



PLANNING COMMISSION AGENDA

Tuesday, August 4, 2026 / 6:30 PM / City Hall / 405 East El Monte Way, Dinuba

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

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

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

1. OPENING CEREMONIES

1.1. Welcome and Call to Order

1.2. Invocation

1.3. Pledge of Allegiance

2. ROLL CALL

3. AGENDA CHANGES OR DELETIONS

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

4. REQUEST TO ADDRESS COMMISSION

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

5. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these

items. If discussion is desired, a member of the audience or a Commission Member may request an item be removed from the Consent Calendar and it will be considered separately.

5.1. SUBJECT

Planning Commission Meeting Minutes May 5, 2026

RECOMMENDATION

Planning Commission approve the Planning Commission meeting minutes for May 5, 2026.

5.2. SUBJECT

Planning Commission Meeting Minutes June 2, 2026

RECOMMENDATION

Planning Commission approve the Planning Commission meeting minutes for June 2, 2026.

6. PUBLIC HEARING

6.1. SUBJECT

Public Hearing to consider Application 2026-06 - an application for annexation and rezoning of a 38.7±-acre site generally located on the west side of Road 92, south of Saginaw Avenue, east of the existing city limit boundary.

RECOMMENDATION

It is recommended the Commission conduct a public hearing and adopt the following:

Resolution No. 1176 (Attachment "A") recommending approval of the environmental finding for the project.

Resolution No. 1177 (Attachment "B") recommending approval of rezoning of the site.

Resolution No. 1178 (Attachment "C") recommending initiation of annexation of the site.

7. COMMISSION REPORTS

8. STAFF COMMUNICATIONS

9. ADJOURNMENT

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

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

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



Planning Commission Staff Report

Department: PUBLIC WORKS

August 4, 2026

To: Planning Commission
From: George Avila, Public Works Director
By: Lesli Vasquez
Subject: Planning Commission Meeting Minutes May 5, 2026

RECOMMENDATION:

Planning Commission approve the Planning Commission meeting minutes for May 5, 2026.

EXECUTIVE SUMMARY:

The Planning Commission (PC) held a meeting on May 5 2026, and minutes for said meeting are attached for approval by the PC.

OUTSTANDING ISSUES:

None.

DISCUSSION:

None.

FISCAL IMPACT:

None.

PUBLIC HEARING:

None.

ATTACHMENTS:

1. Planning Commission Minutes May 5, 2026



**May 5, 2026
MINUTES**

COMMISSION MEMBERS PRESENT:

Cendejas, Benavides, Conklin

COMMISSION MEMBERS ABSENT:

Alvarado

STAFF MEMBERS PRESENT:

Schoettler, Patino

1. OPENING CEREMONIES

1.1. Welcome and Call to Order

Vice Chair Conklin called the meeting to order at 6:45 PM.

1.2. Invocation

The invocation was given by staff member Patino.

1.3. Pledge of Allegiance

Commissioner Benavides led the flag salute.

2. ROLL CALL

Cendejas, Benavides and Conklin all present.

3. AGENDA CHANGES OR DELETIONS

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

There were no agenda changes or deletions.

4. REQUEST TO ADDRESS COMMISSION

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

There were no requests to address the Commission.

5. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Commission Member may request an item be removed from the Consent Calendar and it will be considered separately.

5.1. SUBJECT

Planning Commission Meeting Minutes April 7, 2026

RECOMMENDATION

Planning Commission approve the Planning Commission meeting minutes for April 7, 2026.

A motion was made by Commissioner Cendejas, seconded by Commissioner Benavides approve the minutes for April 7, 2026.

Ayes: Cendejas, Benavides, Conklin
Absent: Alvarado

6. PUBLIC HEARING

6.1. SUBJECT

Application 2026-10 (zone change and General Plan Amendment at 42760 N. Alta Avenue)

RECOMMENDATION

It is recommended the Commission conduct a public hearing and consider adoption of Resolution No. 1173 (Attachment "A") recommending approval to the City Council of the General Plan Amendment and zone change request.

Shoettler presented application 2026-10 regarding 42760 N Alta for Zone Change and General Plan Amendment. This parcel was annexed from the county in 2007 with an existing commercial use. When the site was annexed into the city limits, it was rezoned residential. The property owner was notified of the non-conforming status for a business change and has requested the zoning be changed to the "C-4" zone (General Commercial). This zone allows for a wide variety of commercial uses, including stores and auto repair businesses, among others. Staff believes that when the City annexed the site the designation of residential zoning may have been an oversight. Staff feels that the zoning changes are warranted.

Public Hearing Opened: Vice Chair Conklin opened the hearing for public comment.

Patricia Hernandez and Jesus Hernandez, owners of the parcel, approached the podium.

Public Hearing Closed: Chair Conklin closed the hearing.

Chair Conklin had questions in regard to parking, setbacks and curb gutters.

A motion was made by Commissioner Cendejas, seconded by Commissioner

Benavides, to approve adoption of Resolution No. 1173 recommendation to move forward for approval to City Council.

Ayes: Benavides, Cendejas, Conklin

Absent: Alvarado

7. COMMISSION REPORTS

Commissioners had questions on new projects and street work around town.

8. STAFF COMMUNICATIONS

Schoettler notified the Commissioner a new subdivision being brought forward soon.

9. ADJOURNMENT

Vice Chair Conklin adjourned the meeting at 7:05 PM.

[MIN_SIGNATURES]



Planning Commission Staff Report

Department: PUBLIC WORKS

August 4, 2026

To: Planning Commission
From: George Avila, Public Works Director
By: Lesli Vasquez
Subject: Planning Commission Meeting Minutes June 2, 2026

RECOMMENDATION:

Planning Commission approve the Planning Commission meeting minutes for June 2, 2026.

EXECUTIVE SUMMARY:

The Planning Commission (PC) held a meeting on June 2 2026, and minutes for said meeting are attached for approval by the PC.

OUTSTANDING ISSUES:

None.

DISCUSSION:

The Planning Commission (PC) held a meeting on June 2 2026, and minutes for said meeting are attached for approval by the PC.

FISCAL IMPACT:

None.

PUBLIC HEARING:

None.

ATTACHMENTS:

1. Planning Commission Minutes for June 2, 2026



**June 2, 2026
MINUTES**

COMMISSION MEMBERS PRESENT:

Conklin, Alvarado, Cendejas, Benavides

COMMISSION MEMBERS ABSENT:

STAFF MEMBERS PRESENT:

Vasquez, Schoettler

1. OPENING CEREMONIES

1.1. Welcome and Call to Order

Chair Alvarado called the meeting to order at 6:30 pm

1.2. Invocation

1.3. Pledge of Allegiance

Vice Chair Conklin led the flag salute.

2. ROLL CALL

Alvarado, Cendejas, Benavides and Conklin all present.

3. AGENDA CHANGES OR DELETIONS

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

There were no agenda changes or deletions.

4. REQUEST TO ADDRESS COMMISSION

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

Javier Garcia approached the podium. He was requesting a schedule for the Sidewalk Improvement Project. Schoettler will follow up with staff to get him the requested

information.

5. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Commission Member may request an item be removed from the Consent Calendar and it will be considered separately.

There were no minutes to approve.

6. PUBLIC HEARING

6.1. SUBJECT

Application 2026-15 (zone change and General Plan amendment at 6676 Avenue 408)

RECOMMENDATION

It is recommended the Commission conduct a public hearing and consider adoption of Resolution No. 1173 (Attachment "A") recommending approval to the City Council of the subject General Plan Amendment and zone change request.

Schoettler presented application 2026-15 for a zone change and general plan amendment at 6676 Ave 408. This is a two-acre portion with a single family home on city property. The city is looking to sell this portion as the city no longer has a need for it. This site is currently zoned RCO and cannot be grandfathered for the intended sale use. The recommended land use would be low density residential and RA Zone.

Public Hearing Opened: Chair Alvarado opened the hearing for public comment.

Resident Javier Garcia asked if the property could have any future benefit to the city. Schoettler advised that city staff felt no need for it.

Vice Chair Conklin asked how many ADUS were permitted in the Housing Element in the recommended zone.

Public Hearing Closed: Chair Alvarado closed the hearing.

A motion was made by Commissioner Benavides, seconded by Commissioner Cendejas, to approve adoption of Resolutions 1173.

Ayes: Alvarado, Benavides, Cendejas, Conklin

6.2. SUBJECT

Application 2026-03 (Conditional Use Permit for a fueling station at existing Walmart store)

RECOMMENDATION

It is recommended the Commission conduct a public hearing and consider adoption of Resolution No. 1175 (Attachment "A") to approve the Conditional Use Permit (CUP) request.

Schoettler presented Application 2026-03 a Conditional Use Permit for a fueling station at the existing Walmart store. This fueling station will take up three isles with ten pumps

and a maximum of twenty vehicles at one time. The site plan includes a kiosk store for employees to man the facility as well as merchandise like drinks and snacks for customers. They would have three, twenty thousand gallon underground storage fueling tanks. Some other improvements include a garbage enclosure, landscaping, lighting and utility connections. There will be two shifts starting from 6 AM until 10 PM, leaving the pumps open for credit card transactions after closing hours. The City Engineer requested that a left turn lane be installed on Monte Vista for southbound traffic, which will be Walmart's responsibility. Commissioners had concerns about traffic coming eastbound on the south end.

Public Hearing Opened: Chair Alvarado opened the hearing for public comment.

Francisco Franco, the Civil Engineer Rep for Walmart, approached the podium to address traffic concerns. He stated this gas station will not be members only queuing lane, it will be a drive-up and look for the first open pump which will help prevent traffic jams.

Discussion was made by the Commissioners and Franco.

Nick Villalobos, a resident of Dinuba, approached the podium with traffic concerns and whether a traffic study was done.

Public Hearing Closed: Chair Alvarado closed the hearing.

A motion was made by Commissioner Benavides, seconded by Commissioner Cendejas, to approve adoption of Resolution No. 1175, Conditional Use Permit for a Fueling Station at Walmart location, with consideration of placing a stop sign for westbound traffic on the Southend of the project.

Ayes: Alvarado, Benavides, Cendejas, Conklin

7. COMMISSION REPORTS

None

8. STAFF COMMUNICATIONS

None

9. ADJOURNMENT

Chair Alvarado adjourned the meeting at 7:05 PM

[MIN_SIGNATURES]



Planning Commission Staff Report

Department: PLANNING

August 4, 2026

To: Planning Commission

From: Schoettler Karl, City Planner

By:

Subject: Public Hearing to consider Application 2026-06 - an application for annexation and rezoning of a 38.7±-acre site generally located on the west side of Road 92, south of Saginaw Avenue, east of the existing city limit boundary.

RECOMMENDATION:

It is recommended the Commission conduct a public hearing and adopt the following:

Resolution No. 1176 (Attachment “A”) recommending approval of the environmental finding for the project.

Resolution No. 1177 (Attachment “B”) recommending approval of rezoning of the site.

Resolution No. 1178 (Attachment “C”) recommending initiation of annexation of the site.

EXECUTIVE SUMMARY:

The project includes an application to annex two parcels containing 38.7± acres (and adjoining street rights-of-way) and prezone the parcels consistent with the Dinuba General Plan, in anticipation of future development.

OUTSTANDING ISSUES:

None.

DISCUSSION:

The application consists of several actions pertaining to two parcels containing a total of 38.7-acres, generally located west of Road 92 and south of Saginaw Avenue east of the existing city limit boundary. These actions include:

1. Annexation of the site (and detachment from County Service Area No. 1 and Kings River Conservation District).
2. Rezoning of the bulk of the site from Tulare County agricultural zoning to the “R-1-6” (Single Family Residential) zone and a smaller portion to the “RM-2.5”

(Multi-Family Residential) zone.

3. Adoption of an Addendum to the Environmental Impact Report (that was prepared for the Dinuba General Plan) indicating the project will not have impacts beyond those identified for the General Plan.

The project site is shown in Attachment “D” (location map) Attachment “E” (aerial photo) and Attachment “F” (General Plan Map).

General Plan

The site is within the City’s planning area, is designated for urban development by the Dinuba General Plan (see Attachment “F”) and is within the City’s Sphere of Influence boundary. The bulk of the site is designated “Medium Density Residential”, while a small strip along the south side of the site is designated “Medium-High Density Residential”. The site is proposed to be zoned consistent with these designations (see discussion below).

Existing Site Uses and Zoning

The parcels are currently in agricultural use with orchards planted on both. There is an existing irrigation canal that runs along the north side of the site (adjacent to Saginaw Avenue). Adjacent land uses include:

North: Agriculture and a single-family home

East: Agriculture and single-family homes

South: Single family homes and vacant land

West: Fallow agricultural land (there is an approved subdivision map (Los Prados East) that has not yet started construction.

Of note, there is a one-acre parcel along Road 92 (bordered on three sides by the proposed annexation) that is currently excluded from the annexation. To date, the owner of this parcel has not consented to be annexed, and therefore the site is not included. However, it is possible that Tulare Local Agency Formation Commission (LAFCo) could require that parcel to be annexed when the application goes before that body. LAFCo has guidelines that strongly encourage annexations with logical, squared-off boundaries, as opposed to boundaries with insets, peninsulas, cutouts and islands, etc.

As noted above, the site is currently outside city limits but is designated for various land uses by the Land Use Map of the Dinuba General Plan. The bulk of the site is designated “Medium Density Residential”. In this case, the associated zoning is the “R-1-6” zone (Single Family Residential (6,000 square foot minimum lot size)). The

purpose is to facilitate future development of this portion of the site with a single-family residential subdivision.

A strip of land along the south side of the site (containing approximately 2.9 acres) is designated "Medium-High Density Residential". This portion of the site will be zoned "RM-2.0" (Multi-Family Residential (one dwelling per 2,000 square feet of lot area). It is calculated this portion of the site could accommodate a "realistic" count of approximately 45 units.

Potential Development

At this time the applicant is not submitting an application for development, but expects to do so in the near future (for that portion of the site to be zoned "R-1-6"). Any such proposal would be required to go through its own review and public hearings before the Planning Commission and the City Council. Based on other recent development projects in Dinuba, it is expected that the 36-acre portion of the site could yield approximately 145 single family residential lots. Such a development would be required to comply with City requirements for subdivisions, including installation of streets, curbs, gutters, sidewalks and streetlamps, widening of adjacent streets (Road 92 and Saginaw Ave.) and installation of utilities, including water, sewer and storm drain lines, among other improvements.

Environmental Analysis

An Environmental Addendum (to the Environmental Impact Report for the Dinuba General Plan update) was prepared to evaluate potential environmental impacts of the project. The analysis indicated the project would not have impacts that would exceed those identified in the EIR for the General Plan provided that mitigation measures are implemented prior to future development of the site concerning:

- Agricultural impacts (loss of prime agricultural lands)
- Biological resources (potential for impacts to birds)
- Cultural resources (potential for impacts to buried historic and prehistoric artifacts on the site, including human remains).

CONSULTATION/PUBLIC COMMENT

As required by municipal code, the City mailed notices of the proposed use and public hearing to property owners within 300 feet of the site, and tenants within 100 feet of the site.

FINDINGS

The application complies with the required Findings of the Dinuba Municipal Code for

the annexation and rezoning, contained in the attached resolutions.

BACKGROUND INFORMATION

APPLICANT: Mittry Farms

LOCATION: The site is located on the west side of Road 92, south of Saginaw Avenue and east of the existing city limit boundary.

Assessor Parcel Numbers: 013-090-008 (10.59 acres) and 013-090-078 (28.14 acres).

SITE SIZE: The subject site contains approximately 38.7-acres. The annexation will also include the adjoining rights-of-way of Road 92 and Saginaw Avenue.

ZONING: “R-1-6” (Single Family Residential – 6,000 square foot minimum lot size), “RM-2” (Multi-family residential (one dwelling per 2,000 square feet of lot area)

GENERAL PLAN: “Medium Density Residential” “Medium-High Density Residential”

EXISTING LAND USE: Agricultural land

ADJACENT LAND USES, ZONING, AND GENERAL PLAN DESIGNATIONS

Direction	Current Use	Zoning	General Plan
North	Agricultural land and single family dwelling	“A-1” (Tulare County Agriculture zone)	“Medium Density Residential”
South	Banquet facility and single family homes	“C-3” (Community Commercial)	“Community Commercial”
East	Agricultural land and single family dwellings	“R-A” Tulare County (Rural Residential) zone	“Medium Density Residential”
West	Fallow land and Residential subdivisions	“R-A” and “R-1” (Single Family Residential) (Proposed zoning for City of Dinuba (Los Prados East) is “R-1-6”	“Medium Density Residential” and “Community Commercial”

FISCAL IMPACT:

Future development on the site will be required to pay standard City development impact fees.

PUBLIC HEARING:

A public hearing notice was published in the Midvalley Times and mailed to property owners within 300 feet of the site, and occupants within 100 feet of the site.

ATTACHMENTS:

1. A. PC Reso CEQA Mittry Farms
2. B. PC Reso Mittry rezoning
3. C. Resolution to annex
4. D. Location
5. E. Aerial Photo
6. F. General Plan map

RESOLUTION NO 1176

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

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DINUBA
RECOMMENDING AN ENVIRONMENTAL FINDING OF NO NEW SIGNIFICANT IMPACTS
FOR THE MITTRY FARMS APPLICATION**

WHEREAS, an application was submitted for the annexation and rezoning of two existing parcels (containing approximately 38.7 acres) generally located on the west side of Road 92, south of Saginaw Avenue and east of the existing city limit boundary. The Assessor Parcel Numbers of the site are 013-090-008 and 013-090-078. In addition, adjoining street rights-of-way of Road 92 and Saginaw Avenue are being annexed, and

WHEREAS, the project proposes a reorganization of the subject parcels including annexation to the City of Dinuba and detachment from County Service Area No. 1 and also from the Kings River Conservation District. In addition, the site is being rezoned with 35.8±acres to the "R-1-6" zone and 2.9±acres to the "RM-2" zone, and

WHEREAS, the planning actions are considered a "project" under the Guidelines of the California Environmental Quality Act (CEQA) and consistent with Section 15164 of the CEQA Guidelines, an Addendum to the Environmental Impact Report for the Focused Dinuba General Plan was prepared, and

WHEREAS, the Environmental Study determined that the proposed project would not result in any new significant impacts to the environment, and

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

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

1. The proposed project is consistent with the goals, objectives and policies of the Dinuba General Plan and the Dinuba Zoning Ordinance, as amended.
2. The City of Dinuba has prepared an Addendum to the Environmental Impact Report for the Focused Dinuba General Plan, consistent with the requirements of CEQA.

The study determined the project will have no new significant impacts. Mitigation measures identified in the General Plan EIR have been applied to this project as listed below in Exhibit "A".

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

NOW, THEREFORE BE IT RESOLVED THAT a finding of no new significant impacts is made, based upon information contained within Addendum to the Environmental Impact Report (for the Focused Dinuba General Plan) and this finding is hereby recommended by the Dinuba Planning Commission for adoption.

The foregoing resolution was adopted upon a motion of Commission member _____, second by Commission member _____, at a regular meeting of the Dinuba Planning Commission on the 4th day of August, 2026, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Secretary, Dinuba Planning Commission

Exhibit A: Mitigation Measures

Agricultural Resources

Mitigation Measure #3.2.3.1: The City will encourage property owners outside the City limits but within the SOI to maintain their land in agricultural production until the land is converted to urban uses. The City will also work cooperatively with land trusts and other non-profit organizations to preserve agricultural land in the region. This may include the use of conservation easements. Infill development will be preferred and encouraged over fringe development. Sequential and contiguous development is also preferred and encouraged over leap-frog development.

Biological Resources

Mitigation Measure #3.4.1.4: To protect burrowing owls, loggerhead shrikes, and other raptors and migratory birds, the following measures shall be implemented:

- To protect burrowing owls, preconstruction surveys shall be conducted at all project sites that contain grasslands, fallowed agricultural fields, vacant lots, or fallowed fields along roadsides, railroad corridors, and other locations. If, during a pre-construction survey, burrowing owls are found to be present, the following measures will be implemented as adopted from CDFG guidelines:
 - o Compensation for the loss of burrowing owl habitat will be provided at a ratio of 3:1. Compensation may occur through participation in an approved mitigation bank, through conservation easement, or through other means acceptable to the regulatory wildlife agencies.
 - o Exclusion areas will be established around occupied burrows in which no construction activities will occur. During the non-breeding season (September 1 through January 31), the exclusion area will extend 160 feet around any occupied burrows. During the breeding season of burrowing owls (February 1 through August 31), exclusion areas of 250 feet surrounding occupied burrows would be installed.
 - o If construction must occur within these buffer areas, passive relocation of burrowing owls may be implemented as an alternative, but only during the non-breeding season and only with the concurrence of the California

Department of Fish and Game. Passive relocation of burrowing owls would be implemented by a qualified biologist using accepted techniques. Burrows from which owls had been relocated would be excavated using hand tools and under direct supervision of a qualified biologist.

o Any owl burrows removed during construction will be compensated at a ratio of 3 artificial burrows created for each burrow removed. Artificial burrows would be created on lands accepted as compensation for habitat loss.

- To protect raptors, loggerhead shrikes, and other migratory birds, preconstruction surveys must be conducted prior to the initiation of construction, if construction activities are to start between February 15 and September 15 (during the breeding season for raptors and migratory birds). Surveys must consist of the following:

- o All trees which are suitable for raptor nesting and are within 600 feet of construction activities shall be inspected for active nests by a qualified biologist.

- o Surveys will be conducted at the following intensities, depending upon dates of initiation of construction:

Dinuba Planning Commission
Resolution No. 1176
(Mitty Farms Project)

<u>Construction Start</u>	<u>Survey Period</u>	<u>Number of Surveys</u>	<u>Timing</u>
1 January to 20 March	1 January to 20 March	1	All day
21 March to 24 March	1 January to 20 March	1	All day
	21 March to 24 March	Up to 3	Sunrise to 10:00 and 16:00 to sunset
24 March to 5 April	1 January to 20 March	1	All day
	21 March to 5 April	3	Sunrise to 10:00 and 16:00 to sunset
6 April to 9 April	21 March to 5 April	3	Sunrise to 10:00 and 16:00 to sunset
	6 April to 9 April	Up to 3	Sunrise to 10:00 and 16:00 to sunset
	1 January to 20 March	1 (if all 3 surveys are performed between 6 and 9 April, then this survey need not be conducted)	All day
10 April to 30 July	21 March to 5 April	3	Sunrise to 10:00 and 16:00 to sunset
	6 April to 20 April	3	Sunrise to 10:00 and 16:00
31 July to 15 September	21 March to 5 April	3	Sunrise to 10:00 and 16:00 to sunset
	10 to 30 July	3	Sunrise to 10:00 and 16:00 to sunset

o If raptors are nesting in trees within 600 feet of the construction area, construction will not occur within this zone until after young have fledged (this usually occurs by early June). If migratory birds are nesting within 250 feet of the construction area, construction will not occur within that zone until after young have fledged. Nests will be monitored by a qualified biologist to determine fledging date.

o If construction activities must occur within these set-back distances, the CDFG will be contacted and alternate protection measures required by the CDFG will be followed.

3.4.1.5: Protect nesting Swainson's hawk

1. To the extent practicable, construction shall be scheduled to avoid the Swainson's hawk nesting season, which extends from March through August.
2. If it is not possible to schedule work between September and February, a qualified biologist shall conduct a survey for active Swainson's hawk nests within 0.25 miles of the Project site no more than 14 days prior to the start of construction. If an active nest is found within 0.25 miles, and the qualified biologist determines that Project activities would disrupt nesting, a construction-free buffer or limited operating period shall be implemented in consultation with the CDFW.

Cultural Resources

Mitigation Measure #3.5.3.1: All projects (as defined by CEQA Guidelines Section 15378(a) and Public Resources Code Section 21065) shall implement the following measures for cultural resources discovered during project implementation activities:

1. In the event that cultural or paleontological resources are encountered during project construction, all earth-moving activity in the specific construction area shall cease until the applicant retains the services of a qualified archaeologist or paleontologist. The archaeologist or paleontologist shall examine the findings, assess their significance, and offer recommendations for procedures deemed appropriate to either further investigate or mitigate adverse impacts on those cultural, paleontological or archaeological resources that have been encountered (e.g., excavate the significant resource).
2. If human bone or bone of unknown origin is found during project construction, all work shall stop in the vicinity of the find and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission. The Native American Heritage Commission shall notify the person considered to be the most likely descendant. The most likely descendant will work with the project applicant to develop a program for the re-interment of the human remains and any associated artifacts. No additional work shall take place within the immediate vicinity of the find until the identified appropriate actions have been completed.
3. Project personnel shall not collect or retain artifacts found at the site. Prehistoric resources may include, but would not be limited to: chert or obsidian flakes; projectile points; mortars and pestles; and dark friable soils containing

shell, fragmentary bone, dietary debris, scorched rock, or human remains. Historic resources may include, but would not be limited to, stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits, including those in old wells and privies.

4. If development and/or modification of the historic features reported by the Center for Archeological Research at CSU, Bakersfield is proposed, a historic analysis of such modification shall be made, including consultation with the State Historic Preservation Office. Historic features or elements that are considered to be significant shall be preserved. If such preservation is not feasible, mitigation shall include:

- Relocation of the structure to a location that is historically suitable; or
- Recordation of feature through archival photography and donation of artifacts to the Dinuba museum.

ATTACHMENT "B"

RESOLUTION NO. 1177

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

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DINUBA
RECOMMENDING APPROVAL OF PREZONING PERTAINING TO THE MITTRY FARMS
ANNEXATION SITE**

WHEREAS, an application was submitted to annex a 38.7-acre site (plus adjoining street rights-of-way) generally located along the west side of Road 92, south of Saginaw Avenue and east of the existing city limit boundary. The Assessor Parcel Numbers of the site are 013-090-008 and 013-090-078, and

WHEREAS, the specific project actions include:

- Annexation of the bulk of the site and detachment from County Service Area No. 1 and Kings River Conservation District.
- Prezoning of the site, consistent with existing Dinuba General Plan land use designations. Approximately 35.8± acres will be zoned "R-1-6" (Single Family Residential); with the remaining 2.9± acres zoned "RM-2" (Multi-Family Residential).
- Adoption of an environmental finding under the California Environmental Quality Act (CEQA).

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

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

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

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

Dinuba Planning Commission
Resolution No. 1177
Prezoning for Mittry Farms Annexation Site

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

2. Consistent with the Guidelines of the California Environmental Quality Act (CEQA) the City has prepared an Addendum to the Environmental Impact Report for the Focused Dinuba General Plan update which determined the project would have no impacts beyond those acknowledged in the General Plan Update EIR. Mitigation measures were identified for the project.

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

NOW, THEREFORE BE IT RESOLVED THAT the pre-zoning (as shown in attached Exhibit 1) are hereby recommended by the Dinuba Planning Commission for approval.

The foregoing resolution was adopted upon a motion of Commission member _____, second by Commission member _____, at a regular meeting of the Dinuba Planning Commission on the 4th day of August, 2026, by the following roll call vote:

AYES:

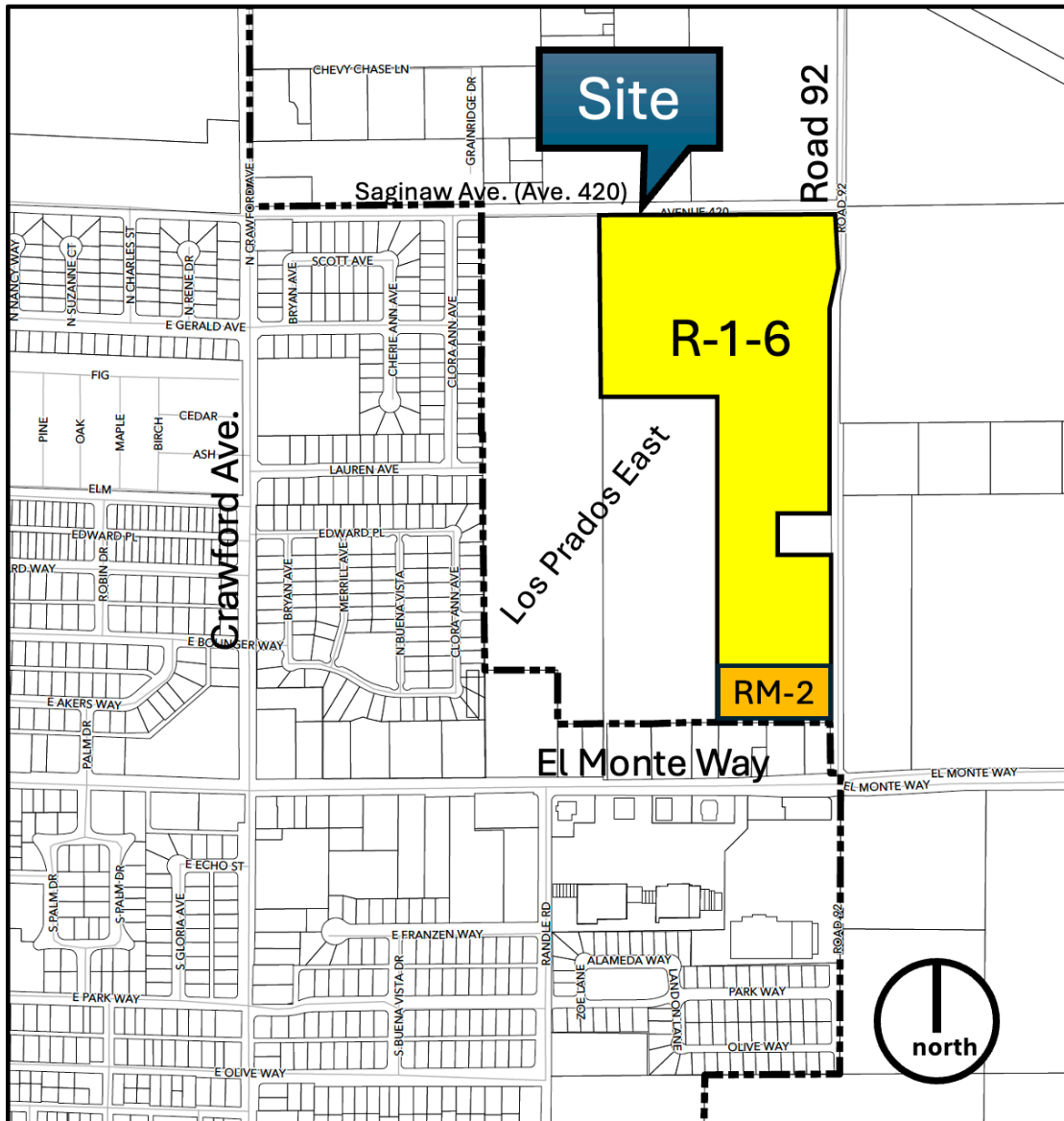
NOES:

ABSTAIN:

ABSENT:

Secretary, Dinuba Planning Commission

Exhibit 1: Proposed Zoning Designations



ATTACHMENT “C”

RESOLUTION NO. 1178

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

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DINUBA RECOMMENDING
APPROVAL OF AN INITIATION OF A REORGANIZATION FOR TWO PARCELS CONTAINING
APPROXIMATELY 38.7± ACRES (AND ADJOINING STREET RIGHTS-OF-WAY), GENERALLY
LOCATED ON THE WEST SIDE OF ROAD 92, SOUTH OF SAGINAW AVENUE AND EAST OF THE
EXISTING CITY LIMIT BOUNDARY**

WHEREAS, an application for reorganization, consistent with regulations contained in Government Code Section 56000 (the Knox-Cortese-Hertzberg Local Government Reorganization Act of 2000) was filed by Mittry Farms for two existing parcels, and

WHEREAS, the subject territory is generally located along the west side of Road 92, south of E. Saginaw Avenue and east of the existing city limit boundary, and

WHEREAS, the parcels contain approximately 38.7± acres, primarily featuring agricultural land. The Assessor Parcel Numbers are 013-090-008 and 013-090-078, and

WHEREAS, the City of Dinuba, designated as the conducting agency, wishes to reorganize said properties because they are within Dinuba’s Sphere of Influence, are coterminous with Dinuba’s city limits and are designated for urban uses by the Dinuba General Plan, and

WHEREAS, the City has prepared the necessary investigations and reports for this reorganization, and

WHEREAS, the City has prepared an environmental analysis for the project, consistent with the California Environmental Quality Act (CEQA) which determined the project will not have significant impacts beyond those ascertained in the Environmental Impact Report that was prepared for the Focused Dinuba General Plan update, and mitigation measures have been identified for the project, and

WHEREAS, the City of Dinuba wishes to submit a formal application for reorganization to the Tulare Local Agency Formation Commission (LAFCO) for territory shown in Exhibit 1 hereinafter called the “Mittry Farms Reorganization”, and

Dinuba Planning Commission
Resolution No. 1178
Reorganization for Mittry Farms Project

BE IT FURTHER RESOLVED AS FOLLOWS:

1. The Planning Commission recommends the City Council find that the proposed project is consistent with the Dinuba General Plan, and is within Dinuba's Sphere of Influence boundary.
2. The Planning Commission recommends approval of the project to the City Council and that application be made to the Executive Officer of the Tulare County Local Agency Formation Commission (LAFCo) consistent with the information contained in the project questionnaire, entitled Reorganization 2026-02 (Mittry Farms) to annex the subject parcels into the City of Dinuba and detach the parcels from Tulare County Service Area #1 (CSA#1) and the Kings River Conservation District.
3. The Planning Commission recommends the City Council find that the project will not have significant impacts on the environment and an Addendum to the Environmental Impact Report prepared for the Focused Dinuba General Plan update has been adopted, consistent with the Guidelines of the California Environmental Quality Act (CEQA).
4. The subject parcels are proposed to be pre-zoned "R-1-6" (Single Family Residential) and "RM-2" (Multi-Family Residential) by the City of Dinuba, as shown in Planning Commission Resolution No. 1177.

Dinuba Planning Commission
Resolution No. 1178
Reorganization for Mittry Farms Project

NOW, THEREFORE BE IT RESOLVED THAT the Reorganization 2026-02, as shown in Exhibit 1, is hereby recommended for approval by the Dinuba Planning Commission.

The foregoing resolution was adopted upon a motion of Commission member _____, second by Commission member _____, at a regular meeting of the Dinuba Planning Commission on the 4th day of August, 2026, by the following roll call vote:

AYES:

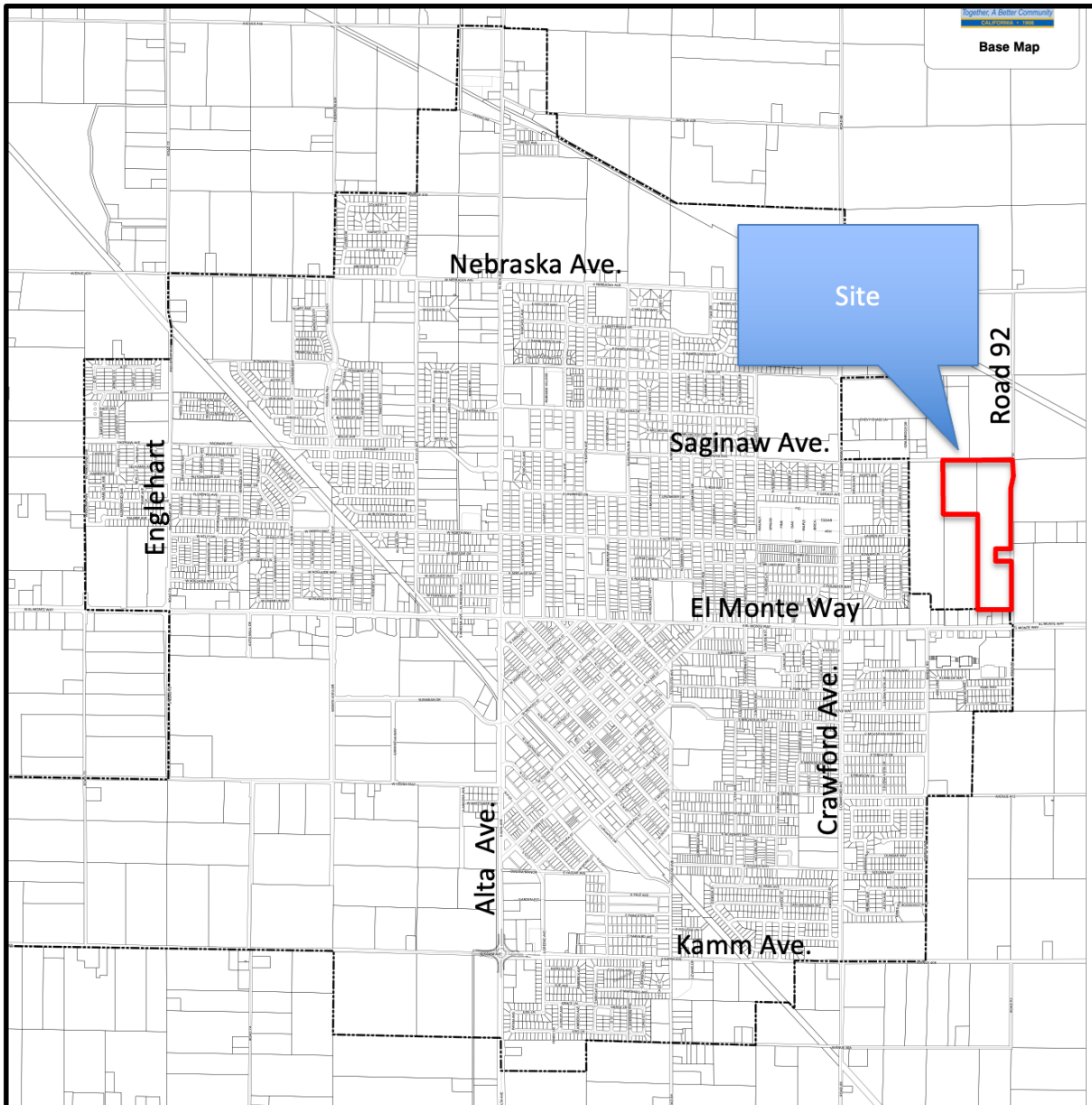
NOES:

ABSTAIN:

ABSENT:

Secretary, Dinuba Planning Commission

Attachment "D" (Location Map)





Attachment "F" (General Plan Land Use Map)

