



City of Manteca

PLANNING COMMISSION RESOLUTION NO. 1576

**A RESOLUTION OF THE PLANNING COMMISSION MAKING FINDINGS AND APPROVING
THE 239 NORTH WALNUT AVENUE TENTATIVE PARCEL MAP, SDN 21-67, SUBJECT TO
CONDITIONS**

WHEREAS, the Manteca Planning Commission at their public hearing of September 16, 2021, considered a Tentative Parcel Map for 239 North Walnut Avenue, SDN 21-67; and

WHEREAS, the project site is located at 239 North Walnut Avenue and is otherwise identified by Assessor's Parcel Number (APN) 217-600-10; and

WHEREAS, the project area has a General Plan Land Use designation of MDR (Medium Density Residential), and is zoned R-2, (Limited Multiple-Family Dwelling); and

WHEREAS, the 239 North Walnut Tentative Parcel Map includes the subdivision of a 0.38-acre lot into two lots with Parcel 1 containing approximately 0.2 acres and Parcel 2 containing approximately 0.17 acres; and

WHEREAS, the tentative parcel map was reviewed for conformance with Section 66474 of the Subdivision Map act and Section 16.15.030 of the City of Manteca Municipal Code; and

WHEREAS, the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), per categorical exemption Section 15315 Minor Land Subdivisions, as this is the division of property in an urbanized area for residential use into two parcels; the division is in compliance with the General Plan and Zoning Ordinance; all city services are available; the parcel was not involved in a division of a larger parcel within the past 2 years; and the parcel does not have an average slope of greater than 20 percent.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Manteca Planning Commission recognizes the appropriateness of the Tentative Parcel Map, and in accordance with the Subdivision Map Act and Chapter 16.15.030 of the Manteca Municipal Code, hereby approves the 239 North Walnut Avenue Tentative Parcel Map (SDN 21-67), subject to the conditions in Exhibit A and as shown in Exhibit B, based on the recitals above and the following findings:

A. Subdivision Map Act: Under Section 66474 of the Subdivision Map Act, a legislative body of a city can only deny a tentative parcel map if any of the following findings are made:

1. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.

ATTACHMENT 1

2. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
3. That the site is not physically suitable for the type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

For the reasons set forth in the Planning Commission staff report dated September 16, 2021, none of the findings set forth in Section 66474 that would preclude approval of this tentative parcel map can be made.

B. Municipal Code: Pursuant to Municipal Code Section 16.15.040, the Planning Commission makes the following findings in support of the conditionally approval of the Tentative Parcel Map application:

1. The project is exempt from review under the California Environmental Quality Act (CEQA) per categorical exemption Article 19, Section 15315 Minor Land Divisions in that the Tentative Parcel Map proposes to subdivide a single parcel in an urbanized area zoned for residential use into two (2) new parcels.
2. The Tentative Parcel Map is in conformance with the State Subdivision Map Act, the City's General Plan, Title 17 Zoning Ordinance, and Title 16 Land Division Ordinance in that the project directly implements General Plan Housing Element policies and based on the evidence provided in the staff report, the Planning Commission finds that Tentative Parcel Map will not have a negative effect on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources.

I hereby certify that Resolution No. 1576 was passed and adopted by the Planning Commission of the City of Manteca at a regularly scheduled public hearing held on September 16, 2021 by the following vote:

Roll Call:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTACHMENT 1

Parminder Sahi, Chairman

Date

Exhibit A: Conditions of Approval - Tentative Parcel Map SDN 21-67

Exhibit B: Tentative Parcel Map