CITY OF KERMAN PLANNING COMMISSION

City Council Chambers 850 S. Madera Avenue, Kerman CA 93630
Minutes Regular Meeting Monday, January 26, 2015 6:30pm

Call to Order – Chairman, Robert D. Epperson called meeting to order at 6:30pm

Roll Call – Secretary, Olivia Pimentel,

Commissioners Present: Epperson, Bandy, Nehring, Kehler, Wettlaufer

Commissioners Absent: None

Staff: Luis Patlan, Planning Director/City Manager
Jerry Jones, City Engineer
Chris Kufis, Interim Building Official

Guests: Alejandra Valdivia, guest
Arthur Valdivia, guest
Marc Magana, guest

Pledge of Allegiance: Performed

Approval of Agenda : Commissioner Nehring made a motion to approve Agenda as presented, second Commissioner Bandy, unanimously approved as presented.

1. Approval of Minutes Commissioner Nehring made a motion to approve Minutes of October 27, 2014 as presented, second Commissioner Bandy, unanimously approved as presented

Request to Address Commission – None offered

2. Presentation(s)

A. Swearing-in of Newly Appointed Planning Commissioners Charlie Jones and Mario Nunez

On December 17, 2014 the City Council appointed Charlie Jones and Mario Nunez to the Planning Commission for a three-year term from January 1, 2015 through December 31, 2017. Olivia Pimentel, deputy City Clerk, administered the oath of office to Mr. Jones and Mr. Nunez. The two new Commissioners took their seats at the dais, each gave a brief introduction.

3. Public Hearing(s) / Meeting(s) None Scheduled

4. Petitions, Resolutions None Scheduled

5. Administrative Reports

A. Request for Abandonment of Public Utility Easement (PUE) at 14647 W. Kearney Blvd

Alexandria and Arthur Valdivia, property owners of a vacant lot located at 14647 W. Kearney Blvd requested that the City of Kerman abandon a public utility easement fronting their property in order to allow them to construct a single family residence on the site. The request was presented to the City Council on January 7. After considering the request, the Council directed staff to present the item to the Planning Commission for their input prior to the public hearing on the matter scheduled for February 4.

The property owners were in the audience to address any questions from the Commission.
City Engineer, Jerry Jones, gave a brief history of this request. Mrs. Valdivia and son Mr. Arthur Valdivia approached the city staff in regards to building a single family residence on the subject property. The proposed residence is 1,700 square feet featuring 3 bedrooms and 2 bathrooms, with a 1,591 square foot garage to store classic cars owned by Arthur Valdivia. The Valdivia's submitted a plot plan for review and

comment by staff. Upon review, staff noted that the proposed residence encroached upon the PUE along the frontage of the property and did not meet zoning setback requirements. The lot is an irregular shaped lot that was created by the dedication of some right-of-way by the Valdivia's to the City in the 1980's for the widening of Kearney and realignment of 'G' Street. The configuration of the lot makes the placement of the proposed residence, including garage, challenging without encroachment into the PUE. The PUE was dedicated as a standard requirement by the City in connection with the parcel map filed by Mr. and Mrs. Fidel Valdivia in June 2005. The specific vacation procedures as set forth by the California Streets and Highways Code (SHC), Section 8320 were reviewed and was presented to the City Council on January 7th, the Council directed staff to present to the Planning Commission for their input prior to their decision at a public hearing scheduled for February 4th. Staff noted that notices were sent out to all interested public agencies and all had responded except for P.G & E who had been contacted by staff and said they would response by the end of the week.

Staff requested input from the Commission:

C/Jones inquired whether this action would set a negative precedence.
C/Nehring asked for clarification on setback requirements and was this a public utility easement or a private easement. Staff noted that this was a public utility easement, that the City is the beneficiary of for any underground uses, such as PG&E, Cable, and Telephone services). Staff noted that the setback requirements was another matter that would have to go thru the Planning Department.

C/ Nehring made a motion to recommend the vacation of the PUE, with the contingency that the PG&E had to approve abandonment request, second by C/Bandy. The commissioners voted unanimously to recommend that the City Council grant the request to abandon the PUE fronting 14647 W. Kearney Blvd, with the approval of the PG&E. Staff would report to the City Council.

AYES: Bandy, Nehring, Kehler, Wettlaufer, Jones, Nunez, Epperson
NAYS: None
ABSENT: None
ABSTAIN: None

B. Proposed Union Pacific Railroad (UPRR)/California Avenue Bicycle and Pedestrian Route Master Plan and Construction of Curb Bulbouts for Increased Safety at Street Crossings

City Staff have developed a proposed Bicycle and Pedestrian Master Plan Route along the Union Pacific Railroad and California Avenue from Siskiyou Avenue to Goldenrod Avenue. The route will provide bicyclists and pedestrians enhanced access between City parks and facilities, schools, and other activity centers. The City has received Federal funding for the segments between Siskiyou and Park and Del Norte and First. In order to provide safe crossings for residents to access the route, curb bulbouts are proposed at the intersection of California and Manor and California and First. The curb bulbouts would be constructed as part of the City's upcoming California Avenue Reconstruction Project. Staff is seeking input from the Planning Commission on the proposed bulbouts.

Staff explained that in an effort to promote bicycling and walking, a proposed Bicycle and Pedestrian Route Master Plan for a route along the UPRR and California Avenue, from Sisklyou to Goldenrod Avenue was prepared. The route will provide a continuous connecting route between the City Center (Plaza Park and City Hall) and the future westside and eastside regional parks. The proposed master plan is considered to be the first phase in the development of a Citywide Bicycle and Pedestian Route Master Plan. The Citywide Master Plan will provide a planning document for future bicycle and pedestrian facilities within the City's Sphere of Influence. The Citywide Master Plan will include sidewalks, parkways, trails, paseos, and other bicycle friendly facilities. Staff was requesting input from the Commission.

C/Nehring inquired on the type of separation, staff responded that there would be at least a 50 foot distance from railroad tracks with fencing. RR would not allow anyone near the railroad right of way.
C/Epperson inquired about the type of RR crossing. Staff noted that at this issue was quite a while away and at this time, input was requested just on the route. City is applying for future funding.
After much discussion, the Commission was in support of the proposed Master Plan. The Planning Commission's recommendations would be presented to City Council on February 4, 2015.

C. Zoning Ordinance Amendment related to Emergency Shelters, Transitional & Supportive Housing for the homeless

The City of Kerman is in the process of completing the 5th Cycle Housing Element update. The City of Kerman is participating in a Multi-Jurisdictional Housing Element Update (MJHE) with the County of Fresno and the cities of Clovis, Coalinga, Fowler, Huron, Kingsburg, Mendota, Parlier, San Joaquin, Reedley, and Selma. The consultant preparing the 5th cycle housing element update reviewed each jurisdictions housing element to determine compliance with State housing law relating to emergency shelters, transitional and supportive housing for the
homeless as required by Senate Bill 2 (SB2). The consultant determined that Kerman's zoning ordinance is not in compliance with SB2 that was passed in 2008 and a zoning ordinance amendment will be required. The State Department of Housing and Community Development (HCD) will not certify a housing element unless a jurisdiction is in compliance with SB2. The 5th cycle housing element update is due to HCD by December 31, 2015. Staff gave a PowerPoint presentation and was seeking input from the Planning Commission on the proposed zoning ordinance amendment.

Staff reported that the basics of SB2 Housing Element policy were to facilitate Shelters and Housing for homeless persons. Counties and Cities must identify number of homeless persons within it's city/jurisdiction. Identify at least one zone district where Emergency Shelters would be allowed by right to meet local homeless need and Transitional and supportive housing to be added to definitions and to be treated the same as other residential uses.

The U.S. Department of Housing and Urban Development released a 2013 National Street and Shelter Point-in-Time Count of the estimated number of Homeless population. The survey reported Fresno County had an estimated 3,131 homeless persons, 90% of unsheltered homeless in Fresno County were male. Kerman's estimated homeless population was 5 persons.

Key definitions required in the Housing Element:
Emergency Shelters: Housing with minimal support services for no more than 6 months stay.
Transitional Housing: Rentals for at least 6 months, not intended for long term stay.
Permanent Supportive Housing: NO limits to length of stay for intended target population.

The Zoning Ordinance Amendments that would bring the Kerman Municipal Ordinance into compliance with current state law would require the following actions;

-Identify at least one zone district where Emergency Shelters are allowed by right.
-Establish development standards
-Add Emergency Shelters, Transitional and Supportive Housing to definitions
-Possible Zoning District(s): *City would have to decide which zone to allow these uses.*
  -Service Commercial (C-S)
  -Light Industrial (M-1)

Staff explained this was informational and requesting the Commission's input. The next step would be to bring this item back on February 23, 2015 for a formal resolution to initiate a zone ordinance amendment and set a

public hearing for March 23, 2015 to recommend to City Council for a second public hearing on April 15, 2015, first reading on May 6th and second reading and adoption May 20, 2015. The ordinance would become effective 30 days after City Council adoption.

C/Bandy inquired about how sites were to be funded, staff explained there was no funding, only requirement is the City has to provide a way of allowing it in a particular zone. C/Jones inquired about the number of homeless in Kerman, whether this number was actual or just estimated. Staff responded that this is an estimated figure. C/Epperson inquired whether a specific site could be designated; staff responded it could not be, only the designated zone district and wherever that zone is located this use would be allowed by right.

Staff noted that some cities put conditions such as spacing requirements that would require any of these types of uses to be a certain distance from schools, churches or residential districts. Any control would be for Emergency Shelters only. Transitional an Supportive Housing would be determined by the building code.
Staff reported that this item would be brought back with a formal resolution on February 23, 2015, with
The Commission's comments incorporated.

Communications

A. Commissioners Comments: None offered

Adjournment, meeting was adjourned at 8:20pm

Olivia G. Pimentel
Secretary to the Planning Commission