman on the 8th day of January 2024, and was fully adopted at said meeting by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

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Chairperson

ATTEST:

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Jesus R. Orozco  
Planning Commission Secretary

## **Exhibit 'A'**

### **Conditions of Approval**

#### **Tentative Parcel Map 2023-01**

##### **General**

1. Tentative Parcel Map 2023-01 shall comply with all applicable standards of the Municipal Code and Subdivision Map Act requirements as conditioned by the City Engineer.
2. Tentative Parcel Map 2023-01 is valid for two (2) years from the date of approval, unless otherwise extended by the City Council pursuant to Section 16.24.050 of the Kerman Municipal Code.
3. The filing of a Final Parcel Map must be in accordance with the checklist for the final map per Section 16.36.010 of the Kerman Municipal Ordinance and consistent with the applicable provisions of the Subdivision Map Act.
4. Prior to the commencement of any development within the newly created parcels, the applicant/developer shall be responsible for securing the appropriate entitlement(s) e.g. Site Plan Review and/or Conditional Use Permit.

##### **Engineering Division**

##### **General**

5. Prior to the commencement of any development within the newly created parcels, the applicant/developer shall be responsible for securing the appropriate entitlement(s) e.g. Site Plan Review, Conditional Use Permit.
6. Submit a Final Parcel Map prepared by a Land Surveyor or Civil Engineer licensed to practice surveying to the City Engineer for review and approval. A current Preliminary Title Report and closure calculations shall also be submitted as part of the final map. Any and all rights-of-way and easements identified in the Preliminary Title Report shall be shown on the parcel map with recording data. Submit AutoCAD file(s) of the Final Parcel Map to the City Engineer.
7. Within five days after the final setting of all monuments has been completed, the engineer or surveyor shall give written notice to the City Engineer that the final monuments have been set. Upon payment to the engineer or surveyor for setting the final monuments, the developer shall present to the City Engineer evidence of the payment and receipt thereof by the engineer or surveyor.

8. The applicant shall establish CC&Rs or other mechanism applicable to all parcels that will ensure cross-access, cross-drainage, shared utilities and any other items that will impact the parcels.

### **Streets**

9. Relinquish vehicular access along Whitesbridge Road (SR 180), excepting any Caltrans approved access at east end of the subject property. Relinquish vehicular access on Vineland Avenue from Whitesbridge Road to 240 feet north of Whitesbridge Road.
10. The developer shall provide right-of-way acquisition or dedicate free and clear of all encumbrances and/or improve the following streets to City standards
  - a. Vineland Avenue
    - (1) Dedicate a total of 42' (20' existing) east of center/section line for public street and utility purposes along development frontage.
    - (2) Construct improvements east of center/section line in accordance with City Standard P-1 for a Collector Street. Improvements shall include curb and gutter, sidewalk, curb ramps, landscaped median island, street lights, landscaping and irrigation, and permanent paving.
    - (3) Construct improvements west of center/section line in accordance with City Standard P-2 for a Collector Street. Improvements shall include landscaped median island, permanent paving, and shoulder grading.
    - (4) Construct transitional paving as required.
  - b. Whitesbridge Road (SR 180)
    - (1) Dedicate the required street right-of-way for future widening and proposed right turn lane per Caltrans requirements.
    - (2) Construct landscaped median island per Caltrans requirements.
11. Storm drainage shall be routed to the point of connection on Vineland Avenue, north of Whitesbridge Road.
12. The developer shall, for construction activity prior to clearing, grading or excavation on one (1) acre or more of land area or as part of a larger common plan of development or sale, obtain a NPDES permit and implement Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology to reduce or eliminate storm water pollution. Plans for these requirements shall be included in the construction plan set and shall be submitted to and approved by the City Engineer.
13. The City of Kerman is not an MS4 and is regulated under the Construction General Permit Order 2009-0009-DWQ (CGP). Developer is required to comply with all requirements of the CGP, including Post-Construction Standards. Developer's engineer shall submit

calculations confirming that development will meet Post-Construction Standards with the grading plan for review by the City Engineer.

### **Sanitary Sewer**

14. The developer shall identify and abandon all existing septic systems per City Standards and any other governing regulations.
15. This property is master-planned to connect to a trunk sewer main to the north on Vineland Avenue, which has not been constructed. The nearest sanitary sewer main available to serve the development is an 8" sewer main in Vineland Avenue, south of Whitesbridge Road. The developer shall connect to this existing sewer for proposed flows of less than 300 gallons per day, at developer's cost. Any greater flows must be approved by the City Engineer and may require downstream improvements by the developer. The developer's engineer shall be responsible for verifying the size, location, and elevations of existing improvements. Any alternative routing of sewer service must be approved by the City Engineer and supported by appropriate calculations.
16. The developer shall install sanitary sewer mains of the size and in the locations indicated below. The developer's engineer shall be responsible for verifying the size, location, and elevations of existing improvements.
  - a. Vineland Avenue: Install 8" sewer main from the point of connection to the northerly limit of the development.
  - b. Interior Streets: Install 8" sewer mains throughout development.
17. The developer shall dedicate a 15' wide easement for all onsite sewer mains not located in otherwise dedicated rights-of-way.
18. Sewer service to multi-family and commercial parcels shall be approved by the City Engineer.

### **Water**

19. The developer shall identify and abandon all existing water wells per City Standards and any other governing regulations.
20. The developer shall install water mains of the sizes and in the locations indicated below and provide an adequately looped water system. The developer's engineer shall be responsible for verifying the size, location, and elevations of existing improvements.
  - a. Vineland Avenue: Install 12" water main from the point of connection in Whitesbridge Road to the northerly limit of the development.

- b. Interior Streets: Install 8" water mains throughout development.
- 21. The developer shall dedicate a 10' wide easement for all onsite water mains, hydrants, blow-offs, and water meters not located in otherwise dedicated rights-of-way.
- 22. The developer shall install a City Standard water service, size as necessary, to each lot within the development in accordance with City Standards. Water services shall be grouped at property lines. Water service to multi-family and commercial parcels shall be approved by the City Engineer.
- 23. The developer shall install a City Standard landscape water service, size as necessary, to each public landscape area within the development in accordance with City Standards.
- 24. No water service connection shall be made to the City of Kerman Water System until a bacteriological report has been accepted by the City Engineer.
- 25. Fire hydrants shall be installed at locations approved by the North Central Fire Protection District. Fire hydrants and curbs shall be painted as directed by the North Central Fire Protection District.

#### **Planning Division**

- 26. The applicant shall record a reciprocal cross-access and parking agreement between the newly created parcels prior to Final Map recordation to the City's specifications. Said agreements shall be maintained in perpetuity unless otherwise dissolved with the permission(s) of the City of Kerman.
- 27. The applicant shall prepare a Shopping Center Master Plan showing locations of shared access drives, easements, site utility, and landscaping prior to development on the newly created parcels to the satisfaction of the City Engineer.
- 28. The applicant shall record a shared maintenance agreement for the common maintenance of access drives, shared landscaping, common amenities, and any other applicable private and/or public improvements on the newly created parcels to the satisfaction of the City, as permissible by law, prior to development on the site. Said agreement shall be maintained in perpetuity unless otherwise dissolved with the permission(s) of the City of Kerman.
- 29. A Master Sign Program shall be prepared for the newly created parcels to be reviewed and approved consistent with the Sign Ordinance of the Municipal Code. The newly created parcels shall be limited to one freestanding monumental sign along Whitesbridge Road.



30. The applicant shall meet all other applicable codes and requirements as deemed necessary prior to the final recordation of the parcel map.

**END OF CONDITIONS**

Exhibit 'B'  
Tentative Parcel  
Map

FOUND 3/4" IRON PIPE  
OPEN, PER R-1 & CR#4765;  
ACC CTR 1/4 COR. SEC. 6

WEST  
NIELSEN  
AVENUE

APN: 025-130-666

FOUND 3/4" IRON PIPE  
OPEN, PER R-1 & CR#4766;  
ACC E 1/4 COR. SEC. 6

# TENTATIVE PARCEL MAP No. 2023-01

A PORTION OF LOTS 17 & 18 AS SHOWN IN THE SUBDIVISION OF A PART OF SECTION 6, TOWNSHIP 14 SOUTH, RANGE 18 EAST, A PART OF FRESNO IRRIGATED FARMS CO. TRACT ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 5, PAGE 20 OF ROS, F.C.R. CITY OF KERMAN, FRESNO COUNTY, CALIFORNIA

**LEGAL OWNER:**  
OWNER: GEORGE ALEX SCOTT AND PATRICIA ANN SCOTT, AS TRUSTEES FOR THE GEORGE AND PATRICIA SCOTT LIVING TRUST  
OWNER ADDRESS: 88 N. VINELAND AVE, KERMAN CA 93630

**LEGAL DESCRIPTION:**  
THE WEST HALF OF LOTS 17 AND 18 IN SECTION 6, TOWNSHIP 14 SOUTH RANGE 18 EAST, MADERA, ACCORDING TO THE UNITED STATES GOVERNMENT TOWNSHIP PLATS, AS PER MAP OF SUBDIVISION OF PART OF SECTIONS 5 AND 6, IN TOWNSHIP 14 SOUTH RANGE 18 EAST, PART OF FRESNO IRRIGATED FARMS CO. TRACT RECORDED IN BOOK 5, PAGE 20 OF RECORD OF SURVEY IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, EXCEPT THEREFROM, AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS AND OTHER HYDROCARBONS AND MINERALS THEREIN AND THEREUNDER, AS RESERVED OF RECORD.  
APN: 025-130-148

**PROPERTY INFORMATION:**  
SITE ADDRESS: 88 N. VINELAND AVE  
KERMAN, CA 93630  
EXISTING ZONING: CS, SERVICE COMMERCIAL  
PROPOSED USE: CS, SERVICE COMMERCIAL  
SUBDIVIDER INFORMATION: MILLER ACCORD LP  
P.O. BOX 6398, VISALIA, CA 93290  
TEL. 559.909.0979

**OWNER'S STATEMENTS:**  
STREET IMPROVEMENTS SUCH AS CURB/GUTTER, SIDEWALK ETC. SHALL BE PROVIDED AT THE TIME OF DEVELOPMENT ON EACH PROPOSED PARCEL. ALL ELECTRICAL WILL BE INSTALLED UNDERGROUND ON PROPOSED PARCELS 1, 2, 3 AND REMAINDER AT THE TIME OF DEVELOPMENT. SEWER DISPOSAL WILL BE HOOKUP TO THE EXISTING CITY SERVICES AT THE TIME OF THE DEVELOPMENT FOR PROPOSED LOTS 1, 2, 3 AND REMAINDER AND OWNER WILL DEVELOP STORM DRAINAGE BASIN ONSITE ON PROPOSED REMAINDER PARCEL TO BENEFIT ALL PARCELS.

DOC # 2008-0177524, O.R.F.C.

APN: 025-130-666

CITY OF KERMAN LIMITS

NORTH VINELAND AVENUE

N0°16'32"W 2644.31' (N0°16'39"W 2644.28' R-1)

N0°16'32"W 648.56' (648.52' CFR-1)(648.68' CFR-3)

NOW OFFERED FOR ADDITIONAL 22' ROW

318.68'

240.00'

22.00'

163.00'

185.00'

155.00'

589°57'04"E 460.58'

PROPOSED CENTERLINE OF 35' WIDE DRIVEWAY SHARED ACCESS

LIMITS OF ACCESS RELINQUISHMENT

275.58'

EXISTING LOT LINE

210.12'

612.95'

N0°17'41"W 647.95'

DOC # 2009-0155013, O.R.F.C.

APN: 025-130-725

M-2, HEAVY MANUFACTURING ZONING

500°18'50"E 2639.39'

FRESNO IRRIGATED FARMS CO. TRACT

RECORD OF SURVEY BK 5, PG. 20, F.C.R.

LOT 17

646.14' (646.22' CFR-3)

N00°21'07"W 2634.44' (N0°21'10"W 2634.62' R-1)

NORTH GOLDENROD AVENUE

PARCEL 1  
±3.6 AC.  
SERVICE COMMERCIAL

PARCEL 2  
±1.0 AC.  
SERVICE COMMERCIAL

PARCEL 3  
±4.3 AC.  
SERVICE COMMERCIAL

PARCEL DATA TABLE	
PARCEL NO. 1	± 3.6 AC
PARCEL NO. 2	± 1.0 AC
PARCEL NO. 3	± 4.3 AC

DOC # 2009-0155013, O.R.F.C.

APN: 025-130-725

M-2, HEAVY MANUFACTURING ZONING

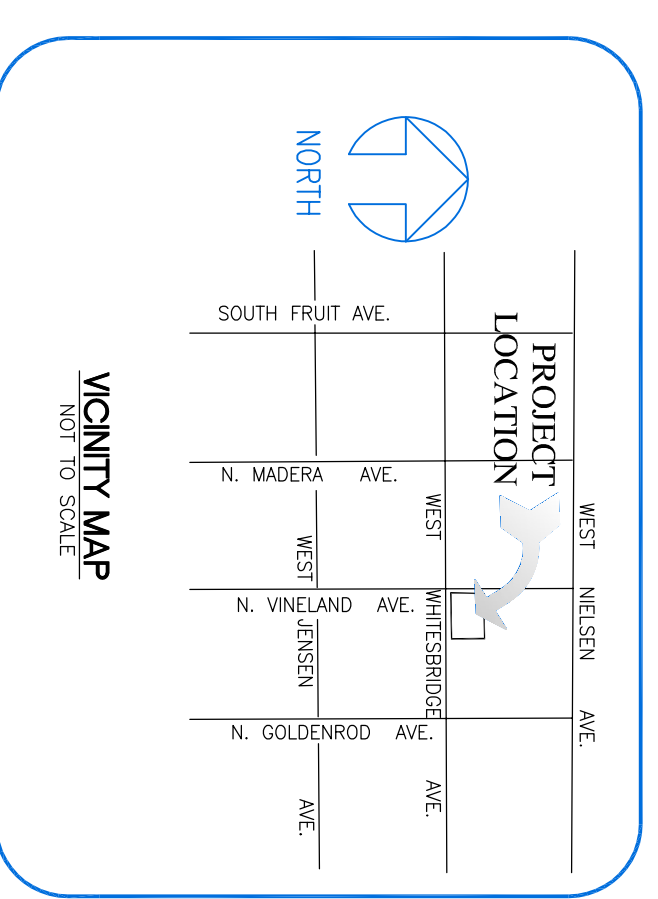
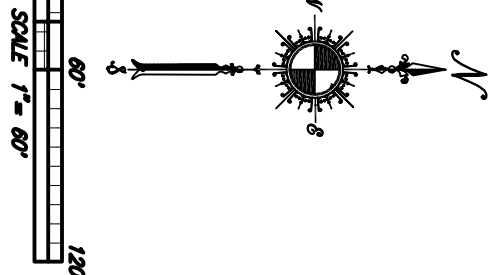
FRESNO IRRIGATED FARMS CO. TRACT  
RECORD OF SURVEY BK 5, PG. 20, F.C.R.  
LOT 17

646.14' (646.22' CFR-3)

NORTH GOLDENROD AVENUE

N00°21'07"W 2634.44' (N0°21'10"W 2634.62' R-1)

NORTH GOLDENROD AVENUE



LEGEND:	
○	MONUMENTS FOUND AND ACCEPTED AS DESCRIBED OR AS NOTED. SET 3/4"x3/8" IRON PIPE, DOWN 1', TAGGED P.L.S. 8719 UNLESS NOTED OTHERWISE
(R-1)	RECORD DATA PER RECORD OF SURVEY MAP IN BOOK 61 OF RECORD OF SURVEYS AT PAGE 70, F.C.R.
(R-2)	RECORD DATA PER PARCEL MAP NO. 6107 FILED IN BOOK 39 OF PARCEL MAPS AT PAGE 1, F.C.R.
(R-3)	RECORD DATA PER RECORD OF SURVEY MAP IN BOOK 5 OF RECORD OF SURVEYS AT PAGE 20, F.C.R.
---	INDICATES SUBJECT PARCEL BOUNDARY
---	INDICATES SECTION LINES OR SECTIONAL BREAKDOWN LINES
---	INDICATES RIGHT-OF-WAY
---	INDICATES OLD LOT LINES PER (R-3) PROPERTY LINE
---	INDICATES ACCESS RELINQUISHMENT
---	INDICATED FROM RECORD
---	DISTANCES NOT MONUMENTED ARE CALCULATED

FOUND 2.5" BRASS CAP, DOWN 0.5" IN MONUMENT WELL, PER R-1 & CR#5704; ACC S 1/4 COR. SEC. 6

WEST  
WHITESBRIDGE  
ROAD  
(BASIS OF BEARINGS)

FOUND 2.5" BRASS CAP, DOWN 1.0" IN MONUMENT WELL, PER R-1 & CR#6872; ACC SE COR. SEC. 6

**GENERAL VALLEY ENGINEERING AND SURVEYING**  
2511 LOGAN STREET  
SEPLMA, CA 95622  
WWW.CVEAS.COM

Tel. (559) 891-8811  
Fax (559) 891-8815

DATE OF SURVEY	2/15/2022
JOB NO.	21160
DRAWN BY	B.K.
CHECKED BY	N.S.
DATE	9/12/2022
REVI	8/18/2023
REVI	12/21/2023