



AGENDA
PLANNING COMMISSION
Regular Meeting
Wednesday, September 6, 2023

PLANNING COMMISSION MEMBERS

<i>David Castillo</i>	<i>Chairperson</i>
<i>Marcus Porter</i>	
<i>Jennifer Vincent</i>	
<i>Dustin Young</i>	
<i>Karen Howard</i>	
<i>Brian Guerrero</i>	<i>Secretary</i>

City of Dos Palos
City Council Chambers
1564 Golden Gate Avenue,
Dos Palos, CA 93620
(209)392-2174 Fax (209)392-2801

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL OF COMMISSIONERS**
- IV. **APPROVAL OF MINUTES**
- V. **CITIZEN COMMUNICATIONS**

Public opportunity to address the Planning Commission on any item of interest over which the Planning Commission has jurisdiction that is not on the agenda.

VI. **PUBLIC HEARING(S)**

A. PROPERTY LINE ADJUSTMENT NO. LL-1-23 – MICHAEL MAGDALENO – A request to adjust the property lines between 2 contiguous parcels totaling 0.39 acres for the purpose of separating existing uses resulting in adjusted parcel sizes of: Parcel 1 = 0.20 acres, & Parcel 2 = 0.19 acres. The project site is designated Commercial Business District (CBD) in the General Plan and zoned C-1 (Central Business District). CEQA: Staff recommends the Planning Commission find that no further environmental review is required pursuant to Section 15305 – “Minor Alterations in Land Use Limitations” of the CEQA Guidelines. **BG**

RECOMMENDATION(S):

- 1) Open/close the Public Hearing;
- 2) Determine no further environmental review is required pursuant to Section 15305 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines; and,
- 3) Approve Property Line Adjustment LL-1-23 based on the findings and subject to the recommended conditions of approval included in the staff report.

- VII. **DIRECTOR’S REPORT**
- VIII. **COMMISSIONER’S COMMENT**
- IX. **ADJOURNMENT**



PLANNING COMMISSION	AGENDA ITEM
PUBLIC HEARING	A

**CITY OF DOS PALOS
PLANNING COMMISSION**

**MEETING DATE:
September 6,
2023**

STAFF REPORT

TO: PLANNING COMMISSION

FROM: BRIAN GUERRERO, DIRECTOR OF COMMUNITY DEVELOPMENT

REQUEST: **PROPERTY LINE ADJUSTMENT NO. LL-1-23 – MICHAEL MAGDALENO** – A REQUEST TO ADJUST THE PROPERTY LINES BETWEEN 2 CONTIGUOUS PARCELS TOTALING 0.39 ACRES FOR THE PURPOSE OF SEPARATING EXSITING USES RESULTING IN ADJUSTED PARCEL SIZES OF: PARCEL 1 = 0.20 ACRES, & PARCEL 2 = 0.19 ACRES.

LOCATION: THE PROJECT IS LOCATED AT THE SOUTHWEST CORNER OF BLOSSOM STREET AND FRANK AVENUE

SITUS: 2201 BLOSSOM ST., DOS PALOS, CA 93620

APN(s): 012-131-022 & -023

The following are the General Plan designations, Zoning, and Current Land Use of the adjacent parcels:

	GENERAL PLAN	ZONING	CURRENT LAND USE
ON SITE	Central Business District	C-1	Restaurant/Car Wash
NORTH	Central Business District	C-1	Multi-Family Housing
SOUTH	Central Business District	C-1	Industrial Yard/Warehouse
EAST	Central Business District	C-1	Retail
WEST	Central Business District	C-1	Office

- I. **COMPLIANCE WITH CA GOVERNMENT CODE SECTION 66412 (d):** The number of existing parcels in the property line adjustment is four or fewer and the number of proposed or adjusted parcels is no greater than the number of existing parcels.

Yes ☒ No ☐

- II. **COMPLIANCE WITH CITY OF DOS PALOS GENERAL PLAN:**

(Note: if either 'A' or 'B' is 'No', cannot approve application.)

General Plan Designation of Parcels: Central Business District

A. Yes ☒ No ☐

Do the proposed Adjusted Parcels conform to the City of Dos Palos General Plan? **Both existing uses of the Proposed Parcels meet the acceptable uses for land designated Central Business District.**

B. Yes ☒ No ☐

Are the proposed/adjusted parcels of adequate size and shape to reasonably accommodate development and land uses as allowed by the General Plan designation and zoning?

III. COMPLIANCE WITH THE CITY OF DOS PALOS ZONING CODE:

The subject site is zoned: **C-1 (Central Business District)**

A. Do the **existing parcel(s)** conform to the required minimum parcel size of the Zone District?

Yes ☒ No ☐

Existing Parcel and Sizes: **The existing parcel size is 0.39 acres and meets the minimum required parcel size for the C-1 zone.**

B. Do the proposed Adjusted Parcels conform to the required minimum parcel size of the Zone District?

(Note: If 'No', See Item 'C')

Yes ☒ No ☐

Proposed Adjusted Parcel Sizes: **Proposed Parcel 1 is 0.20 acres and proposed Parcel size 2 = 0.19 acres. Both proposed parcels meet the minimum parcel size requirements of the C-1 zone.**

C. Compliance with Chapter 17.56.025: At least one of the parcels does not meet the minimum parcel size requirement; and, the adjustment does not result in an increase in the number of such nonconforming parcels which existed prior to the adjustment:

Yes ☐ No ☐ N/A ☒

Both proposed parcels are in compliance with the minimum parcel sizes in the C-1 zone.

D. If one or more of the proposed Adjusted Parcels does not conform to the required minimum parcel size, does the project work to reduce the degree of nonconformity of the Existing Parcels?

Yes ☐ No ☐ N/A ☒

Both proposed parcels are in compliance with the minimum parcel sizes in the C-1 zone.

E. Do the proposed property lines provide for the necessary yard areas and building separations required by the Zone District?

Yes: ☒ No: ☐ N/A ☐

IV. OTHER CONSIDERATIONS

A. Yes ☒ No ☐

Do the proposed Adjusted Parcels front onto or have access to a public road? Describe: **Both proposed parcels have access to Frank Avenue, adjusted Parcel 2 has access to Blossom Street.**

B. Yes ☐ No ☒

Are the original parcels subject to any new site plan review, conditional use permit, variance, or other entitlement?

C. Yes ☐ No ☒

Are there any active code compliance actions on the existing parcels?

V. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

A. ☒

Project is Categorical Exempt under CEQA class 15305.

B. ☐ Qualifies for General Rule exemption.

Discussion: **The project is categorically exempt from the provisions of CEQA according to CEQA Section 15305 Class 5 (a), Minor Alterations in Land Use Limitations, minor lot line adjustments not resulting in the creation of any new parcel.**

VI. ACTION:

Based on the information and analysis in this report, the Director finds that the Property Line Adjustment Application (LL-1-23) is consistent with the Dos Palos General Plan; and, the Property Line Adjustment complies with the City's's Zoning Ordinance and Building Standards. Therefore, the Director recommends approval of this Property Line Adjustment, subject to the conditions of approval listed below:

CONDITIONS OF APPROVAL

1. As required by the City of Dos Palos Subdivision Code, and the State Subdivision Map Act, the following shall be provided to the Community Development Department before this Property Line Adjustment can be finalized by the recording of a Certificate of Compliance by the County:
 - a. The following documents prepared and "wet stamped" by a licensed land surveyor, or a registered civil engineer authorized to perform land surveying: 1) a Final Property Line Adjustment Map, and 2) complete legal descriptions of all newly adjusted parcels;
 - b. A letter from the County Tax Department stating that taxes on all property involved have been paid.

Attachments: Proposed Plot Map



JOB NO.: 23103

NOTE: PLEASE USE BLACK INK
OR DARK PENCIL

PLAN

SCALE: 1" = 20'

APPLICATION TYPE	NUMBER	A.P.N.	DATE
PROPERTY LINE ADJUSTMENT		012-131-022 & 023	7/13/2023

PROPERTY OWNER(S): MIKE MAGDALENO

PREPARED BY: GOLDEN VALLEY ENGINEERING AND SURVEYING, INC.

ADDRESS: 2201 BLOSSOM ST. DOS PALOS, CA

ADDRESS: 405 W. 19TH STREET, MERCED, CA 95340

TELEPHONE: 209-704-5699

TELEPHONE: (209) 722-3200

MERCED COUNTY PLANNING DEPARTMENT