



## PLANNING COMMISSION REGULAR MEETING AGENDA

Monday, May 13, 2024 at 6:00 PM

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

**Para asistencia en Español sobre este aviso, por favor llame al 559-846-9386.**

**LEVINE ACT DISCLOSURE.** Pursuant to the Levine Act (Govt Code Section 84308), any party to a permit, license, contract, or other entitlement before the Planning Commission is required to disclose on the record any campaign contribution, including aggregated contributions, of more than \$250 made by the party or the party's agents within the preceding 12 months to any City official. Participants and agents are requested to make this disclosure as well. The disclosure should be made when the agenda item is called and must include the name of the party, participant, or agent, and any other person making the contribution, the name of the recipient, the amount of the contribution, and the date the contribution was made. Commissioner Members are also required to make such disclosures and recuse themselves.

**CONFLICT OF INTEREST.** Commissioner Members with a conflict of interest under the Political Reform Act are required to disclose their financial interest when the item is called and recuse themselves.

**DISCLOSURE OF EX PARTE COMMUNICATIONS.** Commissioner Members are asked to disclose any communication they have had with applicants or members of the public regarding an item on the agenda when the item is called.

### 1. OPENING CEREMONIES

- A. Call to Order
- B. Roll Call      **Present: S. Bishop, K. Nehring, C. Molloy, R. Bandy**  
                         **Absent: R. Felker**
- C. Pledge of Allegiance **Performed**
- D. Introduction of Staff **Staff Present: Juliana Gomez, Recording Secretary; Jesus Orozco, Community Development Director**

### 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.*

**NONE**

**Commissioner Nehring motioned to Approve, Seconded by Commissioner Malloy.**

**Aye: S. Bishop, K. Nehring, C. Molloy, R. Bandy (4,0)**

**Noes: NONE**

### 3. PRESENTATIONS / CEREMONIAL MATTERS

**NONE**

### 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.*

**NONE**

## **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.*

A. **SUBJECT:** Minutes April 8, 2024

**RECOMMENDATION:** Planning Commission approve minutes as presented.

**Commissioner Nehring motioned to Approve, Seconded by Commissioner Malloy.**

**Aye: S. Bishop, K. Nehring, C. Molloy (3, 0, 1)**

**Noes: NONE**

**Abstain: R. Bandy**

## **6. PUBLIC HEARINGS**

A. **SUBJECT:** A public hearing for General Plan Amendment 2024-01 regarding the City of Kerman's Sixth Cycle Housing Element. (JRO)

**RECOMMENDATION:** Commission conduct a public hearing, deliberate, and by motion adopt a resolution recommending to the City Council that the Council adopt General Plan Amendment 2024-01 to replace the current Fresno Multi-Jurisdictional 2015-2023 Housing Element with the Fresno Multi-Jurisdictional 2023-2031 Housing Element including Appendix 1G-Kerman *Local Housing Element Section*, and adopt a finding for a Common Sense Exemption pursuant to section 15061(b)(3) of CEQA Guidelines (ENV 2024-04).

**Mr. Orozco gave a short presentation on the mandated requirement Housing element that is part of the General Plan; City is required to update plans every 8 years. Last cycle was within December 31<sup>st</sup>, 2015 to December 31<sup>st</sup>, 202; City of Kerman is not in compliance with HCD Housing Law until adopted. Housing needs process includes county members to determine its fair share. Fresno Council of Govt is the lead in this collaboration between cities and the county. Fifteen jurisdictions collaborated, with the exception of City of Clovis. Kerman was designated 1,063 units, making 2% of the pie. City of Kerman does have a surplus of units and can accommodate up to 1,376 units.**

**Staff submitted first draft in July of 2023; three re-submittals have been, the last re-submittal was back in February. Conditional compliance letter was received in April stating the draft housing element is in compliance and the City may be forward with adoption.**

**Mr. Orozco proceeds to acknowledge Consultant Cynthia Walsh whom was joining through zoom.**

**Commissioner Bandy asking what is the breakdown of low-income housing.**

**Consultant Walsh replied the very low 285 units and the low is 134.**

Commissioner Bandy asked what are examples of underutilized sites.

Mr. Orozco responds with infilled or older residential homes that are not being used to the fullest potential with enough room to accommodate additional units. City only has some infilled sites. The program takes into consideration annexations to add to the overall number of units.

Commissioner Bandy inquired about large lots and if they would be considered underutilized.

Consultant Walsh replied she doesn't believe large lots were counted to meet the lower income amount. When considering sites larger than 10 acres, the City requires you to do an analysis to see why they are appropriate. Underutilized means there's a current use of some sort of that site that would need to show whether use would discontinue or development around that use.

Chairperson Bishop closes meeting at 6:21 P.M.

Commissioner Nehring motioned to Approve, Seconded by Commissioner Bandy.

Aye: S. Bishop, K. Nehring, C. Molloy, R. Bandy (4,0)

Noes: NONE

- B. **SUBJECT:** Conditional Use Permit (CUP 2023-11) application for Foot Logic for a body and foot massage therapy business located at 171 S. Madera Avenue.

**RECOMMENDATION:** Continue this item to the next regularly scheduled Planning Commission meeting.

**Motion to table until June 10, 2024. Motion by Commissioner Nehring, Second by Commissioner Malloy.**

Aye: S. Bishop, K. Nehring, C. Molloy, R. Bandy (4,0)

Noes: NONE

## **7. PETITIONS / RESOLUTIONS**

- A. **SUBJECT:** Planning Commission's Receipt and Review of Council's Referral of Ordinance Text Amendment 2024-01 relating to Zoning Code update with the Council's referred minor modifications. (JRO)

**RECOMMENDATION:** Planning Commission consider a resolution reporting and recommending adoption of Ordinance Text Amendment 2024-01 relating to the Zoning Code update with the Council's referred minor modifications.

Mr. Orozco made presentation consistent with the staff report. Mr. Orozco stated this was procedural in nature because staff identified modifications to the Zoning Code subsequent to Planning Commission recommendation to the City Council. The City Council review those modifications made by staff and referred the same back to the Planning Commission for review and determination back to the City Council for final action. Mr. Orozco stated that the modifications do not trigger any further analysis.

Member of the Commission asked questions of staff. **\*\*Inaudible\*\***

**Motion by Commissioner Nehring, Second by Commissioner Bandy.**

Aye: (4,0)

No: NONE

## **8. ADMINISTRATIVE REPORTS**

NONE

**9. COMMUNICATIONS**

NONE

**10. ADJOURNMENT**

**Motion by Commissioner Molley, Second by Commissioner Bandy.**

**Adjourned at 6:28 P.M.**

**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](http://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](http://www.cityofkerman.net).

Date: May 9, 2024 /s/ Jesus R. Orozco, Community Development Director