

**CITY OF MCFARLAND
PLANNING COMMISSION AGENDA**

**SPECIAL MEETING
CITY COUNCIL CHAMBERS
103 W. SHERWOOD AVE, MCFARLAND, CA**

**May 24, 2022
6:00 PM**

In Person Meeting

How to submit public comments:

The meetings of the Planning Commission and all municipal entities, commissions, and boards ("the City") are open to the public. At regularly scheduled meetings, members of the public may address the city on any item listed on the agenda, or on any non-listed matter over which the city has jurisdiction. At special or emergency meetings, members of the public may only address the city on items listed on the agenda.

There is a time limitation of two minutes per person. For any item that is not on the agenda and within the jurisdiction or interest of the city, please come to the podium at this time. The Brown Act does not permit any action or discussion on items not listed on the agenda. If you wish to speak regarding a scheduled agenda item, please come to the podium when the item number and subject matter are announced, and the Chairman opens Public Comment on the item. When recognized, please begin by providing your name and address for the record (optional). Anyone wishing to submit written information at the meeting needs to furnish ten (10) copies to the City Clerk in advance to allow for distribution to Planning Commission, staff, and the media. Willful disruption of the meeting shall not be permitted. If the Chairman finds that there is in fact willful disruption of any Planning Commission Meeting, he/she may order the disrupting parties out of the room and subsequently conduct the Commission's business without them present.

Americans with Disabilities Act:

In compliance with the ADA, if you need special assistance to participate in a city meeting or other services offered by the City, please contact the City Clerk's office, at (661) 792-3091 ext. 2135. Notification of at least 48 hours prior to the meeting, or time when services are needed, will assist the city staff in assuring those reasonable arrangements can be made to provide accessibility to the meeting or services.

CALL TO ORDER: Chairman Marco Martinez

ROLL CALL:

Chairman, Marco Martinez
Vice Chairman, Jose Hernandez Jr.
Commissioner, Jose "Jay" Hernandez
Commissioner, Luis Sarabia
Commissioner, Jim White

PLEDGE OF ALLEGIANCE:

INVOCATION:

PRESENTATIONS:

None

PUBLIC COMMENT: This Portion of The Meeting Is Reserved for Persons Desiring to Address the Commission on Any Matter NOT on This Agenda and Over Which the Commission Has Jurisdiction.

Speakers Are Limited to Two (2) Minutes. Please State Your Name and Address for The Record Before Making Presentation.

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, By Members of The Public. Concerns Or Complaints Will Be Referred to The Community Development Director's Office.

PUBLIC HEARINGS:

1. It is Recommended that the Planning Commission Conduct a Public Hearing to Receive Public Input of the Consideration and Adoption of a Resolution Recommending the Planning Commission of the City of McFarland Approve the proposed Conditional Use Permit request from Maria Adelina Perezchica, for a clothing boutique to be operated from home located West of 3rd Street and North of Robertson Avenue, West of the hwy-99.
 - a. Open the Public Hearing and Receive Public Testimony:
 - b. Close Public Hearing;
2. It is Recommended that the Planning Commission Conduct a Public Hearing to Receive Public Input of the Consideration and Adoption of a Resolution Recommending the Planning Commission of the City of McFarland Approve the proposed Conditional Use Permit request from Daiana Quintanilla with Ventura Circus for a Circus at the property located West of El Buen Pastor Church on Sherwood Avenue. (APN: 200-010-36-1)
 - a. Open the Public Hearing and Receive Public Testimony:
 - b. Close Pubic Hearing;

CONSENT AGENDA: The Consent Agenda consists of items that in staff's opinion are routine and non-controversial. These items are approved in one motion unless the Planning Commission removes a particular item.

3. Approval of April 26, 2022, Special Planning Commission Meeting Minutes.
4. Approval of April 19, 2022, Regular Planning Commission Meeting Minutes.

PLANNING DISCUSSION ITEMS:

5. Report, Discuss, and Possible Approval of **Resolution NO. 2022-0007 PC**, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND APPROVING CONDITIONAL USE PERMIT 2022-001 A REQUEST TO ALLOW FOR A CLOTHING BOUTIQUE TO BE OPERATED FROM HOME LOCATED WEST OF 3RD STREET AND NORTH OF ROBERTSON AVENUE, WEST OF THE HWY-99 AS REFLECTED IN EXHIBIT A AND EXHIBIT B.

6. Report, Discuss, and Possible Approval of **Resolution NO. 2022-0008 PC**, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND APPROVING CONDITIONAL USE PERMIT 2022-002 A REQUEST TO ALLOW FOR A CIRCUS TO BE OPERATED ON PROJECT SITE LOCATED WEST OF EL BUEN PASTOR CHURCH ON SHERWOOD AVENUE, WEST OF THE HWY-99 AS REFLECTED IN EXHIBIT A AND EXHIBIT B.

7. Report, Discuss, and Possible Approval of **Resolution NO. 2022-0009 PC**, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND APPROVING SITE PLAN REVIEW 2022-0004 A PROPOSAL TO CONSTRUCT 2 COMMERCIAL STRUCTURES LOCATED ON WEST PERKINS AVENUE. JUST WEST OF THE 99 AND AUTOZONE AS REFLECTED IN EXHIBIT A AND CONDITIONED IN EXHIBIT B.

COMMISSIONER COMMENTS:

On Their Own Initiative, Commission Members May Make an Announcement or A Report on Their Own Activities. They May Ask a Question for Clarification, Make Referral to Staff, Or Take Action to Have Staff Place a Matter of Business on A Future Agenda (Government Code Section 54954.2(A)).

ADJOURNMENT:

This Is to Certify This Agenda Was Posted at McFarland City Hall on **MAY 20, 2022**.



Kenneth Williams, City Manager/ Chief of Police



Francisca Alvarado, City Clerk

The Next Planning Commission is scheduled on **June 21, 2022, at 6:00 P.M.**

The City of McFarland Does Not Discriminate Based on Disability and Complies with The Provisions of The Americans with Disabilities Act (Ada). If You Need Special Assistance to Participate in This Meeting, Please Contact the City Clerk's Office At (661) 792-3091 At Least 48 Hours Prior To The Meeting to Make Reasonable Arrangements to Ensure Accessibility to This Meeting.

CITY OF MCFARLAND REGULAR PLANNING COMMISSION MINUTES
In Person Meeting
APRIL 19, 2022

CALL TO ORDER

Chairman Marco Martinez called the meeting to order at 6:00 p.m.

ROLL CALL

Commissioners Present: Martinez (Chairman), Jose “Jay” Hernandez, J. Hernandez Jr., L. Sarabia, White

Commissioners Absent: None

OFFICIALS PRESENT

Interim Community Development Director Ronk, City Clerk Alvarado, City Planner De Leon

PLEDGE OF ALLEGIANCE

Chairman Martinez

INVOCATION

Commissioner White

PRESENTATIONS AND PROCLAMATIONS

None

PUBLIC COMMENTS

None

PUBLIC HEARINGS

None

CONSENT ITEMS

1. Motion was made by: ***Commissioner J. Hernandez Jr*** to Approval March 15, 2022, Regular Planning Commission Meeting Minutes; 2nd by: ***Commissioner White***.
Vote: 5/0
Ayes: J. L. Hernandez, J. Hernandez Jr., Sarabia, White, Martinez (Chairman)
Nays: None
Absent: None
Abstentions: None

PLANNING DISCUSSION ITEMS

2. Chairman Martinez placed ***Resolution NO. 2022-0004 PC***, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND APPROVING SITE PLAN

REVIEW 2022-0002 A PROPOSAL TO CONSTRUCT 2 MULTI-FAMILY RESIDENTIAL STRUCTURES LOCATED ON ELMO HWY JUST WEST OF THE 99 AS REFLECTED IN EXHIBIT A AND CONDITIONED IN EXHIBIT B; into vote with a roll call vote: all Commissioners voted in favor to approve Resolution No. 2022-0004PC.

Vote: 5/0

Ayes: J. L. Hernandez, J. Hernandez Jr., Sarabia, White, Martinez (Chairman)

Nays: None

Absent: None

Abstentions: None

For the record Resolution 2022-0004PC should read **Lockwood not Elmo HWY, and date on resolution should be April 19, 2022, not August.*

COMMISSIONER COMMENTS

ADJOURNMENT

Meeting adjourned at 6:09 p.m.

Francisca Alvarado, City Clerk

CITY OF MCFARLAND SPECIAL PLANNING COMMISSION MINUTES
In Person Meeting
APRIL 26, 2022

CALL TO ORDER

Chairman Marco Martinez called the meeting to order at 6:00 p.m.

ROLL CALL

Commissioners Present: Martinez (Chairman), J. Hernandez Jr., L. Sarabia, White

Commissioners Absent: Jose Jay Hernandez

OFFICIALS PRESENT

Interim Community Development Director Ronk, City Clerk Alvarado, City Planner De Leon

PLEDGE OF ALLEGIANCE

J. Hernandez Jr.

INVOCATION

Chairman Martinez

PRESENTATIONS AND PROCLAMATIONS

None

PUBLIC COMMENTS

None

PUBLIC HEARINGS

1. The Planning Commission Conducted a Public Hearing to Receive Input Regarding Variance for Rear Setback and Parking Space Requirements for Superior Station Located on Parcels 200-023-01 & 200-023-01.

A correction was stated for the record on second parcel number from: Parcel # 200-023- "01" to 200-023- "14".

- a. Opened Public Hearing and Received Public Testimony: 6:03 p.m. -No Comments Were Made. Closed Public Hearing: 6:03 p.m.
- b. Motion was made by: Chairman Martinez to adopt **Resolution No. 2022-0005PC**, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND APPROVING ZONE VARIANCE 2022-001 A REQUEST TO REDUCE THE REQUIRED NUMBER OF ONSITE PARKING SPACES FOR THE PROPOSED SUPERIOR STATION LOCATED ON THE CORNER OF W. PERKINS AVENUE AND 2ND STREET, WEST

OF THE RAILROAD AND HWY-99 AS REFLECTED IN EXHIBIT A AND EXHIBIT B;
2nd by: Commissioner Hernandez Jr.

Vote: 4/0

Ayes: White, Sarabia, Hernandez Jr, Martinez (Chairman)

Nays: None

Absent: Jay Hernandez

Abstentions: None

PLANNING DISCUSSION ITEMS

1. Motion was made by: J. Hernandez Jr. to approve ***Resolution NO. 2022-0006PC***, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND APPROVING SITE PLAN REVIEW 2022-0003 A PROPOSAL TO CONSTRUCT A SUPERIOR GAS STATION LOCATED ON THE CORNER OF W. PERKINS AVENUE & 2ND STREET AND WEST OF THE RAILROAD AND HWY-99 AS REFLECTED IN EXHIBIT A AND EXHIBIT C AND CONDITIONED IN EXHIBIT B; 2nd by: Commissioner White.

Vote: 4/0

Ayes: White, Sarabia, Hernandez Jr, Martinez (Chairman)

Nays: None

Absent: Jay Hernandez

Abstentions: None

COMMISSIONER COMMENTS

ADJOURNMENT

Meeting adjourned at 6:21 p.m.

Francisca Alvarado, City Clerk



PLANNING COMMISSION STAFF REPORT

May 24, 2022

TO: Chair and Planning Commissioners

FROM: Brianahi De Leon
City Planner
Larry Ronk
Interim Community Development
Director

DATE: May 24, 2022

DEVELOPER: Maria Adelina Perezchica

PROJECT DESCRIPTION: Conditional Use Permit 2022-0001/Home Occupation Permit

ENVIRONMENTAL DOCUMENT: Exempt

APPLICANT: Maria Adelina Perezchica / Las Plebitas Boutique

OWNER: Martin and Esperanza Perezchica

APN: 200-022-07-7

ADDRESS: 609 3rd St.

SIZE OF SITE: 6,068.39 sq. ft.

GENERAL PLAN DESIGNATION: Residential

ZONE DISTRICT: R-1

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

STAFF RECOMMENDATION

Staff recommends that Planning Commission review, discuss, and approve the adoption of the Resolution 2022-0007pc approving Conditional Use Permit 2022-01

PROJECT DESCRIPTION

Conditional Use Permit 2022-01 is a request by Maria Perezchica to allow for the establishment of a business from her home. Community Development Department has reviewed her

application and proposal for a Home Occupation. The department has found it to be appropriate as it complies with the definition and requirements of Title 17. Applicant is proposing an online clothing boutique. Products will be shipped, no door-to-door or in-person sales will be conducted. No sound or visibility of the occupation will be seen or heard beyond the premise. Applicant also received written authorization from the property owner, prior to the submittal of the application, to conduct business in the home. Attached is the written approval from the homeowner.

ENVIRONMENTAL REVIEW

The proposed Site Plan is categorically exempt from the requirements of the California Environmental Quality Act subject to Section 15061 (b)(3). This project meets all of these conditions.

Section 150661 therefore it is categorically exempt in the “Common Sense” which states, “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.”

FINDINGS

The applicant also filed for a Home Occupation. Applicant must follow the Home Occupation ordinance and conditions written out in the resolution. Per the letter attached by applicant, all business operations will be strictly conducted online.

ACTION

Staff recommends that Planning Commission review, discuss, and possible approval of Resolution 2022-0007pc approving Conditional Use Permit 2022-01.

Attachment 1 – Vicinity Map

Attachment 2 – Letter from applicant

Attachment 3 – Letter of authorization from property owner

Attachment 4 – Conditions of Approval



ATTACHMENT 2

Aerial photograph



ATTACHMENT 3

Letter from applicant

4/4/2022

I Maria Perezchica asking for permission to have a home occupation and Conditional Permit.

My business proposed is to establish my clothing boutique at my home and growth my business online like for example

Social media and websites. I will not be

having any customers coming to my house

I will be shipping each orders. My operation

day and hours will be only online will be

going live-stream every Sunday 8am - 9pm

Any questions please contact at (661)348-7497



Maria Perezchica

ATTACHMENT 4

Letter of authorization from property owner

Home Occupation and Conditional Use Permit

I Martin Perezchica giving permission to ^{4/4/2022}

Maria Perezchica to have her business here

at 609 3rd St McFarland CA 93250. I don't
have any problem with her having it.

Any questions please contact at (661) 229-7143

Martin Perezchica

ATTACHMENT 5

Conditions of Approval

PART A – PROJECT INFORMATION

1. Assessor's Parcel Number 200-022-07-7
2. Job Address: 609 3rd Street
3. Existing General Plan: Residential
4. Existing Zoning: R-1 / Single Family Residential
5. Project Description: Allow for the operation of an office 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) Any proposed changes to the operation of the proposed business shall require review by the City of McFarland Planning Commission.
- 3) No door-to-door sales.
- 4) Proposed business shall not have any on-site sales / in-person sales. Items shall be shipped.
- 5) Online business operations are Sunday – Saturday. Online live stream will be conducted every Sunday 8 am – 9 pm.
- 6) Business shall not be seen or heard from outside the home.

- 7) There shall be no displays or advertising signs on the premises.
- 8) There shall be no signs other than the address and name of the resident.
- 9) There shall be advertising which identifies the home occupation by street name.
- 10) The home occupation shall be confined completely to one room located within the dwelling. It shall not occupy more than twenty-five percent of the gross area of one floor of the residence. No portion of any garage, carport, or other accessory structure shall be used for home occupation purposes, other than for storage which does not impair required parking in the garage.
- 11) Only one vehicle no larger than a three-fourth-ton truck may be used by the occupant directly or indirectly in connection with a home occupation.
- 12) Subject to Municipal Code 17.153.070, no external alterations or construction features can be made to accommodate a home occupation, nor can any change be made which would change the fire rating of the structure or the fire district in which the structure is located.
- 13) There shall be no use or storage of material or mechanical equipment, either indoor or outdoor, not recognized as being part of a normal household or hobby use.
- 14) Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises. Utility consumption shall not exceed normal residential usage.
- 15) No home occupation use shall create or cause noise, dust, light, vibration, odor, gas, fumes, toxic/hazardous materials, smoke, glare, or electrical interference or other hazards or nuisances.
- 16) Employees engaged in the home occupation shall only be members of the resident family and shall be occupants of the dwelling. No outside employees.
- 17) The home occupation shall not require the services of commercial carrier freight deliveries at the site in a frequency greater than what is normally found in a residential area.
- 18) The home occupation shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the land use district in which it is located.
- 19) No business license shall be issued until a home occupation permit is obtained, pursuant to the municipal code.
- 20) A home occupation permit is not transferable.

- 21) There shall be no more than one home occupation in any dwelling unit.
- 22) If the home occupation is to be conducted on rental property, the property owner's written authorization for the proposed use shall be obtained prior to the submittal of a home occupation permit.

RESOLUTION NO. 2022-0007 PC

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND APPROVING
CONDITIONAL USE PERMIT 2022-001 A REQUEST TO ALLOW FOR A CLOTHING BOUTIQUE TO
BE OPERATED FROM HOME LOCATED WEST OF 3RD STREET AND NORTH OF ROBERTSON
AVENUE, WEST OF THE HWY-99 AS REFLECTED IN EXHIBIT A AND EXHIBIT B**

WHEREAS, Maria Adelina Perezchica has filed an application for Home Occupation to operate a proposed clothing boutique that includes an online presence, home office, and inventory shipped directly to the customer from the supplier, and

WHEREAS, the project location is generally located West of 3rd street and North of Robertson Avenue and West of the railroad and hwy-99; and

WHEREAS, the project site is located on Assessor's Parcel Number 200-022-07-7.

WHEREAS, said Las Plebitas Boutique shall operate via online website Sunday – Saturday and live-streams Sunday 8am – 9pm.

WHEREAS, said application and Public Hearing has been made in the form and manner prescribed by Title 17 of the McFarland Municipal Code and said Public Hearing was duly and timely conducted; and

WHEREAS, it has been determined that Conditional Use Permit 2022-0001 is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) the General Rule; and

WHEREAS, the Planning Commission, through its clerk, did set Tuesday May 17, 2022, 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 Conditional Use Permit 2022-0001; and

WHEREAS, the Planning Commission received both written and oral testimony on Conditional Use Permit 2022-0001.

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.
 - a) The Conditional Use Permit granted shall be subject to conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the zone in which the subject property is located.
 - b) The granting of the Conditional Use Permit will not be detrimental to the public health, safety, convenience, and welfare or injurious to property improvements in the vicinity where the property is located.
 - c) The Conditional Use Permit does not allow a use or activity which is not expressly authorized by the regulations governing the subject parcel. The proposed Las Plebitas Boutique is allowed if granted along with a Home Occupation Permit, business license, and Conditional Use Permit.

Conditional Use Permit 2022-0001 is consistent with the goals and policies of the City of McFarland General Plan and with the uses, density, and intensity standards of the General Plan Residential land use designation.

- 3) Conditional Use Permit 2022-0001 is hereby approved, subject to the conditions in exhibit B.
- 4) Conditional Use Permit 2022-0001 will not be detrimental to the health, safety and welfare of the citizens of McFarland.
- 5) 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.

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, May 24, 2022, moved by _____ and seconded by _____ 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:

Francisca Alvarado
City Clerk

Marco Martinez
Chairman

EXHIBIT A
Vicinity Map



EXHIBIT B

Conditions of Approval

PART A – PROJECT INFORMATION

1. Assessor's Parcel Number 200-022-07-7
2. Job Address: 609 3rd Street
3. Existing General Plan: Residential
4. Existing Zoning: R-1 / Single Family Residential
5. Project Description: Allow for the operation of an office 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) Any proposed changes to the operation of the proposed business shall require review by the City of McFarland Planning Commission.
- 3) No door-to-door sales.
- 4) Proposed business shall not have any on-site sales / in-person sales. Items shall be shipped.
- 5) Online business operations are Sunday – Saturday. Online live stream will be conducted every Sunday 8 am – 9 pm.
- 6) Business shall not be seen or heard from outside the home.
- 7) There shall be no displays or advertising signs on the premises.
- 8) There shall be no signs other than the address and name of the resident.
- 9) There shall be advertising which identifies the home occupation by street name.
- 10) The home occupation shall be confined completely to one room located within the dwelling. It shall not occupy more than twenty-five percent of the gross area of one floor of the residence. No portion of any garage, carport, or other accessory structure shall be used for home occupation purposes, other than for storage which does not impair required parking in the garage.
- 11) Only one vehicle no larger than a three-fourth-ton truck may be used by the occupant directly or indirectly in connection with a home occupation.

- 12) Subject to Municipal Code 17.153.070, no external alterations or construction features can be made to accommodate a home occupation, nor can any change be made which would change the fire rating of the structure or the fire district in which the structure is located.
- 13) There shall be no use or storage of material or mechanical equipment, either indoor or outdoor, not recognized as being part of a normal household or hobby use.
- 14) Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises. Utility consumption shall not exceed normal residential usage.
- 15) No home occupation use shall create or cause noise, dust, light, vibration, odor, gas, fumes, toxic/hazardous materials, smoke, glare, or electrical interference or other hazards or nuisances.
- 16) Employees engaged in the home occupation shall only be members of the resident family and shall be occupants of the dwelling. No outside employees.
- 17) The home occupation shall not require the services of commercial carrier freight deliveries at the site in a frequency greater than what is normally found in a residential area.
- 18) The home occupation shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the land use district in which it is located.
- 19) No business license shall be issued until a home occupation permit is obtained, pursuant to the municipal code.
- 20) A home occupation permit is not transferable.
- 21) There shall be no more than one home occupation in any dwelling unit.
- 22) If the home occupation is to be conducted on rental property, the property owner's written authorization for the proposed use shall be obtained prior to the submittal of a home occupation permit.



PLANNING COMMISSION STAFF REPORT

May 24, 2022

TO: Chair and Planning Commissioners
FROM: Brianahi De Leon
City Planner
Larry Ronk
Interim Community Development
Director

DATE: May 24, 2022

DEVELOPER: Ventura Circus

PROJECT DESCRIPTION: Conditional Use Permit No. 22-02

ENVIRONMENTAL DOCUMENT: Exempt

APPLICANT: Daiana Quintanilla

OWNER: El Buen Pastor Church Inc. – Zenaido Garza

APN: 200-010-36-1

ADDRESS: Sherwood Ave.

SIZE OF SITE: 3.036 acres

GENERAL PLAN DESIGNATION: R-4

ZONE DISTRICT: Church / R-4

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

STAFF RECOMMENDATION

The staff recommends consideration & adoption of Resolution No. 2022-0008pc_ recommending to the City Council of McFarland approve the proposed Conditional Use Permit request.

PROJECT DESCRIPTION

The proposed temporary Conditional Use Permit is for Ventura Circus. The project site is located West of El Buen Pastor Church on Sherwood Avenue. The property is designated as R-4

residential. Per ordinance 17.152.020, a circus or carnival is permitted in any zone upon the granting of a Conditional Use Permit. The project is currently a vacant lot and will return to a vacant lot after event. The Conditional Use Permit will only be good for the use of Thursday June 8th through Tuesday June 14th, 2022. The hours of operation will be 2pm to 9:30pm. The expected number of attendees is 400.

ENVIRONMENTAL REVIEW

The proposed Site Plan is categorically exempt from the requirements of the California Environmental Quality Act subject to Section 15304. This project meets all of these conditions.

Section 15304 therefore it is categorically exempt in the Minor Alterations to the Land which states “*Class 4* Section 15304 (e) of the CEQA Guidelines allows for minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, etc.”

FINDINGS

Per ordinance 5.24.010, no carnival or circus shall operate in the city without first obtaining a permit so to do from the City Council. Applicant will use June 8th, 2022 to set up and June 14th, 2022 to take down.

ACTION

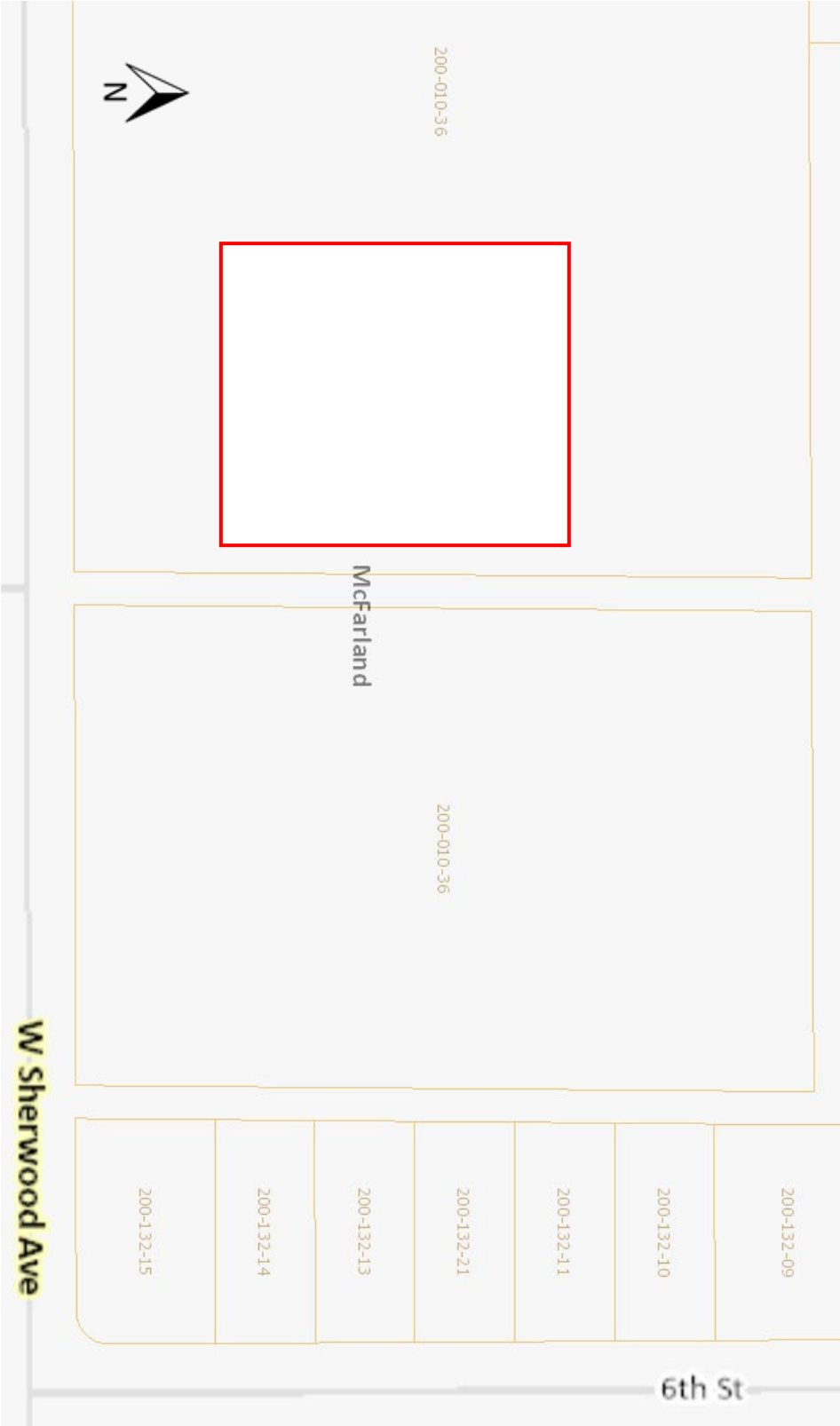
The staff recommends consideration & adoption of Resolution No. 2022-0008pc recommending to the City Council of McFarland approve the proposed Conditional Use Permit request.

Attachment 1 – Vicinity Map

Attachment 2 – Aerial Photograph

Attachment 3 – Proposed Site Plan

ATTACHMENT 1
Vicinity Map



ATTACHMENT 2

Aerial photograph



ATTACHMENT 3

Conditions of approval

PART A – PROJECT INFORMATION

1. Assessor's Parcel Number 200-010-36-1
2. Job Address: Sherwood Avenue
3. Existing General Plan: R-4 , Residential
4. Existing Zoning: R-4 / Church
5. Project Description: Allow for the operation of Ventura Circus 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) Prior to the start of operation, the applicant shall provide the City of McFarland with an approved Kern County Health Permit.
- 3) Any proposed changes to the operation of the proposed business shall require review by the City of McFarland Planning Commission.

- 4) Circus shall be required to have trash cans throughout the site.
- 5) The project is currently a vacant lot and will return to a vacant lot after event.
- 6) Th circus shall have business hours from 2pm to 9:30 pm.
- 7) The circus shall commence operations no sooner than Thursday June 8, 2022 and shall cease operations Tuesday June 14, 2022.
- 8) The expected number of attendees is 400.
- 9) A public restroom shall be provided to the employees of the Circus.
- 10) Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises.
- 11) Use shall not create or cause vibration, odor, gas, fumes, toxic/hazardous materials, smoke, glare, or electrical interference or other hazards or nuisances.
- 12) No business license shall be issued until a conditional use permit is obtained, pursuant to the municipal code.
- 13) Business license is required upon permit approval.
- 14) A conditional use permit is not transferable.
- 15) If the Circus is to be conducted on rental property, the property owner's written authorization for the proposed use shall be obtained prior to the submittal of the Conditional Use Permit.
- 16) Parking for event shall not cause traffic congestion along Sherwood Avenue.
- 17) Traffic control will be enforced to ensure traffic flow is consistent.

RESOLUTION NO. 2022-0008 PC

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND APPROVING
CONDITIONAL USE PERMIT 2022-002 A REQUEST TO ALLOW FOR A CIRCUS TO BE OPERATED
ON PROJECT SITE LOCATED WEST OF EL BUEN PASTOR CHURCH ON SHERWOOD AVENUE,
WEST OF THE HWY-99 AS REFLECTED IN EXHIBIT A AND EXHIBIT B**

WHEREAS, Daiana Quintanilla has filed an application for Conditional Use Permit to operate a proposed circus, and

WHEREAS, the project location is generally located West of El Buen Pastor Church on Sherwood Avenue and West of the railroad and hwy-99; and

WHEREAS, the project site is located on Assessor's Parcel Number 200-010-36-1.

WHEREAS, said Ventura Circus shall operate Thursday June 8th to Tuesday June 14, 2022; and

WHEREAS, the hours of operation shall be 2 pm to 9:30 pm; and

WHEREAS, said application and Public Hearing has been made in the form and manner prescribed by Title 17 of the McFarland Municipal Code and said Public Hearing was duly and timely conducted; and

WHEREAS, it has been determined that Conditional Use Permit 2022-0002 is exempt from the California Environmental Quality Act (CEQA) per Section 15304(e) the Minor Alterations to the Land; and

WHEREAS, the Planning Commission, through its clerk, did set Tuesday May 24, 2022, 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 Conditional Use Permit 2022-0002; and

WHEREAS, the Planning Commission received both written and oral testimony on Conditional Use Permit 2022-0002.

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 15304(e) the Minor Alterations to the Land.
 - a) The Conditional Use Permit granted shall be subject to conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the zone in which the subject property is located.
 - b) The granting of the Conditional Use Permit will not be detrimental to the public health, safety, convenience, and welfare or injurious to property improvements in the vicinity where the property is located.
 - c) The Conditional Use Permit does not allow a use or activity which is not expressly authorized by the regulations governing the subject parcel. The proposed Ventura Circus is allowed if granted along with a business license and Conditional Use Permit.
- 3) Conditional Use Permit 2022-0002 is consistent with the goals and policies of the City of McFarland General Plan and with the uses, density, and intensity standards of the General Plan Residential land use designation.
- 4) Conditional Use Permit 2022-0002 is hereby approved, subject to the conditions in exhibit B.
- 5) Conditional Use Permit 2022-0002 will not be detrimental to the health, safety and welfare of the citizens of McFarland.
- 6) 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.

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, May 24, 2022, moved by _____ and seconded by _____ 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:

Francisca Alvarado
City Clerk

Marco Martinez
Chairman

EXHIBIT A
Vicinity Map



EXHIBIT B

Conditions of Approval

PART A – PROJECT INFORMATION

1. Assessor's Parcel Number 200-010-36-1
2. Job Address: Sherwood Avenue
3. Existing General Plan: R-4, Residential
4. Existing Zoning: R-4 / Church
5. Project Description: Allow for the operation of Ventura Circus 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) Prior to the start of operation, the applicant shall provide the City of McFarland with an approved Kern County Health Permit.
- 3) Any proposed changes to the operation of the proposed business shall require review by the City of McFarland Planning Commission.
- 4) Circus shall be required to have trash cans throughout the site.
- 5) The project is currently a vacant lot and will return to a vacant lot after event.
- 6) Th circus shall have business hours from 2pm to 9:30 pm.
- 7) The circus shall commence operations no sooner than Thursday June 8, 2022 and shall cease operations Tuesday June 14, 2022.
- 8) The expected number of attendees is 400.
- 9) A public restroom shall be provided to the employees of the Circus.
- 10) Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises.

- 11) Use shall not create or cause vibration, odor, gas, fumes, toxic/hazardous materials, smoke, glare, or electrical interference or other hazards or nuisances.
- 12) No business license shall be issued until a conditional use permit is obtained, pursuant to the municipal code.
- 13) Business license is required upon permit approval.
- 14) A conditional use permit is not transferable.
- 15) If the Circus is to be conducted on rental property, the property owner's written authorization for the proposed use shall be obtained prior to the submittal of the Conditional Use Permit.
- 16) Parking for event shall not cause traffic congestion along Sherwood Avenue.
- 17) Traffic control will be enforced to ensure traffic flow is consistent.

NOTICE OF PUBLIC HEARING

Conditional Use Permit for APN: 200-010-36-1 at City Council Chambers (103 Sherwood Ave, McFarland)

Notice is hereby given that the Planning Commission of the City of McFarland will conduct a public hearing, at which time you may be heard to consider the following:

- Consideration and Adoption of a Resolution Recommending the City Council of the City of McFarland Approve the proposed Conditional Use Permit request for Ventura Circus for property located West of El Buen Pastor Church on Sherwood Avenue. (APN: 200-010-36-1). Applicant Daiana Quintanilla.

Regular McFarland Planning Commission Public Hearing Information

Date: May 24, 2022

Time: 6:00 PM

Place: City of McFarland Council Chambers, 103 W. Sherwood Avenue, McFarland, CA 93250

Join on-line: Facebook Webpage at:

<https://www.facebook.com/cityofmcfarland/>

Notice is further given that the City Council of the City of McFarland, California, will conduct a public hearing, at which time you may be heard to consider the following:

- Consideration and Adoption of a resolution of the City Council of the City of McFarland Approving a proposed Conditional Use Permit request for Ventura Circus for property located West of El Buen Pastor Church on Sherwood Avenue. (APN: 200-010-36-1). Applicant Daiana Quintanilla.

Regular McFarland City Council Public Hearing Information

Date: May 26, 2022

Time: 6:00 PM

Place: City of McFarland Council Chambers, 103 W. Sherwood Avenue, McFarland, CA 93250

Join on-line: Facebook Webpage at:

<https://www.facebook.com/cityofmcfarland/>

These meetings shall be held in person at the City of McFarland Council Chambers, located at 103 W. Sherwood Avenue, McFarland, CA 93250. Additionally, these meetings shall be broadcasted for listening and/or viewing purposes only via Facebook. To access the meetings for viewing or listening purposes only, please use the following information:

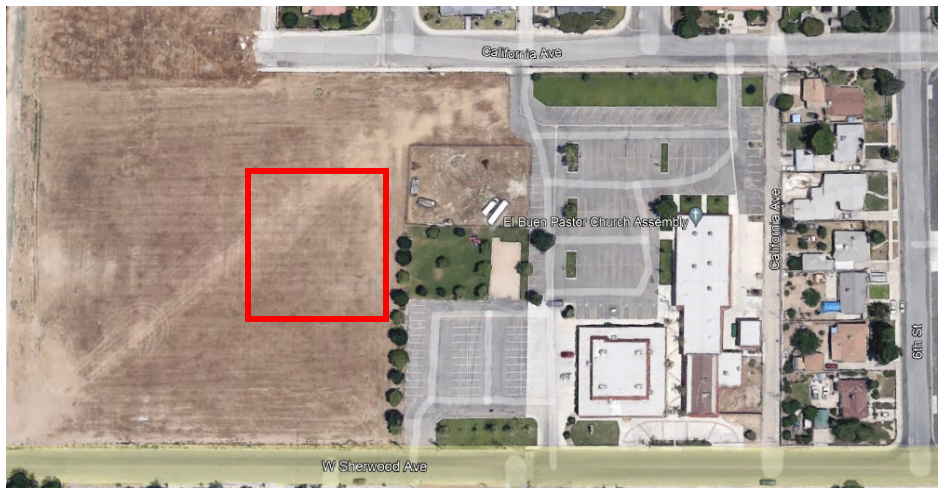
(via web for listening purposes only)

Join on-line: Facebook webpage

<https://www.facebook.com/cityofmcfarland/>

Members of the public are encouraged to participate by providing public comment at the meetings. The agenda of the Regular McFarland Planning Commission Meeting will be posted at least 72 hours prior to the meeting. The agenda of the Regular City Council Meeting will be posted at least 72 hours prior to the meeting. The meeting the agendas will be posted at <https://www.mcfarlandcity.org/AgendaCenter>. Please check the agendas for any modifications to how the meetings may be conducted and for ways in which the public can participate.

Description of the Project: The purpose of the public hearings is to consider approval of a Conditional Use Permit for Ventura Circus. This would consist of applying a Conditional Use Permit for the property on Sherwood Avenue. The parcel is located West of El Buen Pastor Church on Sherwood Avenue. The existing zone for the parcel is R-4 Residential. The project is currently a vacant lot and will return to a vacant lot after event. The proposed circus will commence operations Thursday June 8, 2022, and cease operations Tuesday June 14, 2022. The circus will run from 2 pm to 9:30 pm. The expected number of attendees is 400.



Additional information on the proposed project and proposed environmental finding may be obtained from the City of McFarland, City Hall, 401 W. Kern Avenue, McFarland, CA 93250, or the City's web site at www.mcfarlandcity.org.

Environmental Determination: This project has already been environmentally assessed pursuant to the California Environmental Quality Act (CEQA), and the City has adopted a finding. This project is subject to Categorical exemption pursuant to Section 15304 Class 4 Minor Alterations to the Land. Class 4 Section 15304 (e) of the CEQA Guidelines allows for minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, etc. As such, no further assessment is required.

All persons interested in this topic who have questions, would like to provide feedback, or who have comments are invited to attend. If you challenge the approval or denial of these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk, at or prior to, the public hearing. Address any communications or comments regarding the project to Francisca Alvarado, City Clerk, at 401 W. Kern Avenue, McFarland, CA 93250, (661) 792-3091, falvarado@mcfarlandcity.org



PLANNING COMMISSION STAFF REPORT

May 24, 2022

TO: Chair and Planning Commissioners
FROM: Brianahi De Leon
City Planner
Larry Ronk
Acting Community Development Director

DATE: May 24, 2022

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

DEVELOPER: Bikram Pannu / McFarland Medical Health Center

PROJECT DESCRIPTION: Site Plan Review

ENVIRONMENTAL DOCUMENT: Exempt

APPLICANT: Bikram Pannu

OWNER: NSP Property Investments LLC

APN: 201-010-52

ADDRESS: West Perkins Ave. & West of AutoZone

SIZE OF SITE: 1.22 ac.

GENERAL PLAN DESIGNATION: Commercial Retail

ZONE DISTRICT: C-2

STAFF RECOMMENDATION

The staff recommends planning commission approve conditions of approval, exemption of CEQA, and site plan for the McFarland Medical Health Center.

PROJECT DESCRIPTION

Project site is located North of West Perkins Avenue and West of AutoZone on a vacant lot. It consists of two buildings with a total of three designated spaces for a medical clinic, behavioral center, and future retail store space. Coning for the property is C-2, commercial zone. The

proposed structure containing the medical clinic and behavioral center will total at 5,915 sq. ft. The proposed structure containing the retail store space will total at 4,455 sq. ft.

ENVIRONMENTAL REVIEW

The proposed Site Plan is categorically exempt from the requirements of the California Environmental Quality Act subject to Section 15332 This project meets all of these conditions.

Section 15332 therefore it is categorically exempt in the In-Fill Development Projects which states *“Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.(c) The project site has no value, as habitat for endangered, rare or threatened species.(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.(e) The site can be adequately served by all required utilities and public services.”*

FINDINGS

The proposed Site Plan is consistent with the general plan. The zoning will remain as a C-2 (Commercial Zoning).

Proposed project meets all requirements including parking and setbacks.

ACTION

The staff recommends planning commission approve conditions of approval, exemption of CEQA, and site plan for the McFarland Medical Health Center and Resolution No. 2022-0009PC.

Attachment 1 – Vicinity Map

Attachment 2 – Aerial Photograph

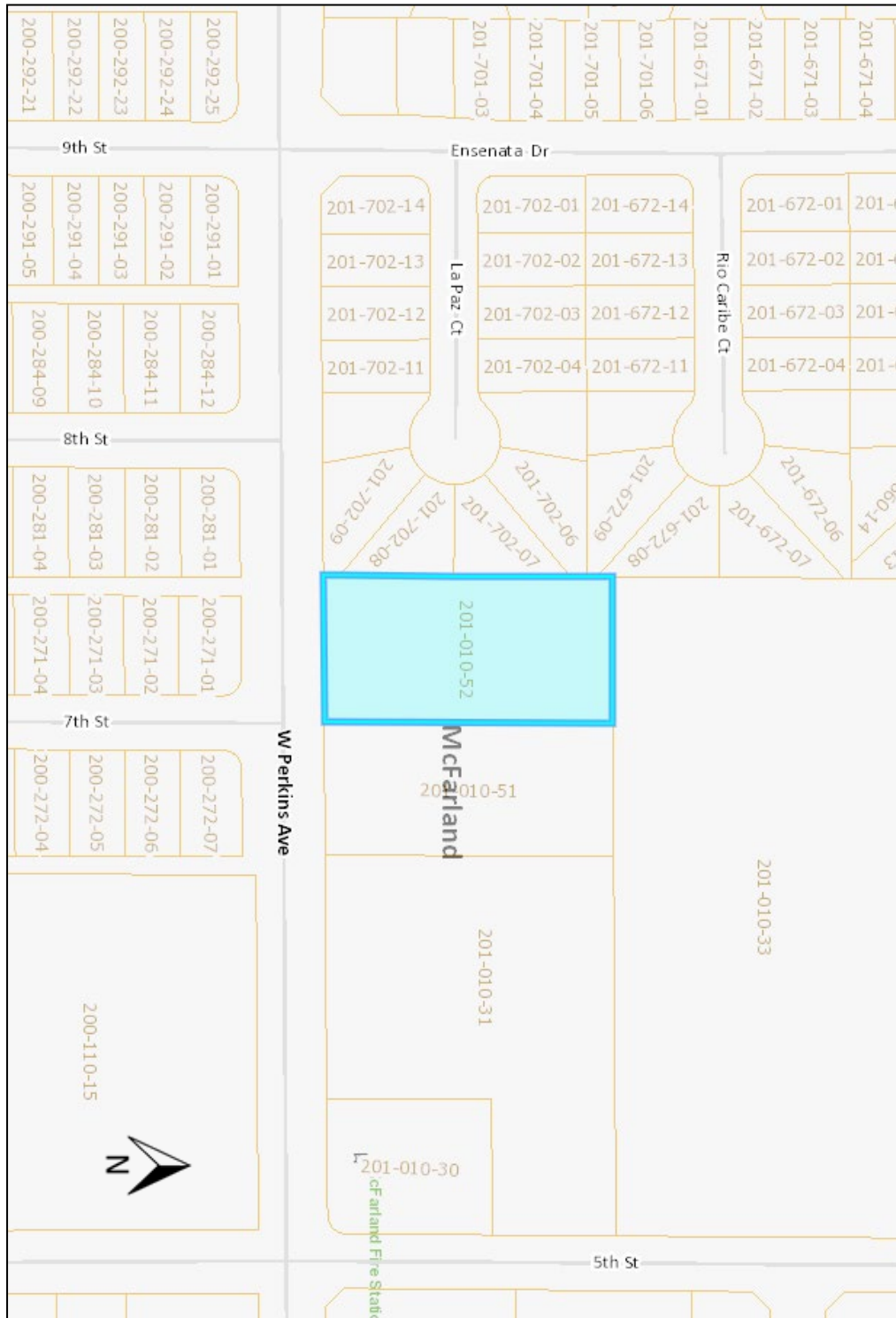
Attachment 3 – Proposed Site Plan

Attachment 4 – Letter from Clinic

Attachment 5 – Conditions of Approval

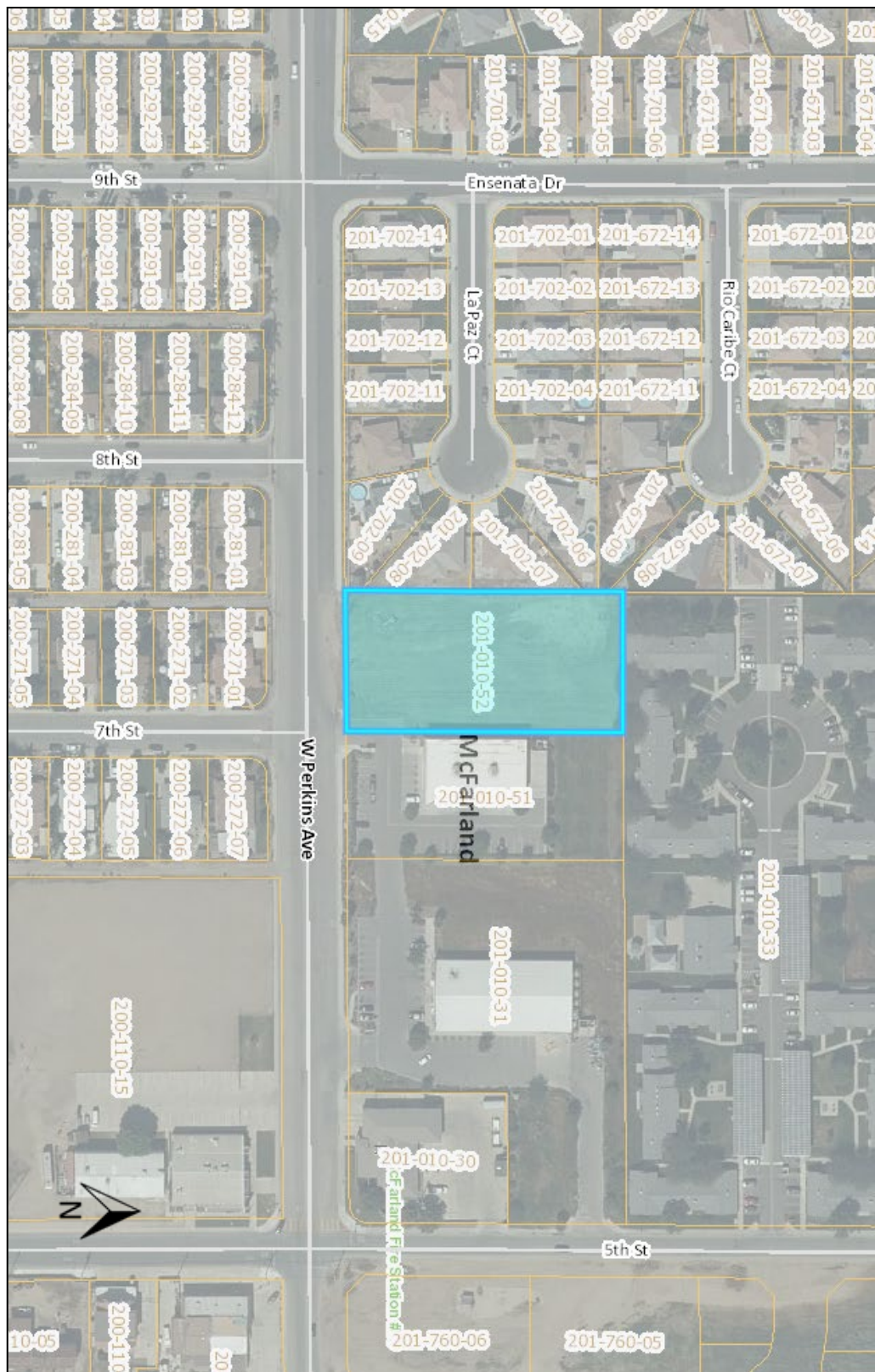
ATTACHMENT 1

Vicinity Map



ATTACHMENT 2

Aerial photograph



ATTACHMENT 3
Proposed Site Plan



McFarland Medical Health Center

WEST PERKINS AVENUE, MCFARLAND, CA
APN # 201-010-52



VICINITY MAP

S.P.R. SHEET INDEX

NO.	DESCRIPTION
1	COVER PAGE
2	PROPOSED SITE PLAN
3	PROPOSED SITE PLAN
4	PROPOSED SITE PLAN
5	PROPOSED SITE PLAN

PROJECT INFORMATION

1. Owner Information

NORTH WEST COUNTY PROPERTY MANAGEMENT, LLC
130 VALLEY COUNTRY DRIVE, SUITE 100
MCKINLEYVILLE, CA 94022
CONTACT: PEGGY WARD, PROJECT MANAGER
PHONE: (415) 962-1111
EMAIL: WARD@NORTHWESTCOUNTYPM.COM

2. Project Address

WEST PERKINS AVENUE, MCFARLAND, CA
APN # 201-010-52

3. Site Data

- JURISDICTION: NORTH WEST COUNTY OF MCFARLAND
- ZONE CODE: R 1.5
- ZONE CODE: R 1.5
- LAND AREA: 1.20 ACRES

4. Proposed Building

PROPOSED BUILDING: 10,000 SQ. FT.
MEDICAL OFFICE, 10,000 SQ. FT.

5. Calculations

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

6. Number of Parking Spaces Required

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

7. Accessible Parking

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

8. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

9. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

10. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

11. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

12. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

13. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

14. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

15. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

16. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

17. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

18. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

19. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

20. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

21. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

22. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

23. Accessible Route

PROPOSED BUILDING: 10,000 SQ. FT. / 200 = 50 PARKING SPACES
MINIMUM REQUIRED: 44,000 SQ. FT. / 200 = 220 PARKING SPACES
TOTAL REQUIRED: 270 PARKING SPACES
TOTAL PROVIDED: 270 PARKING SPACES

24. Accessible Route



COVER PAGE

PROJ. NO. 201-010-52

PROJ. NAME: NORTH WEST COUNTY PROPERTY MANAGEMENT, LLC. MCFARLAND HEALTH CENTER

DATE: 10/10/2019

BY: PEGGY WARD

CHECKED BY: PEGGY WARD

APPROVED BY: PEGGY WARD

SCALE: AS SHOWN

10/10/2019

A100

ATTACHMENT 4

Letter from Clinic



February 28, 2022

To Whom It May Concern,

Good Samaritan Hospital is a specialty medical, surgical and psychiatric hospital located in underserved Oildale, CA and has been serving Kern County since 1959. Good Samaritan Hospital serves one of the poorest and underserved areas of Bakersfield and is renowned for its exceptional medical and psychiatric care. The patients we serve at Good Samaritan are primarily Medi-Cal recipients and we are the only hospital in the central valley that provides chemical dependency detox services. We are the only facility in Kern County with a dedicated medical team and psychiatric team specializing in addictions. Our patients frequently struggle to find appropriate, timely and high-quality outpatient services upon discharge from the hospital. Our goal is to provide medical and psychiatric care in the rural communities of Kern County. Earlier this year we opened a clinic in the City of Wasco that is designed to provide integrated medical and behavioral health services. We would like to offer the same services to the City of McFarland residents by opening an integrated clinic in the heart of McFarland. Following is the anticipated plan for the clinic:

Clinic Hours: Monday to Friday 8am to 5pm

Anticipated Patient Volume: 20-25 patients a day- 1 Patient every 20 minutes

Number of Employees: 5 to 6

We are hopeful our clinic will be a welcome addition to the City of McFarland. Should you have any question or need additional information please do not hesitate to reach out to me at (661)215-7693. We look forward to being a part of the McFarland community.

Sincerely,

Gerrie Halbrook, CFO
Good Samaritan Hospital
901 Olive Drive
Bakersfield, CA 93308
Office: 661.215.7693
Cell: 661.281.9215
Email: ghalbrook@goodsamhospital.com

ATTACHMENT 5

Conditions of Approval

PART A – PROJECT INFORMATION

Assessor's Parcel Number 201-010-52

Job Address: West Perkins Ave. & West of AutoZone

Existing General Plan: Commercial

Existing Zoning: C-2

PROJECT DESCRIPTION:

Project site is located North of West Perkins Avenue and West of AutoZone on a vacant lot. It consists of two buildings with a total of three designated spaces for a medical clinic, behavioral center, and future retail store space. Coning for the property is C-2, commercial zone. The proposed structure containing the medical clinic and behavioral center will total at 5,915 sq. ft. The proposed structure containing the retail store space will total at 4,455 sq. ft.

PART B – CONDITIONS OF APPROVAL

The conditions of approval are based on adopted City plans and policies, 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 will 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. This project is conditioned upon the Developer defending, indemnifying and holding harmless the City, its agents, officers, consultants, and /or employees. (Add this note to cover sheet of construction plans).

2. The safety and security of the project must satisfy Local, County, State, Federal ordinances, California Building Code, and California Occupational Safety and Health Association (CAL/OSHA).
3. This project is subject to applicable District, Local, City, County, State, And Federal statutes, ordinances, regulations, standards and policies.
4. The developer shall obtain necessary permits and/or approvals from all agencies having jurisdiction over property being mapped.
5. Utilities shall be installed underground in accordance with each of the utility company requirements and with the City requirements.
6. The Developer shall dedicate public utility easements within the development where required by the City and affected utilities.
7. Provide current Title Report (30 days or less) in PDF format with links to all recorded documents affecting property. Show all easements on plans.
8. Improvements shall comply with current American with Disabilities Act (ADA) Standards and regulations. (All facilities to provide ADA access). Plans sections and details to show compliance.
9. Provide Preliminary Soils Report to address all improvements, including utility trenches and chemical reactivity. All improvements to include buildings/paving/concrete structural sections, per City Standards.
10. Show on the plans existing public sewer system location(s). The developer shall install new connection to the public sewer system. This connection shall be shown on the building plans submitted to the City. Sewage disposal for domestic sewage only. Page 2 of 4 T:\6-McFARLAND\DOC\22600.05 - Medical Health Center @ W Perkins\INITIAL SUBMITTAL - 4-5-22\Intial Engineering CoA - Medical Center.docx
11. Show on the plans existing water main line location(s). The developer shall install new connection to the public water system and hydrants. This connection shall be shown on the building plans submitted to the City.
12. Developer shall provide plan approval by the Kern County Fire Department for access requirements.
13. The applicant shall provide written documentation from the Division of Oil and Gas that there are no abandoned wells in the proximity of the project site. If there are abandoned wells in the area, the applicant should obtain written approval from the Division of Oil and Gas for the construction of any improvements over or in the proximity of an abandoned well location. Any habitable structures shall be set back per the requirements of the Division of Oil and Gas.
14. Show on the final building plan, electric vehicle supply equipment to facilitate future installation as required by the California Green Code.
15. The developer shall submit a grading plan for the proposed site to be review and approved by the City Engineer and Building Official.
16. Standard notes to be included in the grading plan cover sheet:
 - All grading shall conform with App. J - California Building Code and standards thereof and preliminary soils report by _____, dated _____.

- The Design Engineer shall exercise sufficient supervision control during grading and construction to ensure compliance with the plans, soils report, specifications, and code within his purview.
- Grading work shall be supervised as engineered grading in accordance with App. J of the California Building Code.

17. The following notes shall appear on all grading and construction plans cover sheet:

- a) Any items in public Right-of-way that are damaged or do not meet current standards set by Public Works will require repairing and/or upgrading as per City Engineer.
- b) An open street permit shall be obtained from the City of McFarland Public Works Department for any work performed within existing accepted street right of way. Unless secured by a subdivision agreement, security based on an approved engineer's estimate for the work performed within the right of way and insurance as required shall be provided prior to issuance of a permit.
- c) Should any cultural materials be discovered during any grading or development, all work shall be halted, and a qualified archaeologist/historian shall be contacted to assess the finds and impose mitigation measures, if necessary, prior to the resumption of construction.
- d) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5).
- e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of Page 3 of 4 T:\6-McFARLAND\DOC\22600.05 - Medical Health Center @ W Perkins\INITIAL SUBMITTAL - 4-5-22\Intial Engineering CoA - Medical Center.docx dust and PM-10 (particulates) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions.
- f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions.
- g) Construction speed limits will be posted at fifteen miles per hour (15 mph).
- h) During grading and construction, all activities adjacent to residential development shall be limited to 7:00 a.m. to 7:00 p.m., Monday thru Friday. Construction will not be allowed on weekends or federal holidays.

18. The applicant shall obtain a State Water Resources Control Board Permit for Construction prior to the approval of the grading plan.

19. The following note shall appear on all grading and construction plans cover sheet:

- If the project is subject to the provisions of the National Pollutant Discharge Elimination System (NPDES), a "Notice of Intent" (NOI) to comply with the terms of the General Permit to Discharge Storm Water Associated with Construction Activity (SWRCB ORDER NO. 2009-009-DWQ AS AMENDED BY ORDER 2010-0014-DWQ AND ORDER 2012-0006-DWQJ must be filed with State Water Resources control Board in Sacramento before the beginning of any construction activity. Compliance with the general permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared, continuously carried out, and always be available for public inspection during normal construction hours. Waste Discharge Identification (WDID) Number _____ has been issued by the State Water Resources Board for this project.
- 20. With the grading plan the developer shall prepare a SWPPP/BMP's and retain copy at the construction site to follow all SWPPP and BMP's practices.
 - Projects which disturb one (1) acre or more of land: The Developer shall provide a Storm Water Pollution Prevention Plan (SWPPP) that has been designed, specific to its site, conforming to the State Storm water NPDES Construction Permit. The plan shall be prepared by a Qualified SWPPP Developer/Practitioner. The SWPPP shall be submitted to the City for review and approval.
- 21. Before any building or site can be occupied, the developer must reconstruct or repair substandard off-site street improvements that front the site to adopted City standards as directed by the City Engineer / Public Works Director. Please contact Public Works to schedule a site inspection to find out what improvements may be required prior to submitting a grading plans. Any off-site/frontage improvements or repairs required during the site inspection shall be shown on the grading plan.
 - All existing adjacent public improvements (street, curb and gutter, sidewalk, etc.) which are currently damaged shall be removed and replaced by the applicant. All replaced improvements shall meet current City adopted standards.
 - All adjacent sidewalks, driveways and curb returns shall comply with current ADA standards.
 - Commercial drive approaches shall conform to the City of McFarland Improvement Standard R-6, and to current ADA standards, and comments on the plans. Show elevations/dimensions on plans to demonstrate compliance. Page 4 of 4 T:\6-McFARLAND\DOC\22600.05 - Medical Health Center @ W Perkins\INITIAL SUBMITTAL - 4-5-22\Intial Engineering CoA - Medical Center.docx
- 22. A six (6) foot masonry wall shall be installed along the northern, and eastern boundary of the development. All masonry walls shall be built to City/County Standards and shall be shown on the proposed landscape and irrigation plans. Verify with Planning Department.
- 23. Provide calculations for any non-standard wall signed and sealed by a civil engineer or structural engineer.
- 24. W. Perkins Ave shall be improved per City Std. R-1 for the half ROW in front of the project.

25. Pavement sections shall be designed using a Traffic Index (TI) of 9, per City Improvements Standards Design Criteria Section 3-3 "Street Section Design". Calculations supporting street section pavement and base thickness shall be submitted with the street improvement plans for review.
26. Confirm Landscape Lighting and Maintenance District requirements with Planning Department.
27. Ornamental street lights shall be installed by the developer, at locations approved by the city engineer, and public works department. Verify with Planning Department.
28. Provide streetlight plans (with irrigation pedestal location, if applicable), for City's Review. Subdivider shall provide underground electrical plans showing power and connection to street lights and irrigation controllers for review and approval by the City Public Works Department.
29. Provide copies of complete set of Civil on-site improvement plans signed by a California Registered Civil Engineer.
30. Provide complete Engineer's Cost Estimate for the project's off-site improvement on City's right-of-way, signed by a California Registered Civil Engineer. Use current Kern County Development Standards Division Seven Sec. 701-1 to Sec. 702-9, available at: <https://kernpublicworks.com/building-and-development/engineering/development-standards/division-seven-construction-security/>. The Engineer's Estimate shall include a contingency factor, per the Kern County Standards Division 7, to compensate for the effect of inflation and any changes in construction during the life of the project.
31. DEVELOPER MUST ANNEX TO THE CITY OF MCFARLAND COMMUNITY FACILITIES DISTRICTS (CFDS) FOR: LANDSCAPING AND STREET MAINTENANCE CFD 2017-2; POLICE SERVICES CFD 2017-1; AND FIRE PROTECTION CFD2019-1.
32. All development impact fees for additional units shall be paid at the time of building permit issuance.

RESOLUTION NO. 2022-0009-PC

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND APPROVING
SITE PLAN REVIEW 2022-0004 A PROPOSAL TO CONSTRUCT 2 COMMERCIAL STRUCTURES
LOCATED ON WEST PERKINS AVENUE. JUST WEST OF THE 99 AND AUTOZONE AS REFLECTED
IN EXHIBIT A AND CONDITIONED IN EXHIBIT B**

WHEREAS, Bikram Pannu has filed an application for Site Plan Review 2022-0004 a proposal to construct 2 Commercial Structures with a total of 3 spaces; and

WHEREAS, the project location is generally located North of West Perkins Avenue and West of 5th Street; and

WHEREAS, the project site is located on Assessor's Parcel Number 201-010-52.

WHEREAS, said application has been made in the form and manner prescribed by Title 17 Zoning of the McFarland Municipal Code; and

WHEREAS, it has been determined that Site Plan Review 2022-0004 is exempt from the California Environmental Quality Act (CEQA) per Section 15332 Class 32 In-Fill Development Projects; and

WHEREAS, the Planning Commission, through its clerk, did set Tuesday May 17, 2022, 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 Site Plan Review 2022-0004; and

WHEREAS, the Planning Commission received both written and oral testimony on Site Plan Review 2022-0004.

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 15332 In-Fill Development Projects.
 - a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as all applicable zoning designation(s) and regulations.
 - b) The proposed development occurs within the city limits on a project site of no more than five (5) acres substantially surrounded by urban uses.
 - c) The project site has no value as habitat for endangered, rare or threatened species.
 - d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality.
 - e) The site can be adequately served by all required utilities and public services.

- 3) Site Plan review 2022-0004 is consistent with the goals and policies of the City of McFarland General Plan and with the uses, density, and intensity standards of the General Plan Commercial land use designation.
- 4) Site Plan Review 2022-0004 is hereby approved, subject to the Site Plan Review in exhibit A and the conditions in exhibit B.
- 5) 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.

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, May 24, 2022, 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:

Francisca Alvarado
City Clerk

Marco Martinez
Chairman

[illegible]

EXHIBIT B

Conditions of Approval

PART A – PROJECT INFORMATION

Assessor's Parcel Number 201-010-52

Job Address: West Perkins Ave. & West of AutoZone

Existing General Plan: Commercial

Existing Zoning: C-2

PROJECT DESCRIPTION:

Project site is located North of West Perkins Avenue and West of AutoZone on a vacant lot. It consists of two buildings with a total of three designated spaces for a medical clinic, behavioral center, and future retail store space. Coning for the property is C-2, commercial zone. The proposed structure containing the medical clinic and behavioral center will total at 5,915 sq. ft. The proposed structure containing the retail store space will total at 4,455 sq. ft.

PART B – CONDITIONS OF APPROVAL

The conditions of approval are based on adopted City plans and policies, 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 will 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. This project is conditioned upon the Developer defending, indemnifying and holding harmless the City, its agents, officers, consultants, and /or employees. (Add this note to cover sheet of construction plans).
2. The safety and security of the project must satisfy Local, County, State, Federal ordinances, California Building Code, and California Occupational Safety and Health Association (CAL/OSHA).

3. This project is subject to applicable District, Local, City, County, State, And Federal statutes, ordinances, regulations, standards and policies.
4. The developer shall obtain necessary permits and/or approvals from all agencies having jurisdiction over property being mapped.
5. Utilities shall be installed underground in accordance with each of the utility company requirements and with the City requirements.
6. The Developer shall dedicate public utility easements within the development where required by the City and affected utilities.
7. Provide current Title Report (30 days or less) in PDF format with links to all recorded documents affecting property. Show all easements on plans.
8. Improvements shall comply with current American with Disabilities Act (ADA) Standards and regulations. (All facilities to provide ADA access). Plans sections and details to show compliance.
9. Provide Preliminary Soils Report to address all improvements, including utility trenches and chemical reactivity. All improvements to include buildings/paving/concrete structural sections, per City Standards.
10. Show on the plans existing public sewer system location(s). The developer shall install new connection to the public sewer system. This connection shall be shown on the building plans submitted to the City. Sewage disposal for domestic sewage only. Page 2 of 4 T:\6-McFARLAND\DOC\22600.05 - Medical Health Center @ W Perkins\INITIAL SUBMITTAL - 4-5-22\Intial Engineering CoA - Medical Center.docx
11. Show on the plans existing water main line location(s). The developer shall install new connection to the public water system and hydrants. This connection shall be shown on the building plans submitted to the City.
12. Developer shall provide plan approval by the Kern County Fire Department for access requirements.
13. The applicant shall provide written documentation from the Division of Oil and Gas that there are no abandoned wells in the proximity of the project site. If there are abandoned wells in the area, the applicant should obtain written approval from the Division of Oil and Gas for the construction of any improvements over or in the proximity of an abandoned well location. Any habitable structures shall be set back per the requirements of the Division of Oil and Gas.
14. Show on the final building plan, electric vehicle supply equipment to facilitate future installation as required by the California Green Code.
15. The developer shall submit a grading plan for the proposed site to be review and approved by the City Engineer and Building Official.
16. Standard notes to be included in the grading plan cover sheet:
 - All grading shall conform with App. J - California Building Code and standards thereof and preliminary soils report by _____, dated _____.
 - The Design Engineer shall exercise sufficient supervision control during grading and construction to ensure compliance with the plans, soils report, specifications, and code within his purview.

- Grading work shall be supervised as engineered grading in accordance with App. J of the California Building Code.

17. The following notes shall appear on all grading and construction plans cover sheet:

- a) Any items in public Right-of-way that are damaged or do not meet current standards set by Public Works will require repairing and/or upgrading as per City Engineer.
- b) An open street permit shall be obtained from the City of McFarland Public Works Department for any work performed within existing accepted street right of way. Unless secured by a subdivision agreement, security based on an approved engineer's estimate for the work performed within the right of way and insurance as required shall be provided prior to issuance of a permit.
- c) Should any cultural materials be discovered during any grading or development, all work shall be halted, and a qualified archaeologist/historian shall be contacted to assess the finds and impose mitigation measures, if necessary, prior to the resumption of construction.
- d) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5).
- e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of Page 3 of 4 T:\6-McFARLAND\DOC\22600.05 - Medical Health Center @ W Perkins\INITIAL SUBMITTAL - 4-5-22\Intial Engineering CoA - Medical Center.docx dust and PM-10 (particulates) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions.
- f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions.
- g) Construction speed limits will be posted at fifteen miles per hour (15 mph).
- h) During grading and construction, all activities adjacent to residential development shall be limited to 7:00 a.m. to 7:00 p.m., Monday thru Friday. Construction will not be allowed on weekends or federal holidays.

18. The applicant shall obtain a State Water Resources Control Board Permit for Construction prior to the approval of the grading plan.

19. The following note shall appear on all grading and construction plans cover sheet:

- If the project is subject to the provisions of the National Pollutant Discharge Elimination System (NPDES), a "Notice of Intent" (NOI) to comply with the terms of the General Permit to Discharge Storm Water Associated with Construction Activity (SWRCB ORDER NO. 2009-009-DWQ AS AMENDED BY ORDER 2010-0014-DWQ AND ORDER 2012-0006-DWQJ must be filed with State Water Resources control Board in Sacramento before the beginning of any construction activity.

Compliance with the general permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared, continuously carried out, and always be available for public inspection during normal construction hours. Waste Discharge Identification (WDID) Number _____ has been issued by the State Water Resources Board for this project.

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30. Provide complete Engineer's Cost Estimate for the project's off-site improvement on City's right-of-way, signed by a California Registered Civil Engineer. Use current Kern County Development Standards Division Seven Sec. 701-1 to Sec. 702-9, available at: <https://kernpublicworks.com/building-and-development/engineering/developmentstandards/division-seven-construction-security/>. The Engineer's Estimate shall include a contingency factor, per the Kern County Standards Division 7, to compensate for the effect of inflation and any changes in construction during the life of the project.
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