



# CITY OF MENDOTA

*"Cantaloupe Center Of The World"*

## CITY OF MENDOTA PLANNING COMMISSION AGENDA

City Council Chambers  
643 Quince Street  
Mendota, CA 93640  
Regular Meeting  
April 16, 2024  
6:30 P.M.

ALBERT ESCOBEDO  
Chairperson  
JOSHUA PEREZ  
Vice Chairperson  
ALEX GARCIA  
JOSE GUTIERREZ  
JESSICA SANCHEZ  
ALICIA ESCOBEDO  
Alternate Commissioner

CRISTIAN GONZALEZ  
City Manager  
Public Works/Planning Director  
JEFFREY O'NEAL  
City Planner

The City of Mendota Planning Commission welcomes you to its meetings, which are scheduled for the 3<sup>rd</sup> Tuesday every month. Your interest and participation are encouraged and appreciated. Notice is hereby given that Planning Commissioners may discuss and/or take action on any or all of the items listed on this agenda. Please turn your cell phone off. Thank you for your respect and consideration.

Any public writings distributed by the City of Mendota to at least a majority of the Planning Commission regarding any item on this regular meeting agenda will be made available at the front counter at City Hall located at 643 Quince Street Mendota, CA 93640, during normal business hours.

In compliance with the Americans with Disabilities Act, those requiring special assistance to participate at this meeting please contact the City Clerk at (559) 655-3291. Notification of at least forty-eight hours prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility to the meeting.

### CALL TO ORDER

### ROLL CALL

### FLAG SALUTE

### FINALIZE THE AGENDA

1. Adjustments to Agenda
2. Adoption of final Agenda

### MINUTES AND NOTICE OF WAIVING OF READING

1. Approval of the minutes of the special Planning Commission meeting of April 3, 2024.
2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

## **CONSENT CALENDAR**

Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

1. Proposed adoption of **Resolution No. PC 24-03**, forwarding a recommendation to the City Council to approve an exemption under the California Environmental Quality Act and approve Tentative Parcel Map No. 24-01.
2. Proposed adoption of **Resolution No. PC 24-04**, forwarding a recommendation to the City Council to approve an exemption under the California Environmental Quality Act and approve Tentative Parcel Map No. 24-02.
3. Proposed adoption of **Resolution No. PC 24-05**, forwarding a recommendation to the City Council to approve an exemption under the California Environmental Quality Act and approve Tentative Parcel Map No. 24-03.

## **PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE AGENDA**

The public is invited to speak to the Planning Commission at this time about any item that is not on the Agenda. Please limit your comments to five (5) minutes. Please note that the Planning Commission cannot take action on any item not listed on the agenda.

## **PLANNING DIRECTOR UPDATE**

## **PLANNING COMMISSIONERS' REPORTS**

## **ADJOURNMENT**

### **CERTIFICATION OF POSTING**

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota Planning Commission Regular Meeting of Tuesday, April 16, 2024, was posted on the outside bulletin board of City Hall, 643 Quince Street on Friday, April 12, 2024 by 5:00 p.m.



Celeste Cabrera-Garcia, City Clerk



## CITY OF MENDOTA PLANNING COMMISSION MINUTES

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**Special Meeting**

**Wednesday, April 3, 2024**

**6:00 p.m.**

**Meeting called to order by Chairperson Escobedo at 6:00 p.m.**

### **Roll Call**

**Commissioners Present:** Chairperson Albert Escobedo, Commissioners Alex Garcia, Jose Gutierrez, Joshua Perez and Jessica Sanchez and Alternate Commissioner Alicia Escobedo

**Commissioners Absent:** None

**Staff Present:** Cristian Gonzalez, City Manager; Jeffrey O'Neal, City Planner; Wyatt Czesinski, Assistant City Planner; Celeste Cabrera-Garcia, City Clerk and Antonio Pizano, Deputy City Clerk

**Flag Salute led by Chairperson Escobedo**

### **REORGANIZATION OF THE PLANNING COMMISSION**

1. City Clerk Cabrera-Garcia to conduct the Commission reorganization proceedings and accept nominations for the following office:
  - a) Vice-Chairperson

City Clerk Cabrera-Garcia opened the floor to accept motions for nominations of Commissioners for the office of Vice-Chairperson.

A motion was made by Chairperson Escobedo to nominate Commissioner Perez to the office of Vice-Chairperson, seconded by Commissioner Gutierrez.

Hearing no other motions for the office of Vice-Chairperson, City Clerk Cabrera-Garcia closed the floor to nominations.

City Clerk Cabrera-Garcia conducted a roll call vote for the appointment of Commissioner Perez to the office of Vice-Chairperson.

Roll Call Vote:

Chairperson Escobedo: Yes; Commissioner Garcia: Yes; Commissioner Gutierrez: Yes; Commissioner Perez: Yes; and Commissioner Sanchez: Yes.

Commissioner Perez was appointed to the office of Vice-Chairperson by a vote of five (5) ayes.

### **SWEARING IN**

1. City Clerk Cabrera-Garcia to swear in Alternate Commissioner Alicia Escobedo.

City Clerk Cabrera-Garcia swore in Alternate Commissioner Alicia Escobedo.

### **MINUTES AND NOTICE OF WAIVING OF READING**

1. Approval of the minutes of the regular Planning Commission meeting of November 21, 2023.
2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

A motion to approve items 1 and 2 was made by Vice-Chairperson Perez, seconded by Commissioner Gutierrez; unanimously approved (5 ayes).

### **PUBLIC HEARING**

1. Commission discussion and consideration of **Resolution No. PC 24-01**, in the matter of Application No. 24-05, adopting a categorical exemption pursuant to California Environmental Quality Act guidelines section 15332 and approving a Planned Development and Conditional Use Permit for the Emmanuel Outreach Center.

Chairperson Escobedo introduced the item and City Planner O' Neal deferred to Assistant City Planner Czeshinski who provided the report.

Discussion was held on the report provided by Assistant City Planner Czeshinski.

*Chairperson Escobedo opened the Public Hearing.*

Pastor Jose Nava provided an update on services offered by the Emmanuel Outreach Center (the "EOC"), including virtual services that are offered; commented on personnel; the potential impact that the EOC will have on neighboring residents; the EOC's missionary work; and the capacity of the proposed EOC.

Discussion was held on the comments made by Mr. Nava.

*Chairperson Escobedo closed the Public Hearing.*

A motion was made by Commissioner Sanchez to adopt Resolution No. PC 24-01, seconded by Vice-Chairperson Perez; unanimously approved (5 ayes).

- 2. Commission discussion and consideration of **Resolution No. PC 24-02**, recommending that the City Council of the City of Mendota amend Mendota Municipal Code Title 17 regarding housing related definitions, procedures, and regulated uses in zone districts that allow housing.

Chairperson Escobedo introduced the item and City Planner O’Neal provided the report.

Discussion was held on the report provided by City Planner O’Neal; the average size of backyards in the City; complaints received from residents due to the high number of Accessory Dwelling Units (“ADUs”) in the City; building regulations for ADUs; and on the possibility of the Planning Commission modifying the proposed Mendota Municipal Code amendments in the future.

*Chairperson Escobedo opened the Public Hearing and, seeing no one willing to comment, closed it within the same minute.*

A motion was made by Vice-Chairperson Perez to adopt Resolution No. PC 24-02, seconded by Commissioner Garcia; unanimously approved (5 ayes).

**PLANNING DIRECTOR UPDATE**

City Manager Gonzalez provided an update on the front counter improvements for City Hall; the recent Federal Advocacy Trip to Washington D.C.; the Community Center Project; Starbuck’s proposal to bring a business to Mendota; the Vista Square Project; and on California Department of Transportation (“Caltrans”) projects in the City, including restriping of bike lanes on State Highways 180 and 33, and the Roundabout Project on State Highways 33 and 180 and McCabe Avenue.

Discussion was held on the updates provided by City Manager Gonzalez; the streetlight data collection and mapping project, and the status of the Pool Park Rehabilitation Project.

**PLANNING COMMISSIONERS’ REPORTS**

Vice-Chairperson Perez commented on the Vista Square Project.

Discussion was held on the comments made by Vice-Chairperson Perez.

Commissioner Sanchez commented on the staff of Provost and Pritchard Consulting Group.



Discussion was held on the comments made by Commissioner Sanchez.

Commissioner Garcia stated he was happy with all of the potential new businesses coming into the City.

Commissioner Gutierrez stated he was happy with all of the potential new businesses coming into the City.

Chairperson Escobedo thanked staff for their work; thanked City Planner O'Neal and Assistant City Planner Czeshinski for their reports; and commended the City Council for their work.

Discussion was held on the comments made by Chairperson Escobedo and on the upcoming regular planning commission meeting of April 16<sup>th</sup>.

### **ADJOURNMENT**

At the hour of 6:52 p.m. with no more business to be brought before the Planning Commission, a motion for adjournment was made by Commissioner Gutierrez, seconded by Commissioner Garcia; unanimously approved (5 ayes).

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Albert Escobedo, Chairperson

ATTEST:

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Celeste Cabrera-Garcia, City Clerk

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE CHAIRPERSON AND COMMISSIONERS  
**FROM:** JEFFREY O’NEAL, AICP, CITY PLANNER  
**VIA:** WYATT CZESHINSKI, ASSISTANT CITY PLANNER  
**SUBJECT:** APPLICATION NO. 24-01, TENTATIVE PARCEL MAP NO. 24-01  
**DATE:** APRIL 16, 2024

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**ISSUE**

Shall the Planning Commission adopt Resolution No. PC 24-03, forwarding a recommendation to the City Council to approve an exemption under the California Environmental Quality Act (“CEQA”) and approve Tentative Parcel Map (“TPM”) No. 24-01?

**BACKGROUND**

The Planning and Building Department has received an application for a TPM which proposes to subdivide Assessor’s Parcel Number (“APN”) 013-105-18, a 0.172-acre site, into two smaller parcels. The site is currently vacant and undeveloped. At this time, no new development is being proposed, nor is a land use change or rezone proposed.

<u>Applicant/Owner:</u>	Guillermina Meza
<u>Representative:</u>	Peter Moua, Moua Engineering & Surveying LLC
<u>Location:</u>	(APN 013-105-18) Marie Street and Seventh Street See Attachment 1
<u>Site Size:</u>	0.172 acres (7,500 square feet)
<u>General Plan:</u>	Medium Density Residential
<u>Zoning:</u>	R-2 (Multiple Family Medium High Density Residential- Min. 3,000 SQ. FT. per lot) See Attachment 2
<u>Existing Use:</u>	Vacant
<u>Surrounding Uses:</u>	Northeast – Residential; R-1 Southeast – Vacant; R-2 Southwest – Railroad; M-1 Northwest – Vacant; R-2
<u>Street Access:</u>	Marie Street, Public Alleyway

**ANALYSIS**

The California Subdivision Map Act (“Map Act”) (Government Code Section 66410, *et seq.*) establishes most of the procedures for subdivision of land. Other components are contained within Title 16 (“Subdivision Ordinance”) of the Mendota Municipal Code. Generally, a parcel map is required in order to subdivide land into four or fewer parcels. Note the distinction of a “tentative parcel map” versus simply a “parcel map”. As indicated in the Map Act, a parcel map is immediately recordable following its approval, while approval of a tentative map is only the

first step in a two-step process. The Subdivision Ordinance provides applicants the option of submitting a parcel map or a tentative parcel map. This allows the City flexibility in applying conditions of approval while granting the subdivider an additional year (two instead of one) during which to record a final map or parcel map. Although the Subdivision Ordinance indicates that tentative parcel maps are valid for one year following approval, the Map Act indicates that they are valid for two years and is the controlling law.

TPM No. 24-01 proposes to subdivide the approximately 0.172-acre (7,500 square feet) parcel into two parcels identified as “Parcel 1” and “Parcel 2” (see Attachment 3). They will be referred to as such throughout this report. Both Parcel 1 and Parcel 2 would contain approximately 0.086 acres (3,750 square feet). No further development of or land use entitlements for any of the resultant parcels is being proposed at this time; any future development and/or new uses would be subject to the appropriate land use application(s).

Senate Bill 9 (“SB9”) went into effect on January 1, 2022. This bill allows for a one-time lot split of an existing single family residential parcel into two parcels. An application for an urban lot split under SB9 must be considered ministerially, without discretionary review or a hearing. The public official(s) merely ensures that the proposed development meets all the applicable objective standards for the proposed action but uses no special discretion or judgement in reaching a final decision. The table below provides lot split requirements and compliance under SB9 for the proposed lot split:

<b>Requirement</b>	<b>Analysis</b>
<u>Urban Setting/ Single Family Zoning</u> The property is located in a single-family residential zone located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau.	The property is located within the R-2 (Multiple Family Medium High Density Residential- Min. 3,000 SQ. FT. per lot) zone district, where single-family residences are allowed.
<u>Lot Size/Ratio</u> The urban lot split would not result in any of the following: <ul style="list-style-type: none"> <li>• The creation of a lot less than 1,200 square feet.</li> <li>• The creation of a lot that is less than 40% or more than 60% of the original lot size</li> </ul>	The proposed lot split will split a 7,500 square foot lot into two 3,750 square foot lots (50%/50%). The resulting lots are not required to conform to the R-2 standards for area or dimensions.
<u>No Previous Lot Split</u> The lot cannot have been not previously subdivided under SB9	No previous SB9 Lot Split has occurred on the subject property.
<u>No adjacent lot splits</u> The property owner, or a person working in concert with the property owner, is not proposing an urban lot split on an adjoining lot.	Property owner is not proposing a lot split on an adjacent lot.
<u>Public Street Access</u> Each lot created by the urban lot split would have direct access to a public street, or would have access to a public street through an easement.	Parcel 2 would have access off of Marie Street, while Parcel 1 would have access off of a public alleyway.
<u>Subdivision Map Act Compliance</u>	Review determined compliance.



The urban lot split will comply with all requirements of the Subdivision Map Act, except as otherwise expressly provided in SB9	
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ENVIRONMENTAL

The first step in complying with CEQA is to determine whether the activity in question constitutes a “project” as defined by CEQA, Public Resources Code Section 21000, et seq. and the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, Section 15000, et seq. A “project” consists of the whole of an action (i.e., not the individual pieces or components) that may have a direct or reasonably foreseeable indirect effect on the environment. The second step is to determine whether the project is subject to or exempt from the statute. This proposal qualifies as a project under CEQA because it involves the issuance to a person of a “lease, permit, license, certificate, or other entitlement for use” as described in CEQA Guidelines Section 15378.

Under Government Code Section 66411.7 (a)(1), SB9 approvals are considered to be ministerial actions. CEQA Guidelines Section 15268 indicates that ministerial actions are exempt from the CEQA review process. Therefore, the project is exempt under CEQA and a notice of exemption would be filed following project approval.

PUBLIC NOTICE

A notice of public hearing is not required for urban residential lot splits subject to SB9.

PLANNING COMMISSION FINDINGS

Parcel maps for residential urban lot splits must meet certain requirements contained in Government Code 66411.7 (a) in order to be approved. These requirements are discussed below:

**FINDING A: The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.**

The proposed subdivision would divide the existing parcel into two smaller parcels of equal size. The project would split a parcel of 7,500 square feet into two parcels of 3,750 square feet.

**FINDING B: Both newly created parcels are no smaller than 1,200 square feet.**

As discussed above, the two newly created parcels would each be 3,750 square feet in size.

**FINDING C: The parcel is located within a single-family zone district.**

The existing and resulting parcels would be located within the R-2 (Multiple Family Medium High Density Residential - Min. 3,000 SQ. FT. per lot) zone district, where single-family residences are allowed.

**FINDING D: The parcel subject to the proposed urban lot split is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as**

**designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.**

The proposed lot split would be located within the city limits of the City of Mendota, an urbanized area.

**FINDING E: The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.**

The proposed subdivision would satisfy the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

**FINDING F: The proposed urban lot split would not require demolition or alteration of any of the following types of housing:**

- (i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.**
- (ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.**
- (iii) A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.**
- (iv) Housing that has been occupied by a tenant in the last three years.**

The project site is vacant and undeveloped. No demolition activity or removal of housing would result from the proposed subdivision.

**FINDING G: The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.**

The subject parcel is not located within a historic district or is a property included on the State Historic Resources Inventory, nor is it a site that is designated or listed by the City of Mendota or County of Fresno as a landmark or historic property or district pursuant to a City or County ordinance.

**FINDING H: The parcel has not been established through prior exercise of an urban lot split.**

An urban lot split has not occurred for the subject property within the past.

**FINDING I: Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split.**

The property owner of the subject parcel, nor any other person has acting in concert with the owner has previously subdivided an adjacent parcel using an urban lost split.

**FISCAL IMPACT**

Review and processing of TPMs are paid for by the applicant, and the project is responsible for payment of all applicable development impact fees. No development has been proposed. Any future development would be responsible for payment of fees consistent with the appropriate standards at the time of application.

**RECOMMENDATION**

Staff recommends that the Planning Commission adopt Resolution No. PC 24-03, recommending that the City Council approve the filing of a notice of exemption under CEQA and approving TPM No. 24-01.

**Attachments:**

1. Aerial Map
2. Zoning Map
3. TPM No. 24-01
4. Resolution No. PC 24-03

Attachment 1: Aerial Map





Attachment 2: Zoning Map



4/6/2021 11:46:03 AM \\s01\GIS\Projects\2021\2021\_04\_01\_Zoning\_Parcels\City of Mendota - Parcel Map No. 24-01\2021\_04\_01\_Zoning\_Parcels\_Map\_No\_24\_01.aprx





Attachment 4: Resolution No. PC 24-03

**BEFORE THE PLANNING COMMISSION  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**RESOLUTION NO. PC 24-03**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENDOTA FORWARDING A RECOMMENDATION TO THE MENDOTA CITY COUNCIL IN THE MATTER OF APPLICATION NO. 24-01, TENTATIVE PARCEL MAP NO. 24-01 (ASSESSOR'S PARCEL NUMBER 013-105-18)**

**WHEREAS**, on February 7, 2024, the City received a request for a tentative parcel map ("TPM") by Peter Mou, on behalf of Guillermina Meza, the applicant; and

**WHEREAS**, the proposal has been designated Application No. 24-01, consisting of TPM No. 24-01; and

**WHEREAS**, Application No. 24-01 proposes to subdivide an existing parcel of approximately 0.172 acres (Assessor's Parcel Number 013-105-18) into two smaller parcels of approximately 0.086 acres (3,750 square feet) each, respectively, and that said subdivision of property is subject to the provisions of Government Code Section 66410, et seq.; and

**WHEREAS**, no development is proposed at the project site at this time; and

**WHEREAS**, the project has satisfied the requirements of Government Code 66411.7 (a); and

**WHEREAS**, at a regular meeting on April 16, 2024, the Mendota Planning Commission considered Application No. 24-01; and

**WHEREAS**, approval of a TPM consists of a "lease, permit, license, certificate, or other entitlement for use", and is therefore a "project" pursuant to the California Environmental Quality Act, Public Resources Code Section 21000, et seq. ("CEQA") and the CEQA Guidelines, California Code of Regulations Title 14, Chapter 3, Section 15000, et seq.; and

**WHEREAS**, as the agency primarily responsible for carrying out or approving said project, the City of Mendota assumes the role of lead agency pursuant to CEQA; and

**WHEREAS**, the project is considered a residential urban lot split under California Senate Bill 9; and

**WHEREAS**, California Senate Bill 9 residential urban lot splits are processed ministerially in accordance with Government Code Section 66411.7 (b)(1); and

**WHEREAS**, ministerial projects are exempt from CEQA under CEQA Guidelines Section 15268 and a notice of exemption would be filed for the project subsequent to approval; and

**WHEREAS**, under Title 16 of the Mendota Municipal Code, the City Council has the authority to approve TPMs; and

**WHEREAS**, the Planning Commission serves as a recommending body in regard to TPMs.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Mendota hereby recommends that the Mendota City Council takes the following actions:

1. Finds that Application No. 24-01, consisting of TPM No. 24-01, is exempt from CEQA under Government Code Section 15268.
2. Approves Application No. 24-01, consisting of TPM No. 24-01, substantially as illustrated in Exhibit "A" hereto and subject to the conditions contained in Exhibit "B" hereto.

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Albert Escobedo, Chairperson

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the Planning Commission at a regular meeting of said Commission, held at Mendota City Hall on the 16<sup>th</sup> day of April, 2024, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Celeste Cabrera-Garcia, City Clerk

Exhibit "A"  
Resolution No. PC 24-03

TENTATIVE PARCEL MAP NO. 2023-XX

MENDOTA, CA 93640  
(A.P.N. 031-105-18)

Incorrect

LEGAL DESCRIPTION

LOTS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

CONTAINS 0.17 ACRES, MORE OR LESS, A.P.N. 031-105-18

Incorrect

OWNER:

TORCO, INC.  
3433 N WOODMONT DRIVE  
FRESNO, CA 93720

PREPARED BY:

PETER MOUA, PE/LS  
5899 N. 7TH STREET  
SUITE 100  
FRESNO, CA 93720  
(559) 288-3217

SITE ADDRESS

ON THE WEST SIDE OF ANCHOR AVE.  
APPROXIMATELY 750' NORTH OF PARK BLVD.

Incorrect

ME  
Moua Engineering  
& Surveying, LLC

PROJECT INFO

EXISTING ZONE: MULTI-FAMILY MEDIUM DENSITY RES. (R-2)

PROPOSED ZONE: MULTI-FAMILY MEDIUM DENSITY RES. (R-2)

A/P/N/PARCEL ID(S): 031-105-18

FLOOD ZONE: 50% A.F.A. AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN

FLOOD MAP NO.: 66019C1444H

FLOOD MAP DATE ISSUED: FEBRUARY 18, 2009

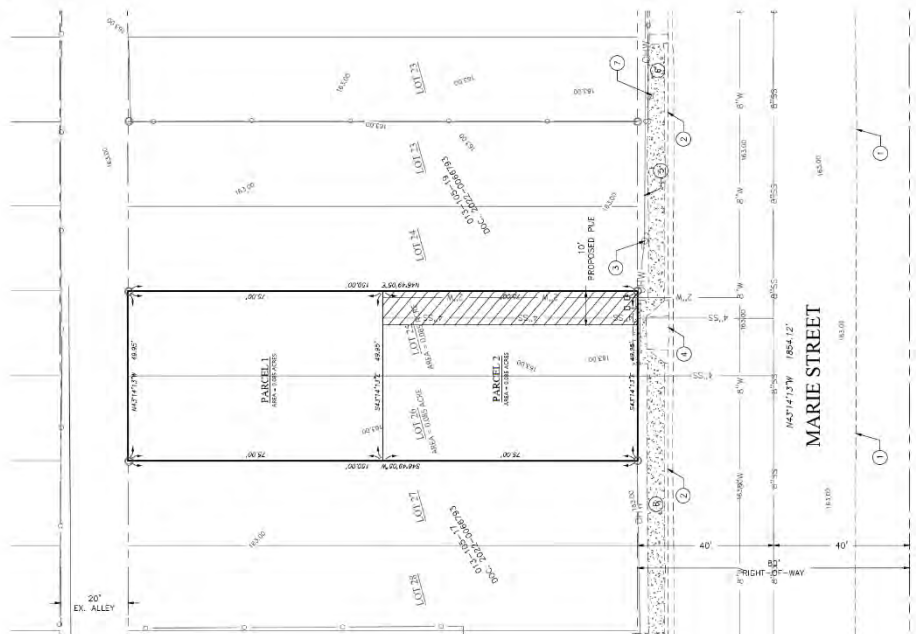
PLANNED LAND USE: MULTI-FAMILY RESIDENTIAL

EXISTING USE: VACANT / BARE LAND

SOURCE OF WATER SUPPLY: CITY OF MENDOTA

SOURCE OF SEWER DISPOSAL: CITY OF MENDOTA

Incorrect



LEGEND

- SECTION LINE
- RIGHT-OF-WAY LINE
- PROJECT SITE
- PARCEL (PROPOSED)
- EXISTING OVER HEAD WIRE
- EXISTING WATER MAIN
- EXISTING SANITARY SEWER
- PROPOSED WATER LINE
- PROPOSED SEWER LINE
- EXISTING CONDUIT
- EXISTING UTILITY POLE
- MONUMENT FOUND AND ACCEPTED
- UNLESS NOTED OTHERWISE

KEYNOTES:

- 1 EXISTING EDGE OF PAVEMENT
- 2 EXISTING CURB & GUTTER
- 3 EXISTING POWER POLE
- 4 EXISTING 6" DRAIN APPROACH
- 5 EXISTING OVERHEAD WIRE
- 6 EXISTING CONCRETE SIDEWALK
- 7 EXISTING WATER METER



MARIE STREET



VICINITY MAP  
NTS

Exhibit “B”  
Resolution No. PC 24-03

As may be used herein, the words “subdivider”, “owner,” “operator”, and “applicant” shall be interchangeable. Conditions of approval related to future development of the project site are either expressly (i.e., specific references using the term “future development” or similar) or impliedly (i.e., referring to activities that could only occur during site development) related, and shall be applicable at the time of approval of said future development.

General

1. The map shall be designated “Tentative Parcel Map No. 24-01”.
2. Tentative Parcel Map No. 24-01 shall be valid for a period of 24 months from the date of its approval or conditional approval by the City Council. Extensions to this period may be requested pursuant to Section 66453.3 of the California Subdivision Map Act.
3. Following City Council approval or conditional approval of the tentative parcel map and prior to its expiration, the subdivider may submit a final parcel map (“**Parcel Map No. 24-01**” or “Parcel Map” herein).
4. The Parcel Map shall be prepared in accordance with Chapter 2, Article 3 of the Subdivision Map Act by a California-licensed land surveyor or civil engineer qualified to perform such service.
5. The Parcel Map submittal shall include parcel closures and a preliminary title report dated no more than thirty (30) days prior to submission to the City Engineer. Copies of all easement documents referenced in the preliminary title report shall accompany the submittal. All parcel map fees and recording fees shall be paid as required by the City of Mendota and the County of Fresno prior to recordation of the map. The owner shall provide the City with a Land Division or Subdivision Guarantee and a Fresno County Tax Compliance Certification Request prior to the City submitting the Parcel Map to the Clerk to the Board of Supervisors.
6. The Parcel Map shall reflect two numbered parcels consistent with the approved Tentative Parcel Map, except as may be modified herein.
7. The Parcel Map will contain correct parcel information and identify the site address and general location correctly.
8. Prior to recordation, the applicant shall execute and record an affidavit, prepared by the City Attorney, indicating his intention to reside in a dwelling on one of the resulting parcels for a period of not less than three (3) years.
9. Future development of the project site shall comply with all applicable provisions of the City of Mendota General Plan Update 2005-2025 and the Mendota Municipal Code, including but not limited to: potable water protection regulations (Chapter 13.24), business licensing requirements (Title 5), and Building Code Standards (Title 15); the Subdivision Ordinance (Title 16); and the regulations of the applicable zone district(s) and other

Exhibit "B"  
Resolution No. PC 24-03

relevant portions of the Zoning Ordinance (Title 17), including but not limited to acquisition of a conditional use permit and/or approval of a site plan; and the City of Mendota Standard Specifications and Standard Drawings.

10. Construction drawings including but not limited to building and improvement plans; site, grading, irrigation, lighting, and landscaping shall be submitted to the Building Department and/or to the City Engineer as appropriate for review and approval. A building permit or permits, including payment of applicable fees, shall be acquired prior to start of any construction activities.
11. Grading and improvement plans shall be prepared by a California-licensed civil engineer.
12. Irrigation, lighting, and landscaping plans may be prepared by a California-licensed landscape architect, architect, or engineer, or by an unlicensed design professional.
13. All exterior lights shall be shielded or otherwise oriented to prevent disturbance to surrounding or neighboring properties or traffic on abutting streets and rights-of-way.
14. Any work within City of Mendota public right-of-way shall require an encroachment permit, including payment of all associated fees.
15. Any work within, across, above, beneath or otherwise affecting Caltrans, County of Fresno, or other agency right-of-way, property, or operations shall be subject to applicable provisions of said other agency, including but not limited to acquisition of encroachment permits, dedication or right-of-way, or other requirements.
16. It shall be the responsibility of the owner/developer to grant easements as necessary for the installation and maintenance of private utilities, including but not limited to: electricity, gas, telephone, and cable television.
17. Any work within, across, above, beneath or otherwise affecting right-of-way, property, and/or easements owned by or granted to purveyor(s) of private utilities shall be subject to the applicable provisions of said purveyor(s).
18. Prior to issuance of a certificate of occupancy for new development, all conditions of approval shall be verified as complete by the Planning Department. Any discrepancy or difference in interpretation of the conditions between the owner/applicant and the Planning Department shall be subject to review and determination by the Planning Commission.
19. Development shall comply with the rules and regulations of the San Joaquin Valley Air Pollution Control District (SJVAPCD).
20. Development shall comply with the requirements of the Fresno County Fire Protection District/CAL FIRE.



Exhibit "B"  
Resolution No. PC 24-03

21. The owner of the project site, or of individual parcels created, shall be responsible for the ongoing and long-term maintenance of all onsite amenities to ensure that nuisance complaints are not received by the City.
22. Connection points for water and wastewater shall be determined by the City Engineer during review of future development proposals. Connections shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
23. Applicants for development of the project site shall coordinate with Mid Valley Disposal to establish necessary solid waste procedures.
24. All City of Mendota Planning, Building, and Engineering fees and costs shall be paid in full to the City prior to recordation of a Parcel Map.
25. Applicants intending to construct on, operate on, or otherwise occupy the parcels created by the Parcel Map shall be responsible for payment of City of Mendota Application Fees, Plan Check and Engineering Fees, Building Fees, and/or Development Impact Fees in amounts to be determined during review, processing, and approval of their respective projects.
26. Development shall be responsible for payment of fees to Mendota Unified School District and shall provide the City with evidence of payment, or evidence of the District's determination that no fees are required, prior to issuance of a certificate of occupancy.
27. Development shall be responsible for payment of Fresno County Regional Transportation Mitigation Fees and Fresno County Public Facilities Impact Fees and shall provide the City with evidence of payment, or evidence of the County's determination that no fees are required, prior to issuance of a certificate of occupancy.

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE CHAIRPERSON AND COMMISSIONERS  
**FROM:** JEFFREY O’NEAL, AICP, CITY PLANNER  
**VIA:** WYATT CZESHINSKI, ASSISTANT CITY PLANNER  
**SUBJECT:** APPLICATION NO. 24-02, TENTATIVE PARCEL MAP NO. 24-02  
**DATE:** APRIL 16, 2024

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**ISSUE**

Shall the Planning Commission adopt Resolution No. PC 24-04, forwarding a recommendation to the City Council to approve an exemption under the California Environmental Quality Act (“CEQA”) and approve Tentative Parcel Map (“TPM”) No. 24-02?

**BACKGROUND**

The Planning and Building Department has received an application for a TPM which proposes to subdivide Assessor’s Parcel Number (“APN”) 013-105-19, a 0.172-acre site, into two smaller parcels. The site is currently vacant and undeveloped. At this time, no new development is being proposed, nor is a land use change or rezone proposed.

<u>Applicant/Owner:</u>	Ashlie Ceja
<u>Representative:</u>	Peter Moua, Moua Engineering & Surveying LLC
<u>Location:</u>	(APN 013-105-19) Marie Street and Seventh Street See Attachment 1
<u>Site Size:</u>	0.172 acres (7,500 square feet)
<u>General Plan:</u>	Medium Density Residential
<u>Zoning:</u>	R-2 (Multiple Family Medium High Density Residential- Min. 3,000 SQ. FT. per lot) See Attachment 2
<u>Existing Use:</u>	Vacant
<u>Surrounding Uses:</u>	Northeast – Residential; R-1 Southeast – Residential; R-2 Southwest – Railroad; M-1 Northwest – Vacant; R-2
<u>Street Access:</u>	Marie Street, Public Alleyway

**ANALYSIS**

The California Subdivision Map Act (“Map Act”) (Government Code Section 66410, *et seq.*) establishes most of the procedures for subdivision of land. Other components are contained within Title 16 (“Subdivision Ordinance”) of the Mendota Municipal Code. Generally, a parcel map is required in order to subdivide land into four or fewer parcels. Note the distinction of a “tentative parcel map” versus simply a “parcel map”. As indicated in the Map Act, a parcel map is immediately recordable following its approval, while approval of a tentative map is only the

first step in a two-step process. The Subdivision Ordinance provides applicants the option of submitting a parcel map or a tentative parcel map. This allows the City flexibility in applying conditions of approval while granting the subdivider an additional year (two instead of one) during which to record a final map or parcel map. Although the Subdivision Ordinance indicates that tentative parcel maps are valid for one year following approval, the Map Act indicates that they are valid for two years and is the controlling law.

TPM No. 24-02 proposes to subdivide the approximately 0.172-acre (7,500 square feet) parcel into two parcels identified as “Parcel 1” and “Parcel 2” (see Attachment 3). They will be referred to as such throughout this report. Both Parcel 1 and Parcel 2 would contain approximately 0.086 acres (3,750 square feet). No further development of or land use entitlements for any of the resultant parcels is being proposed at this time; any future development and/or new uses would be subject to the appropriate land use application(s).

Senate Bill 9 (“SB9”) went into effect on January 1, 2022. This bill allows for a one-time lot split of an existing single family residential parcel into two parcels. An application for an urban lot split under SB9 must be considered ministerially, without discretionary review or a hearing. The public official(s) merely ensures that the proposed development meets all the applicable objective standards for the proposed action but uses no special discretion or judgement in reaching a final decision. The table below provides lot split requirements and compliance under SB9 for the proposed lot split:

<b>Requirement</b>	<b>Analysis</b>
<u>Urban Setting/ Single Family Zoning</u> The property is located in a single-family residential zone located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau.	The property is located within the R-2 (Multiple Family Medium High Density Residential- Min. 3,000 SQ. FT. per lot) zone district, where single-family residences are allowed.
<u>Lot Size/Ratio</u> The urban lot split would not result in any of the following: <ul style="list-style-type: none"> <li>• The creation of a lot less than 1,200 square feet.</li> <li>• The creation of a lot that is less than 40% or more than 60% of the original lot size</li> </ul>	The proposed lot split will split a 7,500 square foot lot into two 3,750 square foot lots (50%/50%). The resulting lots are not required to conform to the R-2 standards for area or dimensions.
<u>No Previous Lot Split</u> The lot cannot have been not previously subdivided under SB9	No previous SB9 Lot Split has occurred on the subject property.
<u>No adjacent lot splits</u> The property owner, or a person working in concert with the property owner, is not proposing an urban lot split on an adjoining lot.	Property owner is not proposing a lot split on an adjacent lot.
<u>Public Street Access</u> Each lot created by the urban lot split would have direct access to a public street, or would have access to a public street through an easement.	Parcel 2 would have access off of Marie Street, while Parcel 1 would have access off of a public alleyway.
<u>Subdivision Map Act Compliance</u>	Review determined compliance.

The urban lot split will comply with all requirements of the Subdivision Map Act, except as otherwise expressly provided in SB9	
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ENVIRONMENTAL

The first step in complying with CEQA is to determine whether the activity in question constitutes a “project” as defined by CEQA, Public Resources Code Section 21000, et seq. and the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, Section 15000, et seq. A “project” consists of the whole of an action (i.e., not the individual pieces or components) that may have a direct or reasonably foreseeable indirect effect on the environment. The second step is to determine whether the project is subject to or exempt from the statute. This proposal qualifies as a project under CEQA because it involves the issuance to a person of a “lease, permit, license, certificate, or other entitlement for use” as described in CEQA Guidelines Section 15378.

Under Government Code Section 66411.7 (a)(1), SB9 approvals are considered to be ministerial actions. CEQA Guidelines Section 15268 indicates that ministerial actions are exempt from the CEQA review process. Therefore, the project is exempt under CEQA and a notice of exemption would be filed following project approval.

PUBLIC NOTICE

A notice of public hearing is not required for urban residential lot splits subject to SB9.

PLANNING COMMISSION FINDINGS

Parcel maps for residential urban lot splits must meet certain requirements contained in Government Code 66411.7 (a) in order to be approved. These requirements are discussed below:

**FINDING A: The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.**

The proposed subdivision would divide the existing parcel into two smaller parcels of equal size. The project would split a parcel of 7,500 square feet into two parcels of 3,750 square feet.

**FINDING B: Both newly created parcels are no smaller than 1,200 square feet.**

As discussed above, the two newly created parcels would each be 3,750 square feet in size.

**FINDING C: The parcel is located within a single-family zone district.**

The existing and resulting parcels would be located within the R-2 (Multiple Family Medium High Density Residential - Min. 3,000 SQ. FT. per lot) zone district, where single-family residences are allowed.

**FINDING D: The parcel subject to the proposed urban lot split is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as**

**designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.**

The proposed lot split would be located within the city limits of the City of Mendota, an urbanized area.

**FINDING E: The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.**

The proposed subdivision would satisfy the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

**FINDING F: The proposed urban lot split would not require demolition or alteration of any of the following types of housing:**

- (i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.**
- (ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.**
- (iii) A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.**
- (iv) Housing that has been occupied by a tenant in the last three years.**

The project site is vacant and undeveloped. No demolition activity or removal of housing would result from the proposed subdivision.

**FINDING G: The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.**

The subject parcel is not located within a historic district or is a property included on the State Historic Resources Inventory, nor is it a site that is designated or listed by the City of Mendota or County of Fresno as a landmark or historic property or district pursuant to a City or County ordinance.

**FINDING H: The parcel has not been established through prior exercise of an urban lot split.**

An urban lot split has not occurred for the subject property within the past.

**FINDING I: Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split.**

The property owner of the subject parcel, nor any other person has acting in concert with the owner has previously subdivided an adjacent parcel using an urban lost split.

**FISCAL IMPACT**

Review and processing of TPMs are paid for by the applicant, and the project is responsible for payment of all applicable development impact fees. No development has been proposed. Any future development would be responsible for payment of fees consistent with the appropriate standards at the time of application.

**RECOMMENDATION**

Staff recommends that the Planning Commission adopt Resolution No. PC 24-04, recommending that the City Council approve the filing of a notice of exemption under CEQA and approving TPM No. 24-02.

**Attachments:**

1. Aerial Map
2. Zoning Map
3. TPM No. 24-02
4. Resolution No. PC 24-04



Attachment 1: Aerial Map



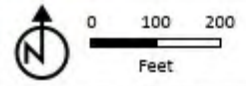
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Attachment 2: Zoning Map



APN: 013-105-19  
**City of Mendota Zoning**  
 P-F- Public Facilities  
 R-1- Single Family Medium Density Residential  
 R-2- Multiple Family Medium High Density Residential  
 R-3- Multiple Family High Density Residential  
 C-3 Central Business & Shopping  
 M-1 Light Manufacturing  
 M-2 Heavy Manufacturing Industrial



**Zoning Map**

City of Mendota - Parcel Map No. 24-02

**PROVOST & PRITCHARD**

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Attachment 4: Resolution PC No. 24-04

**BEFORE THE PLANNING COMMISSION  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**RESOLUTION NO. PC 24-04**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENDOTA FORWARDING A RECOMMENDATION TO THE MENDOTA CITY COUNCIL IN THE MATTER OF APPLICATION NO. 24-02, TENTATIVE PARCEL MAP NO. 24-02 (ASSESSOR'S PARCEL NUMBER 013-105-19)**

**WHEREAS**, on January 30, 2024, the City received a request for a tentative parcel map ("TPM") by Peter Mou, on behalf of Ashlie Ceja, the applicant; and

**WHEREAS**, the proposal has been designated Application No. 24-02, consisting of TPM No. 24-02; and

**WHEREAS**, Application No. 24-02 proposes to subdivide an existing parcel of approximately 0.172 acres (Assessor's Parcel Number 013-105-19) into two smaller parcels of approximately 0.086 acres (3,750 square feet) each, respectively, and that said subdivision of property is subject to the provisions of Government Code Section 66410, et seq.; and

**WHEREAS**, no development is proposed at the project site at this time; and

**WHEREAS**, the project has satisfied the requirements of Government Code 66411.7 (a); and

**WHEREAS**, at a regular meeting on April 16, 2024, the Mendota Planning Commission considered Application No. 24-02; and

**WHEREAS**, approval of a TPM consists of a "lease, permit, license, certificate, or other entitlement for use", and is therefore a "project" pursuant to the California Environmental Quality Act, Public Resources Code Section 21000, et seq. ("CEQA") and the CEQA Guidelines, California Code of Regulations Title 14, Chapter 3, Section 15000, et seq.; and

**WHEREAS**, as the agency primarily responsible for carrying out or approving said project, the City of Mendota assumes the role of lead agency pursuant to CEQA; and

**WHEREAS**, the project is considered a residential urban lot split under California Senate Bill 9; and

**WHEREAS**, California Senate Bill 9 residential urban lot splits are processed ministerially in accordance with Government Code Section 66411.7 (b)(1); and

**WHEREAS**, ministerial projects are exempt from CEQA under CEQA Guidelines Section 15268 and a notice of exemption would be filed for the project subsequent to approval; and

**WHEREAS**, under Title 16 of the Mendota Municipal Code, the City Council has the authority to approve TPMs; and

**WHEREAS**, the Planning Commission serves as a recommending body in regard to TPMs.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Mendota hereby recommends that the Mendota City Council takes the following actions:

1. Finds that Application No. 24-02, consisting of TPM No. 24-02, is exempt from CEQA under Government Code Section 15268.
2. Approves Application No. 24-02, consisting of TPM No. 24-02, substantially as illustrated in Exhibit "A" hereto and subject to the conditions contained in Exhibit "B" hereto.

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Albert Escobedo, Chairperson

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the Planning Commission at a regular meeting of said Commission, held at Mendota City Hall on the 16<sup>th</sup> day of April, 2024, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Celeste Cabrera-Garcia, City Clerk







Exhibit “B”  
Resolution No. PC 24-04

As may be used herein, the words “subdivider”, “owner,” “operator”, and “applicant” shall be interchangeable. Conditions of approval related to future development of the project site are either expressly (i.e., specific references using the term “future development” or similar) or impliedly (i.e., referring to activities that could only occur during site development) related, and shall be applicable at the time of approval of said future development.

General

1. The map shall be designated “Tentative Parcel Map No. 24-02”.
2. Tentative Parcel Map No. 24-02 shall be valid for a period of 24 months from the date of its approval or conditional approval by the City Council. Extensions to this period may be requested pursuant to Section 66453.3 of the California Subdivision Map Act.
3. Following City Council approval or conditional approval of the tentative parcel map and prior to its expiration, the subdivider may submit a final parcel map (“**Parcel Map No. 24-02**” or “Parcel Map” herein).
4. The Parcel Map shall be prepared in accordance with Chapter 2, Article 3 of the Subdivision Map Act by a California-licensed land surveyor or civil engineer qualified to perform such service.
5. The Parcel Map submittal shall include parcel closures and a preliminary title report dated no more than thirty (30) days prior to submission to the City Engineer. Copies of all easement documents referenced in the preliminary title report shall accompany the submittal. All parcel map fees and recording fees shall be paid as required by the City of Mendota and the County of Fresno prior to recordation of the map. The owner shall provide the City with a Land Division or Subdivision Guarantee and a Fresno County Tax Compliance Certification Request prior to the City submitting the Parcel Map to the Clerk to the Board of Supervisors.
6. The Parcel Map shall reflect two numbered parcels consistent with the approved Tentative Parcel Map, except as may be modified herein.
7. The Parcel Map will contain correct parcel information and identify the site address and general location correctly.
8. Prior to recordation, the applicant shall execute and record an affidavit, prepared by the City Attorney, indicating his intention to reside in a dwelling on one of the resulting parcels for a period of not less than three (3) years.
9. Future development of the project site shall comply with all applicable provisions of the City of Mendota General Plan Update 2005-2025 and the Mendota Municipal Code, including but not limited to: potable water protection regulations (Chapter 13.24), business licensing requirements (Title 5), and Building Code Standards (Title 15); the Subdivision Ordinance (Title 16); and the regulations of the applicable zone district(s) and other

Exhibit "B"  
Resolution No. PC 24-04

relevant portions of the Zoning Ordinance (Title 17), including but not limited to acquisition of a conditional use permit and/or approval of a site plan; and the City of Mendota Standard Specifications and Standard Drawings.

10. Construction drawings including but not limited to building and improvement plans; site, grading, irrigation, lighting, and landscaping shall be submitted to the Building Department and/or to the City Engineer as appropriate for review and approval. A building permit or permits, including payment of applicable fees, shall be acquired prior to start of any construction activities.
11. Grading and improvement plans shall be prepared by a California-licensed civil engineer.
12. Irrigation, lighting, and landscaping plans may be prepared by a California-licensed landscape architect, architect, or engineer, or by an unlicensed design professional.
13. All exterior lights shall be shielded or otherwise oriented to prevent disturbance to surrounding or neighboring properties or traffic on abutting streets and rights-of-way.
14. Any work within City of Mendota public right-of-way shall require an encroachment permit, including payment of all associated fees.
15. Any work within, across, above, beneath or otherwise affecting Caltrans, County of Fresno, or other agency right-of-way, property, or operations shall be subject to applicable provisions of said other agency, including but not limited to acquisition of encroachment permits, dedication or right-of-way, or other requirements.
16. It shall be the responsibility of the owner/developer to grant easements as necessary for the installation and maintenance of private utilities, including but not limited to: electricity, gas, telephone, and cable television.
17. Any work within, across, above, beneath or otherwise affecting right-of-way, property, and/or easements owned by or granted to purveyor(s) of private utilities shall be subject to the applicable provisions of said purveyor(s).
18. Prior to issuance of a certificate of occupancy for new development, all conditions of approval shall be verified as complete by the Planning Department. Any discrepancy or difference in interpretation of the conditions between the owner/applicant and the Planning Department shall be subject to review and determination by the Planning Commission.
19. Development shall comply with the rules and regulations of the San Joaquin Valley Air Pollution Control District (SJVAPCD).
20. Development shall comply with the requirements of the Fresno County Fire Protection District/CAL FIRE.

Exhibit "B"  
Resolution No. PC 24-04

21. The owner of the project site, or of individual parcels created, shall be responsible for the ongoing and long-term maintenance of all onsite amenities to ensure that nuisance complaints are not received by the City.
22. Connection points for water and wastewater shall be determined by the City Engineer during review of future development proposals. Connections shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
23. Applicants for development of the project site shall coordinate with Mid Valley Disposal to establish necessary solid waste procedures.
24. All City of Mendota Planning, Building, and Engineering fees and costs shall be paid in full to the City prior to recordation of a Parcel Map.
25. Applicants intending to construct on, operate on, or otherwise occupy the parcels created by the Parcel Map shall be responsible for payment of City of Mendota Application Fees, Plan Check and Engineering Fees, Building Fees, and/or Development Impact Fees in amounts to be determined during review, processing, and approval of their respective projects.
26. Development shall be responsible for payment of fees to Mendota Unified School District and shall provide the City with evidence of payment, or evidence of the District's determination that no fees are required, prior to issuance of a certificate of occupancy.
27. Development shall be responsible for payment of Fresno County Regional Transportation Mitigation Fees and Fresno County Public Facilities Impact Fees and shall provide the City with evidence of payment, or evidence of the County's determination that no fees are required, prior to issuance of a certificate of occupancy.

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**AGENDA ITEM – STAFF REPORT**

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**TO:** HONORABLE CHAIRPERSON AND COMMISSIONERS  
**FROM:** JEFFREY O’NEAL, AICP, CITY PLANNER  
**VIA:** WYATT CZESHINSKI, ASSISTANT CITY PLANNER  
**SUBJECT:** APPLICATION NO. 24-04, TENTATIVE PARCEL MAP NO. 24-03  
**DATE:** APRIL 16, 2024

---

**ISSUE**

Shall the Planning Commission adopt Resolution No. PC 24-05, forwarding a recommendation to the City Council to approve an exemption under the California Environmental Quality Act (“CEQA”) and approve Tentative Parcel Map (“TPM”) No. 24-03?

**BACKGROUND**

The Planning and Building Department has received an application for a TPM which proposes to subdivide Assessor’s Parcel Number (“APN”) 013-115-10, a 0.344-acre site, into two smaller parcels. The site contains one existing single-family residence. At this time, no new development is being proposed, nor is a land use change or rezone proposed.

<u>Applicant/Owner:</u>	Tony Jose Lopez
<u>Representative:</u>	Cris H. Robles, PLS
<u>Location:</u>	(APN 013-115-10) Lolita Street and Ninth Street See Attachment 1
<u>Site Size:</u>	0.344 acres (15,000 square feet)
<u>General Plan:</u>	Medium Density Residential
<u>Zoning:</u>	R-1 (Single Family Medium Density Residential- Min. 6,000 SQ. FT. per lot) See Attachment 2
<u>Existing Use:</u>	Single-Family Residence
<u>Surrounding Uses:</u>	Northeast – Residential; R-1 Southeast – Residential; R-1 Southwest – Residential; R-1 Northwest – Residential; R-1
<u>Street Access:</u>	Lolita Street and Public Alleyway

**ANALYSIS**

The California Subdivision Map Act (“Map Act”) (Government Code Section 66410, *et seq.*) establishes most of the procedures for subdivision of land. Other components are contained within Title 16 (“Subdivision Ordinance”) of the Mendota Municipal Code. Generally, a parcel map is required in order to subdivide land into four or fewer parcels. Note the distinction of a “tentative parcel map” versus simply a “parcel map”. As indicated in the Map Act, a parcel map is immediately recordable following its approval, while approval of a tentative map is only the

first step in a two-step process. The Subdivision Ordinance provides applicants the option of submitting a parcel map or a tentative parcel map. This allows the City flexibility in applying conditions of approval while granting the subdivider an additional year (two instead of one) during which to record a final map or parcel map. Although the Subdivision Ordinance indicates that tentative parcel maps are valid for one year following approval, the Map Act indicates that they are valid for two years and is the controlling law.

TPM No. 24-03 proposes to subdivide the approximately 0.344-acre (15,000 square feet) parcel into two parcels identified as “Parcel 1” and “Parcel 2” (see Attachment 3). They will be referred to as such throughout this report. Both Parcel 1 and Parcel 2 would contain approximately 0.172 acres (7,500 square feet). No further development of or land use entitlements for any of the resultant parcels is being proposed at this time; any future development and/or new uses would be subject to the appropriate land use application(s).

Senate Bill 9 (“SB9”) went into effect on January 1, 2022. This bill allows for a one-time lot split of an existing single family residential parcel into two parcels. An application for an urban lot split under SB9 must be considered ministerially, without discretionary review or a hearing. The public official(s) merely ensures that the proposed development meets all the applicable objective standards for the proposed action but uses no special discretion or judgement in reaching a final decision. The table below provides lot split requirements and compliance under SB9 for the proposed lot split:

<b>Requirement</b>	<b>Analysis</b>
<u>Urban Setting/ Single Family Zoning</u> The property is located in a single-family residential zone located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau.	The property is located within the R-1 (Single Family Medium Density Residential- Min. 6,000 SQ. FT. per lot) zone district.
<u>Lot Size/Ratio</u> The urban lot split would not result in any of the following: <ul style="list-style-type: none"> <li>• The creation of a lot less than 1,200 square feet.</li> <li>• The creation of a lot that is less than 40% or more than 60% of the original lot size</li> </ul>	The proposed lot split will split a 15,00 square foot lot into two 7,500 square foot lots (50%/50%). The resulting lots are not required to conform to the R-1 standards for area or dimensions.
<u>No Previous Lot Split</u> The lot cannot have been not previously subdivided under SB9	No previous SB9 Lot Split has occurred on the subject property.
<u>No adjacent lot splits</u> The property owner, or a person working in concert with the property owner, is not proposing an urban lot split on an adjoining lot.	Property owner is not proposing a lot split on an adjacent lot.
<u>Public Street Access</u> Each lot created by the urban lot split would have direct access to a public street, or would have access to a public street through an easement.	Both parcels would have access off of Lolita Street and the could be access by the abutting public alleyway.
<u>Subdivision Map Act Compliance</u>	Review determined compliance.

The urban lot split will comply with all requirements of the Subdivision Map Act, except as otherwise expressly provided in SB9	
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ENVIRONMENTAL

The first step in complying with CEQA is to determine whether the activity in question constitutes a “project” as defined by CEQA, Public Resources Code Section 21000, et seq. and the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, Section 15000, et seq. A “project” consists of the whole of an action (i.e., not the individual pieces or components) that may have a direct or reasonably foreseeable indirect effect on the environment. The second step is to determine whether the project is subject to or exempt from the statute. This proposal qualifies as a project under CEQA because it involves the issuance to a person of a “lease, permit, license, certificate, or other entitlement for use” as described in CEQA Guidelines Section 15378.

Under Government Code Section 66411.7 (a)(1), SB9 approvals are considered to be ministerial actions. CEQA Guidelines Section 15268 indicates that ministerial actions are exempt from the CEQA review process. Therefore, the project is exempt under CEQA and a notice of exemption would be filed following project approval.

PUBLIC NOTICE

A notice of public hearing is not required for urban residential lot splits subject to SB9.

PLANNING COMMISSION FINDINGS

Parcel maps for residential urban lot splits must meet certain requirements contained in Government Code 66411.7 (a) in order to be approved. These requirements are discussed below:

**FINDING A: The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.**

The proposed subdivision would divide the existing parcel into two smaller parcels of equal size. The project would split a parcel of 15,000 square feet into two parcels of 7,500 square feet.

**FINDING B: Both newly created parcels are no smaller than 1,200 square feet.**

As discussed above, the two newly created parcels would each be 7,500 square feet in size.

**FINDING C: The parcel is located within a single-family zone district.**

The existing and resulting parcels would be located within the R-1 (Single Family Medium Density Residential - Min. 6,000 SQ. FT. per lot) zone district.

**FINDING D: The parcel subject to the proposed urban lot split is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel**

**wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.**

The proposed lot split would be located within the city limits of the City of Mendota, an urbanized area.

**FINDING E: The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.**

The proposed subdivision would satisfy the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

**FINDING F: The proposed urban lot split would not require demolition or alteration of any of the following types of housing:**

- (i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.**
- (ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.**
- (iii) A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.**
- (iv) Housing that has been occupied by a tenant in the last three years.**

The project site contains one existing single-family residence. This residence would remain on Parcel 2 subsequent to the subdivision of the property. No demolition activity or removal of housing would result from the proposed subdivision.

**FINDING G: The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.**

The subject parcel is not located within a historic district or is a property included on the State Historic Resources Inventory, nor is it a site that is designated or listed by the City of Mendota or County of Fresno as a landmark or historic property or district pursuant to a City or County ordinance.

**FINDING H: The parcel has not been established through prior exercise of an urban lot split.**

An urban lot split has not occurred for the subject property within the past.



**FINDING I: Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split.**

The property owner of the subject parcel, nor any other person has acting in concert with the owner has previously subdivided an adjacent parcel using an urban lost split.

**FISCAL IMPACT**

Review and processing of TPMs are paid for by the applicant, and the project is responsible for payment of all applicable development impact fees. No development has been proposed. Any future development would be responsible for payment of fees consistent with the appropriate standards at the time of application.

**RECOMMENDATION**

Staff recommends that the Planning Commission adopt Resolution No. PC 24-05, recommending that the City Council approve the filing of a notice of exemption under CEQA and approving TPM No. 24-03.

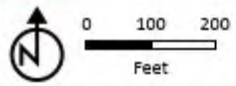
**Attachments:**

1. Aerial Map
2. Zoning Map
3. TPM No. 24-03
4. Resolution No. PC 24-05

Attachment 1: Aerial Map



APN: 013-115-10



**Aerial Map**

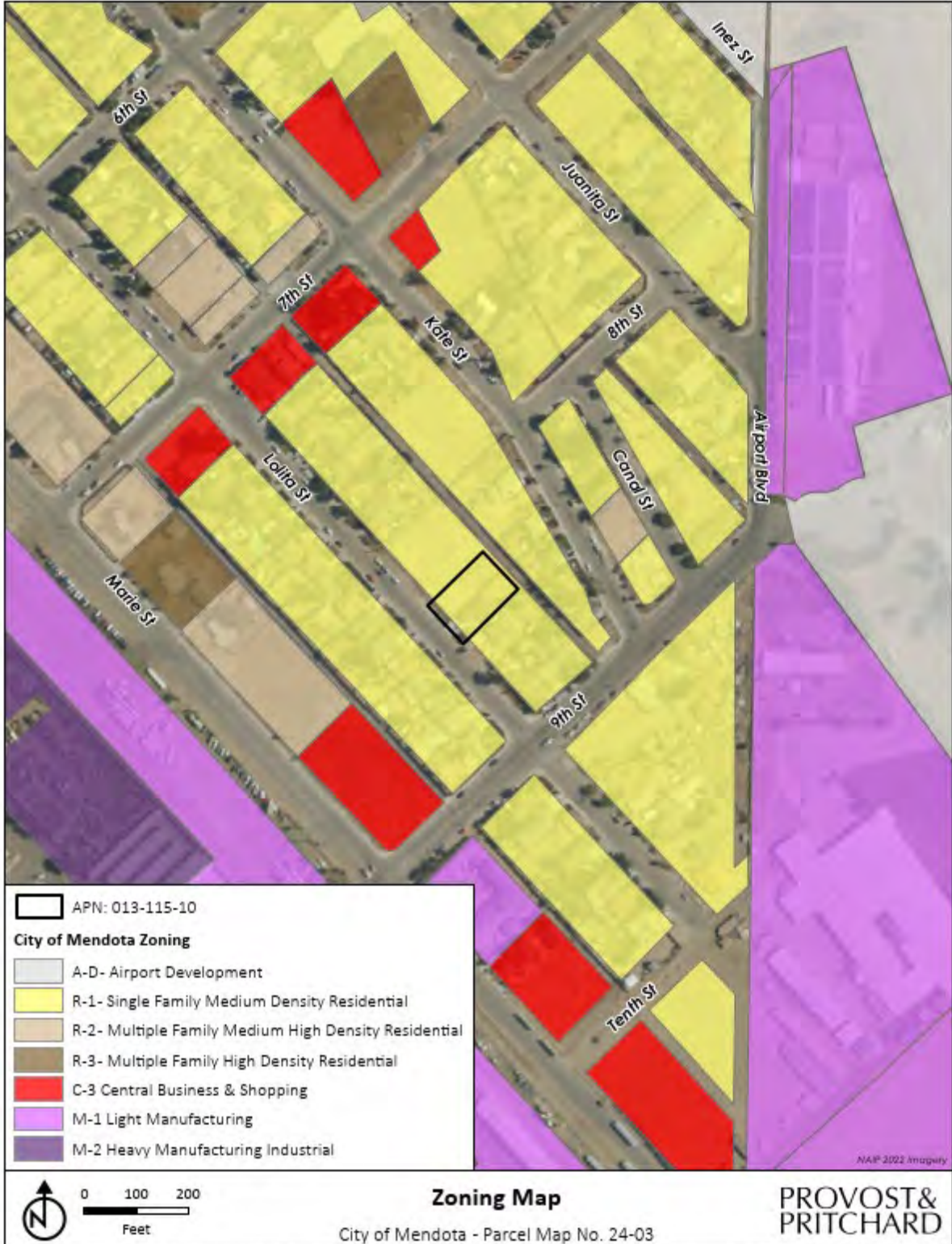
City of Mendota - Parcel Map No. 24-03

**PROVOST & PRITCHARD**

0/3/2021 1:04pm C:\Users\jamesr\Mendota\_City of Mendota - Parcel Map No. 24-03\Working Services\City Project Files\013-115-10\013-115-10 - Tentative Parcel Map No. 24-03\013-115-10\City of Mendota - Tentative Parcel Map No. 24-03.apr



Attachment 2: Zoning Map



4/4/2024 11:46:00 AM C:\Users\jpritchard\OneDrive\Working Services\City Project Files\24-03\2403-0303 - Tentative Parcel Map No. 24-03\2403-0303\Map\CityOfMendota\_Tentative\_Parcel\_Map\_No\_24\_03\_CityOfMendota\_Tentative\_Parcel\_Map\_No\_24\_03.aprx

**TENTATIVE PARCEL MAP**

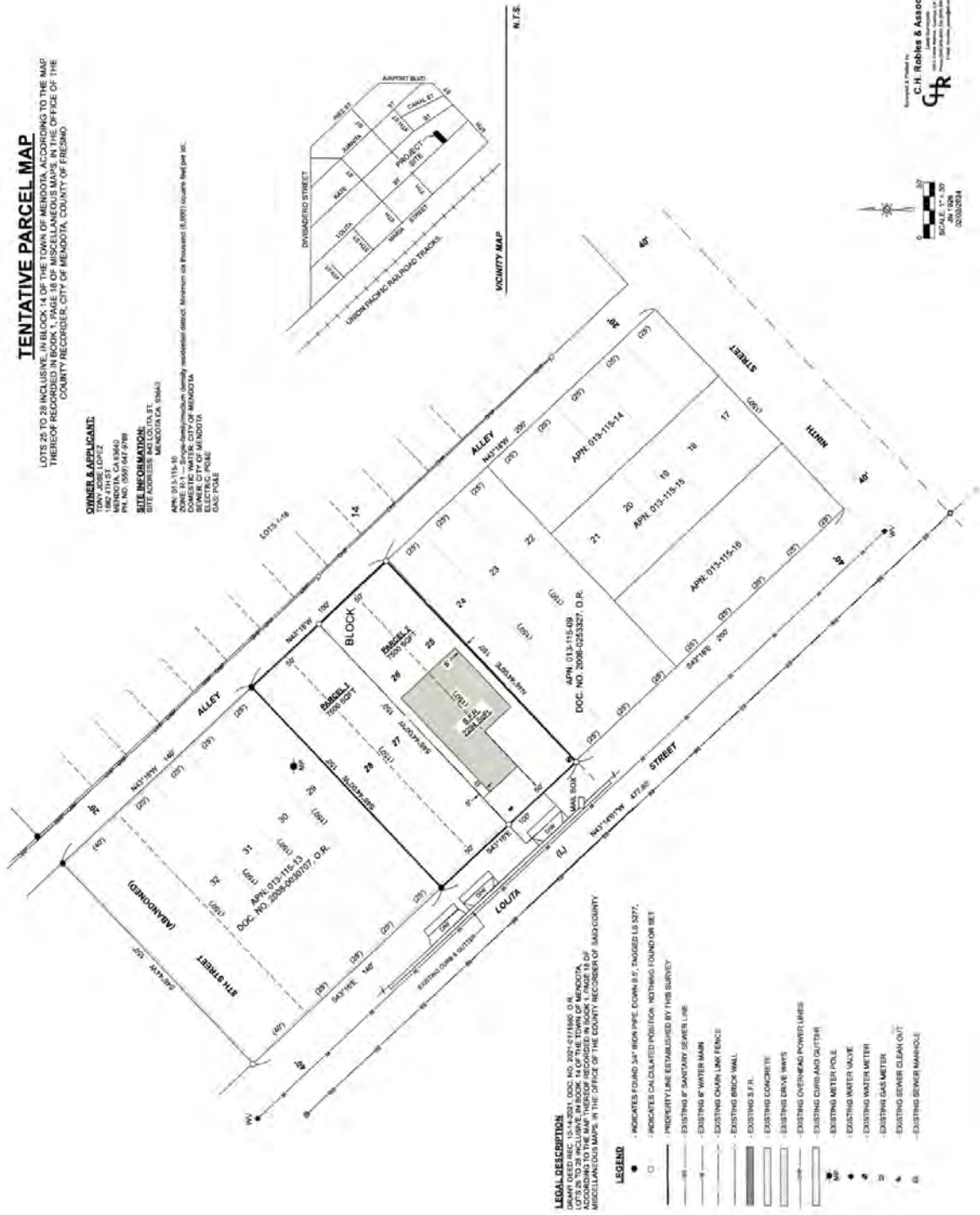
LOTS 25 TO 29 INCLUSIVE, IN BLOCK 14 OF THE TOWN OF MENDOTA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 1, PAGE 19 OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER, CITY OF MENDOTA, COUNTY OF FRESNO.

**OWNER & APPLICANT:**

TONY JOSSE LOPEZ  
 1015 1/4  
 MENDOTA, CA 93640  
 PH. NO. (559) 447-9789

**SITE INFORMATION:**

APN: 013-115-11  
 MENDOTA, CA 93640  
 ZONE: R-1.1 — Single-Family Medium Density residential district. Minimum lot frontage (8,000) square feet per lot.  
 DOMESTIC WATER, CITY OF MENDOTA  
 SANITARY SEWER, CITY OF MENDOTA  
 ELECTRIC POLE  
 GAS POLE



**LEGAL DESCRIPTION**  
 DRAFT RECORDED 15-14-2021, DCC NO. 202-071846, O.R.  
 DCC NO. 202-068107, O.R.  
 ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 1, PAGE 19 OF  
 MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

- LEGEND**
- INDICATES FOUND 3/4" HIGH PIPE DOWN 6.5" RAISES TO 5.75"
  - INDICATES CALCULATED POSITION, NOTHING FOUND OR SET
  - PROPERTY LINE ESTABLISHED BY THIS SURVEY
  - EXISTING 8" SANITARY SEWER LINE
  - EXISTING 8" WATER MAIN
  - EXISTING CHAIN LINK FENCE
  - EXISTING BRICK WALL
  - EXISTING 5' FT.
  - EXISTING CONCRETE
  - EXISTING DRIVE HWYS
  - EXISTING OVERHEAD POWER LINES
  - EXISTING CURB AND GUTTER
  - EXISTING METER POLE
  - EXISTING WATER VALVE
  - EXISTING WATER METER
  - EXISTING GAS METER
  - EXISTING SEWER CLEAN OUT
  - EXISTING SEWER MANHOLE

SCALE: 1" = 30'  
 JAN. 1, 2024  
 MENDOTA, CALIFORNIA

Prepared by: **C.H. Robles & Associates, Inc.**  
  
 1015 1/4  
 MENDOTA, CA 93640  
 PH. NO. (559) 447-9789

Attachment 4: Resolution No. PC 24-05

**BEFORE THE PLANNING COMMISSION  
OF THE  
CITY OF MENDOTA, COUNTY OF FRESNO**

**RESOLUTION NO. PC 24-05**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENDOTA  
FORWARDING A RECOMMENDATION TO THE MENDOTA CITY COUNCIL IN THE  
MATTER OF APPLICATION NO. 24-04, TENTATIVE PARCEL MAP NO. 24-03  
(ASSESSOR'S PARCEL NUMBER 013-115-10)**

**WHEREAS**, on February 22, 2024, the City received a request for a tentative parcel map ("TPM") by Cris H. Robles, PLS on behalf of Tony Jose Lopez, the applicant and property owner; and

**WHEREAS**, the proposal has been designated Application No. 24-04, consisting of TPM No. 24-03; and

**WHEREAS**, Application No. 24-04 proposes to subdivide an existing parcel of approximately 0.344 acres (Assessor's Parcel Number 013-115-10) into two smaller parcels of approximately 0.172 acres (7,500 square feet) each, respectively, and that said subdivision of property is subject to the provisions of Government Code Section 66410, et seq.; and

**WHEREAS**, no development is proposed at the project site at this time; and

**WHEREAS**, the project has satisfied the requirements of Government Code 66411.7 (a); and

**WHEREAS**, at a regular meeting on April 16, 2024, the Mendota Planning Commission considered Application No. 24-04; and

**WHEREAS**, approval of a TPM consists of a "lease, permit, license, certificate, or other entitlement for use", and is therefore a "project" pursuant to the California Environmental Quality Act, Public Resources Code Section 21000, et seq. ("CEQA") and the CEQA Guidelines, California Code of Regulations Title 14, Chapter 3, Section 15000, et seq.; and

**WHEREAS**, as the agency primarily responsible for carrying out or approving said project, the City of Mendota assumes the role of lead agency pursuant to CEQA; and

**WHEREAS**, the project is considered a residential urban lot split under California Senate Bill 9; and

**WHEREAS**, California Senate Bill 9 residential urban lot splits are processed ministerially in accordance with Government Code Section 66411.7 (b)(1); and

**WHEREAS**, ministerial projects are exempt from CEQA under CEQA Guidelines Section 15268 and a notice of exemption would be filed for the project subsequent to approval; and

**WHEREAS**, under Title 16 of the Mendota Municipal Code, the City Council has the authority to approve TPMs; and

**WHEREAS**, the Planning Commission serves as a recommending body in regard to TPMs.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Mendota hereby recommends that the Mendota City Council takes the following actions:

1. Finds that Application No. 24-04, consisting of TPM No. 24-03, is exempt from CEQA under Government Code Section 15268.
2. Approves Application No. 24-04, consisting of TPM No. 24-03, substantially as illustrated in Exhibit "A" hereto and subject to the conditions contained in Exhibit "B" hereto.

---

Albert Escobedo, Chairperson

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the Planning Commission at a regular meeting of said Commission, held at Mendota City Hall on the 16<sup>th</sup> day of April, 2024, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Celeste Cabrera-Garcia, City Clerk



# Exhibit "A"

## Resolution No. PC 24-05

### TENTATIVE PARCEL MAP

LOTS 25 TO 28 INCLUSIVE IN BLOCK 14 OF THE TOWN OF MENDOTA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 1, PAGE 18 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER, CITY OF MENDOTA, COUNTY OF FRESNO

**OWNER & APPLICANT:**

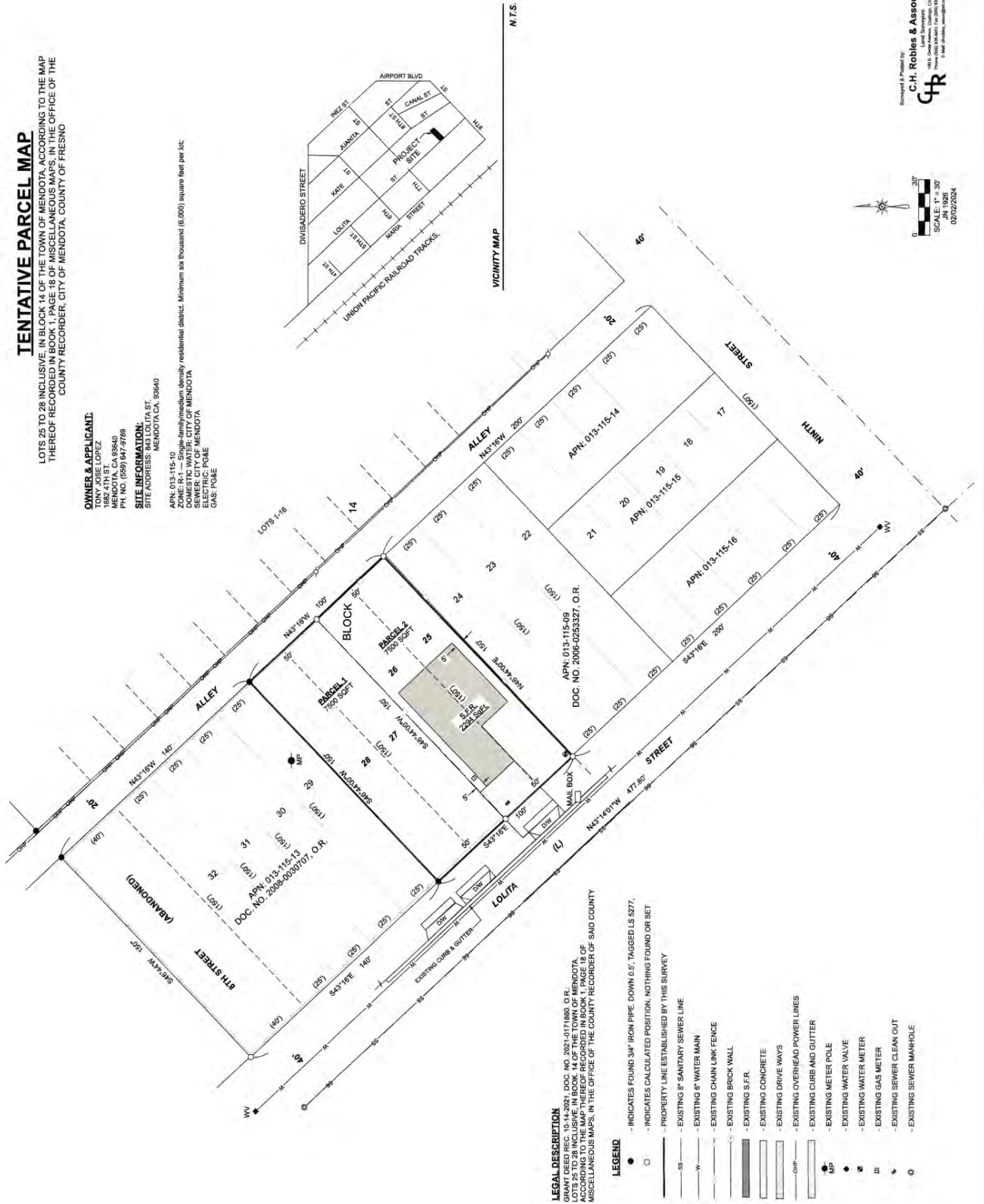
TONY JOSE LOPEZ  
182 4TH ST  
MENDOTA, CA 93640  
PH. NO. (559) 647-9789

**SITE INFORMATION:**

SITE ADDRESS: 843 LOLITA ST.  
MENDOTA, CA 93640

APN: 013-115-10

ZONE: R-1 - Single-family/medium density residential district. Minimum six thousand (6,000) square feet per lot.  
CITY OF MENDOTA  
SEWER: CITY OF MENDOTA  
ELECTRIC: PG&E  
GAS: PG&E



Designed & Prepared By:  
**C.H. Robles & Associates, Inc.**  
1405 S. Olive Avenue, Suite 200  
Fresno, CA 93728  
Phone: (559) 485-1100  
www.chra.com

**LEGAL DESCRIPTION**  
GRANT DEED REC. 10-14-2021, DOC. NO. 2021-071880 O.R.;  
LOTS 25 TO 28 INCLUSIVE, IN BOOK 14 OF THE TOWN OF MENDOTA,  
MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

- LEGEND**
- - INDICATES FOUND 3/4" IRON PIPE DOWN 0.5', TAGGED LS 5277.
  - - INDICATES CALCULATED POSITION, NOTHING FOUND OR SET
  - - PROPERTY LINE ESTABLISHED BY THIS SURVEY
  - - - - - EXISTING 8" SANITARY SEWER LINE
  - - - - - EXISTING 6" WATER MAIN
  - - - - - EXISTING CHAIN LINK FENCE
  - - - - - EXISTING BRICK WALL
  - - - - - EXISTING S.F.R.
  - - - - - EXISTING CONCRETE
  - - - - - EXISTING DRIVE WAYS
  - - - - - EXISTING OVERHEAD POWER LINES
  - - - - - EXISTING CURB AND GUTTER
  - MP - EXISTING METER POLE
  - WV - EXISTING WATER VALVE
  - GM - EXISTING GAS METER
  - SC - EXISTING SEWER CLEAN OUT
  - SM - EXISTING SEWER MANHOLE

Exhibit “B”  
Resolution No. PC 24-05

As may be used herein, the words “subdivider”, “owner,” “operator”, and “applicant” shall be interchangeable. Conditions of approval related to future development of the project site are either expressly (i.e., specific references using the term “future development” or similar) or impliedly (i.e., referring to activities that could only occur during site development) related, and shall be applicable at the time of approval of said future development.

General

1. The map shall be designated “Tentative Parcel Map No. 24-03”.
2. Tentative Parcel Map No. 24-03 shall be valid for a period of 24 months from the date of its approval or conditional approval by the City Council. Extensions to this period may be requested pursuant to Section 66453.3 of the California Subdivision Map Act.
3. Following City Council approval or conditional approval of the tentative parcel map and prior to its expiration, the subdivider may submit a final parcel map (“**Parcel Map No. 24-03**” or “Parcel Map” herein).
4. The Parcel Map shall be prepared in accordance with Chapter 2, Article 3 of the Subdivision Map Act by a California-licensed land surveyor or civil engineer qualified to perform such service.
5. The Parcel Map submittal shall include parcel closures and a preliminary title report dated no more than thirty (30) days prior to submission to the City Engineer. Copies of all easement documents referenced in the preliminary title report shall accompany the submittal. All parcel map fees and recording fees shall be paid as required by the City of Mendota and the County of Fresno prior to recordation of the map. The owner shall provide the City with a Land Division or Subdivision Guarantee and a Fresno County Tax Compliance Certification Request prior to the City submitting the Parcel Map to the Clerk to the Board of Supervisors.
6. The Parcel Map shall reflect two numbered parcels consistent with the approved Tentative Parcel Map, except as may be modified herein.
7. Prior to recordation, the applicant shall execute and record an affidavit, prepared by the City Attorney, indicating his intention to reside in a dwelling on one of the resulting parcels for a period of not less than three (3) years.
8. Future development of the project site shall comply with all applicable provisions of the City of Mendota General Plan Update 2005-2025 and the Mendota Municipal Code, including but not limited to: potable water protection regulations (Chapter 13.24), business licensing requirements (Title 5), and Building Code Standards (Title 15); the Subdivision Ordinance (Title 16); and the regulations of the applicable zone district(s) and other relevant portions of the Zoning Ordinance (Title 17), including but not limited to acquisition of a conditional use permit and/or approval of a site plan; and the City of Mendota Standard Specifications and Standard Drawings.

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9. Construction drawings including but not limited to building and improvement plans; site, grading, irrigation, lighting, and landscaping shall be submitted to the Building Department and/or to the City Engineer as appropriate for review and approval. A building permit or permits, including payment of applicable fees, shall be acquired prior to start of any construction activities.
10. Grading and improvement plans shall be prepared by a California-licensed civil engineer.
11. Irrigation, lighting, and landscaping plans may be prepared by a California-licensed landscape architect, architect, or engineer, or by an unlicensed design professional.
12. All exterior lights shall be shielded or otherwise oriented to prevent disturbance to surrounding or neighboring properties or traffic on abutting streets and rights-of-way.
13. Any work within City of Mendota public right-of-way shall require an encroachment permit, including payment of all associated fees.
14. Any work within, across, above, beneath or otherwise affecting Caltrans, County of Fresno, or other agency right-of-way, property, or operations shall be subject to applicable provisions of said other agency, including but not limited to acquisition of encroachment permits, dedication or right-of-way, or other requirements.
15. It shall be the responsibility of the owner/developer to grant easements as necessary for the installation and maintenance of private utilities, including but not limited to: electricity, gas, telephone, and cable television.
16. Any work within, across, above, beneath or otherwise affecting right-of-way, property, and/or easements owned by or granted to purveyor(s) of private utilities shall be subject to the applicable provisions of said purveyor(s).
17. Prior to issuance of a certificate of occupancy for new development, all conditions of approval shall be verified as complete by the Planning Department. Any discrepancy or difference in interpretation of the conditions between the owner/applicant and the Planning Department shall be subject to review and determination by the Planning Commission.
18. Development shall comply with the rules and regulations of the San Joaquin Valley Air Pollution Control District (SJVAPCD).
19. Development shall comply with the requirements of the Fresno County Fire Protection District/CAL FIRE.
20. The owner of the project site, or of individual parcels created, shall be responsible for the ongoing and long-term maintenance of all onsite amenities to ensure that nuisance complaints are not received by the City.

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21. Connection points for water and wastewater shall be determined by the City Engineer during review of future development proposals. Connections shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
22. Applicants for development of the project site shall coordinate with Mid Valley Disposal to establish necessary solid waste procedures.
23. All City of Mendota Planning, Building, and Engineering fees and costs shall be paid in full to the City prior to recordation of a Parcel Map.
24. Applicants intending to construct on, operate on, or otherwise occupy the parcels created by the Parcel Map shall be responsible for payment of City of Mendota Application Fees, Plan Check and Engineering Fees, Building Fees, and/or Development Impact Fees in amounts to be determined during review, processing, and approval of their respective projects.
25. Development shall be responsible for payment of fees to Mendota Unified School District and shall provide the City with evidence of payment, or evidence of the District's determination that no fees are required, prior to issuance of a certificate of occupancy.
26. Development shall be responsible for payment of Fresno County Regional Transportation Mitigation Fees and Fresno County Public Facilities Impact Fees and shall provide the City with evidence of payment, or evidence of the County's determination that no fees are required, prior to issuance of a certificate of occupancy.