

**Resolution No. 2025-05**

**A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL (1) ADOPT THE FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 15091; (2) CERTIFY THE MITIGATED NEGATIVE DECLARATION (SCH NO. 2025060904); (3) ADOPT THE PROPOSED MITIGATION MONITORING AND REPORTING PROGRAM; AND (4) APPROVE GENERAL PLAN AMENDMENT 2023-02 TO AMEND THE 2040 KERMAN GENERAL PLAN PLANNED LAND USE DESIGNATIONS FOR ASSESSOR'S PARCEL NUMBER (APN) 020-120-06 TO MU – MIXED USE AND MDR – MEDIUM DENSITY RESIDENTIAL (SOUTHWEST CORNER OF WEST NIELSEN AVENUE AND NORTH MADERA AVENUE)**

**WHEREAS**, State Law requires that local agencies adopt General Plans containing specific mandatory elements; and

**WHEREAS**, the City of Kerman has adopted a Comprehensive General Plan Update and Environmental Impact Report in July 2020, and the City of Kerman is currently in compliance with State mandates relative to Elements of the General Plan; and

**WHEREAS**, State law also provides for periodic review, updates, and amendments of its various plans; and

**WHEREAS**, an application was filed by Lifetime Communities, pertaining to two (2) parcels (APNs 020-120-06 and 020-120-03S) consisting of approximately 40 acres located on the south side of West Nielsen Avenue between North Madera Avenue (State Route 145) and North Del Norte Avenue ("project site"), requesting to amend the 2040 Kerman General Plan through General Plan Amendment 2023-02; and

**WHEREAS**, the project site has a City of Kerman 2040 General Plan land use designation of MDR – Medium Density Residential ( $\pm$  30.19 acres) and GC – General Commercial ( $\pm$  9.64 acres); and

**WHEREAS**, General Plan Amendment 2023-02 requests to increase land designated MDR – Medium Density Residential from 30.19 acres to 30.39 acres, remove GC – General Commercial, and increase MU – Mixed Use from zero acres to 8.74 acres, representing an increase in acreages of MDR and MU land use designations and decrease in acreage of the GC land use designation as shown in Exhibit 1; and

**WHEREAS**, approval of the project would also require approval of General Plan Amendment 2023-02, Rezone 2023-03, Tentative Parcel Map 2024-01, Tentative Subdivision Map 2023-03, and Annexation 2023-03; and

**WHEREAS**, the proposed General Plan Amendment will be consistent with the General Plan and the underlying zoning district, as proposed by Rezone 2023-03; and

**WHEREAS**, the General Plan Amendment is not expected to be detrimental to the health, safety and welfare of the city; and

**WHEREAS**, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 (“CEQA”), the City of Kerman (“City”) as the Lead Agency, has analyzed the proposed Project (inclusive of the two parcels to be annexed), including the General Plan Amendment, Rezone, Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2024060904) (“IS/MND”) to evaluate the project; and

**WHEREAS**, in compliance with CEQA Section 21080.4, a Notice of Intent (“NOI”) was prepared by the City and distributed for public comment to the State Clearinghouse, responsible agencies, and other interested parties for a 20-day public review and comment period commencing on June 18, 2025 and ending on July 9, 2025; and,

**WHEREAS**, the Draft IS/MND was circulated for a 20-day public review and comment period commencing on June 18, 2025 to July 9, 2025, and a copy of the Draft IS/MND was circulated through the State Clearinghouse, posted on the City’s website, and was available at City Hall; and

**WHEREAS**, the public review period for the Draft IS/MND ended on July 9, 2025; and

**WHEREAS**, a Final IS/MND was prepared for the proposed Project consistent with CEQA Guidelines Section 15070(b) which addressed comments received on the Draft, as well as any appropriate revisions and clarifications to the Draft IS/MND; and

**WHEREAS**, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

**WHEREAS**, the Planning Commission has completed its review of the Staff Report and documents submitted for the proposed project, evaluated the information contained in the IS/MND, and considered testimony received as a part of the public hearing process; and

**WHEREAS**, after due consideration of all the items before it, the Planning Commission now desires to recommend to the City Council approval of General Plan Amendment 2023-02 and certification of IS/MND as set forth herein.

**NOW THEREFORE**, be it resolved by the Planning Commission of the City of Kerman as follows:

1. **Recitals.** The Planning Commission hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.
2. **IS/MND Contents.** The IS/MND consists of the following, hereafter collectively referred to as the “IS/MND”.

- a. The IS/MND including any attached appendices.
- b. The Notice of Intent and comments received in response to the notice.
- c. The Mitigation Monitoring and Reporting Program.
- d. The Notice of Completion of the IS/MND for public review.
- e. Any other information added by the Lead Agency.

3. Certification of Compliance with CEQA. The Planning Commission does hereby find that the IS/MND, including the Mitigation Monitoring and Reporting Program, has been prepared in accordance with the requirements of CEQA and the CEQA Guidelines.

4. Recommendation for IS/MND Certification. The Planning Commission does hereby recommend the following to the City Council.

- a. Recommendation to Adopt the Initial Study and Mitigated Negative Declaration. The Planning Commission hereby recommends to the City Council that it certify that 1) the IS/MND has been completed in compliance with CEQA, 2) that it has reviewed and considered the information contained in the IS/MND prior to approving the project, and 3) that the IS/MND reflects the City Council's independent judgment and analysis.
- b. Recommendation Regarding Feasible and Binding Effect of Mitigation Monitoring and Reporting Program. The Planning Commission hereby recommends to the City Council that it find that the mitigation measures described and specifically identified in the above referenced documents are feasible and shall become binding upon the entity (such as the project proponent or the City) assigned thereby to implement the particular mitigation measures as identified in the Mitigation Monitoring and Reporting Program.
- c. Recommendation to Adopt Mitigation Monitoring and Reporting Program. As required by applicable State law, the Planning Commission hereby recommends to the City Council that it adopt the Mitigation Monitoring and Reporting Program set forth in Exhibit 3 of this Resolution. The Planning Commission finds that the Mitigation Monitoring and Reporting Program is designed to ensure that, during project implementation, the City and any other responsible parties implement the project components and comply with the mitigation measures identified in the Mitigation Monitoring and Reporting Program.

5. Custodian of Records. The City Clerk is recommended as the designated custodian of records for documents comprising the record of the proceedings upon which its decision is based. These documents are maintained at City Hall, located at 850 S. Madera Ave. Kerman, CA, 93630.

6. General Plan Consistency: The Planning Commission finds and recommends the City Council find that the public necessity, general welfare, good planning practices, public interest, and convenience warrant approval of General Plan Amendment 2023-02, including the following:

- a. The change is consistent with the General Plan goals and policies. The project site is currently planned for residential and commercial uses. The project requests an amendment to the General Plan and Zoning Map to increase the acreage of land designated for medium density residential use, remove the acreage of land designated for commercial, and increase the acreage of land designated for mixed use. The project would facilitate future residential and commercial development within an area with existing and planned residential, commercial, recreational, and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development) LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). Therefore, the change is consistent with the General Plan goals and policies.
- b. The change is consistent with the purpose of the Zoning Ordinance to preserve and promote the public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. The project is currently planned for residential and commercial uses. The project requests an amendment to the General Plan to increase the acreage of land designated for medium density and mixed-use uses, which requires removal of the acreage of land designated for commercial uses. A rezone is also proposed to pre-zone the parcels to be annexed and rezone them to zoning districts consistent with the proposed land use designations. The proposed zoning districts are identified as compatible zoning districts for the proposed land use designations as shown in the General Plan. Future development proposed on the project site would be subject to compliance with the applicable standards and requirements of the Zoning Ordinance, standards which were adopted by the City to ensure preservation and promotion of public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. Further, the project has been reviewed by the various City departments and evaluated for conformity with the requirements of the Zoning Ordinance. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with the purpose of the Zoning Ordinance.
- c. There will not be significant effects upon the quality of the environment and natural resources. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 (“CEQA”), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2024031008) to evaluate

the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.

7. **Recommendations for Approval.** Given that all the findings can be made, the Planning Commission recommends that the City Council adopt a resolution to amend the Kerman General Plan land use designations for the parcel identified as Assessor's Parcel Number (APN) 020-120-06, resulting in an increase in land designed MDR – Medium density Residential from from 30.19 acres to 30.39 acres, remove GC – General Commercial, and increase MU – Mixed Use from zero acres to 8.74 acres, representing an increase in acreages of MDR and MU land use designations and decrease in acreage of the GC land use designation located on the south side of West Nielsen Avenue between North Madera Avenue (State Route 145) and North Del Norte Avenue as set forth in Exhibit 1.
8. **Effective Date of Resolution.** This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman.

**I HEREBY CERTIFY** that the foregoing Resolution was approved at a special meeting of the Planning Commission of the City of Kerman on the 22nd day of September 2025, and was fully adopted at said meeting by the following vote:

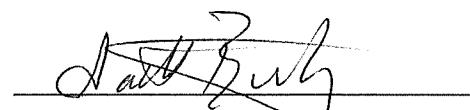
Ayes: Bishop, Nehring, Bandy, Molloy, Dolzadelli

Noes: None

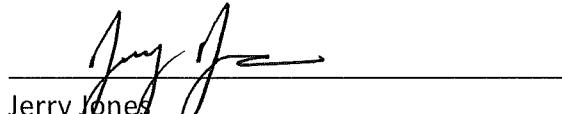
Absent: None

Recused: None

The foregoing resolution is hereby approved.

  
\_\_\_\_\_  
Scott Bishop, Chairperson

Attest:

  
\_\_\_\_\_  
Jerry Jones  
Planning Commission Secretary

**Resolution 2025-06**

**A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF KERMAN FOR TWO (2) PARCELS IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS (APNS) 020-120-06 (19.82 ACRES) AND 020-120-03S (20 ACRES), PRE-ZONING THE PARCELS CONSISTENT WITH THE PROPOSED LAND USE DESIGNATIONS, RESULTING IN APPROXIMATELY 30.39 ACRES WITHIN THE SMART DEVELOPMENT COMBINING DISTRICT – RESIDENTIAL – MINIMUM 3,500 SQUARE FEET (SD-R-3.5), 8.74 ACRES WITHIN THE MIXED USE DISTRICT, TOTALING APPROXIMATELY 39.13 ACRES LOCATED ON THE SOUTH SIDE OF WEST NIELSEN AVENUE BETWEEN NORTH MADERA AVENUE AND NORTH DEL NORTE AVENUE (REZONE 2023-03)**

**WHEREAS**, Rezone 2023-03 pertains to two (2) parcels (APNs 020-120-06 and 020-120-3S) consisting of approximately 39.13 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue ("project site"), requesting to amend the Official Zoning Map of the City of Kerman; and

**WHEREAS**, the project site is located within the City of Kerman Sphere of Influence, but since it is outside City limits, the site is zoned by the County and is within the County of Fresno's Agricultural Exclusive – 20 acres (AE-20) and Limited Agricultural – 20 acres (AL-20) zone districts; and

**WHEREAS**, because the project site is outside City limits, the project requires annexation and pre-zoning to a zone district consistent with the City of Kerman 2040 General Plan; and

**WHEREAS**, Rezone 2023-03 requests to pre-zone/rezone the two (2) parcels (APNs 020-120-06 and 020-120-3S) to zoning districts consistent with the planned land use designations, upon approval of General Plan Amendment 2023-02; and

**WHEREAS**, the pre-zone/rezone would result in approximately 30.39 acres within the Smart Development Combining District – Residential – Minimum 3,500 Square Feet (SD-R-3.5) and 8.74 acres within the Mixed Use District (MU) as shown in Exhibit 1; and

**WHEREAS**, approval of the project would require approval of General Plan Amendment 2023-02, Rezone 2023-03, Tentative Parcel Map 2024-01, Tentative Subdivision Map 2023-03, and Annexation 2023-03; and

**WHEREAS**, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project and the project is in compliance with CEQA; and

**WHEREAS**, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

**WHEREAS**, the Planning Commission has completed its review of the Staff Report and documents submitted for the proposed project, evaluated the information contained in the IS/MND, and considered testimony received as a part of the public hearing process; and

**WHEREAS**, the Planning Commission now desires to recommend that the City Council adopt an ordinance to amend the Official Zoning Map of the City of Kerman for two (2) parcels (APNs 020-120-06 and 020-120-3S), pre-zoning the parcels to SD-R-3.5 and MU zoning districts, consistent with the planned land use designations, upon approval of General Plan Amendment 2023-02.

**NOW, THEREFORE**, be it resolved by the Planning Commission of the City of Kerman as follows.

1. **Recitals**. The Planning Commission hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.
2. **CEQA**: The Planning Commission concurrently recommended certification of the IS/MND (SCH No. 2025060904) for the project. The IS/MND identified the pre-zoning of the project site. The pre-zoning does not change the environmental assessment of the IS/MND. Further, the Planning Commission recommended to the City Council certification of the IS/MND for this project. The Planning Commission further recommends findings that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the IS/MND. As such, the Planning Commission recommends the City Council find Rezone 2023-03 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.
3. **Rezone Findings**. The Planning Commission finds, and recommends the City Council find, as follows:

- a. The change is consistent with the General Plan. The project site is currently planned for residential and commercial uses. The project requests an amendment to the General Plan and Zoning Map to increase the acreage of land designated for medium density and mixed use uses, which requires the removal of the acreage of land designated for commercial uses. The project would facilitate future residential and commercial development within an area with existing and planned residential, recreational and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development) LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). Therefore, the change is consistent with the General Plan goals and policies.
- b. The change is consistent with the purpose of the Zoning Ordinance to promote the health, safety, and welfare of the community. The project requests to pre-zone the parcels to be annexed and rezone them to zoning districts consistent with the proposed land use designations. The proposed zoning districts are identified as compatible zoning districts for the proposed land use designations as shown in the General Plan. Future development proposed on the project site would be subject to compliance with the applicable standards and requirements of the Zoning Ordinance, standards which were adopted by the City to ensure preservation and promotion of public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. Further, the project has been reviewed by the various City departments and evaluated for conformity with the requirements of the Zoning Ordinance. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with the purpose of the Zoning Ordinance.
- c. There will not be significant effects upon the quality of the environment and natural resources. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 (“CEQA”), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.

4. Recommendation for Approval. Given that all the findings can be made, the Planning Commission recommends the City Council adopt an ordinance to amend the official zoning map of the City of Kerman for two (2) parcels identified as Assessor's Parcel Numbers (APNs)

020-120-06 (19.82 acres) and 020-120-03S (20 acres), pre-zoning the parcels consistent with the proposed land use designations, resulting in approximately 30.39 acres within the Smart Development Combining District – Residential – minimum 3,500 square feet (SD-R-3.5) and 8.74 acres within the Mixed Use District (MU), totaling approximately 39.13 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue (Rezone 2023-03), as set forth in Exhibit 2 of this resolution.

5. Effective Date of Resolution. This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman.

**I HEREBY CERTIFY** that the foregoing Resolution was approved at a special meeting of the City of Kerman Planning Commission on the 22<sup>nd</sup> day of September 2025, and was fully adopted at said meeting by the following vote:

Ayes: Bishop, Nehring, Bandy, Molloy, Dolzadelli

Noes: None

Absent: None

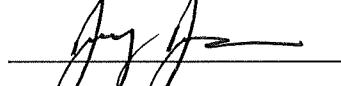
Recused: None

The foregoing resolution is hereby approved.



Scott Bishop, Chairperson

Attest:



Jerry Jones

Planning Commission Secretary

**Resolution No. 2025-07**

**A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL  
ADOPT A RESOLUTION TO APPROVE THE ORCHARDS AT GILL ESTATES PARCEL MAP OF TWO  
(2) PARCELS IDENTIFIED AS 020-120-06 (19.82 ACRES) AND 020-120-03S (20 ACRES) INTO TWO  
(2) PARCELS AND ONE (1) REMAINDER, INCLUDING A 28.35-ACRE "PARCEL 1" THAT WOULD  
ACCOMMODATE TSM 2023-03, A 8.74-ACRE "PARCEL 2" ON THE EAST PORTION OF APN 020-  
120-06 WITH NO DEVELOPMENT PROPOSED AT THIS TIME, AND A 2.04-ACRE "REMAINDER"  
ON THE NORTHWEST CORNER WITH AN EXISTING SINGLE-FAMILY RESIDENCE (TENTATIVE  
PARCEL MAP 2024-01)**

**WHEREAS**, Lifetime Communities submitted Tentative Parcel Map 2024-01 pertaining to two (2) parcels (APNs 020-120-06 and 020-120-03S) that total approximately 40 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue ("project site"); and

**WHEREAS**, Tentative Parcel Map 2024-01 proposes to split the two (2) parcels into two (2) parcels and one (1) remainder (Exhibit 1); and

**WHEREAS**, General Plan Amendment 2023-02, Rezone 2023-03, Annexation 2023-03, and Tentative Subdivision Map 2023-03 were considered concurrently by the Planning Commission with Tentative Parcel Map 2024-01; and

**WHEREAS**, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project and the project is in compliance with CEQA; and

**WHEREAS**, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

**WHEREAS**, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred, and the Planning Commission now desires to recommend to the City Council adoption of a resolution approving Tentative Parcel Map 2024-01.

**NOW, THEREFORE**, the Planning Commission of the City of Kerman resolves as follows:

1. **Recitals.** The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. CEQA: The Planning Commission concurrently recommended certification of the IS/MND (SCH No. 2025060904) for the project. The IS/MND identified the land division of the project site. The land division does not change the environmental assessment of the IS/MND. Further, the Planning Commission recommended to the City Council certification of the IS/MND for this project. The Planning Commission further recommends findings that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the IS/MND. As such, the Planning Commission recommends the City Council find Rezone 2023-03 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.
3. Subdivision Findings. The Planning Commission determines that none of the findings required by the City's Subdivision Ordinance and the California Subdivision Map Act Section 66474 that require the City to deny approval of a tentative map apply to this project, or that findings regarding flood protection cannot be made. To the contrary, the Planning Commission finds, and recommends the City Council find, as follows:
  - a. The proposed map is consistent with the applicable General Plan, Subdivision Ordinance, Specific Plan, and the Subdivision Map Act. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, Tentative Parcel Map 2024-01 is consistent with all local planning documents including the General Plan, Subdivision Ordinance, and Zoning Ordinance, and the Subdivision Map Act.
  - b. The design or improvement of the proposed land division is consistent with applicable general plan and specific plans. Tentative Parcel Map 2024-01 is consistent with the intended land uses, density, and development standards outlined in the General Plan. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the subdivision is consistent with the density and land use designated by the General Plan, as well as circulation, pedestrian accessibility, and other design or improvement requirements of the General Plan. There is no specific plan applicable to the site.
  - c. That the site is physically suitable for the proposed type of development. Tentative Parcel Map 2024-01 would split the two (2) parcels identified as APNs 020-120-06 and 020-120-03S into two (2) parcels and one (1) remainder parcel to facilitate

future residential and commercial uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, land characteristics, including topography, soil conditions, drainage patterns, ingress/egress and access points, and utility availability are appropriate and can accommodate future development without significant challenges or modifications.

- d. That the site is physically suitable for the proposed density of development. Tentative Parcel Map 2024-01 would split the two (2) parcels identified as APNs 020-120-06 and 020-120-03S into two (2) parcels and one (1) remainder parcel. The parcel sizes conform to the standards of development as defined by the Zoning Ordinance for the applicable development zone districts. Future development would be subject to compliance with applicable development standards, including allowable density and intensity. Compliance with these standards would be ensured through the entitlement review process.
- e. The design of the land division and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 (“CEQA”), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.
- f. The design of the land division and type of improvements being required are not likely to cause serious public health problems. All improvements shall be required by the City and shall include sewer, water, underground power, telephone, gas, concrete curbs, gutters, sidewalks, permanent street pavement, and streetlights. The project will be tied into existing municipal water, sewer, and storm drain systems through the extension of existing systems. Sanitary sewer service would be provided through connection to the existing trunk sewer main in First Street at the east-west street along the southern boundary of the site. Domestic water service would also be provided through a connection point at the same location. A drainage basin is proposed on-site in Outlot D of the subdivision on a portion of the parcel identified as APN 020-120-03S. The basin was adequately sized to accommodate stormwater runoff from the site. Associated electric, natural gas, telecommunications, and solid waste services are provided by private companies and will serve the project site as needed. Through compliance with applicable development standards, environmental mitigation measures, and conditions of

approval, the design of the land division and type of improvements being required are not likely to cause serious public health problems.

- g. The design of the subdivision 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 encumbering the property. Upon development, all modifications made to the existing public improvements fronting the parcels will be required to meet current City standards.
- h. That the proposed design provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision pursuant to Government Code Section 66473.1. As feasible, the project has attempted to take advantage of passive or natural cooling opportunities in subdivision design. Appropriate consideration was given to the local climate, while ensuring that heating and cooling opportunities did not result in the reduction of allowable densities or the percentage of a lot that may be occupied as contemplated by Government Code section 66473.1.

4. Approval with Conditions. Based on the aforementioned findings, the Planning Commission recommends the City Council to adopt a resolution to approve Tentative Parcel Map 2024-01 (Exhibit '1'), subject to the conditions set forth in Exhibit '2' (Tentative Parcel Map 2024-01 conditions of approval) attached hereto.
5. Effective Date of Resolution. This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman

**I HEREBY CERTIFY** that the foregoing Resolution was approved at a special meeting of the City of Kerman Planning Commission on the 22<sup>nd</sup> day of September 2025, and was fully adopted at said meeting by the following vote:

Ayes: Bishop, Nehring, Bandy, Molloy, Dolzadelli

Noes: None

Absent: None

Recused: None

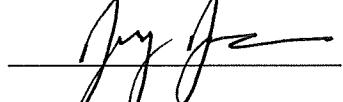
The foregoing resolution is hereby approved.



---

Scott Bishop, Chairperson

Attest:



Jerry Jones

Planning Commission Secretary

**Resolution No. 2025-08**

**A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL ADOPT  
A RESOLUTION TO APPROVE THE ORCHARDS AT GILL ESTATES SUBDIVISION OF ONE (1)  
PARCEL INTO 172 SINGLE-FAMILY LOTS RANGING IN SIZE FROM 3,690 SQUARE FEET TO 8,987  
SQUARE FEET AND FIVE (5) OUTLOTS, TOTALING APPROXIMATELY 28.35 ACRES LOCATED ON  
THE SOUTH SIDE OF WEST NIELSEN AVENUE BETWEEN NORTH MADERA AVENUE AND NORTH  
DEL NORTE AVENUE (TENTATIVE SUBDIVISION MAP 2023-03)**

**WHEREAS**, Lifetime Communities submitted Tentative Subdivision Map 2023-03. "The Orchards at Gill Estates," pertaining to one (1) parcel (Parcel 1 of Tentative Parcel Map 2024-01) consisting of approximately 28.35 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue ("project site"); and

**WHEREAS**, Tentative Subdivision Map 2023-03 proposes to subdivide the 28.35 acres into 172 single-family lots, ranging in size from 3,690 square feet to 8,987 square feet (Exhibit 1); and

**WHEREAS**, General Plan Amendment 2023-02, Rezone 2023-03, Annexation 2023-03, and Tentative Parcel Map 2024-01 were considered concurrently by the Planning Commission with Tentative Subdivision Map 2023-03; and

**WHEREAS**, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project and the project is in compliance with CEQA; and

**WHEREAS**, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

**WHEREAS**, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred, and the Planning Commission now desires to recommend to the City Council adoption of a resolution approving Tentative Subdivision Map 2023-03.

**NOW, THEREFORE**, the Planning Commission of the City of Kerman resolves as follows:

6. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

7. CEQA: The Planning Commission concurrently recommended certification of the IS/MND (SCH No. 2025060904) for the project. The IS/MND identified the subdivision. The subdivision does not change the environmental assessment of the IS/MND. Further, the Planning Commission recommended to the City Council certification of the IS/MND for this project. The Planning Commission further recommends findings that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the IS/MND. As such, the Planning Commission recommends the City Council find Tentative Subdivision Map 2023-03 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

8. Subdivision Findings. The Planning Commission determines that none of the findings required by the City's Subdivision Ordinance and the California Subdivision Map Act Section 66474 that require the City to deny approval of a tentative map apply to this project, or that findings regarding flood protection cannot be made. To the contrary, the Planning Commission finds, and recommends the City Council find, as follows:

- a. The proposed map is consistent with the applicable General Plan, Subdivision Ordinance, Specific Plan, and the Subdivision Map Act. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, Tentative Subdivision Map 2023-03 is consistent with all local planning documents including the General Plan, Subdivision Ordinance, and Zoning Ordinance, and the Subdivision Map Act.
- b. The design or improvement of the proposed land division is consistent with applicable general plan and specific plans. Tentative Subdivision Map 2023-03 is consistent with the intended land uses, density, and development standards outlined in the General Plan. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the subdivision is consistent with the density and land use designated by the General Plan, as well as circulation, pedestrian

accessibility, and other design or improvement requirements of the General Plan. There is no specific plan applicable to the site.

- c. That the site is physically suitable for the proposed type of development. Tentative Subdivision Map 2023-03 would subdivide “Parcel 1” of the Tentative Parcel Map 2024-01 to create 172 parcels to support single-family uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, land characteristics, including topography, soil conditions, drainage patterns, ingress/egress and access points, and utility availability are appropriate and can accommodate future development without significant challenges or modifications.
- d. That the site is physically suitable for the proposed density of development. Tentative Subdivision Map 2023-03 would subdivide “Parcel 1” of the Tentative Parcel Map 2024-01 to create 172 parcels. The lot areas will conform to the standards of development as defined by the Zoning Ordinance for the applicable development zone districts. Future development will be subject to compliance with applicable development standards, including allowable density and intensity. Compliance with these standards would be ensured through the entitlement review process.
- e. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 (“CEQA”), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.
- f. The design of the subdivision and type of improvements being required are not likely to cause serious public health problems. All improvements shall be required by the City and shall include sewer, water, underground power, telephone, gas, concrete curbs, gutters, sidewalks, permanent street pavement, and streetlights. The project will be tied into existing municipal water, sewer, and storm drain systems through the extension of existing systems. Sanitary sewer service would be provided through connection to the existing trunk sewer main in First Street at the east-west street along the

southern boundary of the site. Domestic water service would also be provided through a connection point at the same location. A drainage basin is proposed on-site in Outlot D of the subdivision on a portion of the parcel identified as APN 020-120-03S. The basin was adequately sized to accommodate stormwater runoff from the site. Associated electric, natural gas, telecommunications, and solid waste services are provided by private companies and will serve the project site as needed. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the design of the subdivision and type of improvements being required are not likely to cause serious public health problems.

- g. The design of the subdivision 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 encumbering the property. Upon development, all modifications made to the existing public improvements fronting the parcels will be required to meet current City standards.
- h. That the proposed design provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision pursuant to Government Code Section 66473.1. As feasible, the project has attempted to take advantage of passive or natural cooling opportunities in subdivision design. Appropriate consideration was given to the local climate, while ensuring that heating and cooling opportunities did not result in the reduction of allowable densities or the percentage of a lot that may be occupied as contemplated by Government Code section 66473.1.
9. Approval with Conditions. Based on the aforementioned findings, the Planning Commission recommends the City Council to adopt a resolution to approve Tentative Subdivision Map 2023-03 (Exhibit '1'), subject to the conditions set forth in Exhibit '2' (Tentative Subdivision Map 2023-03 conditions of approval) attached hereto.
10. Effective Date of Resolution. This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman

**I HEREBY CERTIFY** that the foregoing Resolution was approved at a special meeting of the City of Kerman Planning Commission on the 22<sup>nd</sup> day of September 2025, and was fully adopted at said meeting by the following vote:

Ayes: Bishop, Nehring, Bandy, Molloy, Dolzadelli

Noes: None

Absent: None

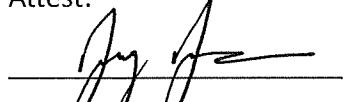
Recused: None

The foregoing resolution is hereby approved.



Scott Bishop, Chairperson

Attest:



Jerry Jones

Planning Commission Secretary

**Resolution No. 2025-09**

**A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL ADOPT  
A RESOLUTION TO INITIATE ANNEXATION OF TWO (2) PARCELS IDENTIFIED AS ASSESSOR'S  
PARCEL NUMBERS (APNS) 020-120-06 (19.82 ACRES) AND 020-120-03S (20 ACRES), TOTALING  
APPROXIMATELY 40 ACRES LOCATED ON THE SOUTH SIDE OF WEST NIELSEN AVENUE  
BETWEEN NORTH MADERA AVENUE AND NORTH DEL NORTE AVENUE (ANNEXATION 2023-  
03)**

**WHEREAS**, the City of Kerman desires to initiate proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code; and

**WHEREAS**, Government Code section 56654 provides that "[a] proposal for a change of organization or a reorganization may be made by the adoption of a resolution of application by the legislative body of an affected local agency . . . [;]" and

**WHEREAS**, the specific changes of organization requested consists of an annexation into the City of Kerman and detachment from the County of Fresno and the Kings River Conservation District of the parcels identified as APNs 020-120-06 and 020-120-03S ("project site"); and

**WHEREAS**, a map of the boundaries of the territory is set forth in Exhibit '1' attached hereto and by this reference incorporated herein; and

**WHEREAS**, the affected territory proposed to be changed is inhabited, and on this day contains 5 registered voters, according to information received from the County Elections Office; and

**WHEREAS**, the proposed annexation area is inside the Sphere of Influence of the City of Kerman; and

**WHEREAS**, the City has an agreement with the County of Fresno to comply with Revenue and Tax Code Section 99 regarding property tax revenue transfer upon annexation, which memorandum of understanding includes standards of annexations; and

**WHEREAS**, the City does not propose any specific term and conditions for the proposed reorganization; and

**WHEREAS**, the reasons for this proposed annexation is to facilitate future residential and commercial development; and

**WHEREAS**, approval of the project would require approval of General Plan Amendment 2023-02, Rezone 2023-03, Tentative Parcel Map 2024-01, Tentative Subdivision Map 2023-04, and Annexation 2023-04; and

**WHEREAS**, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project and the project is in compliance with CEQA; and

**WHEREAS**, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

**WHEREAS**, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project; and

**WHEREAS**, all prerequisites for the initiation of proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, have been met; and

**WHEREAS**, after due consideration of all the items before it, the Planning Commission now desires to adopt this Resolution to recommend the City Council to adopt a resolution to initiate annexation proceedings for the affected territory as set forth in Exhibit 1.

**NOW, THEREFORE**, Planning Commission of the City of Kerman resolves as follows:

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.
2. CEQA. The Planning Commission concurrently recommended certification of the IS/MND (SCH No. 2025060904) for the project. The IS/MND identified the annexation of the project site. The annexation does not change the environmental assessment of the IS/MND. Further, the Planning Commission recommended to the City Council certification of the IS/MND for this project. The Planning Commission further recommends findings that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the IS/MND. As such, the Planning Commission recommends the City Council find Rezone 2023-03 has already been fully assessed in accordance with CEQA, no

subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

3. General Plan Consistency. The Planning Commission finds that the annexation is consistent with the goals, objectives, and policies of the City of Kerman 2040 General Plan, as amended by General Plan Amendment 2023-02. In this regard, the Planning Commission finds that public necessity, convenience, general welfare, or good zoning practices justify annexation of the project site. Specifically, the annexation and pre-zoning change is consistent with the General Plan goals and policies, any operative plan, or adopted policy including LU-3.2 Urban Form; LU-3.3 Prevent Sprawl Development; and LU-3.4 Leapfrog Development as described below and implements the planned residential and commercial land uses for the project site.
  - a. General Plan Policy LU-3.2 Urban Form: The project site is outside City limits but is within the City's Sphere of Influence. The project requires annexation and therefore would result in a change in City limits. The project as proposed would meet the considerations of General Plan Policy LU-3.2 Urban Form. Specifically, the project would facilitate future residential units which would help meet the city's residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing. The project would also facilitate open space (Outlot C) and recreational facilities (pedestrian trail) meeting several community needs. The project would not result in obstacles to growth because future development would be able to connect to City services. The project would also result in infrastructure improvements, including roadway and circulation improvements. Lastly, the project would facilitate future commercial uses through mixed-uses which would serve the city's economic development needs. Lastly, the project would facilitate future commercial uses which would serve the city's economic development needs. Based on these considerations, the project as proposed maintains growth management controls and is consistent with General Plan Policy LU-3.2.
  - b. General Plan Policy LU-3.3 Prevent Sprawl Development: The project site is contiguous to existing and approved development within City Limits. Thus, the project does not encourage sprawl and is therefore consistent with General Plan Policy LU-3-3.
  - c. General Plan Policy LU-3.4 Leapfrog Development: The project site is contiguous to existing urban development and thus would not constitute leapfrog development.
4. Findings for Annexation. The Planning Commission further finds, and recommends the City Council find, as follows:

- a. The proposed annexation is within the City's adopted Sphere of Influence. The project site is outside City limits but is within the City's Sphere of Influence. The project requires annexation and therefore would result in a change in City limits. The project as proposed would meet the considerations of General Plan Policy LU-3.2 Urban Form, which sets the City's growth management control measures. Specifically, the project would facilitate future residential units which would help meet the city's residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing. The project would also facilitate open space (Outlot C) meeting community needs. The project would not result in obstacles to growth because future development would be able to connect to City services. The project would also result in infrastructure improvements, including roadway and circulation improvements. Lastly, the project would facilitate future commercial uses through mixed-use development which would serve the city's economic development needs. Based on these considerations, the project as proposed maintains growth management controls and is consistent with General Plan Policy LU-3.2.
- b. The proposal must be consistent with city general and specific plans, including adopted goals and policies. The project would facilitate future residential and commercial development within an area with existing and planned residential, commercial, recreational, and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development), LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). There are no specific plans applicable to the proposed project.
- c. Pursuant to CEQA, the proposal must mitigate any significant adverse effect on continuing agricultural operations on adjacent properties, to the extent reasonable and consistent with the applicable general and specific plan. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.

- d. At least 25% of the area proposed for annexation has an approved tentative subdivision map(s) (single-family residential) and an approved site plan (for uses besides single-family). The proposed annexation would meet this condition whereby at least 25% of the proposed annexation area will include an approved tentative map for single-family use.
- e. The annexation is to fulfill the city's Regional Housing Needs Allocation (RHNA) obligation which otherwise cannot be accommodated on lands currently within the city's incorporated boundary. The project would facilitate future residential uses which would assist the City with fulfilling the city's RHNA obligation within the City's 6<sup>th</sup> Cycle Housing Element Update.
- f. The proposal would not create islands. Boundaries must ultimately minimize creation of peninsulas and corridors, or other distortion of boundaries. The proposed annexation area would not create islands. New boundaries would not create any peninsulas or corridors.

5. Approval of Initiation of Reorganization. Based on the information provided above, the Planning Commission recommends the City Council of the City of Kerman approve a resolution to initiate annexation and reorganization of the project site that is not within the City limits, by adopting a resolution of application requesting the Local Agency Formation Commission of Fresno County to initiate proceedings for the change of organization of territory as described in Exhibit '1', in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The Planning Commission recommends that the City Council authorize and direct the City Manager to take all necessary steps to effectuate and initiate such reorganization proceedings, and to support Developer's processing of the same at Developer's sole cost and expense.

6. Effective Date of Resolution. This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman.

**I HEREBY CERTIFY** that the foregoing Resolution was approved at a special meeting of the City of Kerman Planning Commission on the 22<sup>nd</sup> day of September 2025, and was fully adopted at said meeting by the following vote:

Ayes: Bishop, Nehring, Bandy, Molloy, Dolzadelli

Noes: None

Absent: None

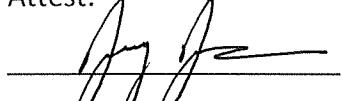
Recused: None

The foregoing resolution is hereby approved.



Scott Bishop, Chairperson

Attest:



Jerry Jones

Planning Commission Secretary