



PLANNING COMMISSION

Tuesday, October 1, 2024 / 6:30 PM / City Hall / 405 East El Monte Way, Dinuba

District 1	District 2	District 3	District 4	District 5
Sergio Alvarado Chair	Albert Cendejas Commissioner	Linda Faust Commissioner	Estevan Benavides Commissioner	Tim Conklin Vice Chair

All attendees are advised that electronic devices should be placed on silent upon entering the Council Chambers.

The Board will take action on all items listed on the agenda.

1. OPENING CEREMONIES

- 1.1. Welcome and Call to Order
- 1.2. Invocation
- 1.3. Pledge of Allegiance

2. ROLL CALL

3. AGENDA CHANGES OR DELETIONS

To better accommodate members of the public or convenience in the order of presentation, items on the agenda may not be presented or acted upon in the order listed. Additions to Agenda may be added only pursuant to California Government Code section 54954.2(b).

4. REQUEST TO ADDRESS COMMISSION

This portion of the meeting is reserved for any person who would like to address the Planning Commission on any item that is not on the agenda. Please be advised that State law does not allow the Planning Commission to discuss or take any action on any issue not on the agenda. The Planning Commission may direct staff to follow up on such item(s). Speakers may be limited to three (3) minutes. If there is any person wishing to address the Planning Commission at this time please approach the podium and state your name and nature of the request.

5. CONSENT CALENDAR

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.

5.1. SUBJECT

Planning Commission Meeting Minutes, September 3, 2024

RECOMMENDATION

Planning Commission approve the Planning Commission meeting minutes for September 3, 2024.

6. PUBLIC HEARINGS

6.1. SUBJECT

Application 2021-02 (Verma) General Plan Amendment and zone change for a multi-family residential development

Applicant: Raju Verma

Location: On the north side of Surabian Drive west of Alta Avenue

Proposal: A request to amend the General Plan land use designation and zoning for a 5.8-acre parcel to facilitate the construction of a multi-family residential complex.

RECOMMENDATION

It is recommended the Commission conduct a public hearing and consider adoption of the following Resolutions:

A. Resolution No. 1149 (Attachment "A") recommending approval to the City Council of a Mitigated Negative Declaration as the environmental finding for the project.

B. Resolution No. 1150 (Attachment "B") recommending approval to the City Council of a General Plan land use amendment from "Community Commercial" to "High Density Residential" and also a zone change from "M-1" (Light Industrial) to "RM-1.5" (Multi-Family Residential).

7. COMMISSION REPORTS

8. STAFF COMMUNICATIONS

8.1. SUBJECT:

Communitywide Zone Change reconsideration

RECOMMENDATION:

It is recommended the Planning Commission consider the City Council's referral and request for recommendations on four zone change cases that are associated with the Communitywide Zone Change action, and provide direction to the City Council on this matter.

9. ADJOURNMENT

This agenda was posted at least 72 hours prior to the regular meeting per GC Section 54954.2(a). A Citizens' Packet regarding this meeting is available at the City Clerk's Office located at City Hall, 405 East El Monte Way, Dinuba CA 93618.

In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in the meeting, please contact the City Clerk's Office at 559-591-5900. Please provide at least 48 hours notification prior to the meeting to allow staff to make reasonable arrangements. (28 CFR 35.102-35.104 ADA Title II)

559.591.5900 / FAX 559.591.5902 . e-mail address: info@dinuba.ca.gov. www.dinuba.org



Planning Commission Staff Report

Department: PUBLIC WORKS

October 1, 2024

To: Planning Commission

From: George Avila, Public Works Director

By: Lesli Vasquez, Administrative Assistant

Subject: Planning Commission Meeting Minutes, September 3, 2024

RECOMMENDATION

Planning Commission approve the Planning Commission meeting minutes for September 3, 2024.

EXECUTIVE SUMMARY

The Planning Commission (PC) held a meeting on September 3 2024, and minutes for said meeting are attached for approval by the PC.

OUTSTANDING ISSUES

None

DISCUSSION

The Planning Commission (PC) held a meeting on September 3, 2024 the minutes for this meeting are attached for PC adoption.

FISCAL IMPACT

None

PUBLIC HEARING

None

ATTACHMENTS:

Agenda Minutes September 3, 2024



PLANNING COMMISSION MINUTES

Regular Meeting
September 3, 2024

PLANNING COMMISSIONERS PRESENT:

Faust, Conklin, Benavides, Cendejas

PLANNING COMMISSIONERS ABSENT:

Alvarado

STAFF MEMBERS PRESENT:

Schoettler and Vasquez

1. OPENING CEREMONIES

1.1. Welcome and Call to Order

Benavides called meeting to order at 6:32 pm.

1.2. Invocation

The invocation was given by Commissioner Faust.

1.3. Pledge of Allegiance

Commissioner Cendejas led the flag salute.

2. ROLL CALL

Cendejas, Faust, Benavides, Conklin are all present.

3. AGENDA CHANGES OR DELETIONS

To better accommodate members of the public or convenience in the order of presentation, items on the agenda may not be presented or acted upon in the order listed. Additions to Agenda may be added only pursuant to California Government Code section 54954.2(b).

None

4. REQUEST TO ADDRESS COMMISSION

This portion of the meeting is reserved for any person who would like to address the Planning Commission on any item that is not on the agenda. Please be advised that State law does not allow the Planning Commission to discuss or take any action on any issue not on the agenda. The Planning Commission may direct staff to follow up

on such item(s). Speakers may be limited to three (3) minutes. If there is any person wishing to address the Planning Commission at this time please approach the podium and state your name and nature of the request.

No one from the audience came up to the podium.

5. CONSENT CALENDAR

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.

5.1. SUBJECT

Planning Commission Meeting Minutes, August 6, 2024

RECOMMENDATION

Planning Commission approve the Planning Commission meeting minutes for August 6, 2024.

A motion was made by Albert Cendejas, second by Estevan Benavides, to approve minutes for August 6, 2024.

Ayes: Benavides, Cendejas, Conklin, Faust

6. PUBLIC HEARINGS

6.1. SUBJECT

Application 2024-08 (Proposed Second Floor Residential Unit (Parks))

Applicant: Brian Park

Schoettler presented application for a conditional use permit for construction of second floor dwelling on top of commercial building at 155 W. Kern Street. The site is zoned C-4 which does allow development of residential units above buildings. The second floor dwelling will go above the front part of the building. The proposed layout encompasses 756 sq feet with three bedrooms, two bathrooms and a common area. Applicant will have to comply with building and fire department requirements in order for building permits to get approved. Commissioners had concerns on parking for future commercial tenant, as well as stairs placement.

Public Hearing Opened:

Frank Gomez came up to the podium representing Brian Park the owner of the building. Frank addressed parking and stairs concerns. Commissioners and Schoettler agreed to require stripping or baller near stairs and parking for safety.

Public Hearing Closed:

Conklin closed the public hearing.

A motion was made by Estevan Benavides, second by Albert Cendejas, to approve Reso. 1148 with recommended amendment to establish a residential dwelling on the top of an existing single floor commercial building at 155 W. Kern St.

Ayes: Benavides, Cendejas, Conklin, Faust

7. COMMISSION REPORTS

None

8. STAFF COMMUNICATIONS

Schoettler presented Commissioners with a list of major city projects made by city engineer.

9. ADJOURNMENT

Meeting was adjourned by Vice Chair Conklin at 6:58 pm.



Planning Commission Staff Report

Department: PUBLIC WORKS

October 1, 2024

To: Planning Commission

From: Karl Schoettler, City Planner

Subject: Application 2021-02 (Verma) General Plan Amendment and zone change for a multi-family residential development

RECOMMENDATION

It is recommended the Commission conduct a public hearing and consider adoption of the following Resolutions:

A. Resolution No. 1149 (Attachment “A”) recommending approval to the City Council of a Mitigated Negative Declaration as the environmental finding for the project.

B. Resolution No. 1150 (Attachment “B”) recommending approval to the City Council of a General Plan land use amendment from “Community Commercial” to “High Density Residential” and also a zone change from “M-1” (Light Industrial) to “RM-1.5” (Multi-Family Residential).

EXECUTIVE SUMMARY

Public hearing on proposed General Plan Amendment and zone change for multi-family residential project on the north side of Surabian Way, west of Alta Avenue.

OUTSTANDING ISSUES

None.

DISCUSSION

The City has received an application for a General Plan amendment, zone change and Site Plan Review for a 5.8-acre parcel located on the north side of Surabian Drive, west of Alta Avenue (west of the Holiday Inn). Attachment “C” shows the location map and Attachment “D” is an aerial photo of the site.

The purpose of the application is to facilitate development of the site with a market-rate multi-family residential complex. This will be processed by staff through the Site Plan Review process, providing the zone change and General Plan Amendment are approved.

The site is currently zoned for industrial use (the "M-1" zone (Light Industrial) zone. However, the recently-adopted General Plan proposes amending this site from "Industrial" to "Community Commercial".

The applicant purchased the subject parcel from the City several years ago. The concept to develop the site with multi-family use came from a study that was adopted by the City in 2011. Titled the "West El Monte Master Development Plan", the study paved the way for much of the commercial development that exists along the W. El Monte corridor.

The Master Plan also designated some land for multi-family residential development, including the subject site (see Attachment "E"). According to the Master Plan, the purpose for residential designations is to place residents close to shopping (and employment) opportunities, which will help to reduce the need for residents to drive their cars to shopping destinations.

The Master Plan also includes strategies urging residential development to exhibit a high degree of design quality.

General Plan Policies

When the General Plan was recently updated, it did not designate the subject parcel for Multi-Family Residential use. Staff felt that the subject application should stand on its own merits, and proceed separately from the General Plan update.

However, the General Plan does establish some policies for the location and design of multi-family uses, and these should be used to inform any application for multi-family development. A summary of policies applicable to this particular site includes:

- High Density Residential land use designation (15.1 - 24.0 units/gross acre). The high density residential land use category provides for the highest residential densities permitted in the City. It is intended that this category utilize innovative site planning, provide on-site recreational amenities, and be located near major community facilities, business centers, and streets of at least collector capacity. High density residential developments shall use high quality architectural design features, intensified landscaping, adequate open space, adequate parking, and adequate on-site recreational facilities.
- Provide a diverse variety of housing choices and types by promoting mixed land use where appropriate.
- Assimilate new residential and non-residential uses while minimizing the disruption

to existing neighborhoods and the existing community's social fabric and safety

- Multi-family development adjacent to commercial development should provide an architectural transition between the uses, including special attention to elements such as building setbacks, landscaping and walls.
- Dense landscaping should be used along streets to buffer multi-family projects.
- Residential developments should pay close attention to high-quality construction and architectural styles to create a "sense of place" and maintain Dinuba's small town character.
- Neighborhoods should be physically connected to one another to allow pedestrian transitions and the use of walking and/or cycling as opposed to the need for motor vehicles.

In addition, the Housing Element (currently under preparation) is expected to contain numerous policies and action plans pertaining to the development of new multi-family residential units in the City.

Staff believes the application contains merit and should be approved. The introduction of a high-quality multi-family residential development will add a residential population nearby a retail commercial area, where residents can access numerous commercial destinations without needing to drive their vehicle. Some residents may also choose to work at nearby commercial businesses or industrial areas – again reducing or potentially eliminating the need to drive vehicles.

To ensure certainty regarding the City's desire for high quality development, staff also recommends the zone change be subject to conditions, including:

- Development of the site shall commence within two years of approval of the zone change.
- Development of the site shall comply with the site plan and elevation drawings to be approved with the Site Plan Review associated with the project.

City Council review

It should be noted that the City Council reviewed this application on an informational basis on February 13, 2024 and voiced tentative support for the proposal.

Site Plan Design

The City has been working with the applicant to arrive at a site plan design for the site and this is shown in Attachment "F". The current design shows 11 three-story buildings with a total of 126 units and 281 parking spaces. Other improvements include a community room, office, swimming pool, outdoor recreation areas, walkways, landscaping, lighting, trash enclosures and utility connections, among

others.

The applicant has responded to staff concerns about a high quality of building architecture, and these are shown in Attachment "G".

If the Planning Commission and City Council approve the zone change and general plan amendment, staff will process a Site Plan Review permit for the project, formally approving the site plan for the site.

ENVIRONMENTAL ANALYSIS

A qualified consultant was hired to prepare an environmental analysis for the project, consistent with the California Environmental Quality Act (CEQA). This study determined the project could have environmental impacts, but these can be reduced to a level of insignificance through the implementation of mitigation measures. A summary of these are as follows:

Air Quality. A variety of measures are provided to be implemented during construction pertaining to the control of dust.

Biological Resources: Construction should be scheduled to avoid the bird nesting season. If that is not practical, a pre-construction survey must be done to determine the presence of any nearby active nests and avoidance measures must then be implemented.

Cultural Resources: Construction workers shall be trained to recognize cultural resources that may be uncovered during construction. If resources are found during construction, an archaeologist shall review the find and devise appropriate measures.

Circulation: The project will generate increased levels of traffic that will impact area roadways and increase the number of vehicle miles travelled (VMT). In order to reduce this impact, the following measures have been identified:

- The applicant shall install 110 lineal feet of sidewalk between Dickey Avenue & Smith Avenue on the north side of El Monte Way, per City Standards.
- The applicant shall install 180 lineal feet of sidewalk on the east side of Dickey Avenue on the north side of El Monte Way, per City Standards.
- The applicant shall install two (2) ADA compliant curb ramps at Smith Avenue and El Monte Way, per City Standards.

CONSULTATION/PUBLIC COMMENT

As required by municipal code, the City mailed notices of the proposed use and public hearing to property owners within 300 feet of the site, and tenants within 100 feet of the site. As of the writing of this staff report, no inquiries had been made.

FINDINGS

The application complies with the required Findings of the Dinuba Municipal Code for approval of a Zone Change contained in the attached resolution.

BACKGROUND INFORMATION

APPLICANT:

Raju Verma
8312 Espresso Drive
Bakersfield, CA 93312

AGENT

Klassen Corporation
2021 Westwind Drive
Bakersfield, CA 93301

LOCATION: North side of Surabian Drive about 600 feet west of Alta Avenue

ASSESSOR PARCEL NUMBER: 017-280-003

SITE SIZE: 5.8 acres

ZONING: “M-1” (Light Industrial)

GENERAL PLAN: “Community Commercial”

EXISTING LAND USE: Vacant land.

ADJACENT LAND USES, ZONING, AND GENERAL PLAN DESIGNATIONS

Direction	Current Use	Zoning	General Plan
North	Railroad, Memorial building, mixed commercial	“C-4” (General Commercial), “C-3” (Community Commercial)	“General Commercial”, “Community Commercial”
South	Linear Park, vacant land	“M-1” (Light Industrial)	“Light Industrial”
East	Hotel	“C-4” (General Commercial)	“General Commercial”
West	Vacant land	“M-1” (Light Industrial)*	“Community Commercial”

*=Zoning is part of Communitywide Zone Changes and proposed to change.

FISCAL IMPACT

Prior to construction the project will be required to pay the City's impact fees for utilities, public safety, traffic, parks and administration.

PUBLIC HEARING

A public hearing notice was published in the Midvalley Times and notice mailed to all property owners within 300 feet of the site and all occupants within 100 feet of the site, at least ten days before the hearing

ATTACHMENTS:

- A. Resolution No. 1149
- B. Resolution No. 1150
- C. Location Map
- D. Aerial Photo
- E. West El Monte Master Plan excerpt
- F. Proposed Site Plan
- G. Potential Architectural Styles

RESOLUTION NO 1149

**BEFORE THE PLANNING COMMISSION
CITY OF DINUBA
COUNTY OF TULARE, STATE OF CALIFORNIA**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DINUBA
RECOMMENDING ADOPTION OF A "MITIGATED NEGATIVE DECLARATION" AS THE
ENVIRONMENTAL FINDING FOR APPLICATION NO. 2021-02 (VERMA - GENERAL PLAN
AMENDMENT, ZONE CHANGE AND SITE PLAN REVIEW)**

WHEREAS, an application for a General Plan amendment, zone change and Site Plan Review was submitted by Raju Verma, 8312 Espresso Drive, Bakersfield, CA 93312 for one parcel containing approximately 5.8 acres located on the north side of Surabian Drive approximately 600 feet west of Alta Avenue. The Assessor Parcel Number of the site is 017-280-003, and

WHEREAS, the specific project actions include:

- A General Plan Amendment to amend the land use designation of the site from "Community Commercial" to "High Density Residential".
- A zone change to amend the site zoning from "M-1" (Light Industrial) to "RM-1.5" (Multi-Family Residential).
- A Site Plan Review to develop the site with a multi-family residential project that includes 126 units, 281 parking spaces, driveways and aisles, community center/office, swimming pool, recreational areas, landscaping, lighting, walkways, trash/recycling enclosures and utility connections, among others.

WHEREAS, the planning actions are considered a "project" under the Guidelines of the California Environmental Quality Act (CEQA) and accordingly, an Initial Environmental Study was prepared, consistent with CEQA, and

WHEREAS, the Initial Environmental Study determined that the proposed project would not result in significant impacts to the environment provided that mitigation measures are incorporated into the project design and construction, and

WHEREAS, the Planning Department has prepared a staff report on the project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, after considering all the evidence presented, determined the following findings were relevant in evaluating this action:

1. The proposed project is consistent with the goals, objectives and policies of the Dinuba General Plan and the Dinuba Zoning Ordinance, as amended.

2. The City of Dinuba has prepared an Initial Environmental Study, consistent with the requirements of CEQA. The study determined the project will not have significant impacts on the environment provided that mitigation measures (listed in Attachment "A") are implemented. Accordingly, a Mitigated Negative Declaration was prepared.

3. The proposed action will not have an adverse impact on the health, safety and welfare of residents in the neighborhood or community

NOW, THEREFORE BE IT RESOLVED THAT the Initial Environmental Study prepared for the project and the Mitigated Negative Declaration are hereby recommended for adoption by the Dinuba Planning Commission.

The foregoing resolution was adopted upon a motion of Commission member _____, second by Commission member _____, at a regular meeting of the Dinuba Planning Commission on the 1st day of October, 2024, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Secretary, Dinuba Planning Commission

Attachment "A"
Mitigation Measures

Air Quality

AIR-1: Consistent with San Joaquin Valley Air Pollution Control District (SJVAPCD) Regulation VIII (Fugitive PM10 Prohibitions), the following controls shall be required to be included as specifications for the proposed Project and implemented at the construction site:

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant or covered with a tarp or other suitable cover or vegetative ground cover.
- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- When materials are transported off site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least 6 inches of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.)
- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.

Biological Resources: Protect Nesting Birds

BIO-1: To the extent practicable, construction shall be scheduled to avoid the nesting season, which extends from February through August. If it is not possible to schedule construction between September and January, pre-construction surveys for nesting birds shall be conducted by a qualified biologist to ensure that no active nests will be

disturbed during the implementation of the Project. A pre-construction survey shall be conducted no more than 14 days prior to the initiation of construction activities. During this survey, the qualified biologist shall inspect all potential nest substrates in and immediately adjacent to the impact areas. If an active nest is found close enough to the construction area to be disturbed by these activities, the qualified biologist shall determine the extent of a construction-free buffer to be established around the nest. If work cannot proceed without disturbing the nesting birds, work may need to be halted or redirected to other areas until nesting and fledging are completed or the nest has otherwise failed for non-construction related reasons.

Cultural Resources

CUL-1: Should evidence of prehistoric archeological resources be discovered during construction, the contractor shall halt all work within 25 feet of the find and the resource shall be evaluated by a qualified archaeologist. If evidence of any archaeological, cultural, and/or historical deposits is found, hand excavation and/or mechanical excavation shall proceed to evaluate the deposits for determination of significance as defined by the CEQA guidelines. The archaeologist shall submit reports, to the satisfaction of the City of Dinuba, describing the testing program and subsequent results. These reports shall identify any program mitigation that the project proponent shall complete in order to mitigate archaeological impacts (including resource recovery and/or avoidance testing and analysis, removal, reburial, and curation of archaeological resources).

CUL-2: In order to ensure that the proposed project does not impact buried human remains during construction, the project proponent shall be responsible for on-going monitoring of project construction. Prior to the issuance of any grading permit, the project proponent shall provide the City of Dinuba with documentation identifying construction personnel that will be responsible for on-site monitoring. If buried human remains are encountered during construction, further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall be halted until the Tulare County coroner is contacted and the coroner has made the determinations and notifications required pursuant to Health and Safety Code Section 7050.5. If the coroner determines that Health and Safety Code Section 7050.5(c) require that he give notice to the Native American Heritage Commission, then such notice shall be given within 24 hours, as required by Health and Safety Code Section 7050.5(c). In that event, the NAHC will conduct the notifications required by Public Resources Code Section 5097.98. Until the consultations described below have been completed, the

landowner shall further ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices where Native American human remains are located, is not disturbed by further development activity until the landowner has discussed and conferred with the Most Likely Descendants on all reasonable options regarding the descendants' preferences and treatments, as prescribed by Public Resources Code Section 5097.98(b). The NAHC will mediate any disputes regarding treatment of remains in accordance with Public Resources Code Section 5097.94(k). The landowner shall be entitled to exercise rights established by Public Resources Code Section 5097.98(e) if any of the circumstances established by that provision become applicable.

Circulation: Vehicle Miles Travelled Reduction Measures

TRA-1: The Project Applicant shall install the following improvements prior to the City's issuance of the first Permit of Occupancy.

- 110 lineal feet of sidewalk between Dickey Avenue & Smith Avenue on the north side of El Monte Way, per City Standards.
- 180 lineal feet of sidewalk on the east side of Dickey Avenue on the north side of El Monte Way, per City Standards.
- Two (2) ADA compliant curb ramps at Smith Avenue and El Monte Way, per City Standards.

ATTACHMENT "B"

RESOLUTION NO. 1150

**BEFORE THE PLANNING COMMISSION
CITY OF DINUBA
COUNTY OF TULARE, STATE OF CALIFORNIA**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DINUBA
RECOMMENDING APPROVAL OF APPLICATION 2021-02
GENERAL PLAN AMENDMENT / ZONE CHANGE (VERMA)**

WHEREAS, an application for a General Plan amendment and zone change was submitted by Raju Verma, 8312 Espresso Drive, Bakersfield, CA 93312 for one parcel located on the north side of Surabian Drive approximately 600 feet west of Alta Avenue. The Assessor Parcel Number of the site is 017-280-003, and

WHEREAS, the subject site is currently zoned "M-1" (Light Industrial) and the applicant is requesting the site be classified "RM-1.5" (Multi-Family Residential). Further, the Proposed Land Use Map of the Dinuba General Plan designates the site "Community Commercial" and the requested designation is "High Density Residential", and

WHEREAS, the purpose of the request is to facilitate the development of the site with a multi-family residential complex, and

WHEREAS, property owners within 300 feet and occupants within 100 feet of the subject parcels were notified of the Planning Commission's meeting and a public hearing notice was published ten (10) days prior to the Planning Commission's meeting, and

WHEREAS, the Planning Department has prepared a staff report and environmental finding, and

WHEREAS, the Planning Commission held a public hearing on this action and accepted testimony.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, after considering all the evidence presented, determined the following findings were relevant in evaluating these actions:

1. The proposed actions are consistent with the goals, objectives and policies of the Dinuba General Plan.

2. The City has prepared an environmental analysis of the project consistent with the California Environmental Quality Act (CEQA) that determined the project will not have significant impacts on the environment provided that mitigation measures are implemented.

3. The proposed actions will not have an adverse impact on the health, safety and welfare of residents in the neighborhood or community.

NOW, THEREFORE BE IT RESOLVED THAT the General Plan Amendment and Zone Change associated with Application 2021-02, as shown in Exhibit "A", is hereby recommended for approval by the Dinuba Planning Commission, subject to the following conditions (consistent with Section 17.04.200 (Rezone Conditions) of the Dinuba Municipal Code).

1. Construction of the project shall commence within two years of approval of the Site Plan Review for the project. Should construction not commence within that time frame, then zoning shall revert back to the zoning and land use designation prior to the City Council's action to rezone and redesignate the site. An extension of time may be granted based on unforeseen hardships that may be encountered and demonstrated to the City by the applicant. Any request for an extension of time shall be presented for review and action by the Planning Commission.
2. The site shall be developed in substantial compliance with the Site Plan attached to the Planning Commission staff report dated October 1, 2024 and architectural elevations agreed to by the City.

The foregoing resolution was adopted upon a motion of Commission member _____, second by Commission member _____, at a regular meeting of the Dinuba Planning Commission on the 1st day of October, 2024, by the following roll call vote:

AYES:

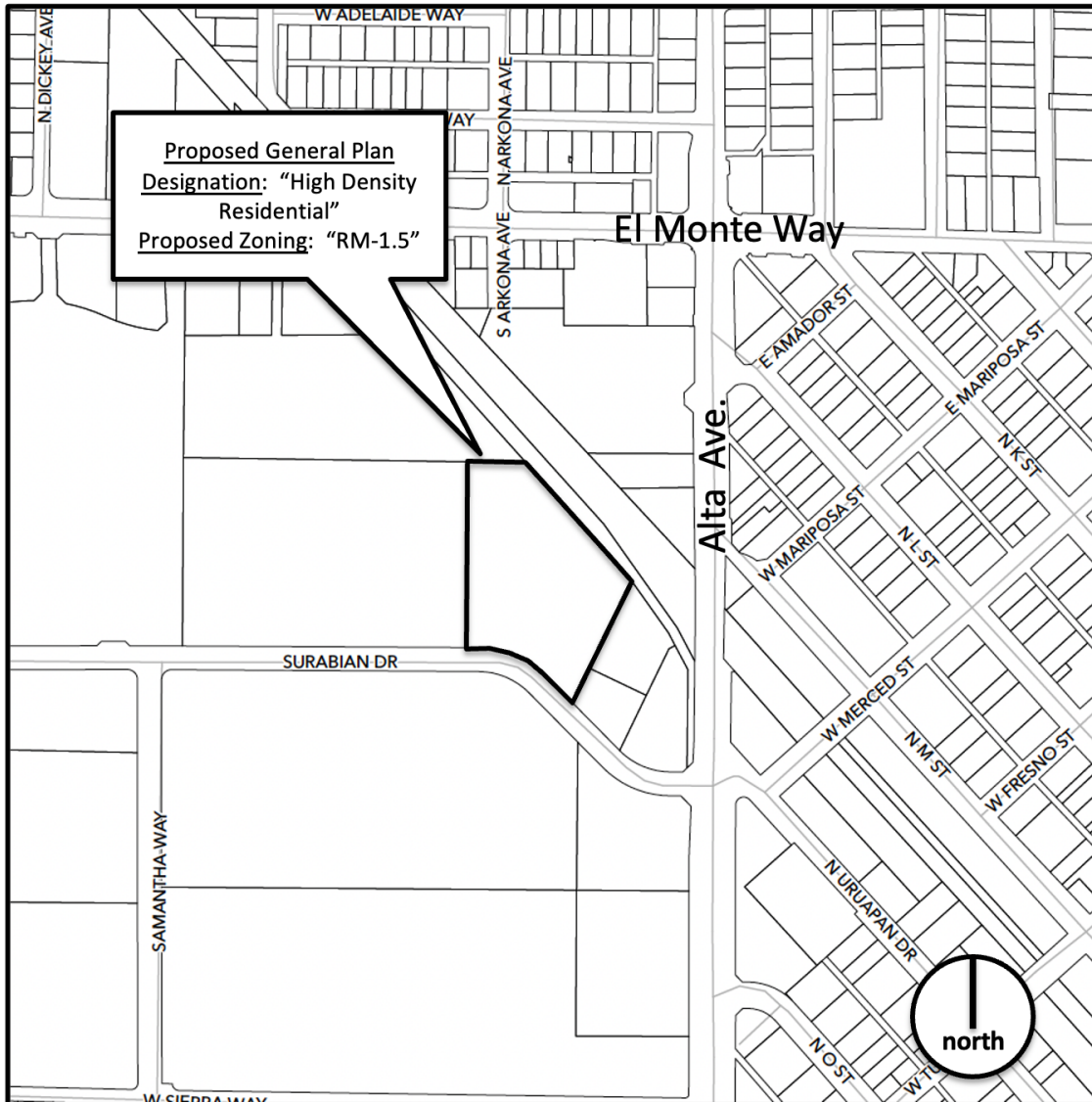
NOES:

ABSTAIN:

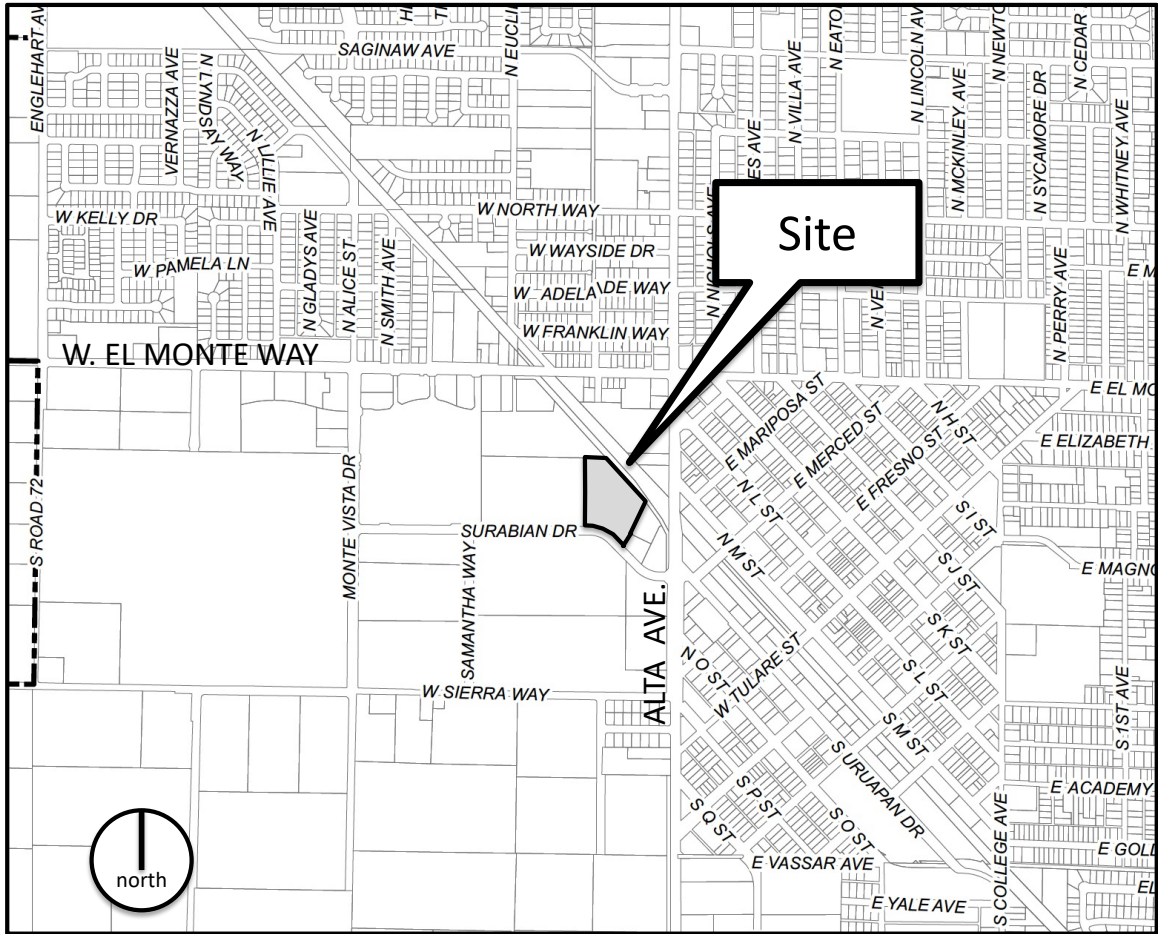
ABSENT:

Secretary, Dinuba Planning Commission

Exhibit "A": Proposed Zoning and Land Use Designations



Attachment "C" (Location Map)



Attachment "D" (Aerial Photo)



Attachment "E"

(Excerpt from West El Monte Master Development Plan
regarding Multi-Family Residential Development)

*The following are excerpts from the W. El Monte Master Development Plan
pertaining to multi-family residential development.*

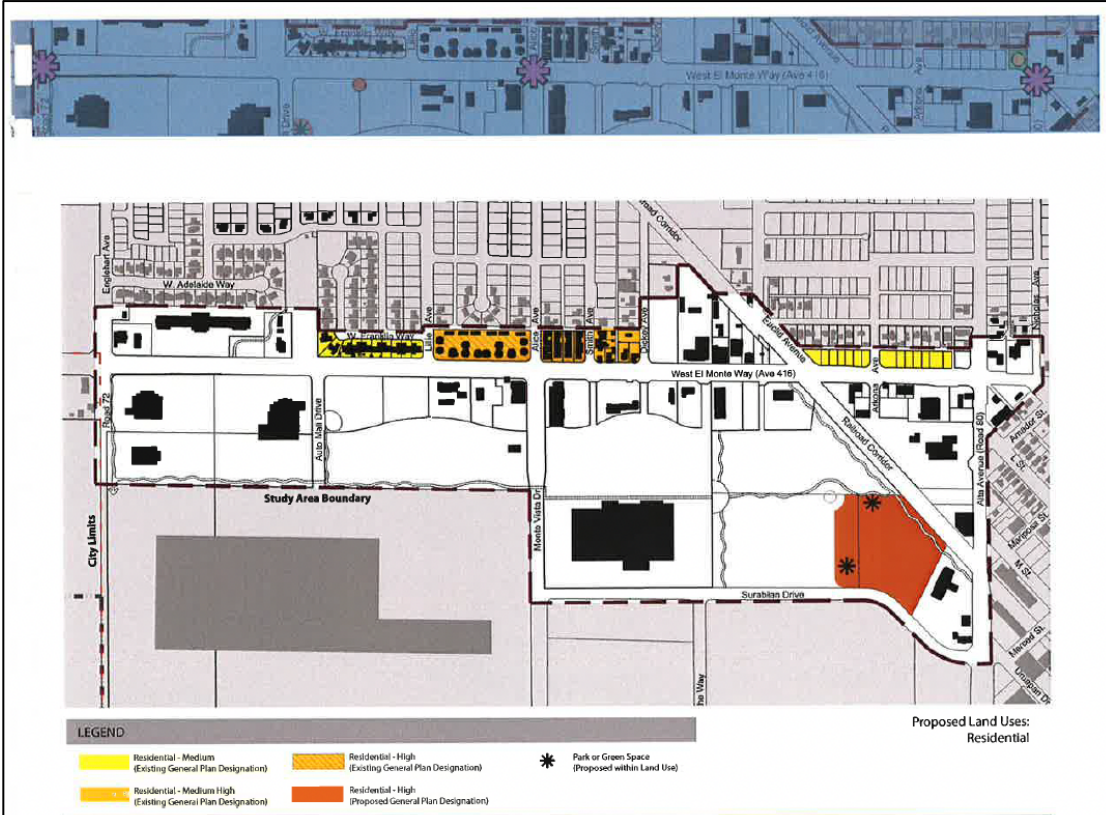


FIGURE 6 - Residential Land Use Concept

7.4 Residential

Overview

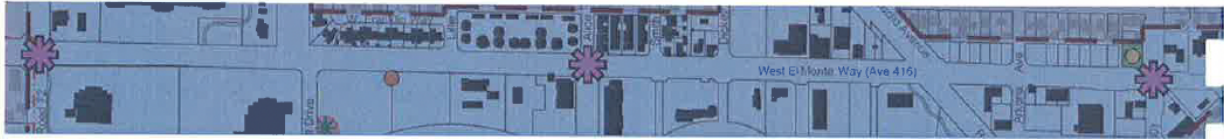
Three residential densities are proposed within the study area including residential-medium, residential-medium high, and residential-high (Figure 6). Existing residential units located between Dickey Avenue and Auto Mall Drive shall remain unaffected by the Master Development Plan until owners redevelop or remodel. Redevelopment and remodels are subject to the policies and standards found within the General Plan Policies Statement.

As West El Monte Way becomes an even greater destination for shopping, dining and everyday living, the incorporation of residential units into the study area will help to reduce the number of daily automobile trips by emphasizing pedestrian-friendly amenities such as wide sidewalks, landscaping and plazas. Residential units will support nearby businesses and will attract a variety of age and income demographics.

Up to 21 residential-medium and 158 residential-high units are possible within the study area.



Multi-family residential



Multi-family housing



Row housing with individually massed units



Small lot detached housing

Design

The design of residential units within the study area should include the policies and standards found in the General Plan Policies Statement. Of primary importance is for the design and architecture in order to be consistent with Dinuba's character and for the design to be compatible with the surrounding commercial land uses. Additional design considerations are as follows:

Lot Layout and Site Planning

Multi-family residential development should be carefully designed to be compatible with adjacent commercial uses. Residential units should be designed to minimize fronting or backing onto commercial loading zones, parking areas or trash enclosures.

Buffers and Transitions

Most land uses can be compatible when adjacent uses are taken into consideration during the design process. The use of visual buffers, such as setbacks, landscaping, walls, berms, or a combination thereof, assist in creating a transition between land uses.

Building Form

The design of multi-family structures should encourage porches and articulated entries, and should have distinct architectural articulation.

Attachment "F" (Site Plan for Multi-Family Project)



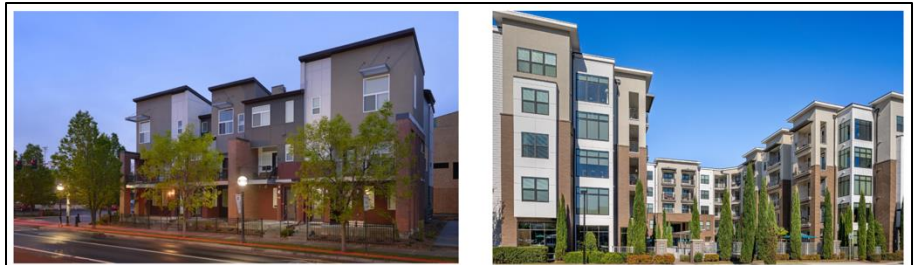
Craftsman Style

Ranch Style



Spanish Style

Modern/Industrial Style





Planning Commission Staff Report

Department: PUBLIC WORKS

October 1, 2024

To: Planning Commission
From: Karl Schoettler, City Planner
Subject: Communitywide Zone Change reconsideration

RECOMMENDATION

It is recommended the Planning Commission consider the City Council's referral and request for recommendations on four zone change cases that are associated with the Communitywide Zone Change action, and provide direction to the City Council on this matter.

EXECUTIVE SUMMARY

Consideration of alternative recommendations on six zone change cases associated with the Dinuba General Plan communitywide zone changes.

OUTSTANDING ISSUES

None.

DISCUSSION

On August 6, 2024, the Planning Commission conducted a public hearing to consider a series of zone changes throughout the community, to bring zoning into compliance with the recently adopted Dinuba General Plan (see Attachment 'A'). The Planning Commission voted to recommend approval of all 20 zone change cases to the City Council.

On September 9, 2024, the zone change recommendations were presented to the City Council for consideration. The Council agreed with most of the recommendations but had alternative ideas on several of the cases. When a City Council has alternative recommendations, state law requires those recommendations be sent back to the Planning Commission for consideration and recommendation back to the City Council.

A summary of these zone change cases and staff's thoughts on each are as follows:

Case #5

This case involves two parcels on the south side of E. El Monte Way, at Palm Avenue (see Attachment "B"). The lots are currently split with zoning designations "PO" and "R-1-6". The new General Plan designates the entirety of both lots "Professional Office" and therefore the proposed zoning was "PO" (Professional Office).

Members of the Council feel the entirety of both lots should be zoned "R-1-6" since both lots are developed with single family homes. They feel the "PO" zone would make it difficult for the owners to sell or refinance the property and also that developing additional offices on the parcels could negatively impact the residential neighborhood to the south.

Staff's Recommendations

This concern is reasonable. Staff recommends redesignating and rezoning both parcels to single family residential ("R-1-6"). Note: This will also trigger a General Plan Amendment for the north side of both parcels, from "Professional Office" to "Medium Density Residential".

Case #6

This case involves three residential parcels currently zoned "C-2 (Downtown Commercial) located on the south side of Ventura Street east of M Street (see Attachment "C"). Members of Council wondered whether these parcels should remain zoned commercial (to allow for potential future commercial development across from the movie theater). Staff indicated that there's been no interest in commercial development there, and keeping these residential parcels zoned commercial could cause problems for the property owners when they try to sell or refinance.

Recommendation

Staff recommends keeping the rezoning as originally recommended: "RM-3" zone (Multi-Family Residential).

Cases #9, #10, #11, #13

These cases involve lands along the west side of S. Alta Avenue north of Kamm Avenue (see Attachments D-1, D-2 and D-3). The General Plan designates these lands for multi-family residential development, to comply with requirements of the Housing Element (which requires the City to designate approximately fifty acres of land throughout the community for multi-family development). These designations

also will place students within close walking distance of the new high school, precluding the need for them to be driven by parents.

At the September 10 City Council meeting, members of Council wished to see these lands (directly on the west side of Alta) designated for commercial development instead of multi-family residential.

The City Council's concerns include that land along a major street should be reserved for commercial development, and also that having multi-family residential development along Alta Avenue could cause persons living in future residential projects to dangerously cross Alta on foot to reach commercial uses across the street.

Recommendation

There is merit in the Council's concerns on this topic, so the adjustment to zoning recommended by the City Council can be achieved by shifting the multi-family zoning to the west, as shown in Attachment D-3. The remaining space along Alta can be zoned "C-3" (Community Commercial). Note: This will trigger a General Plan Land Use Amendment to introduce the "Community Commercial" designation and also shift the residential designations to the west.

Case #12

This case involves one parcel located on the south side of Sierra Way, west of Wylie Avenue (see Attachment "E"). The General Plan designates approximately two acres in the northeast corner of this parcel as "High Density Residential" (equivalent zoning is "RM-1.5"), while leaving the remainder of the parcel with the "M-1" (Light Industrial) zone.

Members of the Council were concerned with having the existing "M-1" zoning left in place on 3/4 of this parcel and that industrial development might negatively impact the existing single-family residential neighborhood to the east. The Council's recommendation is that the entire site be zoned for multi-family residential development.

Recommendation

There is merit in Council's concern and therefore it is recommended the entire site be rezoned to the for multi-family development. Because the entire parcel would be zoned as such, staff recommends switching from the high density (RM-1.5") zone to the medium density ("RM-2") zone. This will still maintain the number of acres (and dwelling units) that the City needs to achieve for the Housing Element. Again, this will also help function to buffer the single-family residential subdivision (to the east) from future industrial development (to the west). This is shown in Attachment "E". Note: This action would also trigger a General Plan Amendment for the remainder of the site from "Light Industrial" to "Medium-High Density Residential".

Case #17

The General Plan designates approximately 153 acres centered along Road 70 (between Kamm and Sierra) for light industrial development (the “M-1” (Light Industrial) zone. This is shown in Exhibit “F-1”. The main reason for this designation is to replace industrial zoning that was “lost” around the new high school.

Members of Council were concerned that the proposed “M-1” zoning could negatively impact existing rural homes in this area. Some of this concern may have been generated by a letter from Mr. Roger Espindula, a resident and owner of a parcel on the northwest corner of Kamm and Road 70. Mr. Espindula indicated his opposition to the proposed rezoning. The City Council recommended shifting some of the industrial zoning to the east along both sides of Road 74, where there are no homes.

Recommendation

The 153-acre area centered along Road 70 (proposed for “M-1” zoning) was done so to replace existing industrial zoning that is being lost around the high school. It should also be noted that land along Road 74 (where the City Council recommended shifting industrial zoning) is already zoned “M-1”.

The Planning Commission originally supported the industrial zoning along Road 74 as a way to compensate for the loss of industrial zoning around the high school. In doing so, the Commission recognized that there are almost always rural homes in the path of city development, and that these residents can continue to live in their homes as long as they desire but also, many of these property owners will eventually sell to industrial developers at some point in the future.

As an example, the area that is now part of Visalia’s massive industrial park originally contained dozens and dozens of homes, but these have gradually transitioned to industrial properties.

In light of the foregoing concerns and in the spirit of compromise, an alternative recommendation is shown on Attachment F-3. This alternative would “split the difference” and rezone those parcels west of Road 70 to the “RA” (Residential Acreage) zone, while parcels east of Road 70 would be rezoned to the “M-1” (Light Industrial) zone. The RA zone is intended to allow for large-lot rural residential uses, similar to those that already exist.

In addition to rezoning the lands to the “RA” zone, this zone change would trigger a General Plan Amendment from “Light Industrial” to “Low Density Residential”.

FISCAL IMPACT

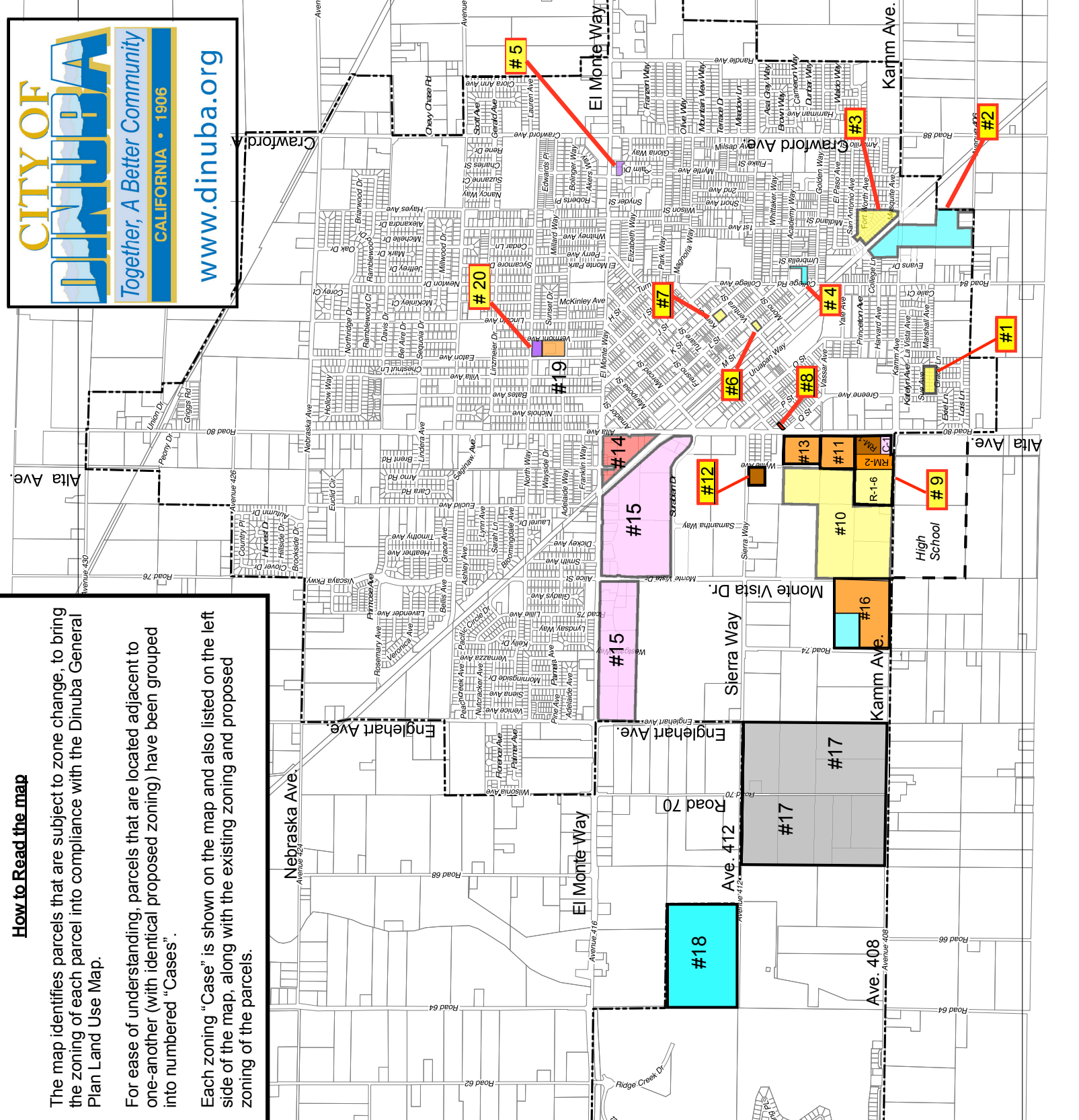
None.

PUBLIC HEARING

A public hearing notice is not required for the Planning Commission's reconsideration.

ATTACHMENTS:

A. Zone Change map
Attachments B - F-3



How to Read the map

The map identifies parcels that are subject to zone change, to bring the zoning of each parcel into compliance with the Dinuba General Plan Land Use Map.

For ease of understanding, parcels that are located adjacent to one-another (with identical proposed zoning) have been grouped into numbered "Cases".

Each zoning "Case" is shown on the map and also listed on the left side of the map, along with the existing zoning and proposed zoning of the parcels.

Case #	Proposed/Existing Zoning
1	Proposed Zoning: "R-1-6" (Single Family Residential) Existing zoning: "RM-2" (Multi-Family Residential)
2	Proposed Zoning: "RCO" (Resource Conservation) Existing zoning: "M-1" (Light Industrial)
3	Proposed Zoning: "R-1-6" (Single Family Residential) Existing Zoning: "RM-3" (Multi-Family Residential)
4	Proposed Zoning: "RCO" (Resource Conservation) Existing Zoning: "PO" (Professional Office)
5	Proposed Zoning: "PO" (Professional Office) Existing Zoning: "PO" (Professional Office) and "R-1-6" (Single Family Residential)
6	Proposed Zoning: "RM-3" (Multi-Family Residential) Existing Zoning: "C-2" (Downtown Commercial)
7	Proposed Zoning: "RM-2" (Multi-Family Residential) Existing Zoning: "RCO" (Resource Conservation)
8	Proposed Zoning: "C-2" (Downtown Commercial) Existing Zoning: "RM-3" (Multi-Family Residential)
9	Proposed Zoning: "R-1-6" (Single Family Residential), "RM-2" (Multi-Family Residential), "RM-1.5" (Multi-Family Residential), "C-1" (Neighborhood Commercial) Existing Zoning: "M-1" (Light Industrial)
10	Proposed Zoning: "R-1-6" (Single Family Residential) Existing Zoning: "M-1" (Light Industrial) and "RCO" (Resource Conservation)
11	Proposed Zoning: "RM-2" (Multi-Family Residential) Existing Zoning: "M-1" (Light Industrial)
12	Proposed Zoning: "RM-1.5" (Multi-Family Residential) (Partial site) Existing Zoning: "M-1" (Light Industrial)
13	Proposed Zoning: "RM-2" (partial) (Multi-Family Residential) Existing Zoning: "M-1" (Light Industrial)
14	Proposed Zoning: "C-4" (General Commercial) Existing Zoning: "C-3" (Community Commercial)
15	Proposed Zoning: "C-3" (Community Commercial) Existing Zoning: "C-4" (General Commercial)
16	Proposed Zoning: "RM-2" (Multi-Family Residential) and "RCO" (Resource Conservation) Existing Zoning: "M-1" (Light Industrial)
17	Proposed Zoning: "M-1" (Light Industrial) Existing Zoning: "RCO" (Resource Conservation)
18	Proposed Zoning: "RCO" (Resource Conservation) Existing Zoning: "R-1-6" (Single Family Residential)
19	Proposed Zoning: "RM-2" (Multi-Family Residential) Existing Zoning: "RCO" (Resource Conservation)
20	Proposed Zoning: "PO" (Professional Office) Existing Zoning: "RCO" (Resource Conservation)

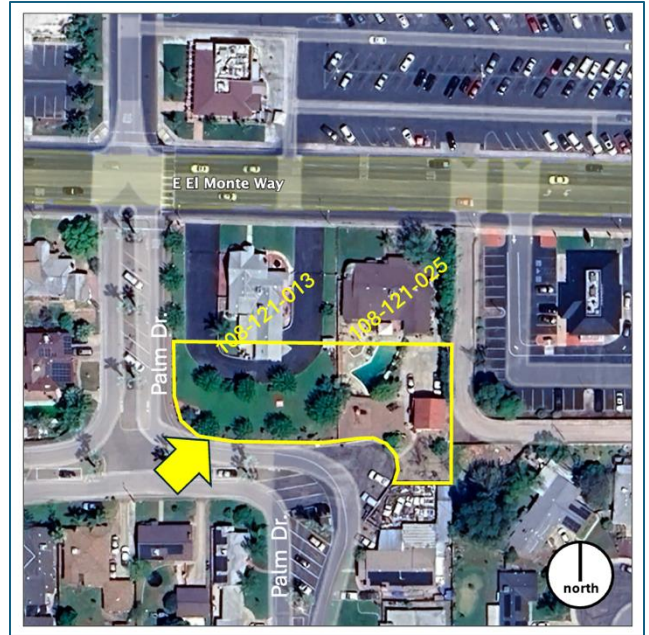
Exhibit "A"
Dinuba General Plan Update
Proposed Zone Changes
Key to Proposed Zone Changes
www.dinuba.org

Case #5

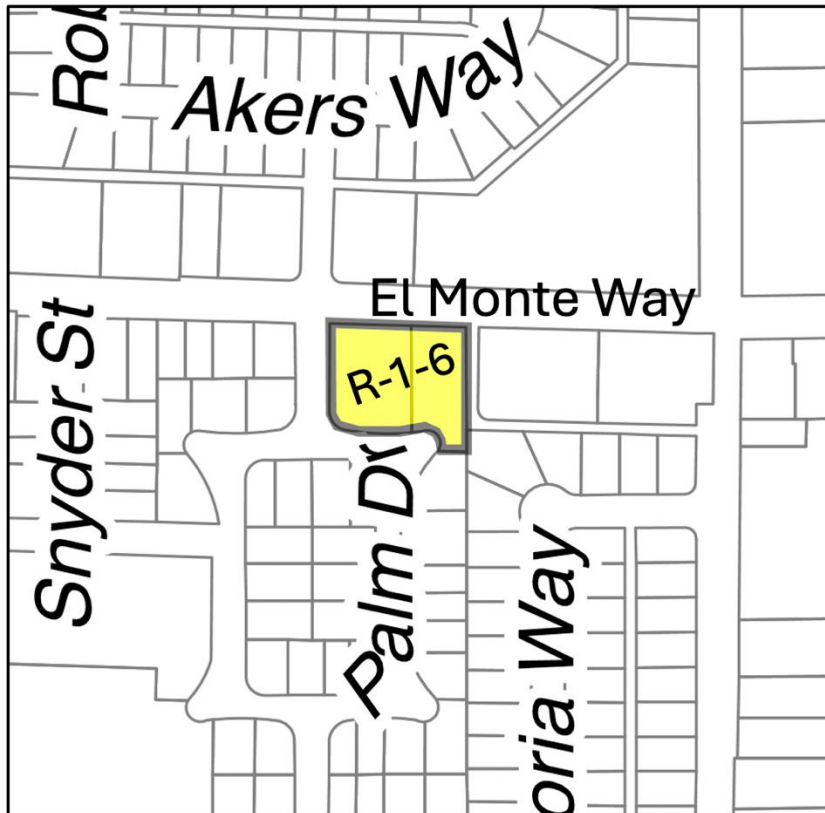
Existing Zoning



Aerial Photo

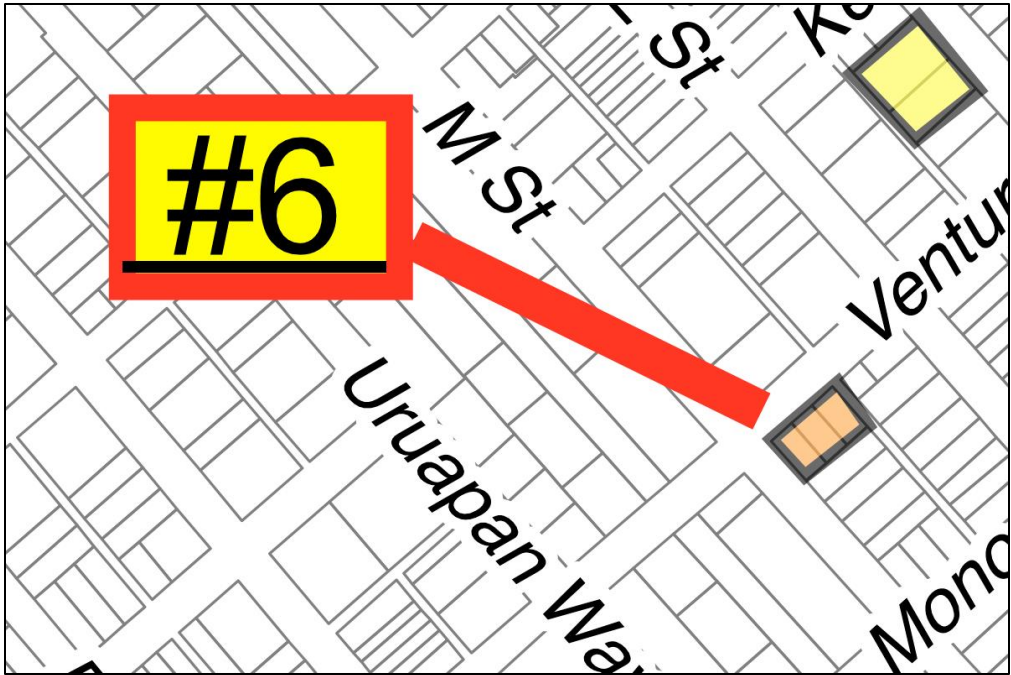


Revised Proposal



Case #6

Proposed Zoning

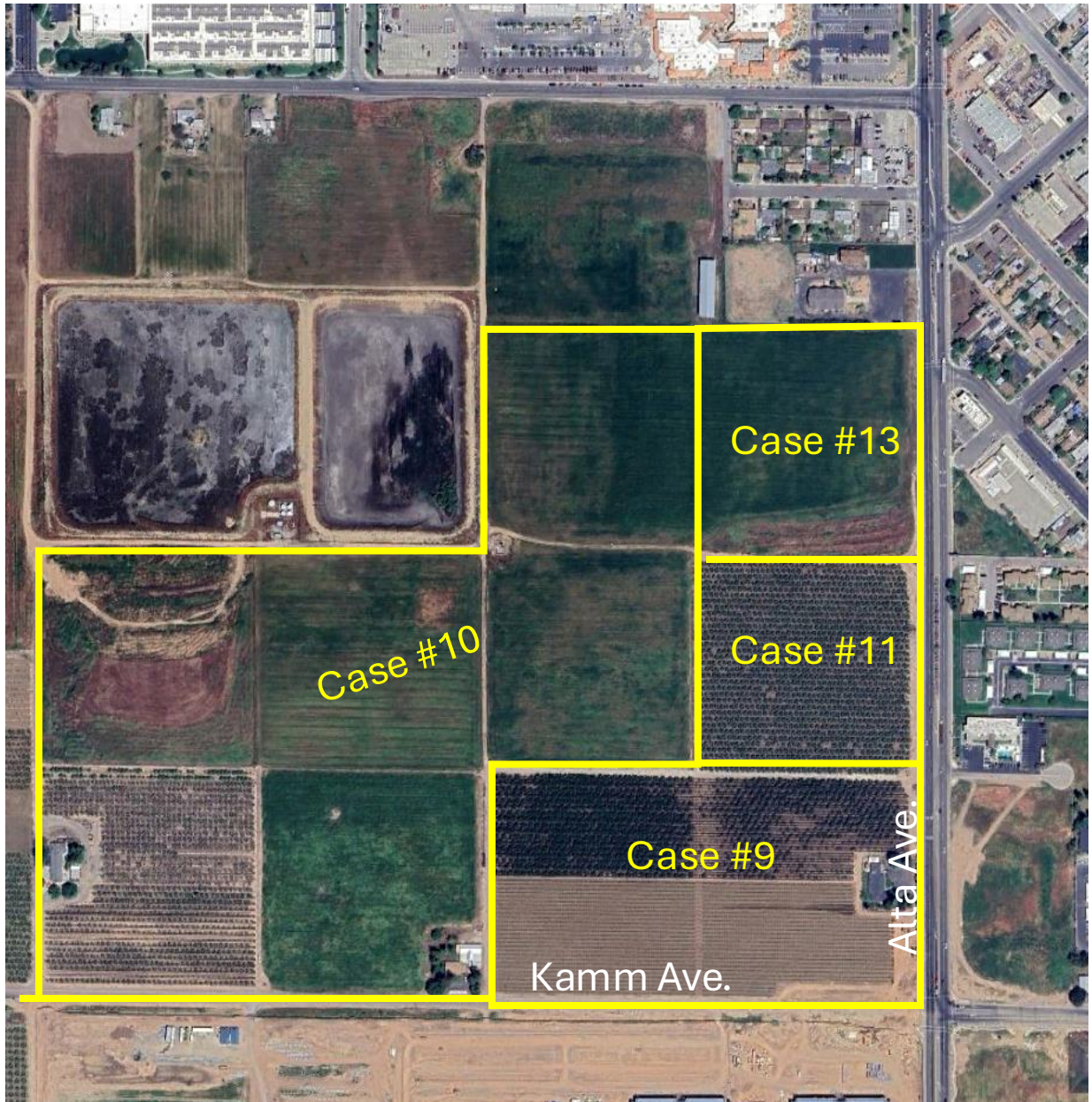


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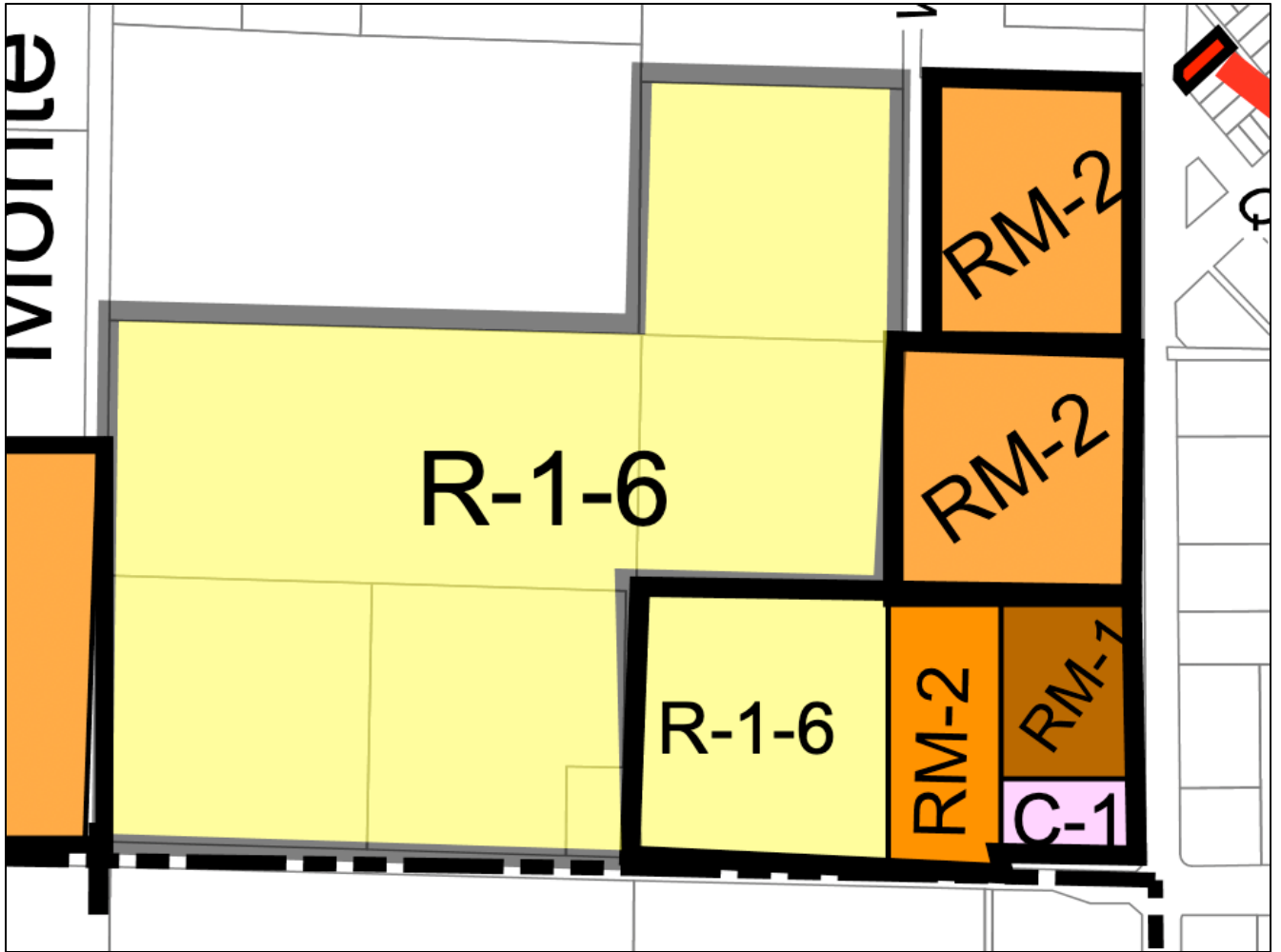
Cases #9, #11, #13, #10

Aerial Photo

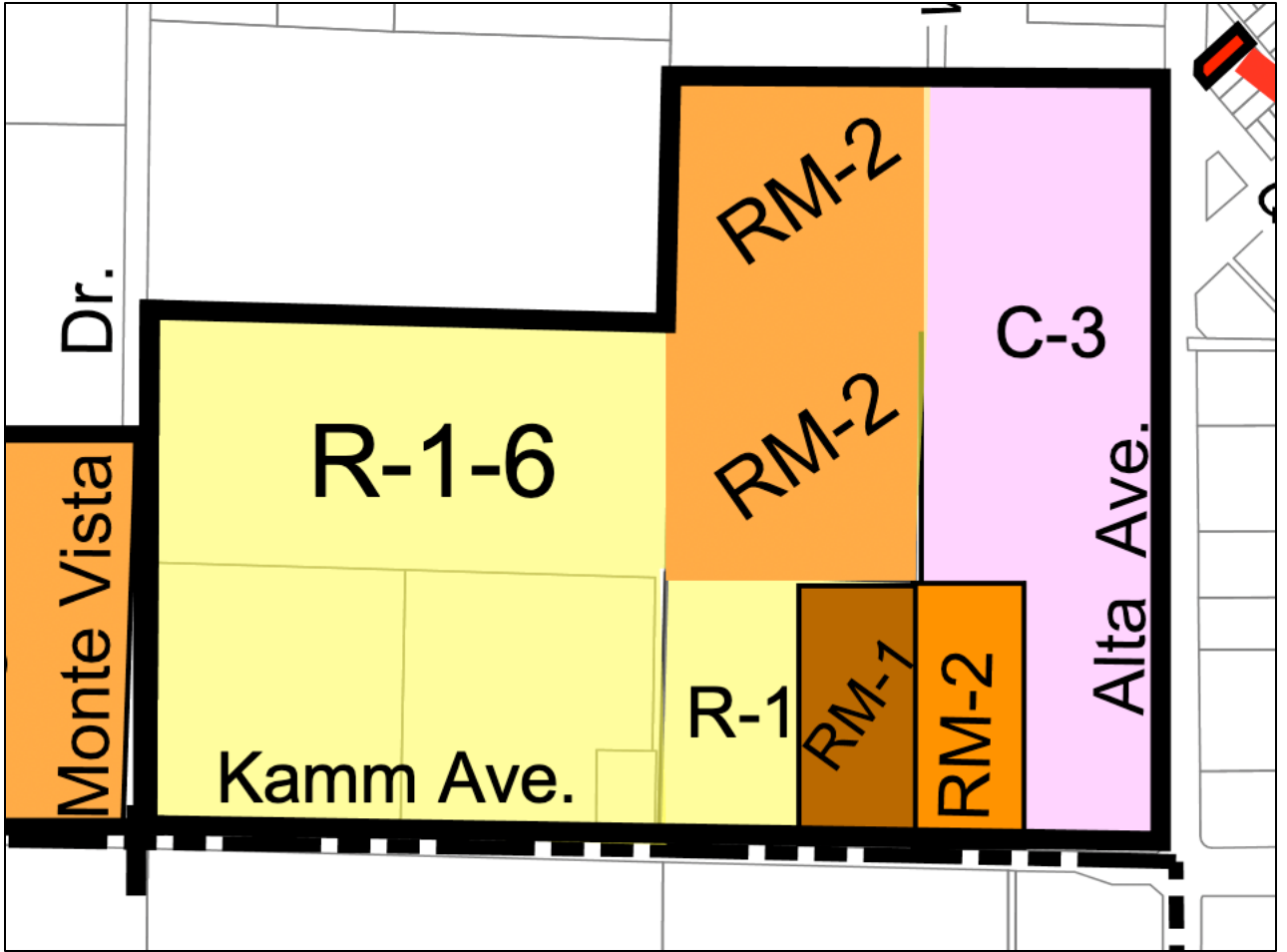


Cases #9, #11, #13, #10

Proposed Zoning

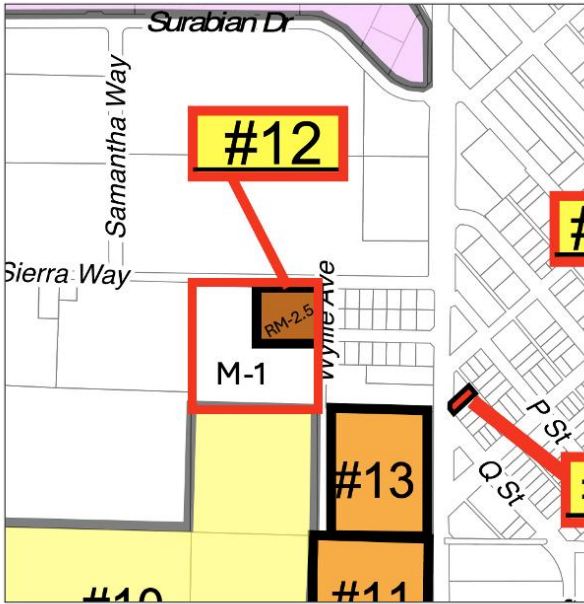


Revised Proposal

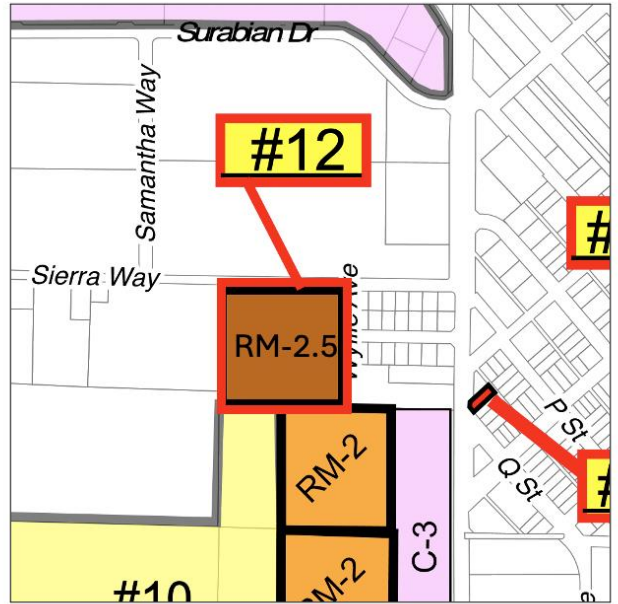


Case #12

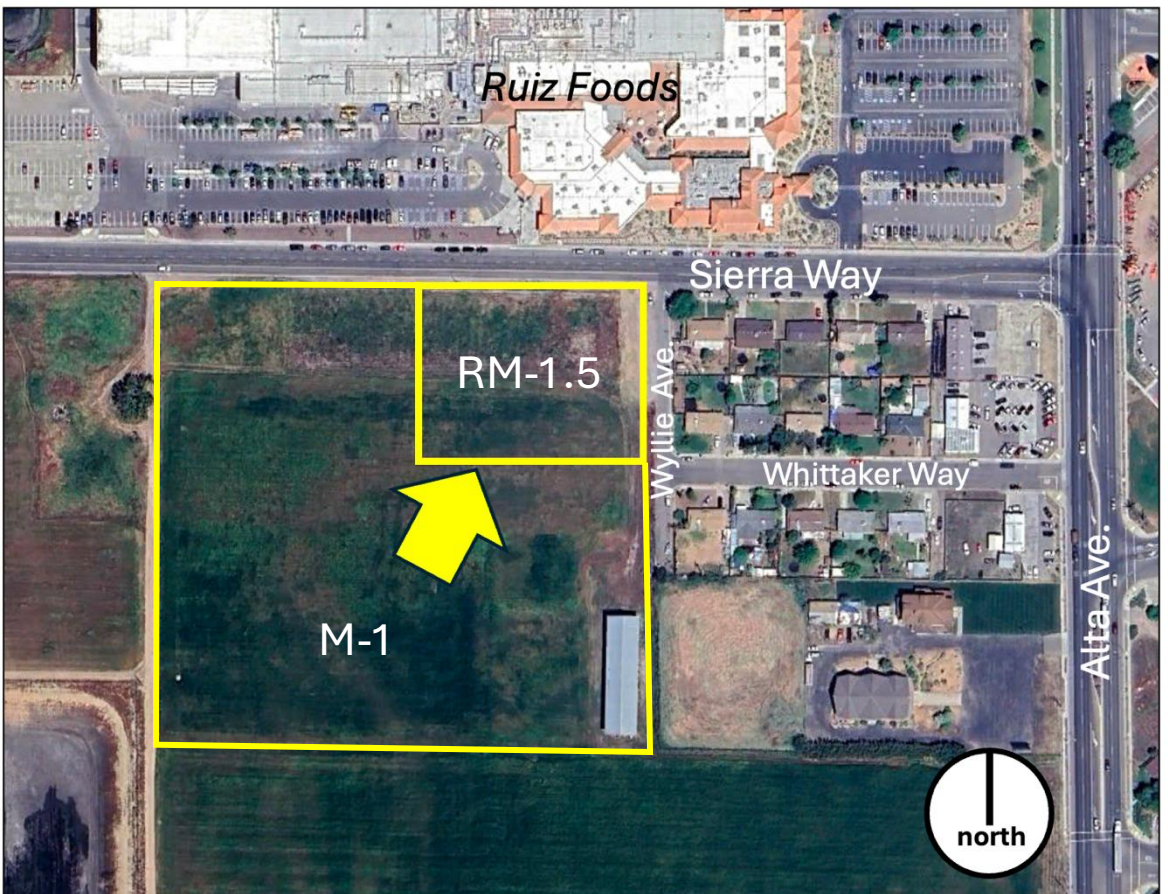
General Plan Proposal



Revised Proposal

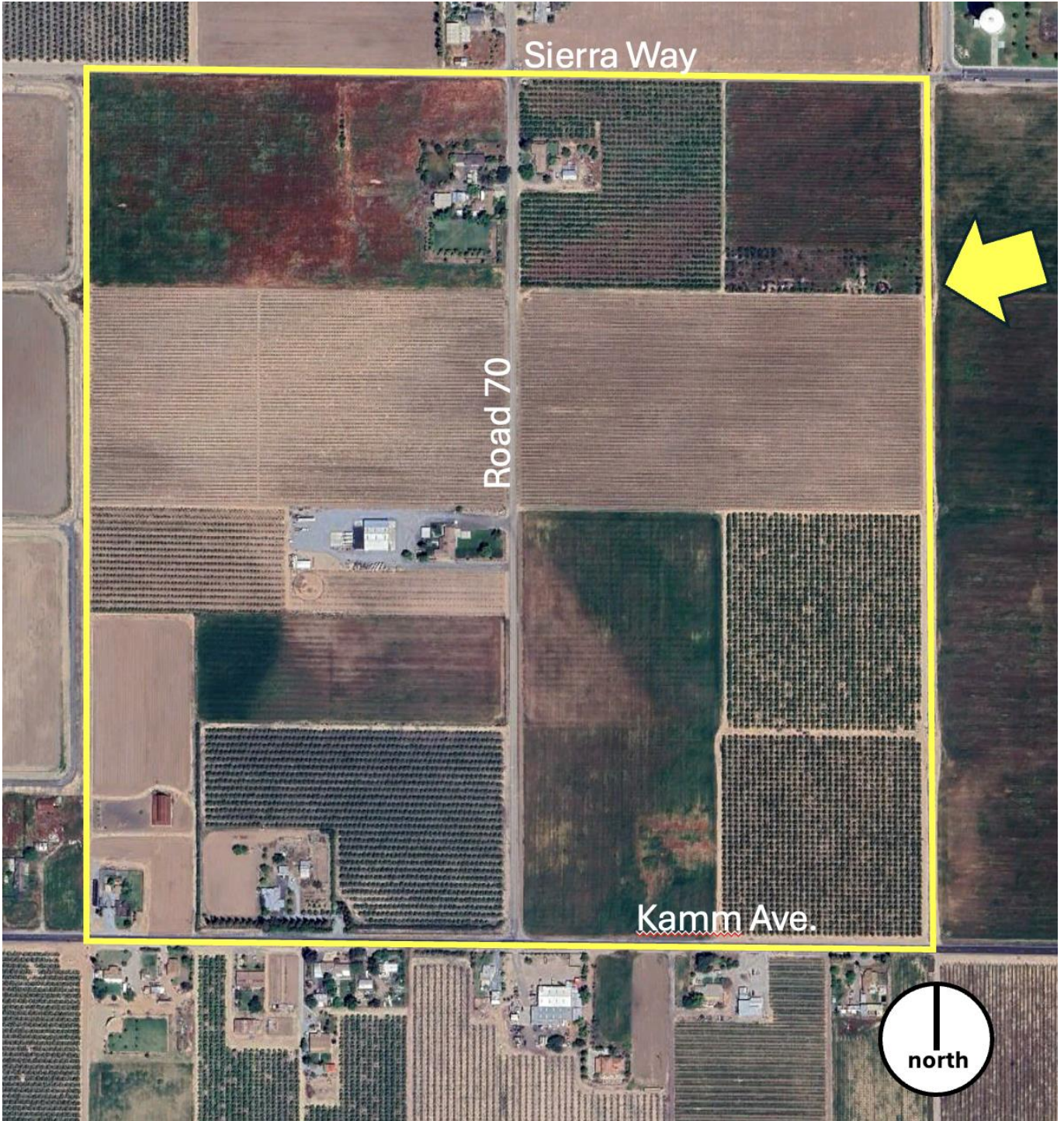


Aerial Photos



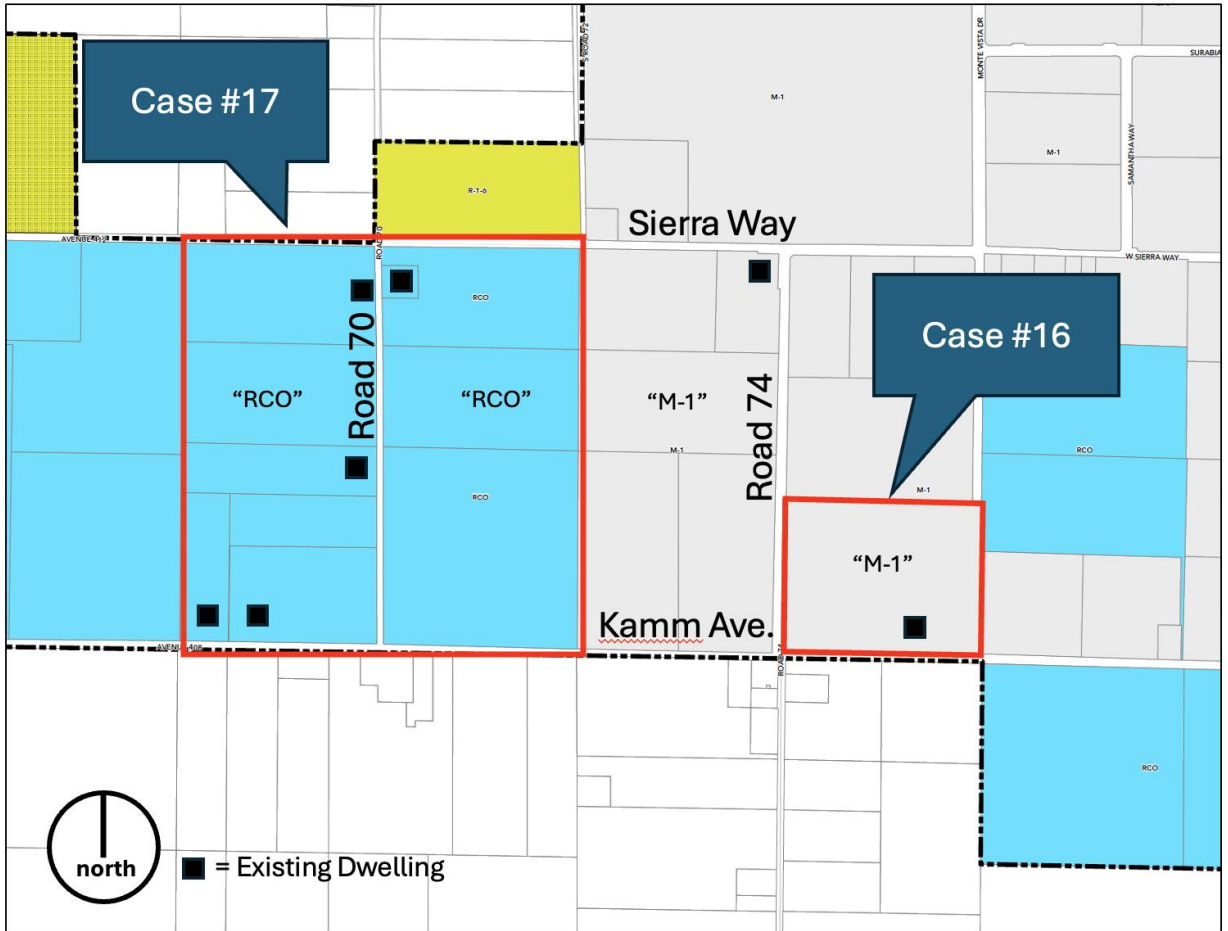
Case #17

Aerial Photo



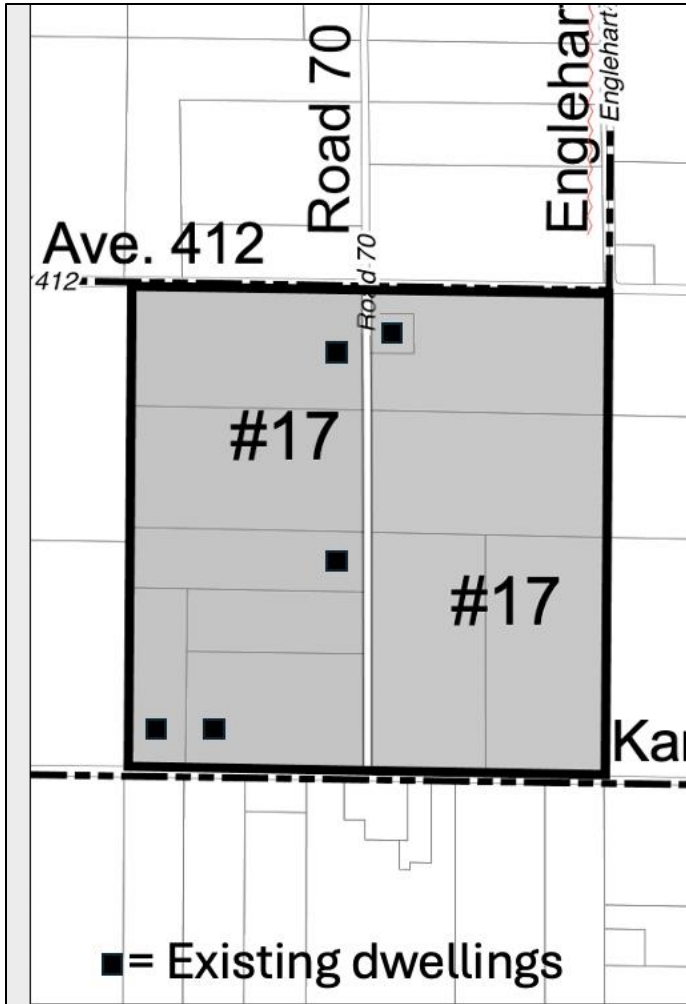
Case #17

Existing Zoning (with dwellings shown)



Case #17

General Plan Proposed Zoning



Revised Proposal

