

**CITY OF MCFARLAND
PLANNING COMMISSION AGENDA
July 17, 2018**

Please Note: The City of McFarland City Council Chambers complies with the provisions of the Americans with Disabilities Act (ADA). Anyone needing special assistance should contact the City of McFarland City Hall at (661) 792-3091, at least one (1) business day prior to the meeting so that we may accommodate you.

LOCATION OF MEETING: City Council Chambers
McFarland Veterans Community Center
103 W. Sherwood Avenue
McFarland CA 93250

DATE/TIME: Tuesday, July 17, 2018 at 6:00 p.m.

ROLL CALL: Chairman, Dave Borcky, Jr.
Vice- Chairman, Jose Hernandez
Commissioner, Lettie Blanchard
Commissioner, Wanda Dunn
Commissioner, Rudy Núñez

**PLEDGE OF ALLEGIANCE:
INVOCATION:**

PUBLIC COMMENTS:

At this time, any member of the public may address the Planning Commission on items of interest to the public that are within the jurisdiction of the Planning Commission which **are not** already on the agenda this evening. Speakers shall be limited in time so please be brief and to the point. No action or discussion shall be taken on any item not appearing on the agenda, except that any Planning Commissioner may briefly respond to statements made, or questions posed, be members of the public. Concerns or complaints will be referred to the Community Development Director's office.

ADMINISTRATIVE ITEMS:

- 1) Discuss Kern LAFCO Annexation Training Workshop on June 28, 2018
- 2) Discuss schedule and topics for future training workshops

PUBLIC HEARINGS:

- 3) 418 San Juan St
 - a. Conduct a public hearing and approve the following:
 - i. Resolution 2018-008-PC, approving Condition Use Permit 2018-001

COMMISSIONER COMMENTS

ADJOURNMENT



PLANNING COMMISSION STAFF REPORT July 17, 2018

TO: Chair and Planning Commissioners
FROM: Maria Lara, Community Development
Director
Alexander Lee, City Planner

DATE: July 17, 2018

Agenda Item	
Presentation	
Consent	
Unfinished Business	
New Business	X
Public Hearing	X
Other	
Action Requested	
Ordinance	
Resolution	X
Motion	X
Other	

PROJECT NAME: 418 San Juan St - Conditional Use Permit (CUP) 2018-01

PROJECT DESCRIPTION: The property is total (3) parcels designated as residential area on General Plan Map and Zoned (R-2) Residential – Commercial is currently not allowed. The City of McFarland Code Enforcement Division issued a Notice of Violation to Daniel Arellano regarding the storage of business equipment and requested the removal of all prohibited business equipment, supplies, materials or machinery from its current location which is a residential zone and a residentially developed property. According to Municipal Code Section 8.20.030 – Keep store, or maintain in any residential zone or on any residentially developed property and of the following:

1. Construction and / or business equipment, supplies, materials, or machinery of any type or description unless associated with a valid building permit for improvements to the property that the material is located on;
2. Buses and catering trucks, regardless of size, will be restricted from parking in residential zones and residentially developed areas.

APPLICATION(S): 418 San Juan St – Conditional Use Permit 2018-001

ENVIRONMENTAL DOCUMENT: Notice of Exemption

APPLICANT: Daniel Arellano

OWNER: Daniel Arellano

APN: Assessor’s Parcel 200-052-31, 200-052-32, 200-052-33

ADDRESS: 418 San Juan St, McFarland CA 93250

SIZE OF SITE: 29,185 S.F

**GENERAL PLAN
DESIGNATION:** R-2 Zone

ZONE DISTRICT: Assessor's Parcel 200-052-31, 200-052-32, 200-052-33 – Low Density Residential (R-2)

STAFF RECOMMENDATION

Staff recommends the City of McFarland Planning Commission take the following actions:

- 1) Recommendation to the Planning Commission of a resolution **APPROVING** Conditional Use Permit for storage of temporary business agriculture equipment and supplies at 418 San Juan Street.

Staff recommends that Planning Commission move to adopt:

1. Resolution 2018-008-PC, Approval of Conditional Use Permit (CUP 2018-001)

PROJECT SITE

The Assessor's Parcel 200-052-31, 200-052-32, 200-052-33 are total 29,185 sf with Rectangle in shape and primary access from San Juan Street and Browning Rd. The parcels are surrounded by single family dwellings.

BACKGROUND

Daniel Arrellano is requesting a Temporary Conditional Use Permit to the City of McFarland to keep his business agriculture equipment and supplies until May 31, 2019 on his property, at which time all must be removed from the site.

According to Municipal Code Section 17.152.030 the following uses may be permitted in the zones indicated in this section upon the granting of a Conditional Use Permit:

Section T. Placing, storing or maintaining chemical toilets of the type normally transported by semitrailers in the R and C zones.

ENVIRONMENTAL REVIEW

The project is exempt from the requirements of the California Environmental Quality Act subject to Section 15061 (b)(3) the General Rule that states "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

Section 15061(b) (3) the General Rule that states "*The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect*

on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

A Notice of Public Hearing has been mailed to all property owners within 300 feet of the project site and has been posted at City Hall, the McFarland Veteran’s Community Center, Mi Rancho Market and Mi Ranchito Market.

ATTACHMENTS

Attachment 1 – Resolution 2018-008-PC.

Attachment 2 – Vicinity Map

Attachment 3 – Existing Zoning

Attachment 4 – Legal Notice of Public Hearing

**CITY OF MCFARLAND
PLANNING DEPARTMENT**

**Conditional Use Permit 2018-008
Conditions of Approval
July 17, 2018
FINAL**

PART A – PROJECT INFORMATION

- | | |
|-----------------------------|---|
| 1. Assessor's Parcel Number | 200-052-31, 200-052-32, 200-052-33 |
| 2. Job Address: | 418 San Juan Street |
| 3. Existing General Plan: | (R-2) Residential |
| 4. Existing Zoning: | Low-Density Residential |
| 5. Project Description: | Allow the temporary storage of business agriculture and supplies at the property located above. |

PART B – CONDITIONS OF APPROVAL

The conditions of approval are based on adopted City plans and policies, those determined through site plan review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety and welfare of the community, and recommended conditions for development that are not essential to the health, safety and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Conditions of approval may be appealed within fifteen (15) calendar days from the date of the approval. However, conditions based on the City of McFarland Municipal Code are mandatory and may be modified by variance, provided findings pursuant to the McFarland Municipal Code Section 17.148 can be made. Should an appeal of a mandatory condition of approval be received, an application for a variance and the associated fee must be submitted for consideration.

GENERAL CONDITIONS AND REQUIREMENTS

- 1) No uses of land, buildings, or structures other than those specifically approved pursuant to this special permit or previously approved permits shall be submitted.
- 2) The applicant shall obtain a City of McFarland Business License for the agriculture business.
- 3) All storage of agriculture equipment and supplies shall be removed from the site by **May 31, 2019**.
- 4) Any proposed changes to the site shall require review by the City of McFarland Planning Commission.

RESOLUTION NO. 2018-008-PC
A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND APPROVING
CONDITIONAL USE PERMIT 2018-001 ALLOWING THE TEMPORARY STORAGE OF
AGRICULTURE EQUIPMENT AND SUPPLIES ON PROPERTY LOCATED AT 418 SAN JUAN ST AND
THE ACCOMPANYING NOTICE OF EXEMPTION

WHEREAS, Daniel Arellano, property owner of 418 San Juan Street has applied for a Conditional Use Permit (CUP 2018-001) to stored his business agriculture equipment and supplies ; and

WHEREAS, said business agriculture and supplies storage is located on the 418 San Juan St; and

WHEREAS, said storage shall cease on May 31, 2019; and

WHEREAS, the proposed Conditional Use Permits (CUP 2018-001) is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) the General Rule; and

WHEREAS, the Planning Commission, through its clerk, did set Tuesday July 17, 2018, at the hour of 6:00 p.m. in the Council Chambers located at 103 W. Sherwood Ave, McFarland California as the time and place for a public hearing on Conditional Use Permit 2018-001; and

WHEREAS, a Notice of Public Hearing was given in a manner provided in Title 17 of the McFarland Municipal Code and said public hearing was duly and timely conducted, during which the proposal was explained by a representative of the Planning Department and all persons desiring were duly heard; and

WHEREAS, the Planning Commission received both written and oral testimony on Conditional Use Permit (CUP 2018-001); and

NOW THEREFORE BE IT RESOLVED, by the Planning Commission of the City of McFarland that it hereby finds and determines as follows:

- 1) The foregoing recitals are true and correct.
- 2) The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15601(b)(3) the General Rule
- 3) Conditional Use Permit 2018-001, as conditioned, will not be detrimental to the health, safety and welfare of the citizens of McFarland.
- 4) Any decision by the Planning Commission shall be final unless within fifteen (15) days of the date of the decision unless the applicant or any other person appeals the Planning Commission decision in the matter set forth in Section 17.148.100(b) of the McFarland Municipal Code.
- 5) Any deviation from the Final Conditions of Approval shall result in the revocation of the Conditional Use Permit.

I hereby certify that the foregoing is a full, true and correct copy of the resolution of the Planning Commission of the City of McFarland at a meeting held on Tuesday, July 17, 2018, moved by

Commissioner _____ and seconded by Commissioner _____, duly adopted and passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND.

Attest:

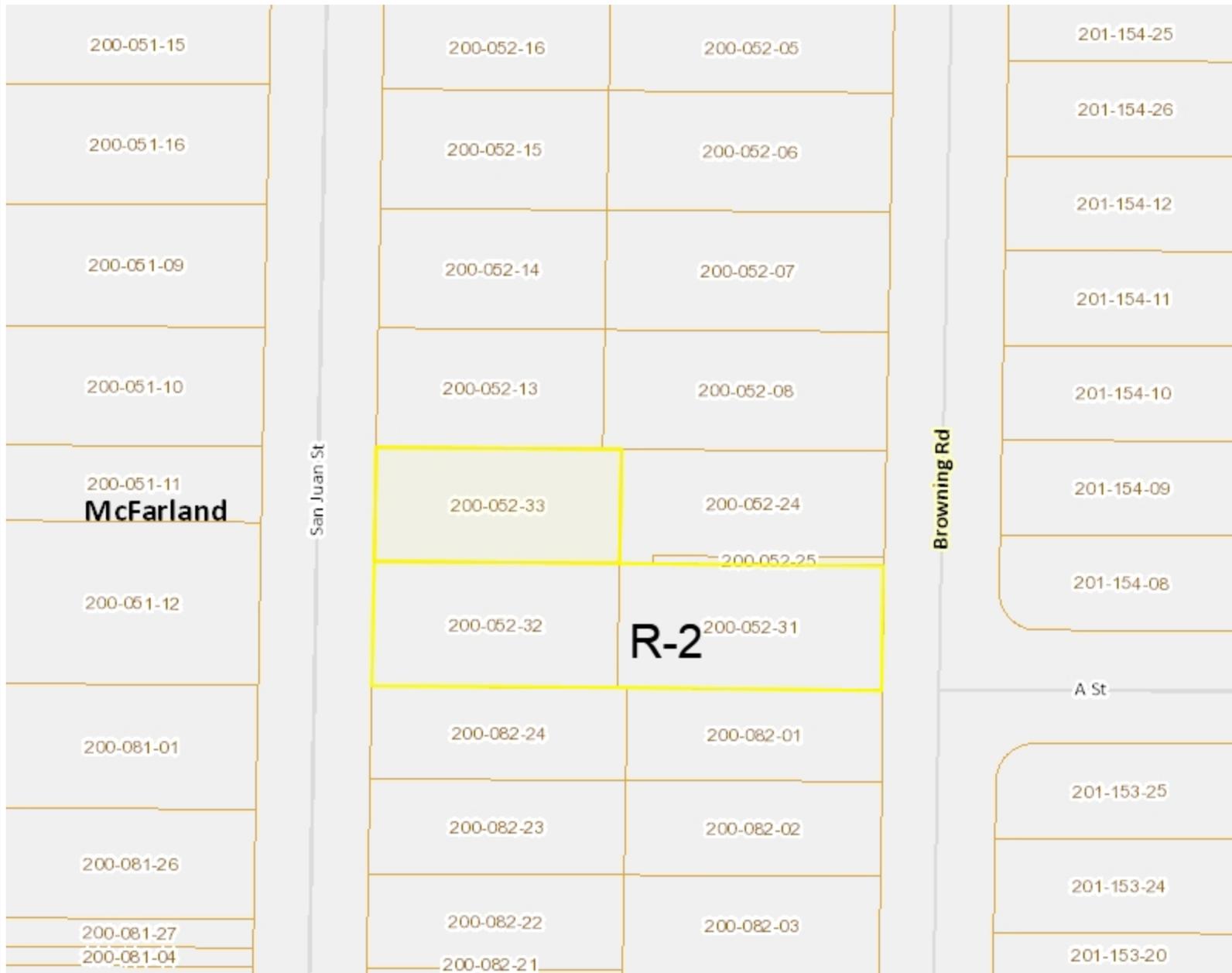
Approved:

Maria Lara
Community Development Director

David Borcky, Jr.
Chairman



Existing Zoning

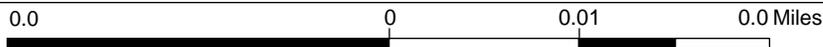


Legend

- Cities (City Limits)
- Roads**
 - Freeway
 - Highway
 - Major
 - Minor
 - Local
 - Ramp
 - Unpaved
- Parcels
- Lakes & Ponds
- Water Course
- Canals
- Schools
- Hospitals

R-2 Residential

1: 937

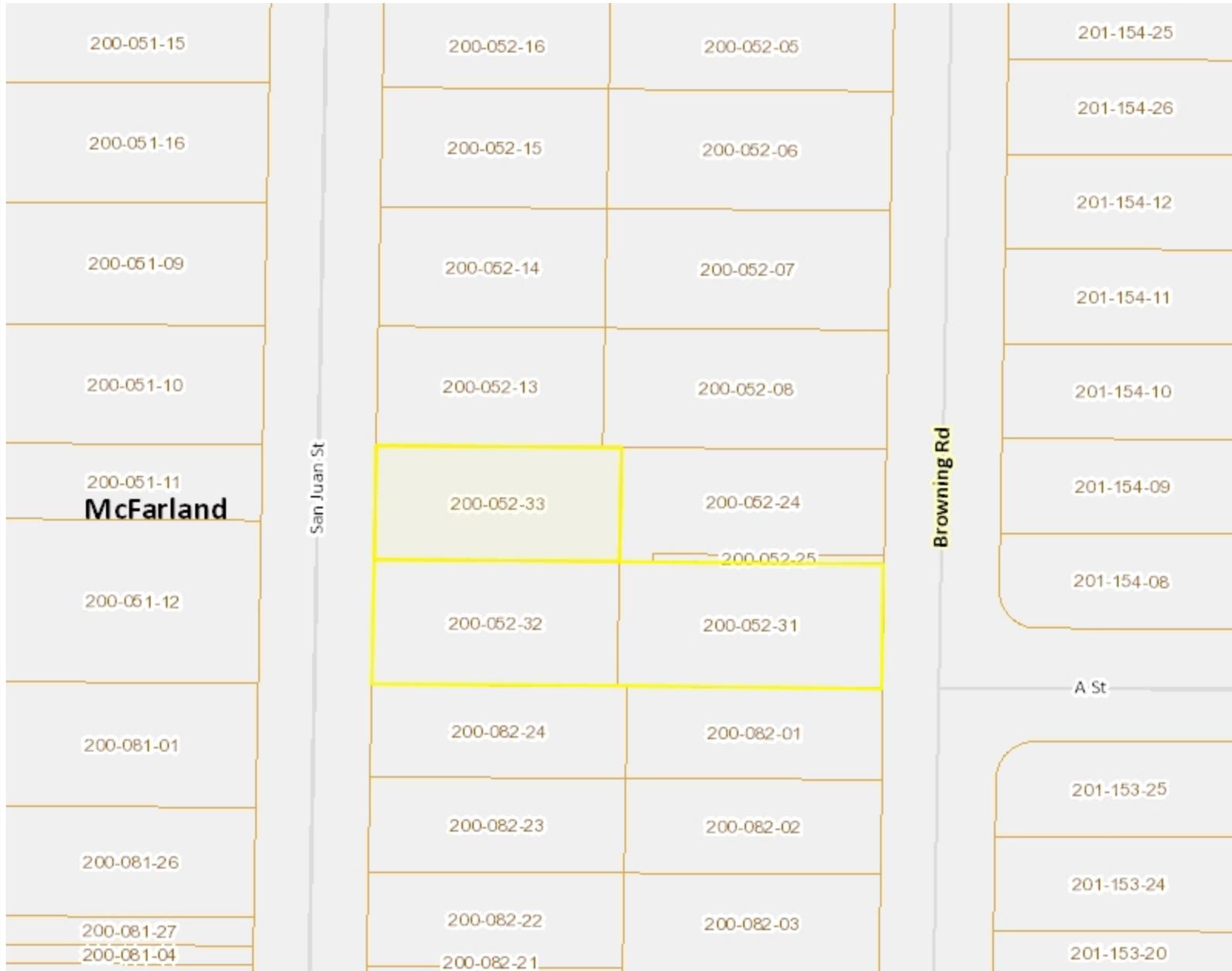


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Notes
Add notes here



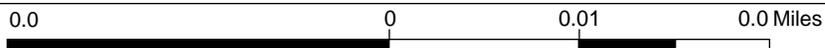
Vicinity Map



Legend

- Cities (City Limits)
- Roads**
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Notes
Add notes here

LEGAL NOTICE OF Public Hearing
City of McFarland
Planning Commission
July 17, 2018

The City of McFarland Planning Commission will conduct a special meeting on Tuesday, July 17, 2018 at 6:00 pm in the McFarland Council Chambers located in the McFarland Veteran's Community Center, 103 W. Sherwood Ave, McFarland CA 93250. The Planning Commission will consider the following item(s):

1) Project: 418 San Juan St – Conditional Use Permit (CUP) CUP 2018-01

Project Description: The property is total (3) parcels designated as residential area on General Plan Map and Zoned (R-2) Residential – Commercial is currently not allowed. The City of McFarland Code Enforcement Division issued a Notice of Violation to Daniel Arellano regarding the storage of business equipment and requested the removal of all prohibited business equipment, supplies, materials or machinery from its current location which is a residential zone and a residentially developed property. According to Municipal Code Section 8.20.030 – Keep store, or maintain in any residential zone or on any residentially developed property and of the following:

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Location: Assessor's Parcel 200-052-31, 200-052-32, 200-052-33

Applicant: Daniel Arellano

Environmental Determination: The project is exempt from the requirements of the California Environmental Quality Act subject to Section 15061(b)(3) the General Rule that states *"The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."*

The staff report(s) and supporting environmental documentation are available for review at the City of McFarland City Hall located at 401 W. Kern Avenue, McFarland CA between the hours of 8:00 AM and 5:00 PM Monday through Friday. Any written comments must be received by 5:00 PM on July 17, 2018. Any challenge of this item shall be limited to only those issues raised at the public hearing.

For further information please contact Alexander Lee, City Planner at (661) 792-3091 or by e-mail at alee@mcfarlandcity.or