



**BOARD OF ZONING ADJUSTMENT
AGENDA
MEETING OF DECEMBER 11, 2018, 3:00 PM
Council Chambers, City Hall South, 1501 Truxtun Avenue**

1. ROLL CALL

2. PUBLIC STATEMENTS:

3. MINUTES

- a. Approval of Minutes for the November 13, 2018 regular meeting.
Staff recommends approval.

4. CONSENT CALENDAR PUBLIC HEARINGS

Ward 2

- a. **Conditional Use Permit No. 18-0429:** Deanna DeBondt is requesting a conditional use permit to allow a recovery station (17.64.020.B) in an M-1 (Light Manufacturing Zone) district located at 316 Kentucky Street. Proposed Notice of Exemption on file.
Staff recommends approval.

Ward 1

- b. **Conditional Use Permit No. 18-0441:** William Melby is requesting a conditional use permit to allow a mausoleum (17.64.020.B) at an existing church in an M-2 (General Manufacturing Zone) district located at 4600 East Brundage Lane. Proposed Notice of Exemption on file.
Staff recommends approval.

5. PUBLIC HEARINGS

6. STAFF COMMUNICATIONS

7. BOARD STATEMENTS

- a. Election of Board of Zoning Adjustment Chair for 2019.

8. ADJOURNMENT

A handwritten signature in black ink, appearing to read "K. F. Coyle", is positioned above the printed name of the Planning Director.

Kevin F. Coyle, AICP CEP,
Planning Director



COVER SHEET

PLANNING DEPARTMENT

STAFF REPORT

MEETING DATE: December 11, 2018 **ITEM NUMBER:** Minutes3.(a.)

TO: BZA

FROM: Kevin F. Coyle, AICP CEP, Planning Director

PLANNER: Paul Johnson, Principal Planner

DATE:

WARD:

SUBJECT:

Approval of Minutes for the November 13, 2018 regular meeting.

APPLICANT:

OWNER:

LOCATION:

STAFF RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

| Description | Type |
|-------------|-----------------|
| ☐ Minutes | Backup Material |



**BOARD OF ZONING ADJUSTMENT
MINUTES
Meeting of November 13, 2018, 3:00 p.m.**

City Council Chambers, City Hall South, 1501 Truxtun Avenue
Regular Meeting - 3:00 p.m.

| | | <u>ACTION TAKEN</u> |
|------------------------|--|---|
| REGULAR MEETING | | |
| 1. | ROLL CALL Present: Members Fick, Huot, and Patteson Absent: None | |
| 2. | PUBLIC STATEMENTS None. | |
| 3. | MINUTES a. Approval of minutes of the regular meeting held October 9, 2018. <i>Motion by Member Huot to approve Item 3.a.</i> | APPROVED |
| 4. | CONSENT CALENDAR PUBLIC HEARINGS | |
| (Ward 2) | a. Conditional Use Permit No. 18-0395: David Erb is requesting a conditional use permit to allow a physical fitness facility (17.64.020.B) in a C-O (Professional and Administrative Office Zone) district located at 8800 Stockdale Highway. Proposed Notice of Exemption on file. The consent calendar public hearing opened. No public comments received. Public hearing closed for Consent Calendar. <i>Motion by Member Patteson to approve Consent Calendar Public Hearing item 4.a.</i> | Res No. 18-27 Approved |
| 5. | PUBLIC HEARINGS a. None | |
| 6. | STAFF COMMUNICATIONS None. | |

ACTION
TAKEN

REGULAR MEETING

7. BOARD STATEMENTS

None.

8. ADJOURNMENT

Chair Fick adjourned the meeting at 3:03 p.m.

Marisa Iturralde, Recording Secretary

Kevin F. Coyle, AICP CEP
Planning Director



COVER SHEET

PLANNING DEPARTMENT

STAFF REPORT

MEETING DATE: December 11, 2018

ITEM NUMBER: Consent Calendar Public Hearings4.(a.)

TO: BZA

FROM: Kevin F. Coyle, AICP CEP, Planning Director

PLANNER: Whitney Jackson

DATE:

WARD: Ward 2

SUBJECT:

Conditional Use Permit No. 18-0429: Deanna DeBondt is requesting a conditional use permit to allow a recovery station (17.64.020.B) in an M-1 (Light Manufacturing Zone) district located at 316 Kentucky Street. Proposed Notice of Exemption on file.

APPLICANT: Deanna DeBondt

OWNER: George & Rita Serban Trust

LOCATION: 316 Kentucky Street

STAFF RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

| Description | Type |
|---|-----------------|
| <input type="checkbox"/> Staff Report | Staff Report |
| <input type="checkbox"/> Resolution | Resolution |
| <input type="checkbox"/> Operations Statement | Backup Material |



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PLANNING DEPARTMENT STAFF REPORT

TO: Chair and Members of the Board of Zoning Adjustment

FROM: Kevin F. Coyle, AICP CEP, Planning Director

APPROVED *KFC*

DATE: December 11, 2018

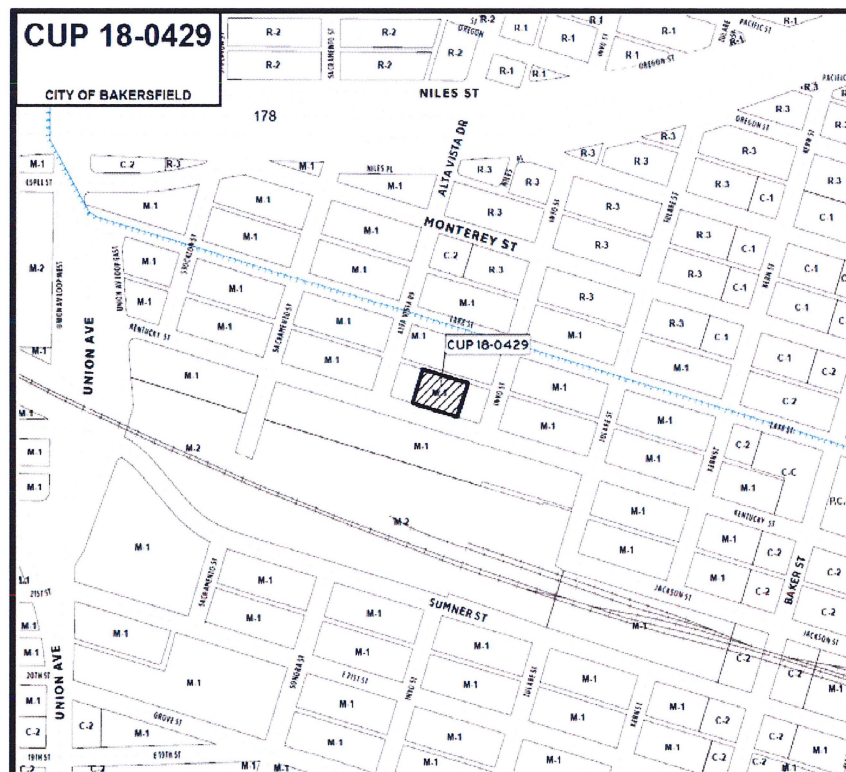
SUBJECT: **File No. 18-0429** - Conditional Use Permit to allow a recovery station (17.64.020.B) in an M-1 (Light Manufacturing Zone) district (Ward 2).

APPLICANT: Deanna DeBondt
2600 El Berrendo Avenue
Bakersfield, CA 93304

OWNER: George & Rita Serban Trust
2600 El Berrendo Avenue
Bakersfield, CA 93304

LOCATION: 316 Kentucky Street | APN: 014-240-12

Figure 1. Location Map and Zone Map



RECOMMENDATION: Adopt Resolution and suggested findings **APPROVING** Conditional Use Permit No. 18-0429, as depicted in the project description and subject to the listed conditions of approval.

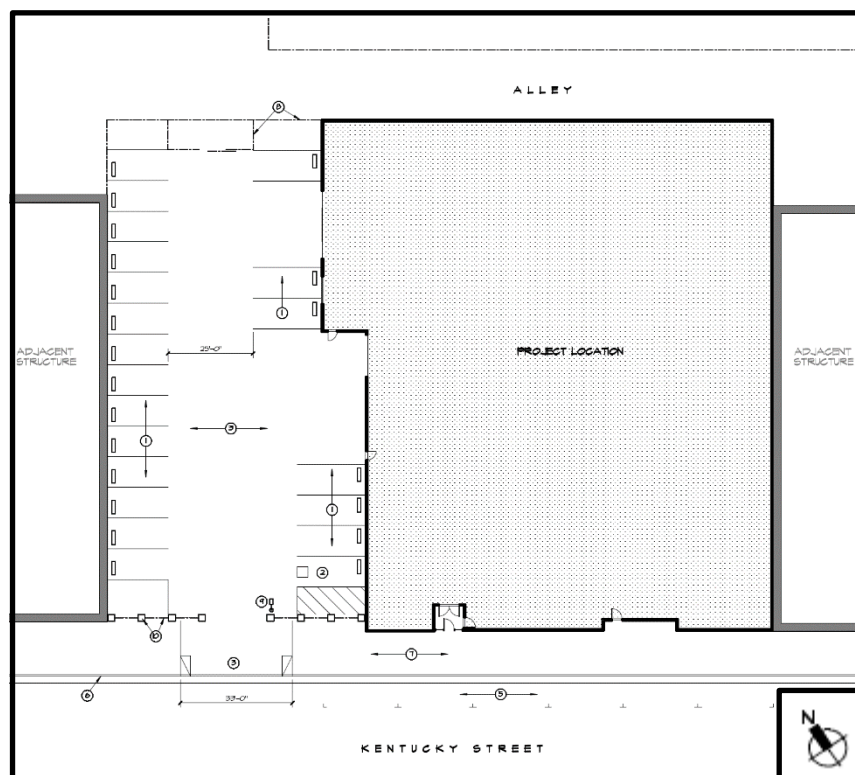
PROJECT SUMMARY:

The project is a request for a conditional use permit to allow a recovery station in an M-1 (Light Manufacturing Zone) district. See Figures 2 and 3.

Figure 2. Site Aerial



Figure 3. Site Plan



The project site is a 0.7-acre parcel developed with an 18,595 square foot office and storage/warehouse building. The site and surrounding property's General Plan land use designation, zoning classification, and land use are specified in Table 1:

| Table 1. Surrounding Land Uses | | | |
|--|--------------|---|------------------------------|
| LOCATION | GENERAL PLAN | ZONE DISTRICT | EXISTING LAND USE |
| Site | LI | M-1 | Office and Storage/Warehouse |
| North | LI | M-1 | Light Industrial Use |
| East | LI | M-1 | Commercial Use |
| South | SI | M-1 | Light Industrial Use |
| West | LI | M-1 | Commercial Use |
| General Plan Key LI: Light Industrial SI: Service Industrial | | Zone District Key M-1: Light Manufacturing | |

ANALYSIS:

The purpose of the M-1 zone is to provide areas suitable for light manufacturing, provided such uses do not produce, cause or emit any fumes, odor, dust, smoke, gas, noise or vibration detrimentally impacting neighboring properties and the occupants thereof. This zone allows hotels, motels, hospitals, and health practitioner clinics. However, a recovery station is not a listed use in the Ordinance and, therefore, subject to approval of a conditional use permit.

Kern Behavioral Health and Recovery Services (KernBHRS) is proposing a change of use of the existing building to operate a recovery station (see below and attached documentation for more information).

Overview. KernBHRS was recently approved for funding by the Mental Health Services Oversight and Accountability Commission for \$14.5 million over the next 5 years to operate a recovery station program which focuses on healing vs. sobering. The proposed facility is part of a larger "Healing Project" operated by KernBHRS, with a second center proposed in another yet to be determined location in Kern County. According to the operations statement, the project is a peer-led (those with lived experience) program integrating elements of a Sobering Station model with staffing and interventions designed to identify and link individuals with untreated or undiagnosed mental health and substance use conditions.

As proposed, there will be a maximum of 11 employees at any given time. Operations will remain open 24 hours a day, 7 days a week. The facility will initially have ten beds, with possible expansion given to anticipated population growth in the future.

Admission. The recovery station will receive intoxicated individuals who are voluntarily transported directly to the facility by local (city and county) law enforcement agencies, KernBHRS, contracted service providers, or other identified agencies who work directly with individuals with behavioral health conditions. The facility does not accept "walk-ins". Individuals who are admitted into the facility will not have committed serious or violent crimes at the time of intoxication, prior to admission. Individuals will be escorted into the facility by referring agency staff, to begin the admission process.

Length of Stay. Individuals are encouraged to remain at the facility a minimum of 4 hours to achieve sobriety and allow coordination of a safe discharge. Prior to discharge, staff will encourage individuals to engage with outside service or housing support agencies.

Discharge. Individuals who stay at the facility do so on a voluntary basis, and as such, may leave the facility at any time. At the time of discharge, individuals will be offered transportation to their residence, transitional housing or shelter, or other support service location. Individualized discharge plans will be developed to promote follow up treatment, continued safety, and well-being after their stay at the recovery station.

Community Benefit. According to the operations statement, the facility will:

1. Provide better care for alcohol-dependent individuals and improve health outcomes;
2. Decrease the number of inappropriate ambulance trips and visits to emergency departments in general; and
3. Be a cost benefit to local law enforcement by reducing impacts on the jail system (average booking time for jail is about 3 hours; recovery station is 10-15 minutes).

Site Development. As noted above, the site is developed with an 18,595 square foot office and storage/warehouse building. Tenant Improvements to the building include construction of a recovery lobby, separate women and men areas with observation rooms, staff offices, conference rooms, lounges and multiple offices (9,423 square feet total). The remaining building will continue to be used for storage/warehouse (9,172 square feet). Should the request be approved, Tenant Improvements will address the different occupancy classification and ensure the structure adheres to current building codes.

Site improvements include a new 6-foot tall power operated gate and keypad for controlled entry to the facility. Parking is determined to be similar to an occupational therapy office, requiring 1 parking stall for every 300 square feet of gross floor area. The facility would require 40 parking stalls (31 for recovery station and 9 storage/warehouse), but allowed a 50 percent reduction for being located within the "Old Town Kern" area (ref. BMC Section 17.58.120). Therefore, 20 parking stalls are required and 27 stalls provided.

ENVIRONMENTAL REVIEW AND DETERMINATION:

This project has been found to be exempt from the provisions of the California Environmental Quality Act (CEQA) and the City of Bakersfield's CEQA Implementation Procedures in accordance with Section 15061(b)(3), because the project does not have the potential to cause a significant effect on the environment. A Notice of Exemption has been prepared.

PUBLIC NOTIFICATION:

Public notice for the proposed project and environmental determination was advertised in *The Bakersfield Californian* and posted on the bulletin board in the City of Bakersfield Development Services Building, 1715 Chester Avenue, Bakersfield, California. All property owners within 300 feet of the project site were notified by United States mail regarding this public hearing in accordance with city ordinance and state law. To date, no comments have been received.

CONCLUSIONS:

Findings. Section 17.64.060.C contains specific findings that must be made in order for your Board to approve the requested conditional use permit. Specifically, the section states that a conditional use permit shall be granted only when it is found that:

1. The proposed use is deemed essential or desirable to the public convenience or welfare; and
2. The proposed use is in harmony with the various elements and objectives of the general plan and applicable specific plans.

Section 17.64.060.D also states that a conditional use permit may be subject to such conditions as deemed appropriate or necessary to assure compliance with the intent and purpose of the zoning regulations and the various elements and objectives of the general plan and applicable specific plans and policies of the city or to protect the public health, safety, convenience, or welfare.

In accordance with these required findings, and as conditioned, Staff finds: (1) the proposed recovery station will provide the community with a safe and monitored "sobriety" facility and receive basic necessities and be evaluated for mental health and/or substance use services; and (2) the project would result in a development that is consistent with the intent of both the Metropolitan Bakersfield General Plan and the Bakersfield Municipal Code.

Recommendation. Based on the foregoing, Staff concludes the request sufficiently demonstrates compliance with the necessary findings and, therefore, recommends your Board adopt Resolution and suggested findings approving Conditional Use Permit No. 18-0429, as depicted in the project description and subject to the listed conditions of approval.

ATTACHMENTS:

Draft Resolution with Exhibits
Operations Statement

Draft Resolution

RESOLUTION NO. 18-_____

**RESOLUTION OF THE BAKERSFIELD BOARD OF ZONING ADJUSTMENT
APPROVING A CONDITIONAL USE PERMIT TO ALLOW A RECOVERY
STATION (17.64.020.B) IN AN M-1 (LIGHT MANUFACTURING ZONE)
DISTRICT LOCATED AT 316 KENTUCKY STREET. (CUP NO. 18-0429)**

WHEREAS, Deanna DeBondt filed an application with the City of Bakersfield Development Services Department for a conditional use permit to allow a recovery station (17.64.020.B) in an M-1 (Light Manufacturing Zone) district located at 316 Kentucky Street (the "Project"); and

WHEREAS, the Secretary of the Board of Zoning Adjustment set Tuesday, December 11, 2018, at 3:00 p.m. in City Council Chambers, City Hall South, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for a public hearing before the Board of Zoning Adjustment to consider the proposed conditional use permit, and notice of the public hearing was given in the manner provided in Title 17 of the Bakersfield Municipal Code; and

WHEREAS, at the public hearing (no testimony was received either in support or opposition of the Project) (testimony was received only in support/opposition/both in support and opposition of the Project); and

WHEREAS, the laws and regulations relating to the California Environmental Quality Act (CEQA) and the City of Bakersfield's CEQA Implementation Procedures have been duly followed by city staff and the Board of Zoning Adjustment; and

WHEREAS, the above described project is exempt from the requirements of CEQA in accordance with Section 15061(b)(3); and

WHEREAS, the City of Bakersfield Development Services Department (1715 Chester Avenue, Bakersfield, California) is the custodian of all documents and other materials upon which the environmental determination is based; and

WHEREAS, the facts presented in the staff report and evidence received both in writing and by verbal testimony at the above referenced public hearing support the following findings:

1. All required public notices have been given. Hearing notices regarding the Project were mailed to property owners within 300 feet of the Project area and published in *The Bakersfield Californian*, a local newspaper of general circulation, 10 days prior to the hearing.
2. The provisions of CEQA, the State CEQA Guidelines, and the City of Bakersfield CEQA Implementation Procedures have been followed. Staff determined that the proposal is a project that is exempt from CEQA pursuant to Section 15061(b)(3) because the project does not have the potential to cause a significant effect on the environment.
3. The proposed use is essential and desirable to the public convenience and welfare.

4. The proposed use is in harmony with the various elements and objectives of the Metropolitan Bakersfield General Plan.
5. The project would result in a development that is consistent with the intent of both the Metropolitan Bakersfield General Plan and the Bakersfield Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the Bakersfield Board of Zoning Adjustment as follows:

1. The above recitals, incorporated herein, are true and correct.
2. This project is exempt from the requirements of CEQA.
3. Conditional Use Permit No. 18-0429 as described in this resolution, is hereby approved subject to the conditions of approval in Exhibit A and as shown in Exhibits B and C.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Board of Zoning Adjustment of the City of Bakersfield at a regular meeting held on December 11, 2018, on a motion by Member _____ by the following vote:

AYES:
NOES:
RECUSE:
ABSTAIN
ABSENT:

APPROVED

MARK FICK, CHAIR
City of Bakersfield Board of Zoning Adjustment

Exhibits: A. Conditions of Approval
 B. Location Map
 C. Site Plan

Exhibit A
(Conditions of Approval)

EXHIBIT A

CONDITIONS OF APPROVAL Conditional Use Permit No. 18-0429

I. The applicant's rights granted by this approval are subject to the following provisions:

- *The project shall be in accordance with all approved plans, conditions of approval, and other required permits and approvals. All construction shall comply with applicable building codes.*
- *All conditions imposed shall be diligently complied with at all times and all construction authorized or required shall be diligently prosecuted to completion before the premises shall be used for the purposes applied for under this approval.*
- *This approval will not be effective until ten (10) days after the date upon which it is granted by the BZA to allow for appeal to the City Council. Any permit or license for any approval granted shall not be issued until that effective date.*
- *This approval shall automatically be null and void two (2) years after the effective date unless the applicant or successor has actually commenced the rights granted, or if the rights granted are discontinued for a continuous period of one (1) year or more. This time can be extended for up to one (1) additional year by the approving body.*
- *The BZA may initiate revocation of the rights granted if there is good cause, including but not limited to, failure to comply with conditions of approval, complete construction or exercise the rights granted, or violation by the owner or tenant of any provision of the Bakersfield Municipal Code pertaining to the premises for which the approval was granted. The BZA may also consider adding or modifying conditions to ensure the use complies with the intent of City ordinances.*
- *Unless otherwise conditioned, this approval runs with the land and may continue under successive owners provided all the above mentioned provisions are satisfied.*

II. The following conditions shall be satisfied as part of the approval of this project:

1. In consideration by the City of Bakersfield for land use entitlements, including but not limited to related environmental approvals related to or arising from this project, the applicant, and/or property owner and/or subdivider ("Applicant" herein) agrees to indemnify, defend, and hold harmless the City of Bakersfield, its officers, agents, employees, departments, commissioners and boards ("City" herein) against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, in any way arising from, the terms and provisions of this application, including without limitation any CEQA approval or any related development approvals or conditions whether imposed by the City, or not, except for CITY's sole active negligence or willful misconduct.

This indemnification condition does not prevent the Applicant from challenging any decision by the City related to this project and the obligations of this condition apply regardless of whether any other permits or entitlements are issued.

The City will promptly notify Applicant of any such claim, action or proceeding, falling under this condition within thirty (30) days of actually receiving such claim. The City, in its sole discretion, shall be allowed to choose the attorney or outside law firm to defend the City at the sole cost and expense of the Applicant and the City is not obligated to use any law firm or attorney chosen by another entity or party.

2. This conditional use permit allows for a recovery station in a M-1 (Light Manufacturing Zone) district located at 316 Kentucky Street as depicted on attached Exhibits B and C.
3. The Recovery Station operation shall continually comply with the following conditions while in operation:
 - A. The Program Director and/or facility staff shall be on site at all times while the facility is open.
 - B. The Program Director and/or facility staff shall enforce the facility's policies as stated in the Operations Statement provided in association with this Conditional Use Permit.
 - C. The premises shall be maintained free of litter, trash and graffiti; any graffiti painted or marked upon the premises shall be removed or painted over within 72 hours after discovery.
 - D. Loitering is prohibited on the premises or area under the control of the permit holder.
4. Prior to commencement of operations, the permit holder shall obtain a fire clearance from the City of Bakersfield Fire Department/Prevention Services. A copy of the inspector's fire clearance form shall be submitted to the Planning Director.

III. *The following are specific items that you need to resolve before you can obtain a building permit or be allowed occupancy. These items include conditions and/or mitigation required by previous site entitlement approvals (these will be specifically noted), changes or additions that need to be shown on the final building plans, alert you to specific fees, and other conditions for your project to satisfy the City's development standards. The item will usually need to be shown on the final building plans or completed before a building permit is issued. Each has been grouped by department so that you know whom to contact if you have questions.*

**A. DEVELOPMENT SERVICES – BUILDING (1715 Chester Avenue)
(Staff contact - Oscar Fuentes; 661-326-3676 or OFuentes@bakersfieldcity.us)**

1. Show on the final building plan how and where water will be drained from the property.
2. Show on the final building plan pedestrian access from the public way and handicap parking. Private streets are not the public way.
3. Include with or show on the final building plans information necessary to verify that the project complies with all disability requirements of Title 24 of the California Building Code.
4. Buildings or structures shall require installation of an automatic fire sprinkler system where required by current California Building Code and City ordinance.
5. The Building Division will calculate and collect the appropriate school district impact fee at the time they issue a building permit.

- 6. Final Building plans shall show pedestrian access pathways or easements for persons with disabilities from public rights-of-ways that connect to all accessible buildings, facilities, elements, and spaces in accordance with the California Building Code. These pedestrian access ways shall not be parallel to vehicular lanes unless separated by curbs or railings.
- 7. Prior to granting occupancy, the Building Division will verify that a water meter serving the development is in place. Therefore, it is recommended that the developer contact the applicable water purveyor to inquire about their process for obtaining water service for the development as soon as possible. To determine who the water purveyor for the development is, you may contact the City of Bakersfield Water Resources Department (1000 Buena Vista Road, Bakersfield, CA, phone: 661-326-3715).
- 8. Show on the final building plan, electric vehicle supply equipment to facilitate future installation as required by the California Green Code.

B. DEVELOPMENT SERVICES – PLANNING (1715 Chester Avenue)
(Staff contact - Whitney Jackson; 661-326-3673 or WJackson@bakersfieldcity.us)

- 1. The minimum parking required for this project has been computed based on use and shall be as follows:

| <u>Proposed Use</u> | <u>Square Footage</u> | <u>Parking Ratio</u> | <u>Required Parking</u> |
|----------------------------|-----------------------|----------------------|-----------------------------|
| Recovery Station Office | 9,423 SF | 1/300 | 31 Spaces |
| Recovery Station Warehouse | 9,172 SF | 1/1,000 | 9 Spaces |
| | | | Subtotal: 40 Spaces |
| <u>Old Town Kern Area</u> | | <u>50% Reduction</u> | <u>(20) Spaces</u> |
| | | | Required Parking: 20 Spaces |

(**Note:** 27 parking spaces are shown on the proposed site plan. By ordinance, compact and tandem spaces cannot be counted towards meeting minimum parking requirements.)

- 2. Minimum parking stall dimensions shall be 9 feet wide by 18 feet long and shall be designed according to standards established by the Traffic Engineer. Vehicles may hang over landscape areas no more than 2-1/2 feet provided required setbacks along street frontages are maintained, and trees and shrubs are protected from vehicles.
- 3. All parking lots, driveways, drive aisles, loading areas, and other vehicular access ways, shall be paved with concrete, asphaltic concrete (A. C.), or other paved street surfacing material in accordance with the Bakersfield Municipal Code (Sections 15.76.020 and 17.58.060.A.).
- 4. Lighting is required for all parking lots, except residential lots with four units or less (Section 17.58.060.A.). Illumination shall be evenly distributed across the parking area with light fixtures designed and arranged so that light is directed downward and is reflected away from adjacent properties and streets. Use of glare shields or baffles may be required for glare reduction or control of back light. No light poles, standards and fixtures, including bases or pedestals, shall exceed a height of 40 feet above grade. However, light standards placed less than 50 feet from residentially zoned or designated property, or from existing residential development, shall not exceed a height of 15 feet. The final building plans shall include a picture or diagram of the light fixtures being used and show how light will be directed onto the parking area. Please note that staff can require additional adjustments to installed lighting after occupancy to resolve glare or other lighting problems if they negatively affect adjacent properties.

5. Business identification signs are **neither considered nor approved** under this review. A separate sign permit reviewed by the Planning and Building Divisions and issued by the Building Division, is required for all new signs, including future use and construction signs. Signs must comply with the Sign Ordinance (Chapter 17.60 of the Bakersfield Municipal Code.)
6. Refuse collection bin enclosures and container areas are subject to all required structural setback from street frontages, and shall not reduce any parking, loading or landscaping areas as required by the Zoning Ordinance.
7. Prior to receiving final building or site occupancy, you must contact the Planning Division (staff contact noted above) for final inspection and approval of the landscaping, parking lot, lighting and other related site improvements. Inspections will not be conducted until all required items have been installed. Any deviations from the approved plans without prior approval from the Planning Division may result in reconstruction and delays in obtaining a building or site occupancy.

C. FIRE DEPARTMENT (2101 H Street)
(Staff contact - Ernie Medina; 661-326-3682 or EMedina@bakersfieldcity.us)

1. Show on the final building plans the following items:
 - a. All fire hydrants, both offsite (nearest to site) and on-site. Include flow data on all hydrants. Hydrants shall be in good working condition and are subject to testing for verification. Fire flow requirements must be met prior to construction commencing on the project site. Please provide two (2) sets of the water plans stamped by a licensed Registered Civil Engineer to the Fire Department and two (2) sets to the Water Resources Department (1000 Buena Vista Road, Bakersfield, CA. 93311; 661-326-3715).

(**Note:** Show: 1) distance to the nearest hydrant; and 2) distance from that hydrant to the farthest point of the project site.)
 - b. All fire sprinkler and/or stand pipe systems, fire alarms and commercial hood systems. These suppression systems require review and permits by the Fire Department. The Fire Department will issue guidelines for these various items as they may apply to this project.
 - c. Project address, including suite number if applicable. If the project is within a shopping or business center, note the name and address of the center.
 - d. Name and phone number of the appropriate contact person.
2. The developer must pay required fees to and request an inspection from the Water Resources Department (1000 Buena Vista Road, Bakersfield, CA, phone: 661-326-3715) for any underground sprinkler feeds at least 2 full business days before they are buried. The Prevention Services Division (2101 H Street, Bakersfield CA, Ph. 661/326-3979) must complete all on-site inspections of fire sprinkler systems and fire alarm systems before any building is occupied.
3. Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.
4. All projects must comply with the current California Fire Code and current City of Bakersfield Municipal Code.

D. WATER RESOURCES (1000 Buena Vista Road)
(Staff contact - Tylor Hester; 661-326-3715 or THester@bakersfieldcity.us)

As proposed, no applicable conditions.

E. PUBLIC WORKS – ENGINEERING (1501 Truxtun Avenue)
(Staff contact - Ravi Pudipeddi; 661-326-3997 or RPudipeddi@bakersfieldcity.us)

1. Show on the final building plans all existing connection(s) to the public sewer system.
2. 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. Please call the Construction Superintendent at 661-326-3049 to schedule a site inspection to find out what improvements may be required.
3. A street permit from the Public Works Department shall be obtained before any work can be done within the public right-of-way (streets, alleys, easements). Please include a copy of this site plan review decision to the department at the time you apply for this permit.
4. A sewer connection fee shall be paid at the time a building permit is issued. We will base this fee at the rate in effect at the time a building permit is issued. This is necessary if any repairs to the off-site improvements are identified.
5. Prior to the issuance of each building permit, or if no building permit is required, the first required City approval prior to construction, the developer/owner shall pay a Transportation Impact Fee (TIF) for regional facilities. This fee will be based on the rate in effect at the time the applicable approval is issued or in accordance with the Subdivision Map Act, as applicable. The Public Works Department will calculate an estimate of the total fee upon submittal of construction plans for the project.

F. PUBLIC WORKS – TRAFFIC (1501 Truxtun Avenue)
(Staff contact - Ravi Pudipeddi; 661-326-3997 or RPudipeddi@bakersfieldcity.us)

As proposed, no applicable conditions.

G. PUBLIC WORKS – SOLID WASTE (4101 Truxtun Avenue)
(Staff Contact - Robert Manuel; 661-326-3114 or rmanuel@bakersfieldcity.us)
(Staff Contact - Jesus Carrera; 661-326-3114 or jcarrera@bakersfieldcity.us)

1. You must contact the staff person noted above before building permits can be issued or work begins on the property to establish the level and type of service necessary for the collection of refuse and/or recycled materials. Collection locations must provide enough containment area for the refuse that is generated without violating required zoning or setback restrictions (see Planning Division conditions). Levels of service are based on how often collection occurs as follows:
 - Cart service -- 1 cubic yard/week or less 1 time per week
 - Front loader bin services -- 1 cubic yard/week - 12 cubic yards/day
 - Roll-off compactor service -- More than 12 cubic yards/day
2. Facilities with existing refuse service must improve the service location area(s) according to adopted City standards (Detail # ST-27 and ST-28). These improvements shall be clearly shown on the final building plans.

Exhibit B
(Location Map)

CUP 18-0429

CITY OF BAKERSFIELD

LEGEND (ZONE DISTRICTS)

- R-1 One Family Dwelling
6,000 sq.ft. min lot size
- R-1-4.5 One Family Dwelling
4,500 sq.ft. min lot size
- E Estate
10,000 sq.ft. min lot size
- R-S Residential Suburban
24,000 sq.ft./dwelling unit
- R-S-1 Residential Suburban
1.25.5 or 10 min lot size
- R-2 Limited Multiple Family Dwelling
4,500 sq.ft. min lot size (single family)
6,000 sq.ft. min lot size (multifamily)
2,500 sq.ft. lot area/dwelling unit
- R-3 Multiple Family Dwelling
6,000 sq.ft. min lot size
1,250 sq.ft. lot area/dwelling unit
- R-4 High Density Multiple Family Dwelling
6,000 sq.ft. min lot size
600 sq.ft. lot area/dwelling unit
- R-H Residential Holding
20 acre min lot size
- A Agriculture
6,000 sq.ft. min lot size
- A-20A Agriculture
20 acre min lot size
- PUD Planned Unit Development
- TT Travel Trailer Park
- MH Mobilehome
- C-0 Professional and Administrative Office
- C-1 Neighborhood Commercial
- C-2 Regional Commercial
- C-C Commercial Center
- C-B Central Business
- PCD Planned Commercial Development
- M-1 Light Manufacturing
- M-2 General Manufacturing
- M-3 Heavy Industrial
- P Automobile Parking
- RE Recreation
- Ch Church Overlay
- OS Open Space
- HOSP Hospital Overlay
- AD Architectural Design Overlay
- FP-P Floodplain Primary
- FP-S Floodplain Secondary
- AA Airport Approach
- DI Drilling Island
- PE Petroleum Extraction Combining
- SC Senior Citizen Overlay
- HD Hillside Development Combining
- WM- West Ming Specific Plan



0 240 480
Feet

Document Name: 2018_11_16

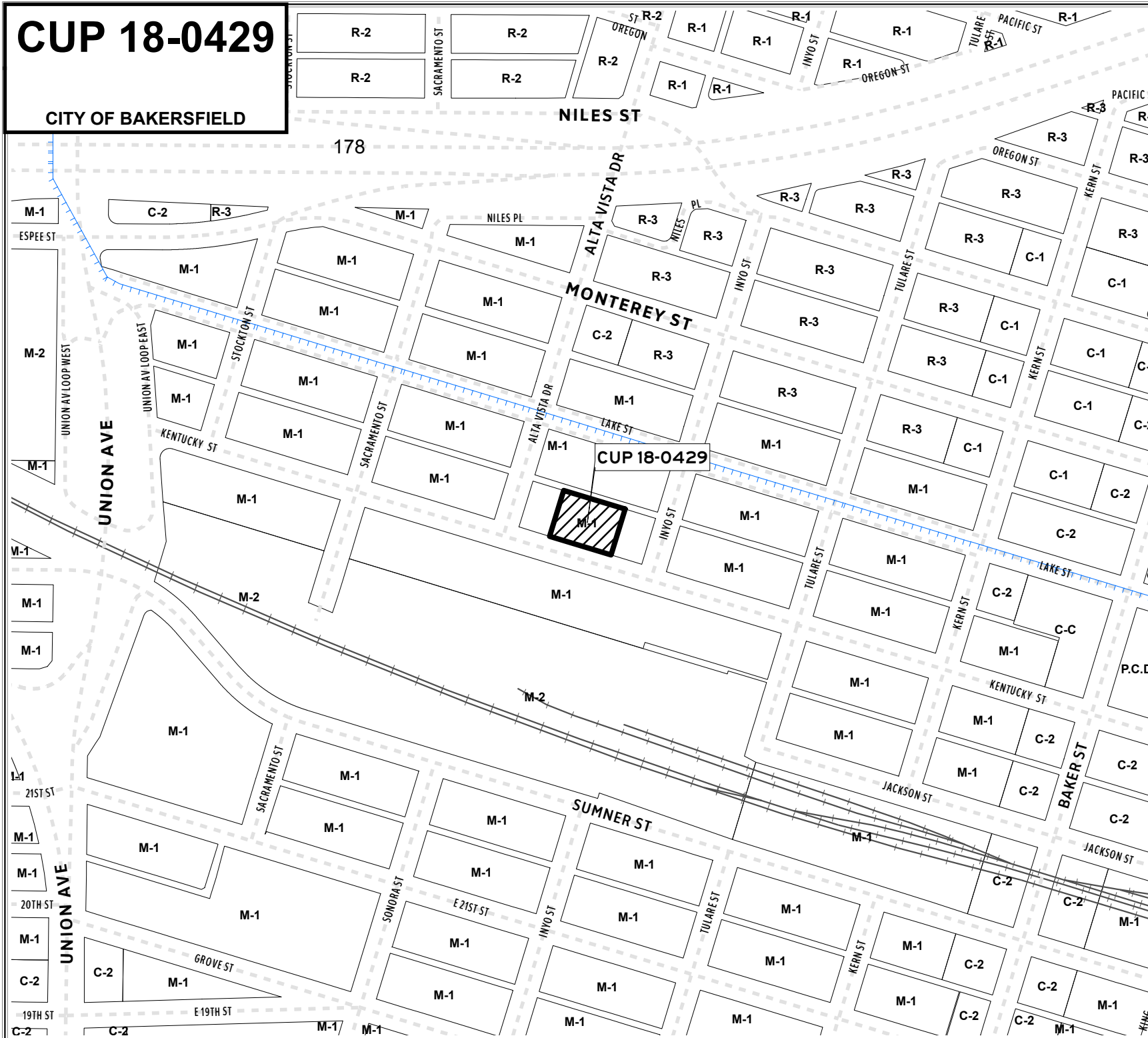
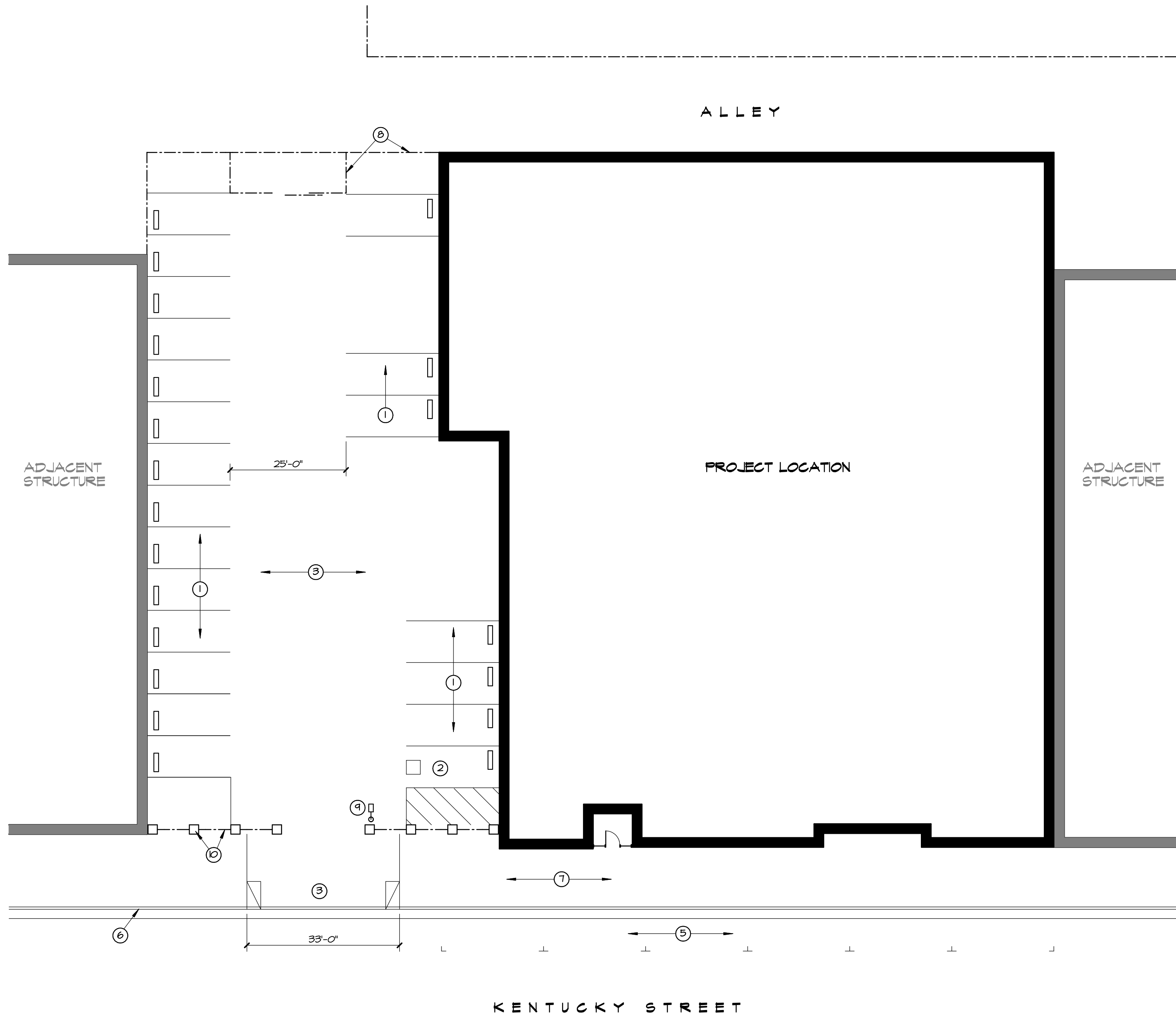


Exhibit C
(Site Development Plan)



N
SITE DIAGRAM

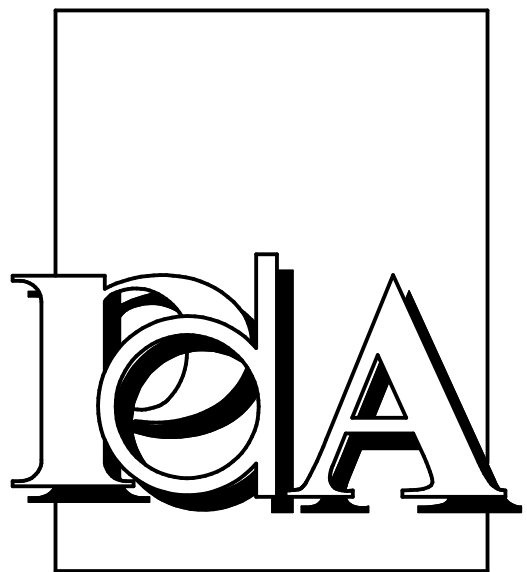
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N
VICINITY MAP
N.S.

| PROJECT ANALYSIS | |
|---|-----------|
| APN | 04-240-12 |
| ZONING | M-I |
| BUILDING AREA | |
| OFFICE / CLIENT AREA | 9,423 SF |
| STORAGE / WAREHOUSE | 9,172 SF |
| TOTAL | 18,595 SF |
| OFF-SITE PARKING REQUIRED | |
| OFFICE / CLIENT AREA (9,423 / 300) | 3 SPACES |
| STORAGE / WAREHOUSE (9,172 / 1,000) | 9 SPACES |
| SUB-TOTAL | 40 SPACES |
| TOTAL PARKING REQUIRED (40 SPACES x 50% REDUCTION) | 20 SPACES |
| PARKING PROVIDED: | |
| STANDARD OFF-STREET STALLS | 21 SPACES |
| STANDARD ON-STREET STALLS | 6 SPACE |
| TOTAL PARKING PROVIDED: | 20 SPACES |

- KEYNOTES
- EXISTING 9'-0" WIDE x 18'-0" DEEP PARKING STALL WITH CONCRETE WHEEL STOP - TYPICAL
 - EXISTING 9'-0" x 18'-0" VAN ACCESSIBLE PARKING STALL WITH 3'-0" x 3'-0" PAINTED STALL SIGN AND 10" SQ IN WALL MOUNTED PARKING SIGN DISPLAYING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY WITH AN ADDITIONAL SIGN OR LANGUAGE STATING "MINIMUM FINE \$250.00" INCLUDE SIGN MOUNTED BELOW STATING "VAN ACCESSIBLE" WHERE APPROPRIATE PER CBC SECTION 124B- 80" MINIMUM HEIGHT TO THE BOTTOM OF ALL POLE SIGNS
 - EXISTING CONCRETE DRIVE BREAK TO REMAIN
 - EXISTING A.C. PAVING AND PARKING STALL STRIPING
 - PARALLEL PARKING STALLS PER CITY STANDARDS - TYPICAL
 - EXISTING CONCRETE CURB AND GUTTER
 - EXISTING CONCRETE SIDEWALK
 - EXISTING CHAIN LINK FENCE WITH OPAQUE SLATS
 - EXISTING POLE LIGHT



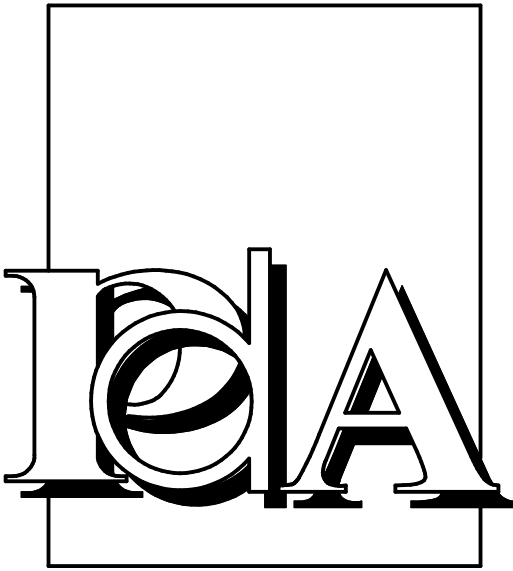
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| ARCHITECT | |
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|  | |
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| NOTICE TO CONTRACTORS Written dimensions on these drawings shall take precedence over stated dimensions. Contractor shall verify and be responsible for confirming all dimensions and shall notify the architect immediately of any discrepancies or field variations discovered. | |
| PROJECT | |
| BAKERSFIELD RECOVERY STATION | |
| 316 KENTUCKY STREET BAKERSFIELD, CA | |
| DATE | ISSUED FOR |
| 1-21-18 | PLANNING DEPT REVIEW |
| | |
| | |
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| NO. | REVISIONS |
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| SITE DIAGRAM | |
| FILE NAME: 2094SPR1-0 | |
| SHEET | |
| SPR-1.0 | |

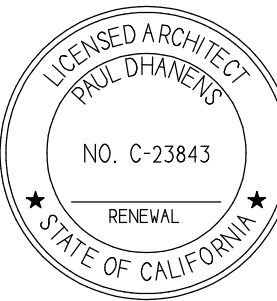


 **PRELIMINARY PLAN**

1/8"



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| | |
|--|----------------------|
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| <small>NOTICE TO CONTRACTORS Written dimensions on these drawings shall take precedence over stated dimensions. Contractor shall verify and be responsible for confirming all dimensions and shall notify the architect immediately of any discrepancies or field variations discovered.</small> | |
| PROJECT | |
| BAKERSFIELD RECOVERY STATION 316 KENTUCKY STREET BAKERSFIELD, CA | |
| DATE | ISSUED FOR |
| 1-27-10 | PLANNING DEPT REVIEW |
| | |
| | |
| | |
| NO. | REVISIONS |
| 1 | |
| 2 | |
| 3 | |
| 4 | |
| PRELIMINARY PLAN | |
| FILE NAME: 2094SPR1-0 | |
| SHEET | |
| SPR-2.0 | |

Operations Statement



“THE HEALING PROJECT” RECOVERY STATIONS

Contact: Rhonda Barnhard, Special Projects Manager
Kern Behavioral Health and Recovery Services

The Recovery Station project integrates elements of a Sobering Station model with peer staffing and interventions designed to identify and link individuals with untreated or undiagnosed Mental Health conditions. MHSa funded and a more positive focus on healing vs sobering. Sobering Stations focus solely on alternative to jail.

The County of Kern is planning to open a “peer-led”, 16-bed Recovery Station program providing screening, access and linkage to care for individuals presenting with co-occurring mental illness and substance use needs. Services will be contracted.

BASIC OBJECTIVE: Individuals brought to the Recovery Station will have the opportunity to “sober up” safely, receive basic necessities and then be evaluated for mental health and/or substance use services.

2 locations – the Recovery Station program includes 2 facilities in Kern County: one in Bakersfield (site location underway) 10 beds and another in Ridgecrest 6 beds.

Length of Stay – anticipated length of stay at the recovery station is anticipated to range between 8 TO 10 hours. Both stations will be open 24/7. No walk-ins.

Crisis Access Point – the recovery stations will be designated as a crisis access point within the Kern County System of Care and individuals transitioning from a recovery station will receive priority appointments with treatment teams.

Warm Hand Off – Recovery Station “PEER LED” staff will provide follow up support and linkage to ensure a “warm hand off”. Individuals will be medically cleared before being referred by law enforcement, emergency departments, mental health crisis units, and behavioral health treatment teams.

Planning & Research – how did we get here?

- ✓ Over the past several years, KernBHRS staff visited 7 sobering stations in multiple states and learned that the programs are not designed to serve individuals with co-occurring mental health and substance use disorder conditions. Ours is unique that way.
- ✓ There are 22 sobering stations in California as of 2017
- ✓ No other facility operates with a peer-led model, or integrates peer staff to the degree proposed within the Healing Project.



Hope. Healing. Life.



Positive Impacts to the Community:

- 1) Provide better care for homeless and/or alcohol-dependent individuals and improve health outcomes
- 2) Decrease the number of inappropriate ambulance trips and visits to emergency departments in general.
- 3) And a Cost benefit component to Law Enforcement: an average of 2,700 arrests are related to alcohol or other drug-related intoxication each year - county-wide.
 - ✓ Average booking time for jail is about 3 hours – entry into the Recovery Station is estimated to take about 10-15 minutes.

FUNDING:

The Innovations Project was recently approved for funding on February 22, 2018 by the MHSOAC: \$14.5 million over the next 5 years.

FINALLY - WHAT WE HOPE TO LEARN – Because this is in Innovative Project – the expectation is that learning will occur from this endeavor by:

- ✓ Evaluating the benefits of peer-led services in early intervention of short-term recovery stations toward engagement in follow up services
- ✓ And determine the impact of a recovery station services for individuals, as an alternative to arrests and crisis medical and mental health services.

General Operating Assumptions

| | |
|--|---|
| 16 total beds: Bakersfield 10; Ridgecrest 6 | Estimated numbers served annually: 1,500 |
| Sparsely furnished | Average length of stay ; 8 to 10 hours |
| Contracted Staffing: 24/7 | |
| Referral structure – KernBHRS Mental Health Crisis Units, Law Enforcement, ED, PEC | |



Bakersfield Recovery Station

Process for Admission and Discharge

Admission:

The Recovery Station will receive individuals who are transported directly to the facility by local (city and county) law enforcement agencies, KernBHRS and contracted service providers, or other identified agencies who work directly with individuals with behavioral health conditions. Individuals who are admitted into the Recovery Station will not have committed serious and/or violent crimes at the time of intoxication, prior to admission. Individuals will be escorted into the facility by referring agency staff, to begin the admission process. Individuals will be strongly encouraged to remain at the facility for a minimum of 4 hours to provide an opportunity for respite and coordination of a safe discharge planning. Prior to discharge, staff will provide interventions to encourage individuals to engage with outside service or housing support agencies.

Discharge:

Individuals who stay at the Recovery Station do so on a voluntary basis, and as such, may leave the facility upon request. At the time of discharge, all individuals will be offered transportation to their place of residence, transitional housing or shelter, or other support service location as appropriate. Individualized discharge plans will be developed so that every individual has a follow up plan to promote follow up treatment, continued safety, and well-being after their stay at the Recovery Station.



Proposed Project Summary – Healing Project

The Healing Project will be a peer-led 16-bed recovery station program providing screening, access and linkage to care for individuals presenting with co-occurring mental health and substance use disorder needs. The Healing Project will include two recovery stations in Kern County, one in Bakersfield and another in Ridgecrest. The Bakersfield facility will have ten beds to serve the metropolitan area and its immediate surrounds, and the Ridgecrest facility will have six beds to serve the East Kern region. The number of beds per facility was determined proportionally based on site visits of fully operational sobering stations and information gathered from the Psychiatric Evaluation Center on the number of positive toxicology screenings. The Healing Project recovery stations will be open 24/7 and will serve an estimated 1,600 consumers annually. Consideration has been given to anticipated population growth and needs over time with facility adaptability to expand as required.

The program will target individuals with untreated mental health conditions. Individuals referred to the recovery stations will be provided mental health and substance use screening using the GAD-7, PHQ-9, and Audit – C. These standardized tools will measure potential anxiety, depression, and substance use disorders, respectively. Additionally, staff will provide screening for symptoms relating to trauma. Staff will be provided training specific to administering these screening tools.

Prior to admission to the recovery stations all individuals will be provided a brief medical screening to ensure they are not in need of urgent medications and/or emergency services outside the scope of the program. The medical screening will be in the form of a questionnaire addressing items such as medical history, medication, serious or chronic illness, and hospitalizations. Persons presenting hostile, threatening behavior or considered at risk of harming self or others will be linked to other appropriate resources.

Upon entering a recovery station facility, individuals will be provided an opportunity for respite and offered comfort services, including clean clothes, laundry services, refreshments, and an opportunity to attend to personal hygiene needs. When determined appropriate, staff will provide screenings, using identified mental health and substance use disorder screening tools. Brief interventions will be provided as appropriate, and upon discharge, individuals will be linked to ongoing treatment services with a “warm hand off” between providers. For individuals who are not willing or prepared to engage with staff to complete the screening process, staff will attempt to continue the process via phone or in-person following the recovery station stay.

The two recovery stations are designed to improve engagement and accessibility to services for residents of Kern County who are experiencing co-occurring mental illness and substance use. The Healing Project will provide a peer-led safe environment for referred individuals where they will receive immediate detox and early mental health and substance use disorder screening and interventions. The Healing Project will not only fill a current gap in client care but also through its peer-led philosophy, provide a more comfortable environment for individuals with mental illness experiencing the acute stages of substance use.

The Healing Project includes two recovery stations designed to improve engagement and accessibility to services for residents of Kern County who are experiencing co-occurring mental illness and substance use.



Primary Problem to be Addressed:

The Kern Behavioral Health and Recovery Services Department (KernBHRS) recognizes that a large proportion of individuals presenting with substance use intoxication have untreated mental health conditions. These conditions often include anxiety, depression, or unresolved trauma. National data suggests that as much as 42 percent of adults aged 29 to 46 with a substance use disorder, have a co-occurring mental illness (SAMHSA, 2014). Approximately 80 percent of individuals entering the KernBHRS Psychiatric Evaluation Center (PEC) present as under the influence. In addition, Kern County experiences an average of 2,652 arrests related to alcohol or other drug-related intoxication each year.

Currently, there are few resources where these individuals can receive the immediate specialized care they require, as a result, they are often arrested, and/or provided with brief interventions targeting mental health needs alone. Moreover, recidivism in the form of recurrent arrests and emergency treatment incurs high time and cost burden for the County, straining already overloaded resources. The Healing Project will not only reduce the time and cost burden for the County but also provide a more effective and consumer focused, means of managing these serious and ever-increasing behavioral health concerns for the community.

Linkage to additional services after screening

This program was designed with a strong access and linkage to care component a “warm hand off”. The Healing Project will have LPHAs on site to address the clinical needs of those with serious and persistent mental health conditions. The Healing Project will be designated as a crisis access point within the KernBHRS System of Care, and as such, individuals transitioning from The Healing Project locations will receive priority appointments with treatment teams. For those individuals determined to need additional services after screening, staff will provide the following referral options:

- In Bakersfield, individuals will be linked to the treatment teams within the KernBHRS System of Care, or the local mental health Crisis Walk-in Clinic for immediate mental health assessment. Clients in need of substance use disorder services, including residential treatment, will be connected by phone or in person to the KernBHRS Gateway program for a brief phone screening, and linkage to appropriate treatment.
- In Ridgecrest, referrals for care by geographic services providers will be made as appropriate, this includes providers for mental health and/or substance use disorder treatment.
- Individuals requiring inpatient mental health treatment will be referred to the nearest psychiatric evaluation center.
- Referrals and linkage will also include non-specialty treatment referrals, based individual need and preference. These may include primary care, non-specialty mental health treatment providers, Alcoholics Anonymous, Dual Recovery Anonymous, Narcotics Anonymous, Spanish language supports, faith-based supports, LGBTQ supports, and other community-based support agencies and groups.
- The Healing Project may also provide referrals for housing resources as appropriate.

Innovative Component:

The Healing Project will be the first program to integrate elements of a sobering station while continuously engaging and ultimately providing a warm link for those in need of mental health and substance use disorder care. No other program exists to address immediate intoxication needs, with the intent of screening and addressing untreated, undiagnosed

mental health conditions. With the incorporation of mental health and substance use disorder screening tools and treatment focus, the Healing Project will gain knowledge about the impact of the recovery station model on engagement and referrals to treatment for this underserved population.

The Healing Project is also innovative in its focus on peer-led intervention and services, designed to encourage engagement and identify potential previously undiagnosed mental illness, providing immediate support and linkage to mental health and substance use care. During Kern County's first Innovative Project, the Freise Hope House crisis residential program, it was determined that clients reported high satisfaction, feeling peer support staff were more able to relate to their experiences. The Healing Project will build on previous learning objectives to continue to gain knowledge about the impact of peer support in the recovery setting.

Learning Goals/Project Aims:

KernBHRS has identified the following Healing Project learning goals:

- 1) Evaluate the benefits of utilizing peer-led services in early intervention environments such as the proposed Healing Project.
- 2) Evaluate the benefits of short-term recovery stations toward engagement in follow-up services.
- 3) Determine the impact of a recovery station for individuals, as an alternative to arrests and crisis medical and mental health services.

Intended outcomes:

- Reduction in arrests and Psychiatric Evaluation Center admissions for individuals under the influence in Bakersfield and Ridgecrest. Baseline information to be pulled from existing law enforcement and KernBHRS crisis service data.
- 75% positive feedback from clients on the impact of services provided and led by Peer staff, on their likelihood of engaging in follow up treatment. This information would be collected through surveys provided at discharge and/or in follow up contact.
- 25% of those entering the Healing Project recovery stations will be engaged in follow up treatment after first admission.

Specific measures/indicators from surveys connecting to outcomes

Measures to be utilized for initial mental health symptom screening include the GAD-7 (Anxiety), PHQ-9 (Depression) and Audit – C (Alcohol use/misuse). Additionally, KernBHRS is researching appropriate screening tools to determine symptoms related to trauma and psychosis. Guests of the Healing Project also be asked to complete surveys indicating how and whether they felt peer engagement provided added support during their stay. Question examples may include, "There were staff or Peer Supporters that related to my experience," or, "When we talked about what was happening in my life, I felt like the staff understood what I was saying, or were trying to understand."

Budget Summary:

The Bakersfield Recovery Station proposes to include full time peer-integrated staff of: one Unit Supervisor, one Mental Health Therapists (LPHA), five Mental Health Recovery Specialists, three Certified or Registered Alcohol and Drug Counselors, two clerical Office Service Technicians and includes cost for 0.3 FTE Planning Analyst to provide monitoring and evaluation. Operating costs include supplies, linens, snacks, rent and utilities based on a space of approximately 7,800 square feet. Capital Improvements and outlay, as a subset of operating expenditures include one-time costs for client space furniture, appliances, office furniture and technological needs (phones, computers, network wiring). Additional funding for potential tenant improvements is included in the budget.

The Ridgecrest Recovery Station proposes to include full peer-integrated time staff of: one Unit Supervisor, one Mental Health Therapist (LPHA), three Mental Health Recovery Specialists, three Certified or Registered Alcohol and Drug Counselors one clerical Office Services Technician and 0.3 FTE Planning Analyst to provide monitoring and evaluation. Operating costs include supplies, linens, snacks, and utilities. One-time capital outlay costs include client furniture, appliances, office furniture and technological needs.

Staffing for the Recovery Stations will be provided under contract by mental health providers. Internal program monitoring and evaluation will be provided by KernBHRS staff, totaling 0.6 FTE Planning Analyst. Evaluation cost equates to approximately \$104,124 annually. Internal evaluation will provide for collection of data from various sources including the electronic medical record, which will store information on duration of untreated mental illness for those referred for care, screening results and severity of symptomology and type of services the client to which the client is referred. This staff will also compile survey information and data on referrals from outside entities/agencies and the PEC. All compiled information will be provided to the external contracted evaluator, budgeted at \$50,000 annually, who will determine and report on outcomes for the program.

Administration direct and indirect costs include reporting of program data and outcomes, including information utilized for the Community Planning and Stakeholder process. This is budgeted at approximately 27 percent of personnel cost, totaling \$509,615. Non-recurring costs for equipping new employees with computers and start up equipment.

KernBHRS currently contracts with multiple evaluators on a variety of projects. To date, the evaluator has not been selected specifically for this project, however, staff may choose to add this program to an existing evaluation contract or seek an evaluator through a competitive bid process

PROJECT BUDGET - SUMMARY OF EXPENDITURES:

| | |
|---|---------------------|
| Personnel | \$ 9,137,768 |
| Evaluation | \$1,020,167 |
| Operating | \$ 1,750,000 |
| Non-Recurring | \$ 229,500 |
| Administration | \$ 2,548,075 |
| TOTAL PROPOSED EXPENDITURES Estimated total amount of MHSA INN Funds for the duration of the project | \$14,685,510 |



COVER SHEET

PLANNING DEPARTMENT

STAFF REPORT

MEETING DATE: December 11, 2018

ITEM NUMBER: Consent Calendar Public Hearings4.(b.)

TO: BZA

FROM: Kevin F. Coyle, AICP CEP, Planning Director

PLANNER: Whitney Jackson

DATE:

WARD: Ward 1

SUBJECT:

Conditional Use Permit No. 18-0441: William Melby is requesting a conditional use permit to allow a mausoleum (17.64.020.B) at an existing church in an M-2 (General Manufacturing Zone) district located at 4600 East Brundage Lane. Proposed Notice of Exemption on file.

APPLICANT: William Melby

OWNER: Roman Catholic Bishop of Fresno

LOCATION: 4600 East Brundage Lane

STAFF RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

| Description | Type |
|---|----------------|
| <input type="checkbox"/> Staff Report | Correspondence |
| <input type="checkbox"/> Resolution | Resolution |
| <input type="checkbox"/> Correspondence | Correspondence |



www.Bakersfieldcity.u

PLANNING DEPARTMENT STAFF REPORT

TO: Chair and Members of the Board of Zoning Adjustment

FROM: Kevin F. Coyle, AICP CEP, Planning Director

APPROVED 

DATE: December 11, 2018

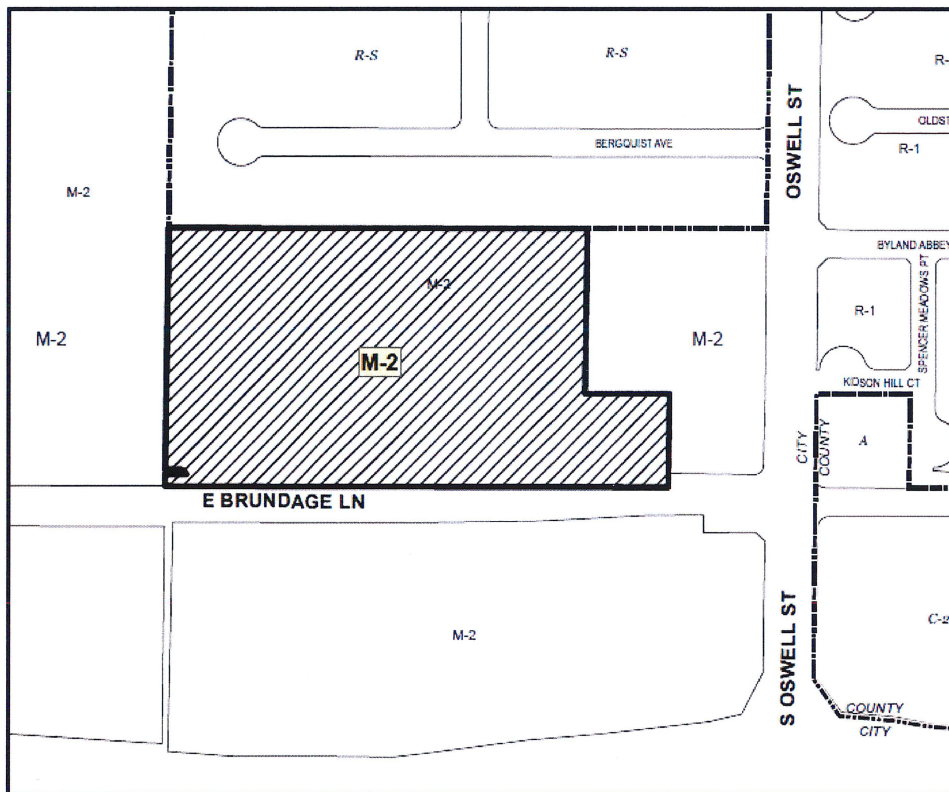
SUBJECT: **File No. 18-0441** - Conditional Use Permit to allow a mausoleum (17.64.020.B) at an existing church in an M-2 (General Manufacturing Zone) district (Ward 1).

APPLICANT: William Melby
5500 Ming Avenue Suite 280
Bakersfield, CA 93309

OWNER: Roman Catholic Bishop of Fresno
1550 North Fresno Street
Fresno, CA 93703

LOCATION: 4600 East Brundage Lane | APN: 142-230-33

Figure 1. Location Map and Zone Map



RECOMMENDATION: Adopt Resolution and suggested findings **APPROVING** Conditional Use Permit No. 18-0441, as depicted in the project description and subject to the listed conditions of approval.

PROJECT SUMMARY:

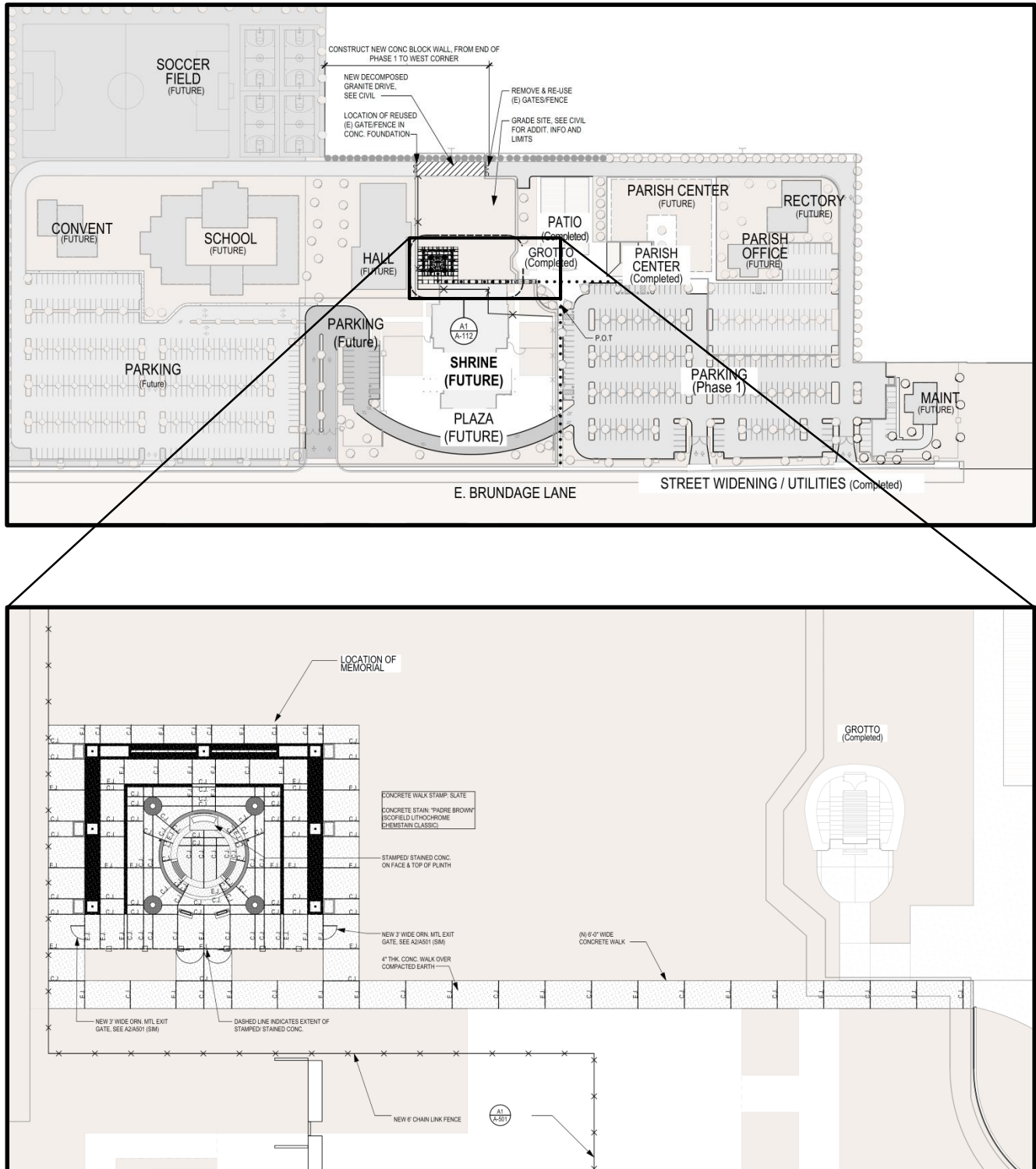
The project is a request for a conditional use permit to allow a mausoleum at an existing church in an M-2 (General Manufacturing Zone) district. See Figures 2 and 3.

On August 9, 2016, your Board considered and approved this same conditional use permit request (Resolution 16-23). Pursuant to Bakersfield Municipal Code, Section 17.64.060 (*Modifications and Conditional Use Permits - Hearing - Decision and Findings*), the rights granted by a conditional use permit shall be commenced within two years after the date of the final decision. A one-year extension of time may be requested if submitted in writing before the expiration date, and considered by your Board at a regularly scheduled public hearing. This requirement is listed in the Resolution provided to the applicant. Staff notes that the use did not commence and no request for an extension of time was submitted.

Figure 2. Site Aerial



Figure 3. Site Plan



The project site is an 11.75-acre parcel developed with a 3,000 square foot parish center and 904 seat outdoor assembly area and associated parking lot. The site and surrounding property's General Plan land use designation, zoning classification, and land use are specified in Table 1:

| Table 1. Surrounding Land Uses | | | |
|--|------------------------|--|---------------------------|
| LOCATION | GENERAL PLAN | ZONE DISTRICT | EXISTING LAND USE |
| Site | SI | M-2 | Church |
| North | SR/LR (Kern County) | E (1/4) RS (Kern County) | Single-Family Residential |
| East | SI | M-2 | Church and Industrial Use |
| South | SI | M-2 | Industrial Use |
| West | SI | M-2 | Undeveloped |
| General Plan Key SI: Service Industrial SR (County): Suburban Residential LR (County): Low Density Residential | | Zone District Key M-2: General Manufacturing RS: Residential Suburban Combining E (1/4) (County): Estate ¼ acre Minimum Lot Size | |

ANALYSIS:

Although churches are a permitted use in the M-2 Zone, mausoleums require approval of a conditional use permit. Mausoleums, similar to cemeteries, require a conditional use permit in all zone districts within the City of Bakersfield.

As proposed, the mausoleum is part of a memorial on existing church property to entomb remains of pre-term and stillborn children. The memorial is a 2,397 square foot area (approx. 47' x 51') consisting of 6-foot high masonry walls with a 9-foot high trellis covering the entire structure. The interior area features a 4-foot high masonry wall enclosure with a 19-foot diameter reflection area. A 9-inch high platform is provided in the reflection area for a proposed statue, and benches and kneelers are provided for attendees. Various walls will contain plaques while other walls will contain small crypts (approximately 592 total).

There are no parking requirements for memorials; however, the 255 on-site church parking spaces are sufficient to accommodate visitors. The memorial will be available during church operating hours. Staff notes the entire developed church property is enclosed by fencing to allow for controlled access to the site.

ENVIRONMENTAL REVIEW AND DETERMINATION:

This project has been found to be exempt from the provisions of the California Environmental Quality Act (CEQA) and the City of Bakersfield's CEQA Implementation Procedures in accordance with Section 15061(b)(3), because the project does not have the potential to cause a significant effect on the environment. A Notice of Exemption has been prepared.

PUBLIC NOTIFICATION:

Public notice for the proposed project and environmental determination was advertised in *The Bakersfield Californian* and posted on the bulletin board in the City of Bakersfield Development Services Building, 1715 Chester Avenue, Bakersfield, California. All property owners within 300 feet of the project site were notified by United States mail regarding this public hearing in accordance with city ordinance and state law. As of this writing, one comment letter was received.

Romeo Hermosa, a property owner in the residential development to the north, stated his opposition asserting the mausoleum would lower property values.

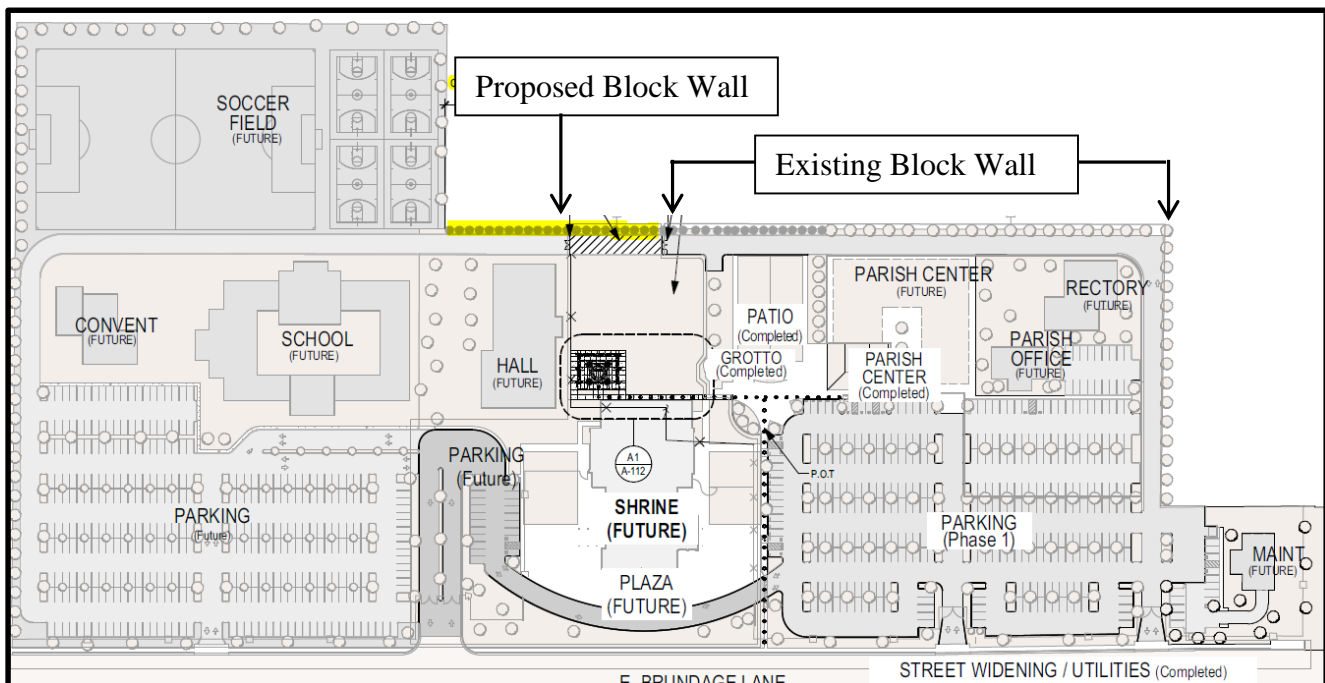
Regarding property values, Staff notes there are a large number of factors that influence the value such as:

- Current housing markets;
- Interest rates;
- Employment opportunities; and
- Faith in the current economy.

Bakersfield Municipal Code Section 17.02.030 states the purpose of zoning is to implement the goals and policies of the General Plan of the City, which serve to promote and protect the public health, safety, peace, general welfare, and for the accomplishment thereof.

Nonetheless, should the project be approved, the applicant is proposing to continue construction of the 6-foot masonry wall from the end of Phase 1 to the west corner. Staff believes this wall will provide sufficient separation to reduce potential impacts on property values between the church property and residential property to the north (see Figure 4).

Figure 4. Overall Site Plan



CONCLUSIONS:

Findings. Section 17.64.060.C contains specific findings that must be made in order for your Board to approve the requested conditional use permit. Specifically, the section states that a conditional use permit shall be granted only when it is found that:

1. The proposed use is deemed essential or desirable to the public convenience or welfare; and

2. The proposed use is in harmony with the various elements and objectives of the general plan and applicable specific plans.

Section 17.64.060.D also states that a conditional use permit may be subject to such conditions as deemed appropriate or necessary to assure compliance with the intent and purpose of the zoning regulations and the various elements and objectives of the general plan and applicable specific plans and policies of the city or to protect the public health, safety, convenience, or welfare.

In accordance with these required findings, and as conditioned, Staff finds: (1) the proposed use would provide a public convenience since the children's memorial is consistent with the long-term expansion of the church site and would offer the public a place for reflection and respect; and (2) the project would result in a development that is consistent with the intent of both the Metropolitan Bakersfield General Plan and the Bakersfield Municipal Code.

Recommendation. Based on the foregoing, Staff concludes the request sufficiently demonstrates compliance with the necessary findings and, therefore, recommends your Board adopt Resolution and suggested findings approving Conditional Use Permit No. 18-0441, as depicted in the project description and subject to the listed conditions of approval.

ATTACHMENTS:

Draft Resolution with Exhibits
Public Comments

Draft Resolution

RESOLUTION NO. 18-_____

**RESOLUTION OF THE BAKERSFIELD BOARD OF ZONING ADJUSTMENT
APPROVING A CONDITIONAL USE PERMIT TO ALLOW A MAUSOLEUM
(17.64.020.B) AT AN EXISTING CHURCH IN AN M-2 (GENERAL
MANUFACTURING ZONE) DISTRICT LOCATED AT 4600 BRUNDAGE LANE.
(CUP NO. 18-0441)**

WHEREAS, William Melby filed an application with the City of Bakersfield Development Services Department for a conditional use permit to allow a mausoleum (17.64.020.b) at an existing church in an m-2 (general manufacturing zone) district located at 4600 Brundage Lane(the "Project"); and

WHEREAS, the Secretary of the Board of Zoning Adjustment set Tuesday, December 11, 2018, at 3:00 p.m. in City Council Chambers, City Hall South, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for a public hearing before the Board of Zoning Adjustment to consider the proposed conditional use permit, and notice of the public hearing was given in the manner provided in Title 17 of the Bakersfield Municipal Code; and

WHEREAS, at the public hearing (no testimony was received either in support or opposition of the Project) (testimony was received only in support/opposition/both in support and opposition of the Project); and

WHEREAS, the laws and regulations relating to the California Environmental Quality Act (CEQA) and the City of Bakersfield's CEQA Implementation Procedures have been duly followed by city staff and the Board of Zoning Adjustment; and

WHEREAS, the above described project is exempt from the requirements of CEQA in accordance with Section 15061(b)(3); and

WHEREAS, the City of Bakersfield Development Services Department (1715 Chester Avenue, Bakersfield, California) is the custodian of all documents and other materials upon which the environmental determination is based; and

WHEREAS, the facts presented in the staff report and evidence received both in writing and by verbal testimony at the above referenced public hearing support the following findings:

1. All required public notices have been given. Hearing notices regarding the Project were mailed to property owners within 300 feet of the Project area and published in *The Bakersfield Californian*, a local newspaper of general circulation, 10 days prior to the hearing.
2. The provisions of CEQA, the State CEQA Guidelines, and the City of Bakersfield CEQA Implementation Procedures have been followed. Staff determined that the proposal is a project that is exempt from CEQA pursuant to Section 15061 (b)(3) because the project does not have the potential to cause a significant effect on the environment.
3. The proposed use is essential and desirable to the public convenience and welfare.

4. The proposed use is in harmony with the various elements and objectives of the Metropolitan Bakersfield General Plan.
5. The project would result in a development that is consistent with the intent of both the Metropolitan Bakersfield General Plan and the Bakersfield Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the Bakersfield Board of Zoning Adjustment as follows:

1. The above recitals, incorporated herein, are true and correct.
2. This project is exempt from the requirements of CEQA.
3. Conditional Use Permit No. 18-0441 as described in this resolution, is hereby approved subject to the conditions of approval in Exhibit A and as shown in Exhibits B and C.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Board of Zoning Adjustment of the City of Bakersfield at a regular meeting held on December 11, 2018, on a motion by Member _____ by the following vote:

AYES:

NOES:

RECUSE:

ABSTAIN

ABSENT:

APPROVED

MARK FICK, CHAIR

City of Bakersfield Board of Zoning Adjustment

Exhibits: A. Conditions of Approval
 B. Location Map
 C. Site Plan

Exhibit A
(Conditions of Approval)

EXHIBIT A

CONDITIONS OF APPROVAL Conditional Use Permit No. 18-0441

I. The applicant's rights granted by this approval are subject to the following provisions:

- *The project shall be in accordance with all approved plans, conditions of approval, and other required permits and approvals. All construction shall comply with applicable building codes.*
- *All conditions imposed shall be diligently complied with at all times and all construction authorized or required shall be diligently prosecuted to completion before the premises shall be used for the purposes applied for under this approval.*
- *This approval will not be effective until ten (10) days after the date upon which it is granted by the BZA to allow for appeal to the City Council. Any permit or license for any approval granted shall not be issued until that effective date.*
- *This approval shall automatically be null and void two (2) years after the effective date unless the applicant or successor has actually commenced the rights granted, or if the rights granted are discontinued for a continuous period of one (1) year or more. This time can be extended for up to one (1) additional year by the approving body.*
- *The BZA may initiate revocation of the rights granted if there is good cause, including but not limited to, failure to comply with conditions of approval, complete construction or exercise the rights granted, or violation by the owner or tenant of any provision of the Bakersfield Municipal Code pertaining to the premises for which the approval was granted. The BZA may also consider adding or modifying conditions to ensure the use complies with the intent of City ordinances.*
- *Unless otherwise conditioned, this approval runs with the land and may continue under successive owners provided all the above mentioned provisions are satisfied.*

II. The following conditions shall be satisfied as part of the approval of this project:

1. In consideration by the City of Bakersfield for land use entitlements, including but not limited to related environmental approvals related to or arising from this project, the applicant, and/or property owner and/or subdivider ("Applicant" herein) agrees to indemnify, defend, and hold harmless the City of Bakersfield, its officers, agents, employees, departments, commissioners and boards ("City" herein) against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, in any way arising from, the terms and provisions of this application, including without limitation any CEQA approval or any related development approvals or conditions whether imposed by the City, or not, except for CITY's sole active negligence or willful misconduct.

This indemnification condition does not prevent the Applicant from challenging any decision by the City related to this project and the obligations of this condition apply regardless of whether any other permits or entitlements are issued.

The City will promptly notify Applicant of any such claim, action or proceeding, falling under this condition within thirty (30) days of actually receiving such claim. The City, in its sole discretion, shall be allowed to choose the attorney or outside law firm to defend the City at the sole cost and expense of the Applicant and the City is not obligated to use any law firm or attorney chosen by another entity or party.

2. This conditional use permit allows for an approximate 2,397 square foot mausoleum and memorial area at an existing church in an M-2 (General Manufacturing Zone) district located at 4600 East Brundage Lane as depicted on attached Exhibits B and C.
3. The permit holder shall obtain all required State and local approvals; including but not limited to the State of California Cemetery and Funeral Bureau.
4. A copy of State and local inspection reports shall be presented to any authorized City official upon request.

III. *The following are specific items that you need to resolve before you can obtain a building permit or be allowed occupancy. These items include conditions and/or mitigation required by previous site entitlement approvals (these will be specifically noted), changes or additions that need to be shown on the final building plans, alert you to specific fees, and other conditions for your project to satisfy the City's development standards. The item will usually need to be shown on the final building plans or completed before a building permit is issued. Each has been grouped by department so that you know whom to contact if you have questions.*

**A. DEVELOPMENT SERVICES – BUILDING (1715 Chester Avenue)
(Staff contact - Oscar Fuentes; 661-326-3676 or OFuentes@bakersfieldcity.us)**

1. Show on the final building plan pedestrian access from the public way and handicap parking. Private streets are not the public way.
2. The developer shall include fire resistive wall construction details with the final building plans for all exterior walls of any building that is within the distance as set forth in Table 602 of the California Building Code.
3. Include with or show on the final building plans information necessary to verify that the project complies with all disability requirements of Title 24 of the California Building Code.
4. Buildings or structures shall require installation of an automatic fire sprinkler system where required by current California Building Code and City ordinance.
5. The Building Division will calculate and collect the appropriate school district impact fee at the time they issue a building permit.
6. Final Building plans shall show pedestrian access pathways or easements for persons with disabilities from public rights-of-ways that connect to all accessible buildings, facilities, elements, and spaces in accordance with the California Building Code. These pedestrian access ways shall not be parallel to vehicular lanes unless separated by curbs or railings.

**B. DEVELOPMENT SERVICES – PLANNING (1715 Chester Avenue)
(Staff contact - Whitney Jackson; 661-326-3673 or WJackson@bakersfieldcity.us)**

1. Business identification signs are **neither considered nor approved** under this review. A separate sign permit reviewed by the Planning and Building Divisions and issued by the Building Division, is required for all new signs, including future use and construction signs. Signs must comply with the Sign Ordinance (Chapter 17.60 of the Bakersfield Municipal Code.)
2. A solid masonry wall shall be constructed adjacent to residentially zoned and/or designated property, as depicted on the approved site plan. This wall must be shown on the final building plans and shall be constructed a minimum height of 6 feet as measured from the highest adjacent finished property grade.
3. The following conditions are required as part of a grading permit:
 - a. Habitat Conservation fees shall be required for this project and will be calculated based on the fee in effect at the time we issue an urban development permit (includes grading plan approvals) as defined in the Implementation/Management Agreement (Section 2.21) for the Metropolitan Bakersfield Habitat Conservation Plan. Upon payment of the fee, the applicant will receive acknowledgment of compliance with Metropolitan Bakersfield Habitat Conservation Plan (Implementation/Management Agreement Section 3.1.4). This fee is currently \$2,145 per gross acres, payable to the City of Bakersfield (submit to the Planning Division). This fee must be paid before any grading or other site disturbance occurs.

Forms and instructions are available at the Planning Division or on the city's web site at www.bakersfieldcity.us (go to Development Services Department).

The current Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) expires in year 2019. Projects may be issued an urban development permit, grading plan approval, or building permit and pay fees prior to the 2019 expiration date under the current MBHCP. As determined by the City of Bakersfield, only projects ready to be issued an urban development permit, grading plan approval or building permit before the 2019 expiration date will be eligible to pay fees under the current MBHCP. Early payment or pre-payment of MBHCP fees shall not be allowed. The ability of the City to issue urban development permits is governed by the terms of the MBHCP. Urban development permits issued after the 2019 expiration date may be subject to a new or revised Habitat Conservation Plan, if approved, or be required to comply directly with requests of the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife.

- b. Burrowing Owl Notification: The burrowing owl is a migratory bird species protected by international treaty under the Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 C.F.R. Part 10 including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 C.F.R. 21). Sections 3503, 3503.5, and 3800 of the California Fish and Game Code prohibit the taking, possession, or destruction of birds, their nests or eggs. To avoid violation of the provisions of these laws generally requires that project related disturbance at active nesting territories be reduced or eliminated during critical phases of the nesting cycle (March 1- August 15, annually). Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young) may be considered "taking" and is potentially punishable by fines and/or imprisonment.

- c. Prior to ground disturbance, the developer shall have a California Department of Fish and Wildlife approved MBHCP biologist survey the location for kit fox, and comply with the provisions of the Metropolitan Bakersfield Habitat Conservation Plan. Survey protocol shall be recommended by the California Department of Fish and Wildlife. Developer shall be subject to the mitigation measures recommended by the biologist. Copies of the survey shall be provided to the Development Services Department, California Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service prior to ground disturbance.
4. In the event a previously undocumented oil/gas well is uncovered or discovered on the project, the developer is responsible to contact the Department of Conservation's Division of Oil, Gas, and Geothermal Resources (DOGGR). The developer is responsible for any remedial operations on the well required by DOGGR. The developer shall also be subject to provisions of BMC Section 15.66.080.B.
5. The developer shall meet all regulations of the San Joaquin Valley Air Pollution Control District (Regulation VIII) concerning dust suppression during construction of the project. Methods include, but are not limited to; use of water or chemical stabilizer/suppressants to control dust emission from disturbed area, stock piles, and access ways; covering or wetting materials that are transported off-site; limit construction-related speed to 15 mph on all unpaved areas/washing of construction vehicles before they enter public streets to minimize carryout/track out; and cease grading and earth moving during periods of high winds (20 mph or more).

C. FIRE DEPARTMENT (2101 H Street)

(Staff contact - Ernie Medina; 661-326-3682 or EMedina@bakersfieldcity.us)

1. Show on the final building plans the following items:
 - a. All fire hydrants, both offsite (nearest to site) and on-site. Include flow data on all hydrants. Hydrants shall be in good working condition and are subject to testing for verification. Fire flow requirements must be met prior to construction commencing on the project site. Please provide two (2) sets of the water plans stamped by a licensed Registered Civil Engineer to the Fire Department and two (2) sets to the Water Resources Department (1000 Buena Vista Road, Bakersfield, CA. 93311; 661-326-3715).

(**Note:** Show: 1) distance to the nearest hydrant; and 2) distance from that hydrant to the farthest point of the project site.)
2. All projects must comply with the current California Fire Code and current City of Bakersfield Municipal Code.

D. WATER RESOURCES (1000 Buena Vista Road)

(Staff contact - Tylor Hester; 661-326-3715 or THester@bakersfieldcity.us)

1. Property is located outside of the City of Bakersfield domestic water service area, therefore, only pipelines and appurtenances related to fire water are subject to review.

E. PUBLIC WORKS – ENGINEERING (1501 Truxtun Avenue)
(Staff contact - Ravi Pudipeddi; 661-326-3997 or RPudipeddi@bakersfieldcity.us)

1. The developer shall construct curbs, gutters, cross gutters, 5-foot 6-inch wide sidewalks, and street/alley paving along Brundage Lane according to adopted city standards. These improvements shall be shown on the final building plans submitted to the Building Division before any building permits will be issued.
2. The developer shall construct standard handicap ramps along Brundage Lane (project frontage) according to adopted city standards. These improvements shall be shown on the final building plans submitted to the Building Division before any building permits will be issued.
3. The developer shall install new connection(s) to the public sewer system. This connection shall be shown on the final building plans submitted to the Building Division before any building permits will be issued.
4. Show on the final building plans all existing connection(s) to the public sewer system.
5. All on-site areas required to be paved (i.e. parking lots, access drives, loading areas, etc.) shall consist of concrete, asphaltic concrete (Type B. A. C.) or other paved street material approved by the City Engineer. Pavement shall be a minimum thickness of 2 inches over 3 inches of approved base material (i.e. Class II A. B.) if concrete is used, it shall be a minimum thickness of 4 inches per Municipal Code Section 17.58.060.A. This paving standard shall be noted on the final building plans submitted to the Building Division before any building permits will be issued.
6. If a grading plan is required by the Building Division, building permits will not be issued until the grading plan is approved by **both** the Public Works Department and the Building Division.
7. All storm water generated on the project site, including the street frontage shall be retained onsite unless otherwise allowed by the Public Works Department (please contact the Public Works Department – Subdivisions at 661-326-3576).
8. 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. Please call the Construction Superintendent at 661-326-3049 to schedule a site inspection to find out what improvements may be required.
9. A street permit from the Public Works Department shall be obtained before any work can be done within the public right-of-way (streets, alleys, easements). Please include a copy of this site plan review decision to the department at the time you apply for this permit.
10. A sewer connection fee shall be paid at the time a building permit is issued. We will base this fee at the rate in effect at the time a building permit is issued.
11. 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 (WQ Order No. 92-08- DWQ) must be filed with the State Water Resources Control Board in Sacramento before the beginning of any construction activity. Compliance with the general permit required that a Storm Water Pollution Prevention Plan (SWPPP) be prepared, continuously carried out, and always be available for public inspection during normal construction hours.

12. Prior to the issuance of each building permit, or if no building permit is required, the first required City approval prior to construction, the developer/owner shall pay a Transportation Impact Fee (TIF) for regional facilities. This fee will be based on the rate in effect at the time the applicable approval is issued or in accordance with the Subdivision Map Act, as applicable. The Public Works Department will calculate an estimate of the total fee upon submittal of construction plans for the project.
13. The developer shall either construct the equivalent full width landscaped median island in Brundage Lane along the development's frontage or pay their proportionate share (1/2-width) of the total cost for the future construction of the median. Median islands shall be designed by the first development that occurs along an applicable street frontage. That developer shall either construct the full width landscaped median island or pay the median island fee. The median island fee shall be satisfied by fulfilling one of the following options: (1) Pay the standard fee of \$100 per linear foot; or (2) Pay the calculated fee based upon actual cost estimates prepared by the Project Engineer, which shall be reviewed and approved by the City Engineer. If the median island is not constructed by the first development along an applicable street frontage, the second development along that street frontage shall construct the full width landscaped median island.
14. The developer shall form a new Maintenance District. Undeveloped parcels within an existing Maintenance District are required to update Maintenance District documents. Updated documents, including Proposition 218 Ballot and Covenant, shall be signed and notarized. If there are questions, contact Alerik Hoeh at 661-326-3576.
15. The developer shall install a full sized manhole in each sewer line before it connects to the sewer main. This manhole is to be located within the property being developed and must be easily accessible by City workers.
16. This project may be located within a Planned Sewer Area. Please contact the Public Works Department – Subdivisions at 661-326-3576 to determine what fees may apply.
17. This project may be located within a Planned Drainage Area. Please contact the Public Works Department – Subdivisions at 661-326-3576 to determine what fees may apply.
18. This project may be subject to Bridge and Major Thoroughfare fees. Please contact the Public Works Department – Subdivisions at 661-326-3576 to determine what fees may apply.

F. PUBLIC WORKS – TRAFFIC (1501 Truxtun Avenue)
(Staff contact - Ravi Pudipeddi; 661-326-3997 or RPudipeddi@bakersfieldcity.us)

As proposed, no applicable conditions.

G. PUBLIC WORKS – SOLID WASTE (4101 Truxtun Avenue)
(Staff Contact - Robert Manuel; 661-326-3114 or rmanuel@bakersfieldcity.us)
(Staff Contact - Jesus Carrera; 661-326-3114 or jcarrera@bakersfieldcity.us)

1. You must contact the staff person noted above before building permits can be issued or work begins on the property to establish the level and type of service necessary for the collection of refuse and/or recycled materials. Collection locations must provide enough containment area for the refuse that is generated without violating required zoning or setback restrictions (see

Planning Division conditions). Levels of service are based on how often collection occurs as follows:

- Cart service -- 1 cubic yard/week or less 1 time per week
- Front loader bin services -- 1 cubic yard/week - 12 cubic yards/day
- Roll-off compactor service -- More than 12 cubic yards/day

2. Show on the final building plans refuse/recycle bin enclosures. Each enclosure shall be designed according to adopted city standard (Detail # ST-27 and ST-28), at the size checked below ☒. Before occupancy of the building or site is allowed, 4, 3 cubic yard front loading type refuse/recycle bin(s) shall be placed within the required enclosure(s).

- | | |
|--|---|
| <input type="checkbox"/> 6' deep x 8' wide (1 bin) | <input type="checkbox"/> 8' deep x 15' wide (3 bins) |
| <input type="checkbox"/> 8' deep x 10' wide (2 bins) | <input checked="" type="checkbox"/> 1 - 8' deep x 20' wide (4 bins) |

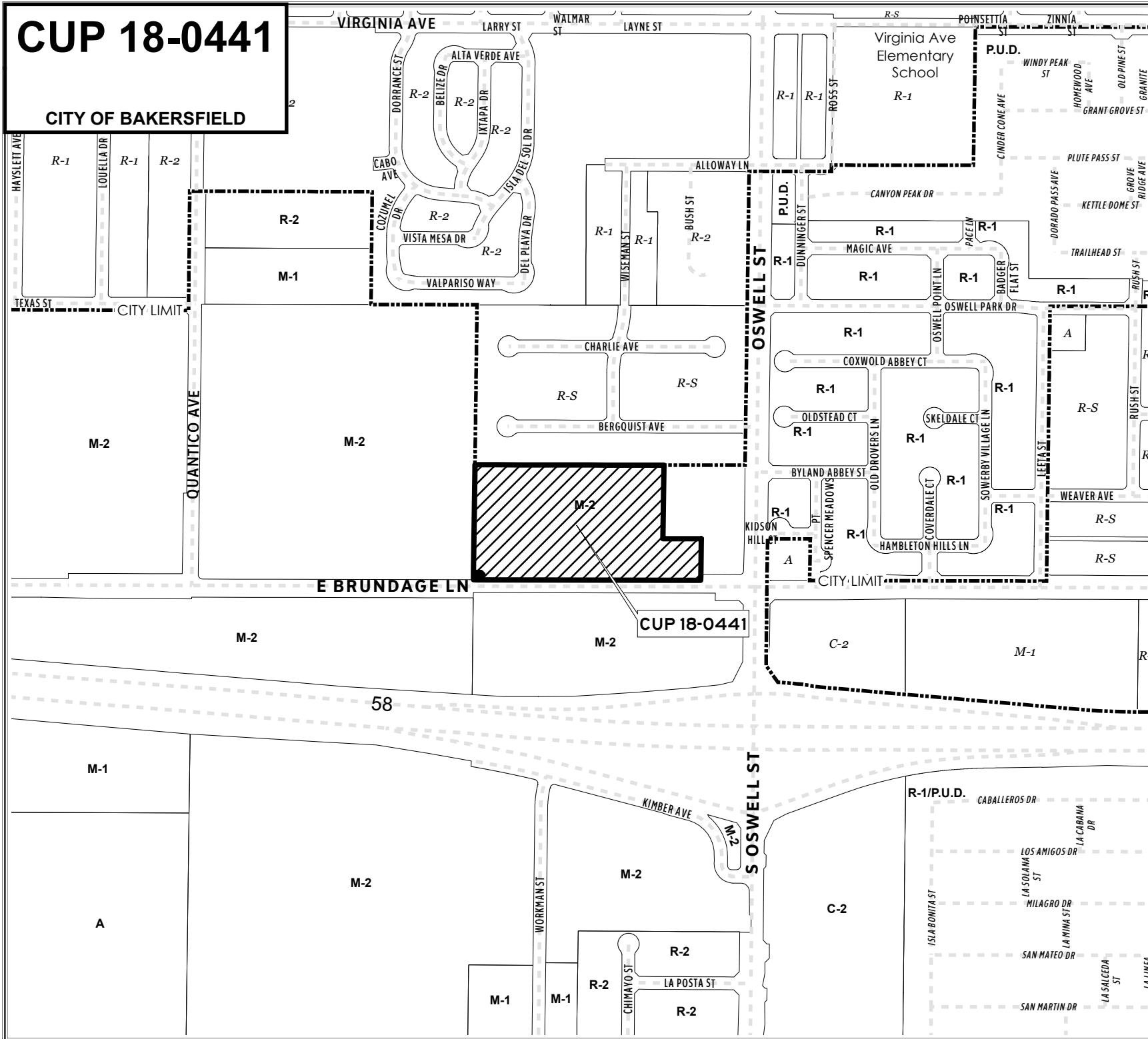
(Note: All measurements above are curb-to-curb dimensions inside the enclosure. If both refuse and recycling containers are to be combined in the same enclosure area, this area must be expanded in size to accommodate multiple containers/bins - contact the staff person above for the appropriate enclosure size.)

3. Examples of enclosure styles can be found on (Detail # ST-32).
4. Facilities with existing refuse service must improve the service location area(s) according to adopted City standards (Detail # ST-27 and ST-28). These improvements shall be clearly shown on the final building plans.

Exhibit B
(Location Map)

CUP 18-0441

CITY OF BAKERSFIELD



LEGEND (ZONE DISTRICTS)

- R-1 One Family Dwelling
6,000 sq.ft. min lot size
- R-1-4.5 One Family Dwelling
4,500 sq.ft. min lot size
- E Estate
10,000 sq.ft. min lot size
- R-S Residential Suburban
24,000 sq.ft./dwelling unit
- R-S-1 Residential Suburban
1.25.5 or 10 min lot size
- R-2 Limited Multiple Family Dwelling
4,500 sq.ft. min lot size (single family)
6,000 sq.ft. min lot size (multifamily)
2,500 sq.ft. lot area/dwelling unit
- R-3 Multiple Family Dwelling
6,000 sq.ft. min lot size
1,250 sq.ft. lot area/dwelling unit
- R-4 High Density Multiple Family Dwelling
6,000 sq.ft. min lot size
600 sq.ft. lot area/dwelling unit
- R-H Residential Holding
20 acre min lot size
- A Agriculture
6,000 sq.ft. min lot size
- A-20A Agriculture
20 acre min lot size
- PUD Planned Unit Development
- TT Travel Trailer Park
- MH Mobilehome
- C-0 Professional and Administrative Office
- C-1 Neighborhood Commercial
- C-2 Regional Commercial
- C-C Commercial Center
- C-B Central Business
- PCD Planned Commercial Development
- M-1 Light Manufacturing
- M-2 General Manufacturing
- M-3 Heavy Industrial
- P Automobile Parking
- RE Recreation
- Ch Church Overlay
- OS Open Space
- HOSP Hospital Overlay
- AD Architectural Design Overlay
- FP-P Floodplain Primary
- FP-S Floodplain Secondary
- AA Airport Approach
- DI Drilling Island
- PE Petroleum Extraction Combining
- SC Senior Citizen Overlay
- HD Hillside Development Combining
- WM- West Ming Specific Plan

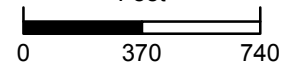


Exhibit C
(Site Development Plan)

MEMORIAL OF THE UNBORN
for
SHRINE OF OUR LADY OF GUADALUPE
COPATRONESS OF THE UNBORN



**ORDIZ
MELBY**
ARCHITECTS, INC.

5500 MING AVENUE SUITE 280
BAKERSFIELD, CALIFORNIA 93309
TELEPHONE (661) 832-5258
FACSIMILE (661) 832-4291



DANNY E. ORDIZ, AIA
ARCHITECT C-14728
WILLIAM J. MELBY, AIA
ARCHITECT C-16835

GENERAL NOTES

1. NOTHING IN THE DRAWINGS AND/OR THE SPECIFICATIONS SHALL BE CONSTRUED TO PERMIT AN INSTALLATION THAT COULD BE IN VIOLATION OF THE APPLICABLE CODES, ORDINANCES, REGULATIONS, ETC. ALL WORK PERFORMED UNDER THIS CONTRACT SHALL BE IN FULL ACCORDANCE WITH ALL APPLICABLE CODES, ORDINANCES, REGULATIONS, RESTRICTIONS, ETC.

2. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES IMMEDIATELY.

3. THE DRAWINGS, IDEAS, DESIGNS, AND ARRANGEMENTS REPRESENTED HEREBY ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND NO PART THEREOF SHALL BE COPIED OR DISCLOSED TO OTHERS OR USED IN CONNECTION WITH ANY WORK OR PROJECT OTHER THAN THE SPECIFIC PROJECT FOR WHICH THESE DOCUMENTS HAVE BEEN PREPARED AND DEVELOPED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. VISUAL CONTACT WITH THESE DRAWINGS CONSTITUTES CONCLUSIVE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.

THE DIOCESE OF FRESNO IS PROVIDED THE RIGHTS TO THE DRAWINGS AND DOCUMENTS THAT MAKE UP THE WORK OF THIS PROJECT, FOR USE IN ANY FUTURE WORK RELATED TO THIS PROJECT SITE. THE ARCHITECT RETAINS ALL COPYRIGHTS AS PROVIDED BY LAW.

4. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THE ARCHITECT MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS.

5. MISPLACEMENT, ADDITION, OR OMISSION OF ANY WORD, LETTER, FIGURE, PUNCTUATION MARK, ETC., SHALL IN NO WAY CHANGE OR ALTER THE TRUE INTENT, SPIRIT, OR MEANING OF THE DRAWINGS.

6. THE CONTRACTOR SHALL STUDY AND COMPARE ALL DRAWINGS AND SHALL REPORT ANY ERRORS, OMISSIONS, OR INCONSISTENCIES TO THE ARCHITECT BEFORE COMMENCING WORK IN THAT AREA.

7. GRADING PLANS, DRAINAGE IMPROVEMENTS, ROAD & ACCESS REQUIREMENTS & ENVIRONMENTAL HEALTH CONSIDERATIONS SHALL COMPLY WITH ALL LOCAL ORDINANCES.

ACCESSIBILITY STANDARDS

1. IN ADDITION TO ALL LOCAL CODES, DISABLED ACCESS REQUIREMENTS SHALL COMPLY WITH THE CALIFORNIA BUILDING CODE, TITLE 24, AS WELL AS FEDERAL A.D.A., (AMERICANS WITH DISABILITIES ACT).

CODE REQUIREMENTS

ALL DRAWINGS AND CONSTRUCTION SHALL CONFORM TO THE FOLLOWING CODES:
TITLE 19 CCR, PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS

2016 TITLE 24 CCR, PART 1 - 2016 BUILDING STANDARDS ADMINISTRATIVE CODE

2016 TITLE 24 CCR, PART 2 - 2016 CALIFORNIA BUILDING CODE, VOL. 1 & 2 (CBC) (2009 IBC, AS AMENDED BY CA)

2016 TITLE 24 CCR, PART 3 - 2016 CALIFORNIA ELECTRICAL CODE (CEC) (2008 NEC (NFPA), AS AMENDED BY CA)

2016 TITLE 24 CCR, PART 5 - 2016 CALIFORNIA PLUMBING CODE (CPC) (2009 IAPMO UPC, AS AMENDED BY CA)

2016 TITLE 24 CCR, PART 6 - 2016 CALIFORNIA ENERGY CODE

2016 TITLE 24 CCR, PART 9 - 2016 CALIFORNIA FIRE CODE (CFC) (2009 IFC, AS AMENDED BY CA)

2016 TITLE 24 CCR, PART 11 - 2016 GREEN BUILDING STDS CODE (CALGREEN CODE)

2016 TITLE 24 CCR, PART 12 - 2016 CALIFORNIA REFERENCED STANDARDS

NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT CONSTRUCTION IN CONFLICT WITH THE REQUIREMENTS OF ANY CODE, LAW, ORDINANCE, OR REGULATION. THE FOLLOWING AGENCIES SHALL HAVE JURISDICTION OVER THE PROGRESS OF THE WORK:

CITY OF BAKERSFIELD:
PLANNING DEPARTMENT
BUILDING DEPARTMENT
PUBLIC WORKS DEPARTMENT
FIRE DEPARTMENT

PROJECT INFORMATION

CONSTRUCTION TYPE:

OWNER

TYPE V - NON-RATED (NON-SPRINKLERED)

ROMAN CATHOLIC DIOCESE OF FRESNO
1500 N FRESNO ST.
FRESNO, CA 93703
PHONE: (559) 493-2872 Ext. 108
DOUG DUWIVAGE

OCCUPANCY TYPE:

OWNER'S REP.

GROUP U

OUR LADY OF GUADALUPE
601 E CALIFORNIA AVE
BAKERSFIELD, CA 93307
661-323-3148
FR. LARRY TOSCHI, OSJ

PROJECT AREA:

ARCHITECT

2,355 SF

ORDIZ MELBY ARCHITECTS, INC.
5500 MING AVENUE, SUITE 280
BAKERSFIELD, CA 93309
(661) 832-5258
(661) 832-4291 FAX

EGRESS LEGEND

OCCUPANT LOAD
(PER EXIT PLAN)

SQUARE FOOTAGE

OCCUPANT LOAD

OCCUPANT LOAD FACTOR

SUB-TOTAL OCCUPANT LOAD

OCCUPANT LOAD AT EXIT

PATH OF EGRESS TRAVEL (P.O.E.T)

EXIT

REQUIRED EXIT

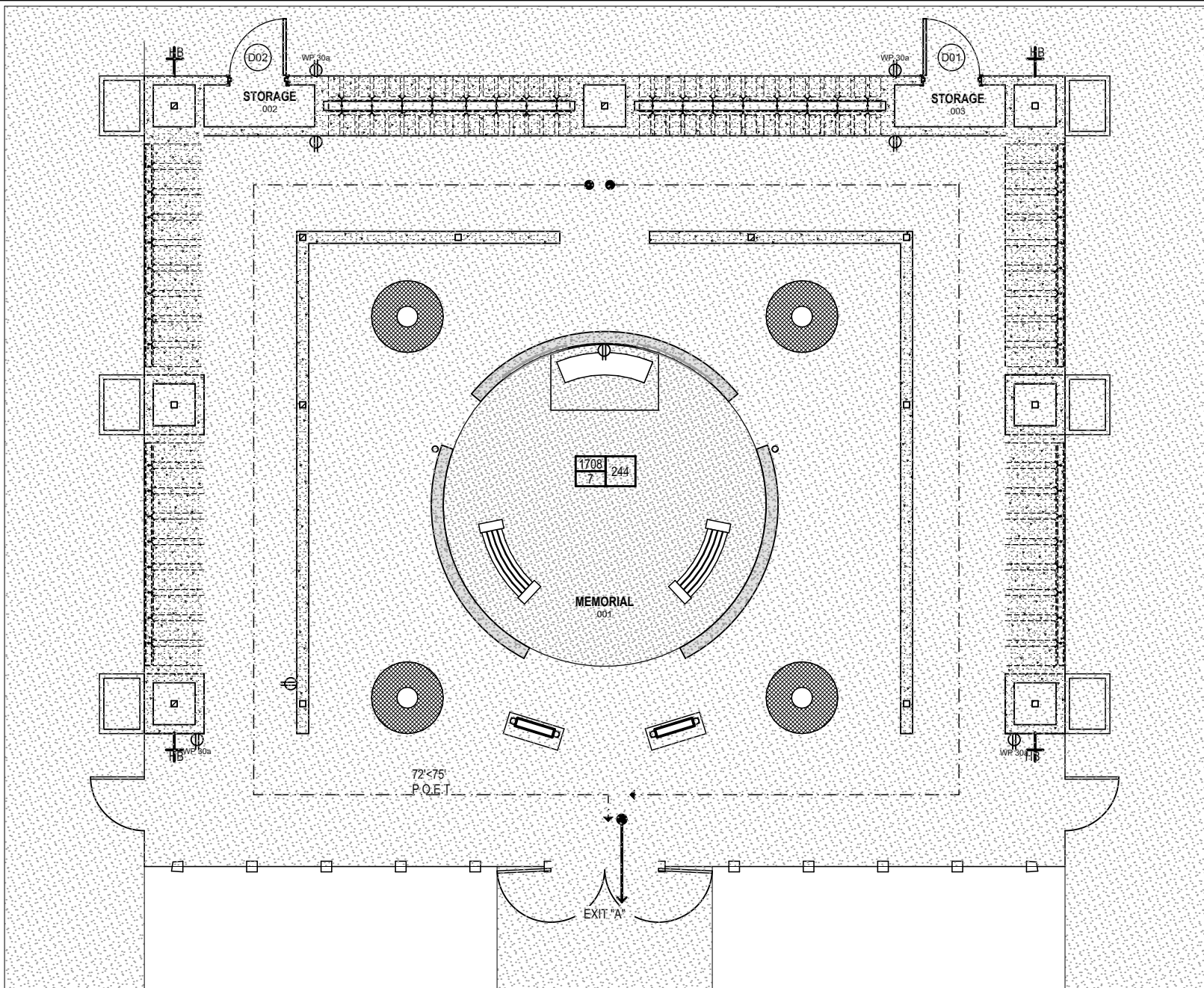
AREA NOT CONTRIBUTING TO THE OCCUPANT LOAD

ENCLOSED AREA= 1,708 SF
1708 SF / 7= 244 OCCUPANTS

2 EXITS REQUIRED
3 EXITS PROVIDED

TRAVEL DISTANCE=75' MAX.
72' PROVIDED

EXIT PLAN



72'-0" P.O.E.

CONSULTANTS

CIVIL

LANDSCAPE

Swanson Engineering
5500 Ming Ave., Suite 285
Bakersfield, CA 93309
Phone: (661) 831-4919
Fax: (661) 831-4929
Bob Swanson

Rios Design
3805 Ora Vista Avenue
Bakersfield, CA 93309
Phone: (661) 835-9259
Fax: (661) 367-5284
Jim Rios

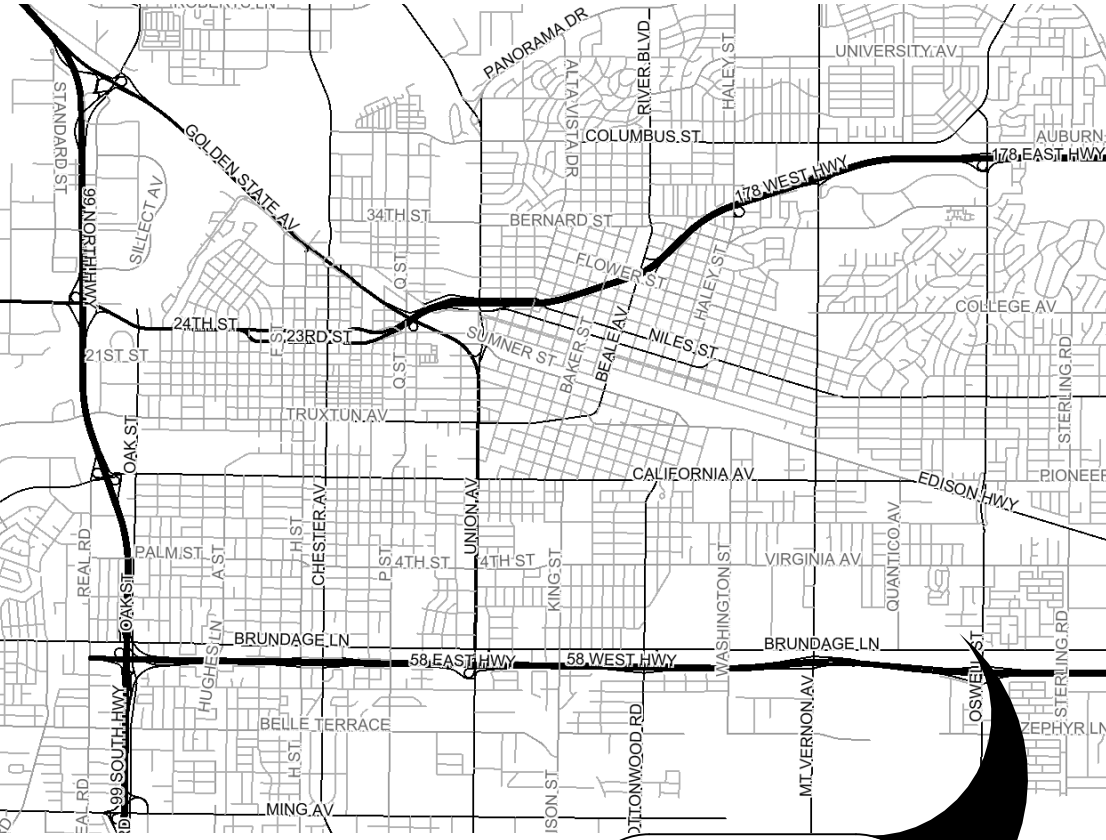
ELECTRICAL

PRECAST CONCRETE

JMPE
5500 Ming Ave., Suite 251
Bakersfield, CA 93309
Phone: (661) 831-7851
Fax: (661) 831-7813
John Maloney

Structure Cast
8261 McCutchen Road
Bakersfield CA 93311
Phone: (661) 833-4490
Fax: (661) 280-5626
Brent Dezenbier

VICINITY MAP



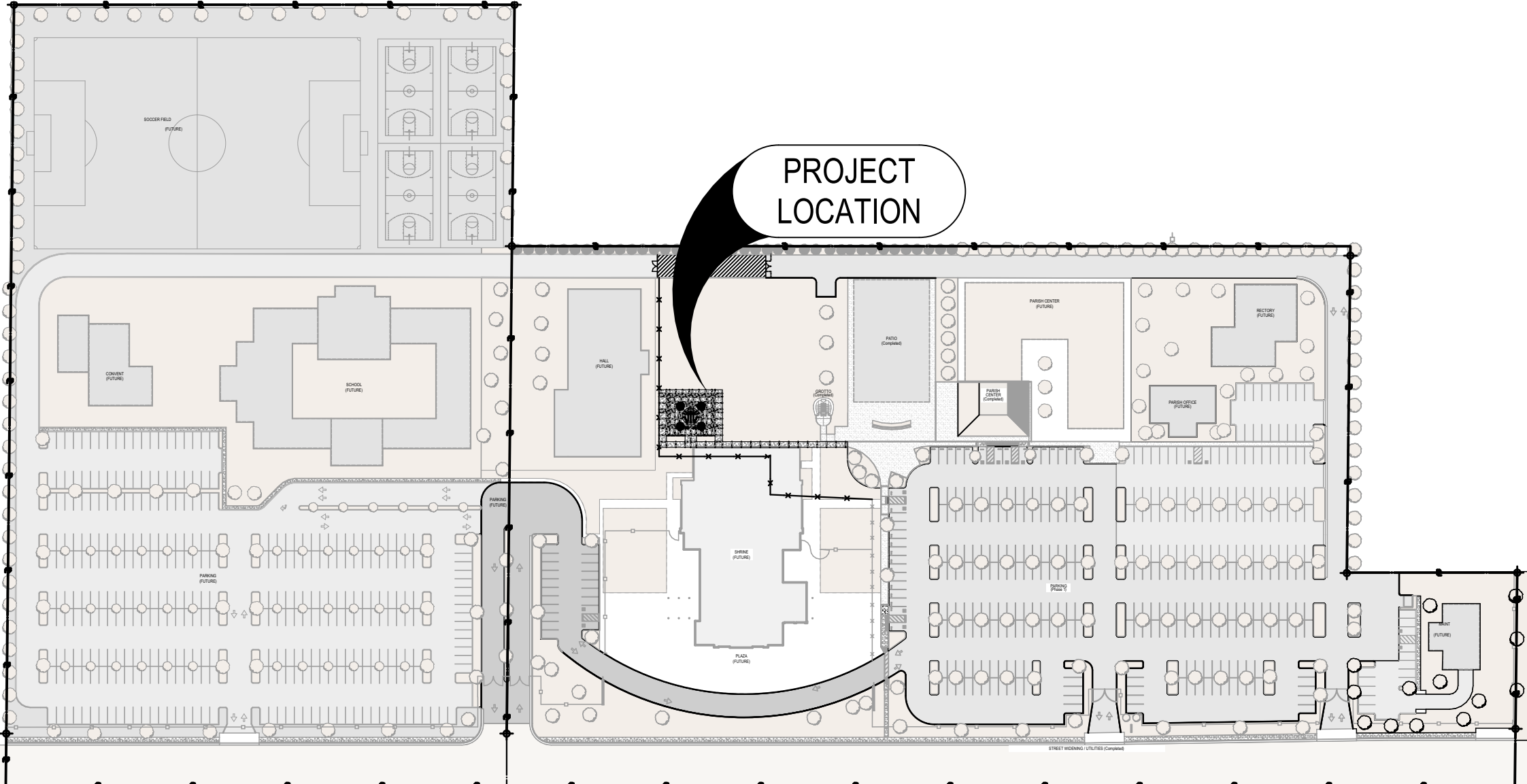
PROJECT LOCATION

OUR LADY OF GUADALUPE- MEMORIAL OF THE UNBORN
4600 EAST BRUNDAGE LANE, Bakersfield CA 93307

32 SHEETS TOTAL

OVERALL SITE DIAGRAM

NOT TO SCALE



PROJECT LOCATION

MEMORIAL OF THE UNBORN
FOR:
SHRINE OF OUR LADY
OF GUADALUPE
COPATRONESS OF THE
UNBORN

4600 EAST BRUNDAGE LANE
BAKERSFIELD CA 93307

| MARK | DATE | DESCRIPTION |
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| . | 7/11/16 | ISSUE FOR RFP |
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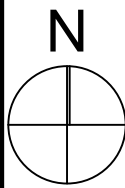
JOB NUMBER:
20151742
CAD DRAWING FILE:
1742_OLG Memorial To The Unborn_CD18
revision 2.pln
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**GENERAL
INFORMATION
SHEET**

SHEET IDENTIFICATION NUMBER
G-001

C:\Users\1701-175020151742\Drawings\CD18\1742_OLG Memorial To The Unborn_CD18_revised.pln
PLOT NAME: 8/15/17
PLOT DATE: 10/12/18

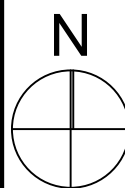
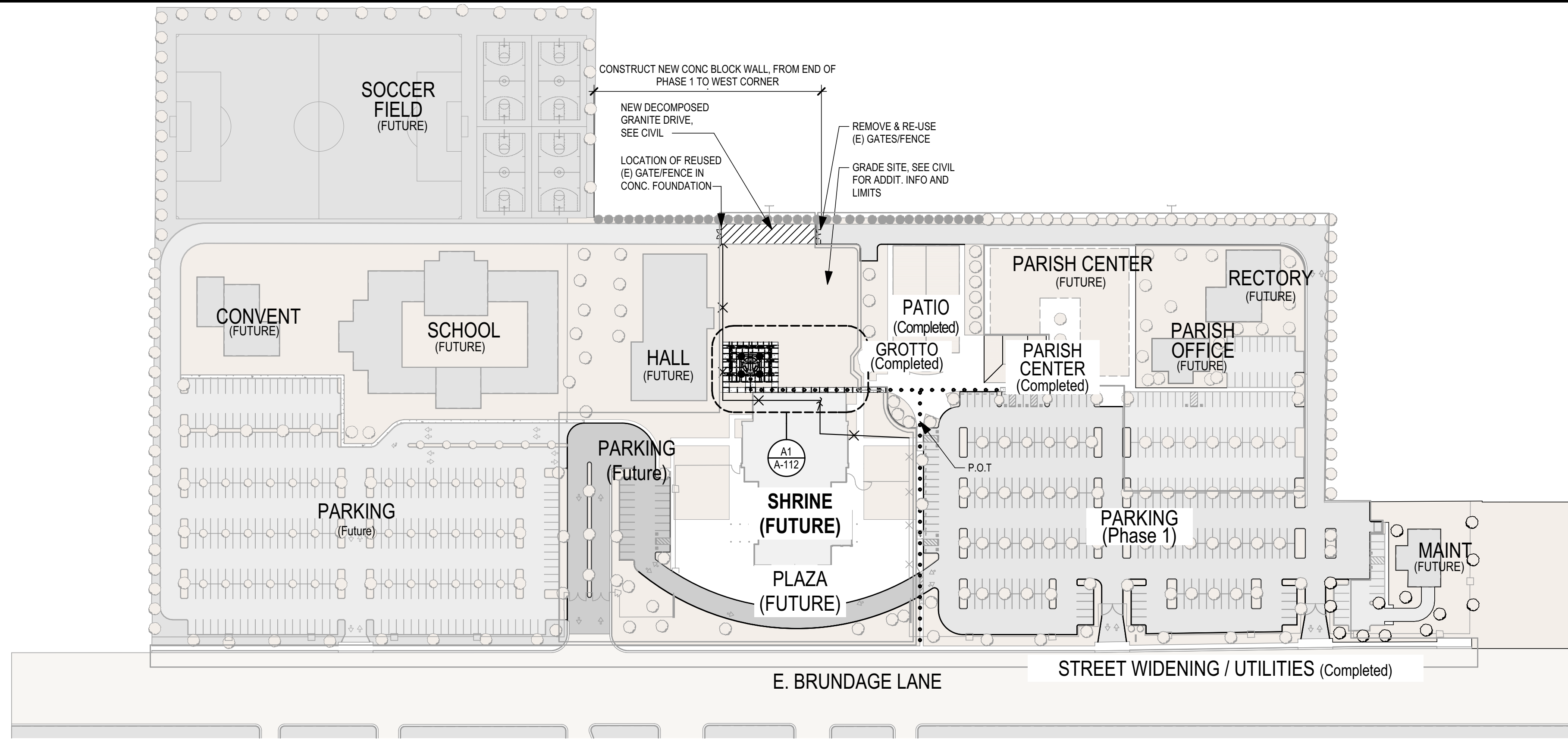
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PLOT DATE: 10/12/18



C1

OVERALL SITE PLAN

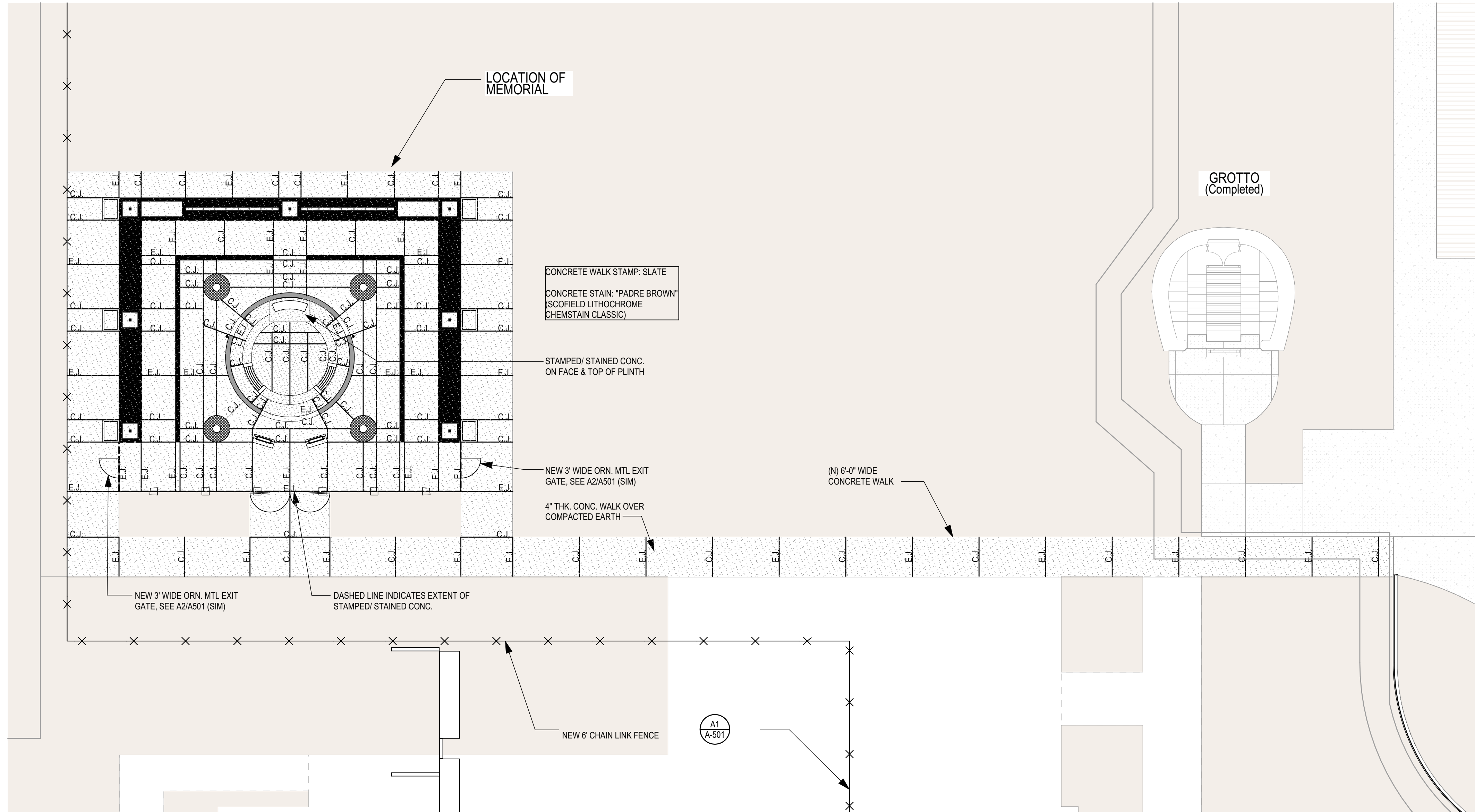
SCALE: 1" = 100'



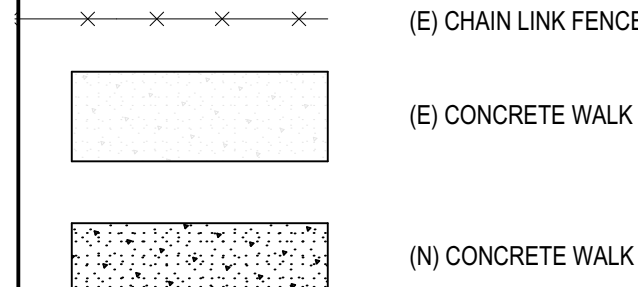
A1

ENLARGED SITE PLAN & CONTROL JOINTS

SCALE: 1" = 10'



SITE LEGEND

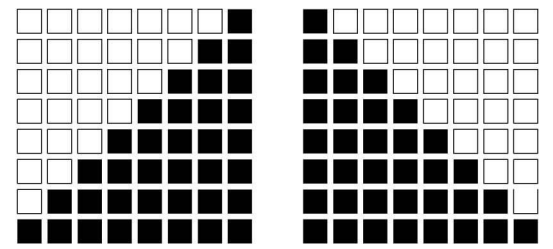


BARRIER FREE PATH OF TRAVEL (P.O.T.)

DESIGN PROFESSIONAL IN GENERAL RESPONSIBLE CHARGE STATEMENT: THE POT IDENTIFIED IN THESE CONSTRUCTION DOCUMENTS IS COMPLIANT WITH THE CURRENT APPLICABLE CALIFORNIA BUILDING CODE ACCESSIBILITY PROVISIONS FOR PATH OF TRAVEL REQUIREMENTS FOR ALTERATIONS ADDITIONS AND STRUCTURAL REPAIRS. AS PART OF THE DESIGN OF THIS PROJECT, THE POT WAS EXAMINED AND ANY ELEMENTS, COMPONENTS OR PORTIONS OF THE POT THAT WERE DETERMINED TO BE NONCOMPLIANT 1) HAVE BEEN IDENTIFIED AND 2) THE CORRECTIVE WORK NECESSARY TO BRING THEM INTO COMPLIANCE HAS BEEN INCLUDED WITHIN THE SCOPE OF THIS PROJECT'S WORK THROUGH DETAILS, DRAWINGS AND SPECIFICATIONS INCORPORATED INTO THESE CONSTRUCTION DOCUMENTS. ANY NONCOMPLIANT ELEMENTS, COMPONENTS OR PORTIONS OF THE POT THAT WILL NOT BE CORRECTED BY THIS PROJECT BASED ON VALUATION THRESHOLD LIMITATIONS OR A FIND OF UNREASONABLE HARDSHIP ARE SO INDICATED IN THESE CONSTRUCTION DOCUMENTS.

DURING CONSTRUCTION, IF POT ITEMS WITHIN THE SCOPE OF THE PROJECT REPRESENTED AS CODE COMPLIANT ARE FOUND TO BE NONCONFORMING BEYOND REASONABLE CONSTRUCTION TOLERANCES, THEY SHALL BE BROUGHT INTO COMPLIANCE WITH THE CBC AS A PART OF THIS PROJECT BY MEANS OF A CONSTRUCTION CHANGE DOCUMENT.

ACCESSIBLE PATH OF TRAVEL AS INDICATED ON PLAN IS A BARRIER-FREE ACCESS ROUTE WITHOUT ANY ABRUPT LEVEL CHANGES EXCEEDING 1/4" MAX. AND AT LEAST 48" IN WIDTH. SURFACE IS STABLE, FIRM AND SLIP RESISTANT. CROSS SLOPE DOES NOT EXCEED 2% AND SLOPE IN THE DIRECTION OF TRAVEL IS LESS THAN 5%, UNLESS OTHERWISE INDICATED. ACCESSIBLE PATH OF TRAVEL SHALL BE MAINTAINED FREE OF OVERHANGING OBSTRUCTION TO 80" MINIMUM, AND PROTRUDING OBJECTS GREATER THAN 4" PROJECTION FROM WALL AND ABOVE 27" AND LESS THAN 80". ARCHITECT SHALL VERIFY THAT THERE ARE NO BARRIERS IN THE PATH OF TRAVEL.



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FACSIMILE (661) 832-4291



DANNY E. ORDIZ, AIA
ARCHITECT C-14728
WILLIAM J. MELBY, AIA
ARCHITECT C-16835

MEMORIAL OF THE UNBORN
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**SHRINE OF OUR LADY
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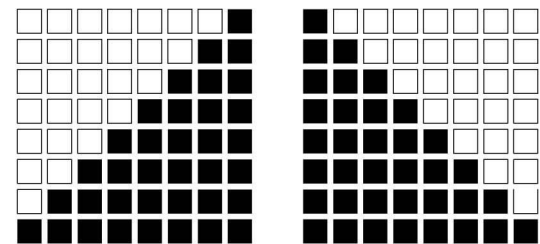
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SHEET TITLE

**OVERALL,
ENLARGED SITE
PLAN & CONTROL
JOINTS**

SHEET IDENTIFICATION NUMBER

A-112



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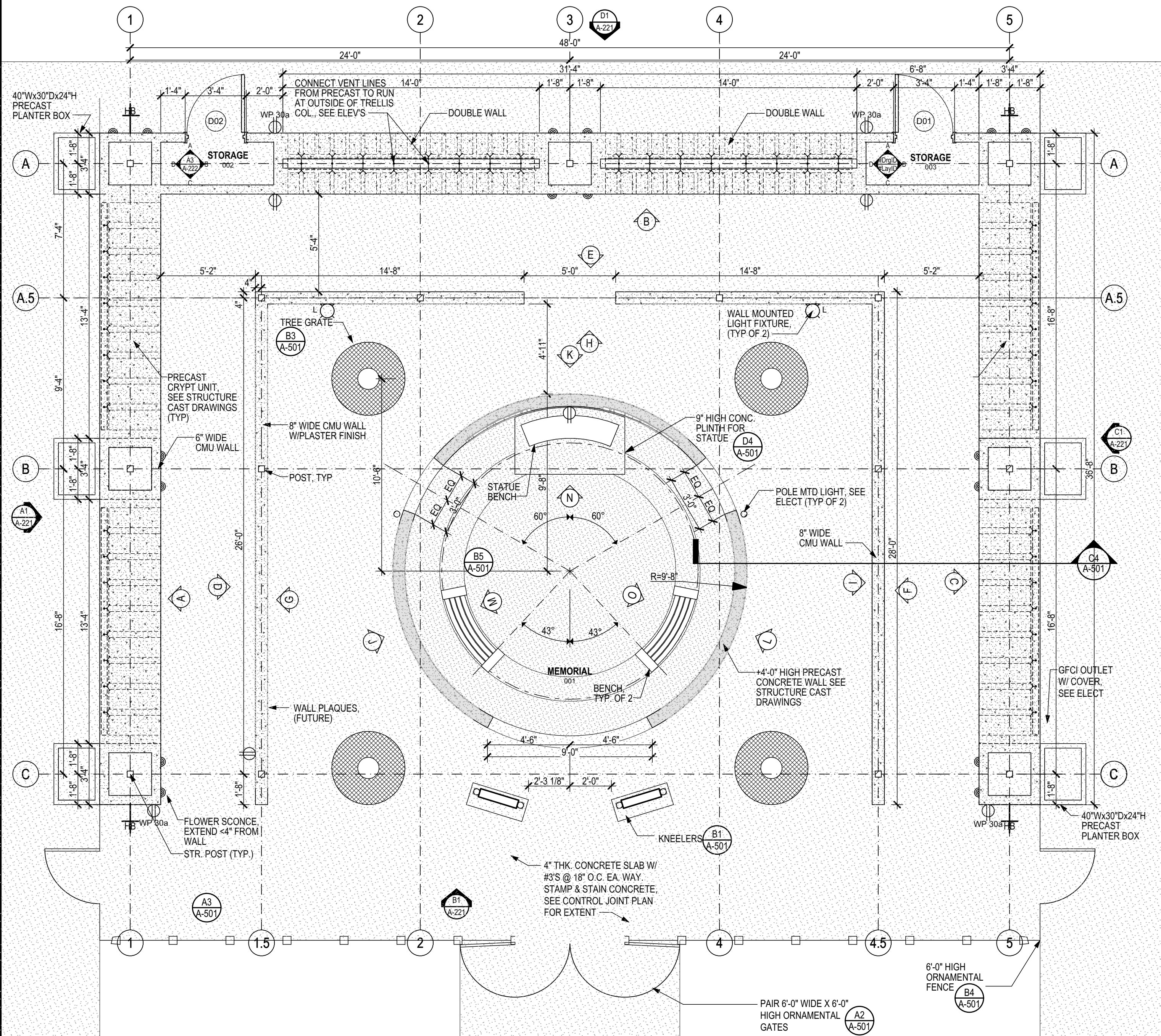
**FLOOR PLAN AND
ROOF PLAN**

SHEET IDENTIFICATION NUMBER

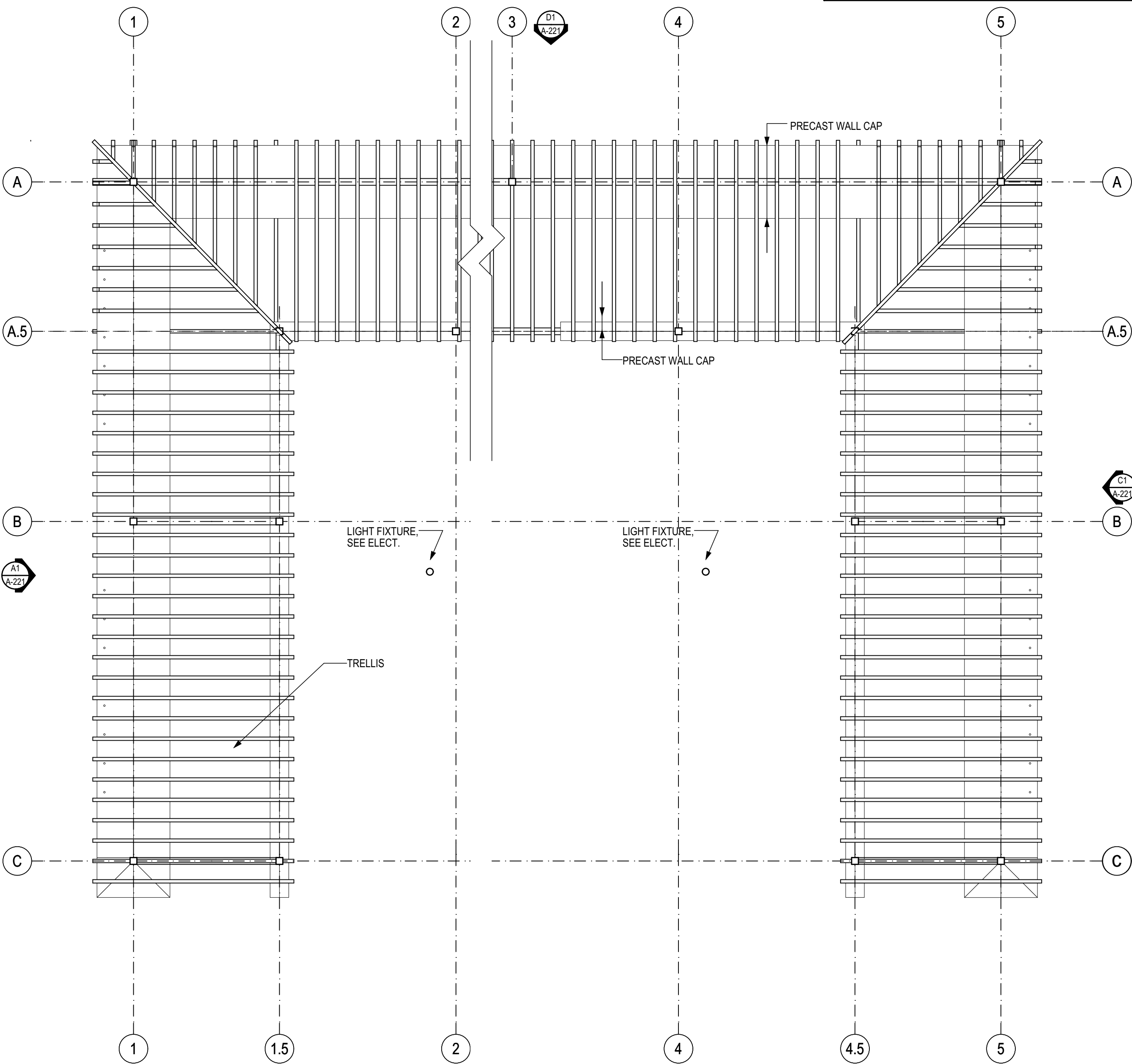
A-122

SYMBOL LEGEND

- CLASSROOM** — ROOM NAME
DOOR SYMBOL
ROOM NUMBER
DOOR NUMBER
PANIC HARDWARE INDICATOR
INTERIOR ELEVATION SYMBOL
ELEVATION ORIENTATION
SEE SHEET A-222
EXTERIOR ELEVATION SYMBOL
LOCATION ON SHEET
SHEET NUMBER
SECTION SYMBOL
LOCATION ON SHEET
SHEET NUMBER
DETAIL SYMBOL
LOCATION ON SHEET
SHEET NUMBER
GRID LINE - FACE OF
GRID LINE - CENTER

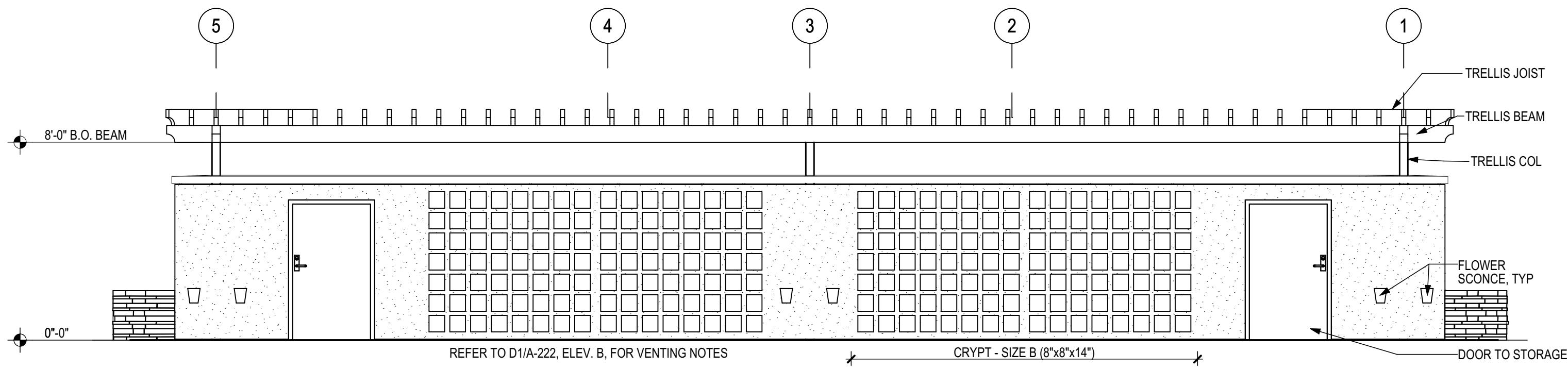


A1 FLOOR PLAN



A3 ROOF PLAN

PATHNAME: K:\Jobs\1701-1700\20151742\Drawings\CD1\1742_OLG Memorial To The Unborn_CD18_revised.dgn
PLOT DATE: 10/12/2018



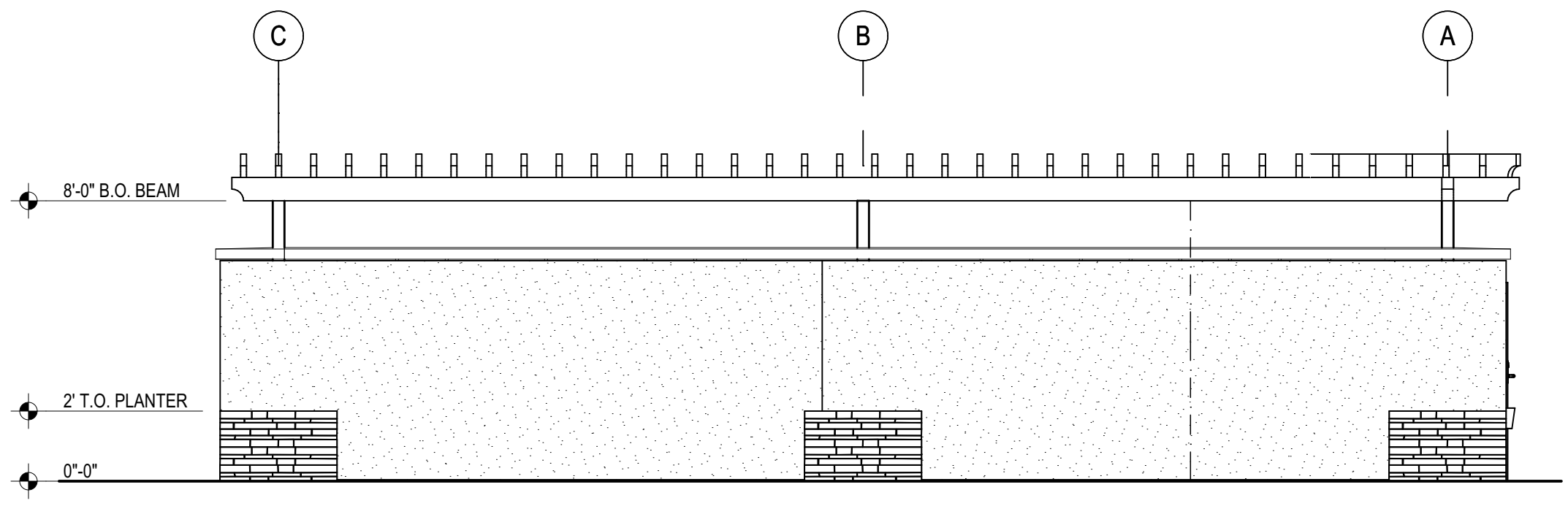
D1 NORTH ELEVATION
SCALE: 1/4" = 1'-0"

NOTE:
TRELLIS SYSTEM IS DESIGN-BUILD. TO FOLLOW THE IDEAS REPRESENTED IN THESE DRAWINGS. DESIGN-BUILD CONTRACTOR SHALL PROVIDE STRUCTURAL ENGINEERING (THROUGH PERMITTING) AS A PART OF THE SCOPE OF WORK, AND SHALL COORDINATE INSTALLATION WITH PROJECT GENERAL CONTRACTOR AS REQUIRED.

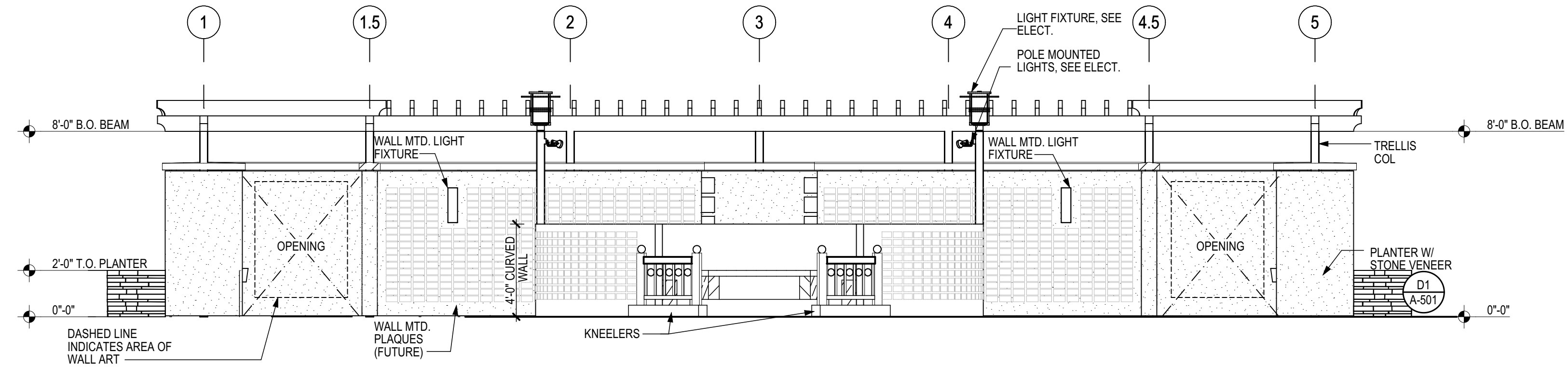
SUBMIT DESIGN-BUILD DRAWINGS TO ARCHITECT, THROUGH GENERAL CONTRACTOR, FOR INCLUSION IN DOCUMENTS FOR PERMITTING & FOR REVIEW FOR DESIGN INTENT.

FINISH THE TRELLIS AS FOLLOWS:
* UNEXPOSED PORTIONS OF COLUMNS (FROM LOWER END OF COLUMN TO TOP OF CRYPT WALL): INTERNATIONAL PAINT "ENVIROLINE 405HT" (SHOP APPLIED); PREPARE SURFACE OF COLUMNS AS REQUIRED BY MANUFACTURER
* REMAINING & EXPOSED PORTIONS OF COLUMNS, BEAMS AND TRELLIS JOISTS: SHERWIN WILLIAMS "MACROPOXY 646-100 (1 COAT, 3 MILS MIN.) FOLLOWED BY "SHERTHANE 2K URETHANE TOPCOAT (2 COATS, 2 MILS MIN EA).

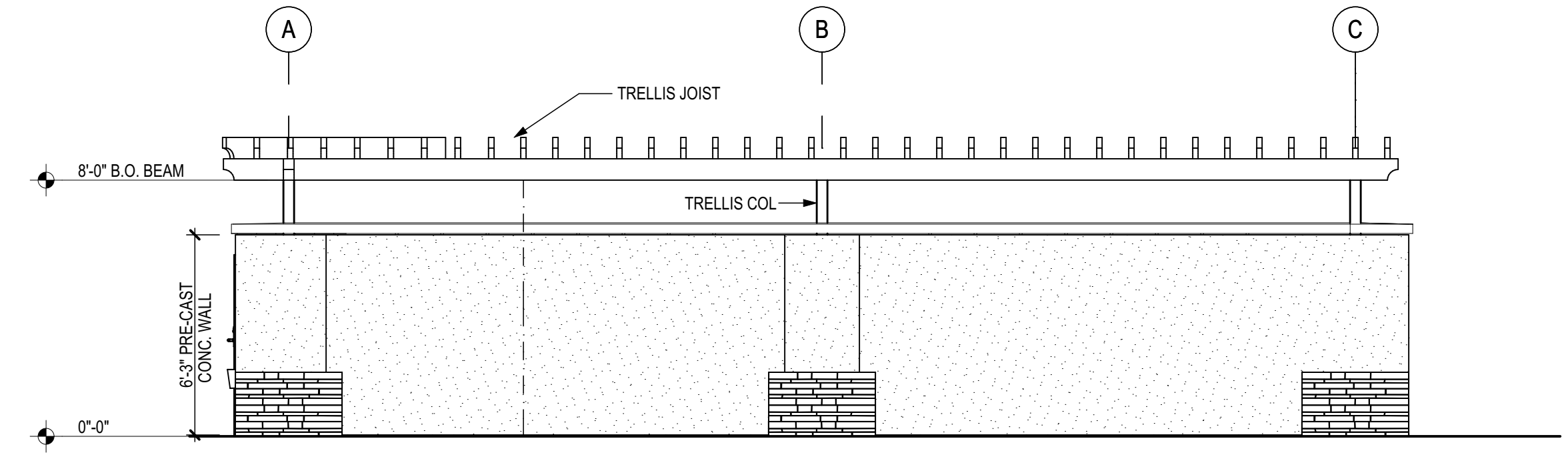
COLOR SHALL BE SELECTED BY ARCHITECT AND OWNER.



C1 EAST ELEVATION
SCALE: 1/4" = 1'-0"



B1 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



A1 WEST ELEVATION
SCALE: 1/4" = 1'-0"



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WILLIAM J. MELBY, AIA
ARCHITECT C-16835

MEMORIAL OF THE UNBORN FOR:
**SHRINE OF OUR LADY
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COPATRONESS OF THE
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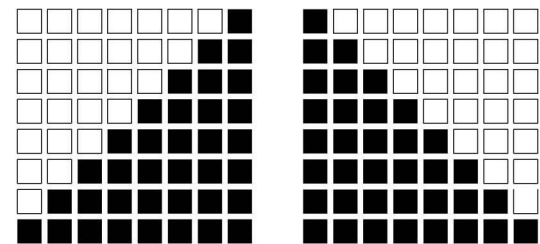
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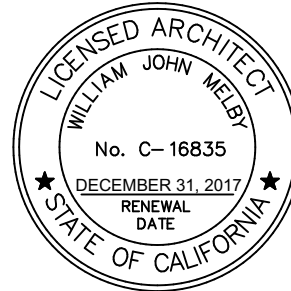
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SHEET TITLE
**EXTERIOR
ELEVATIONS**

SHEET IDENTIFICATION NUMBER
A-221



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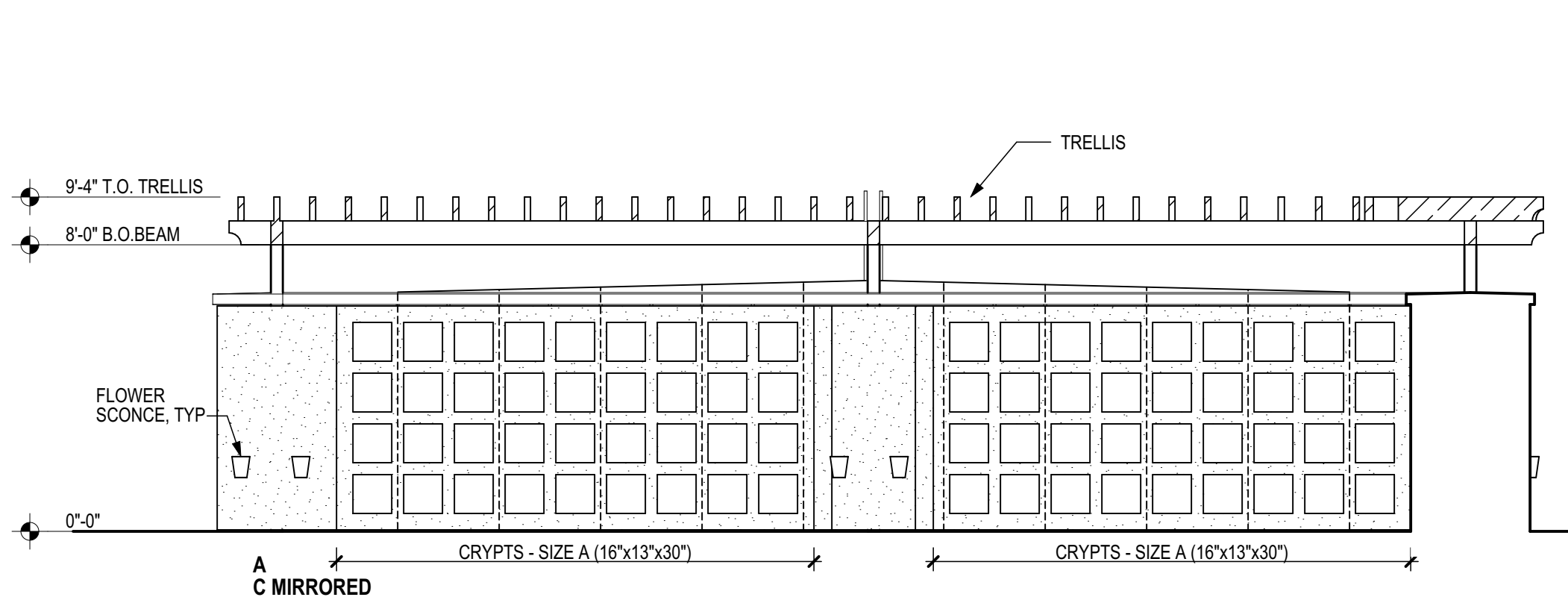
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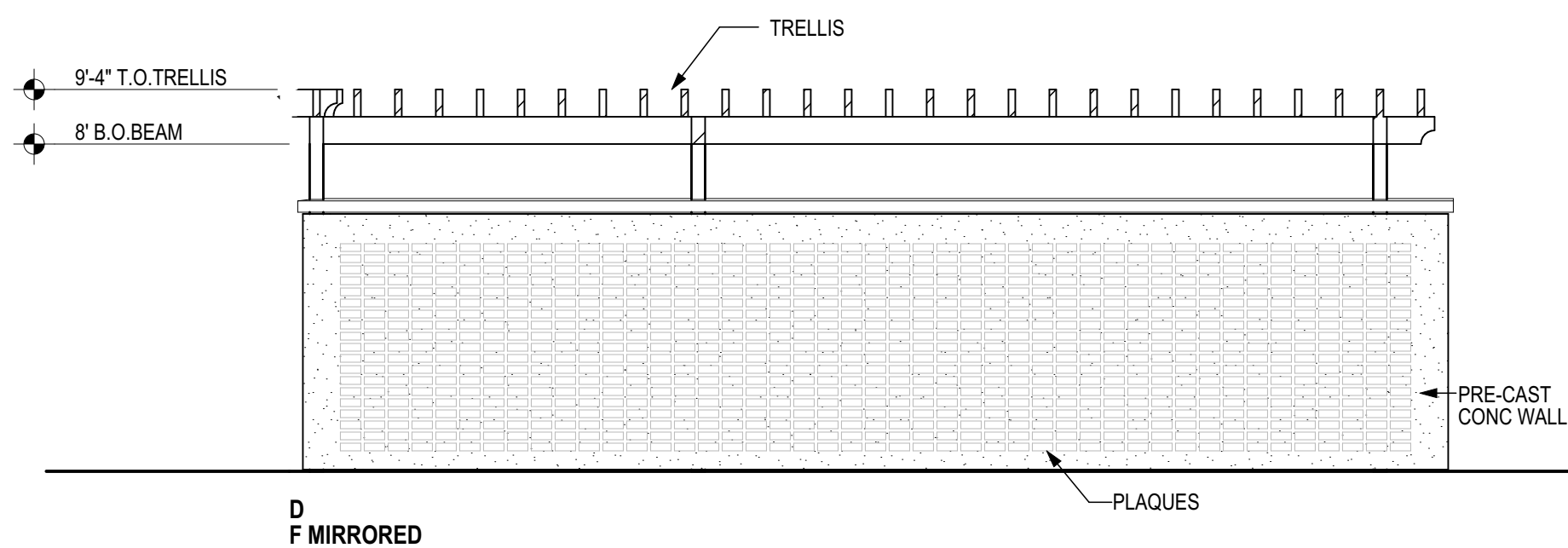
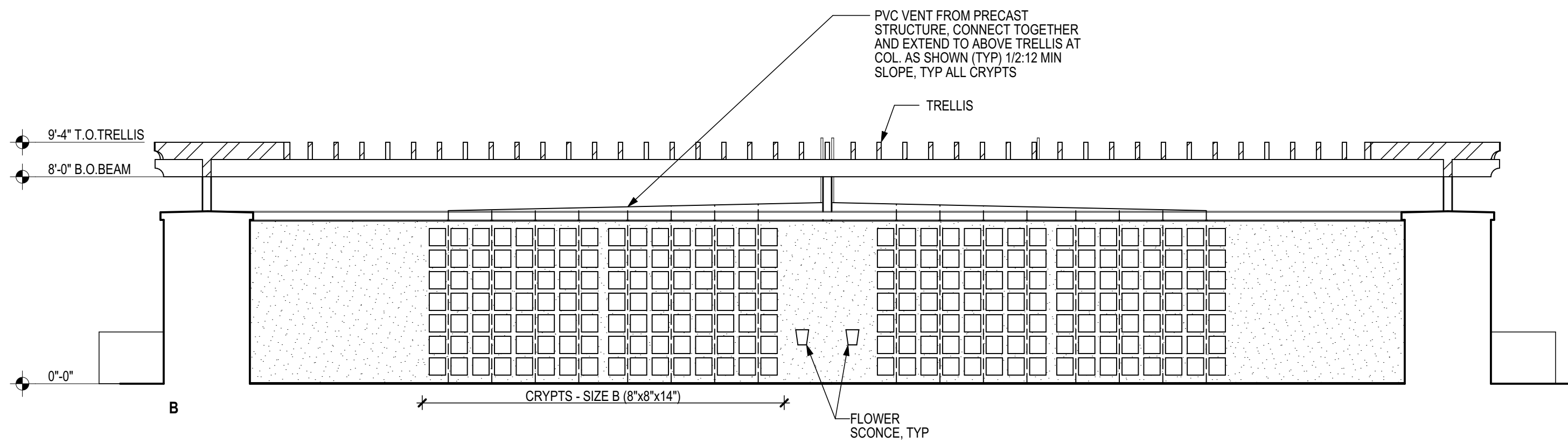
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SHEET TITLE
**INTERIOR
ELEVATIONS**

SHEET IDENTIFICATION NUMBER

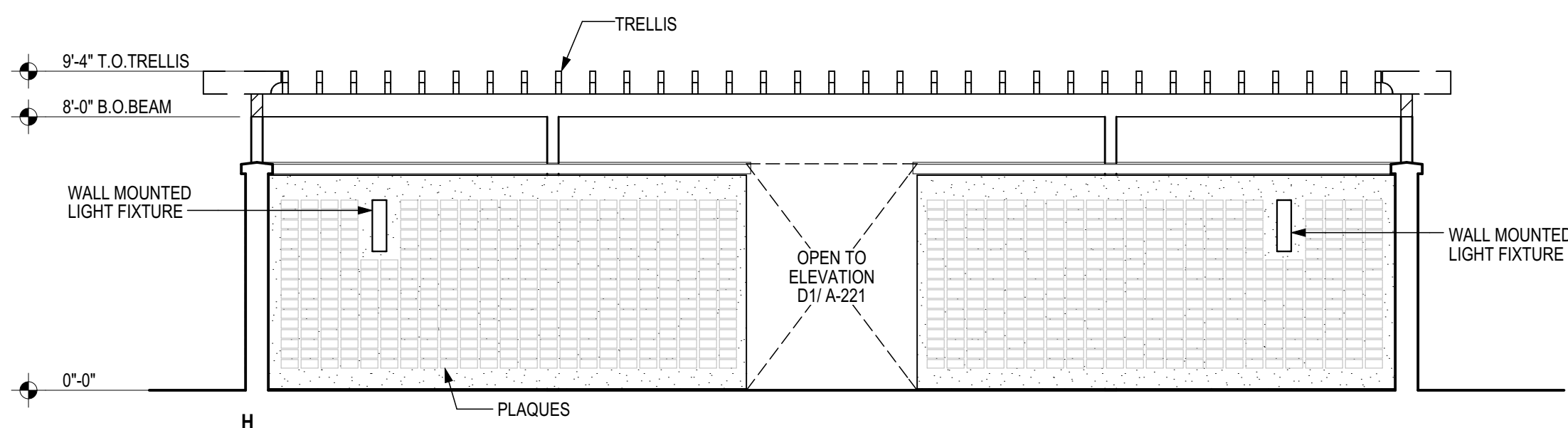
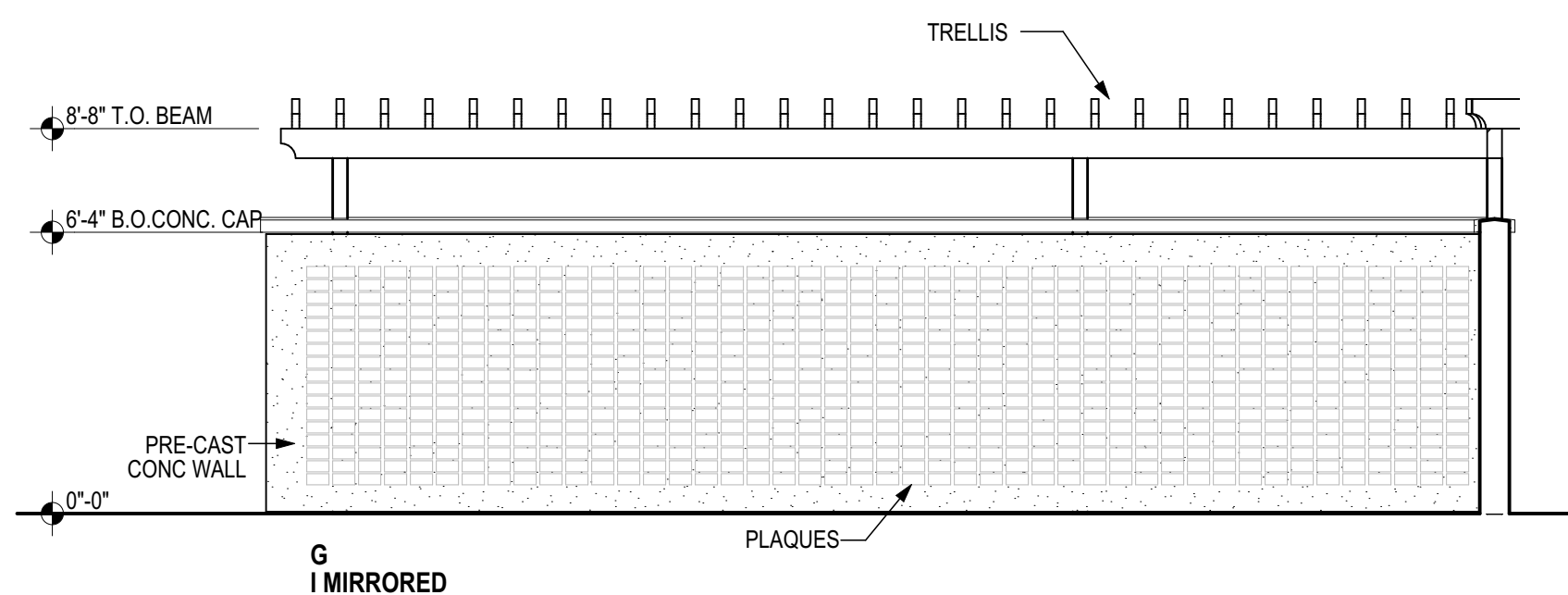
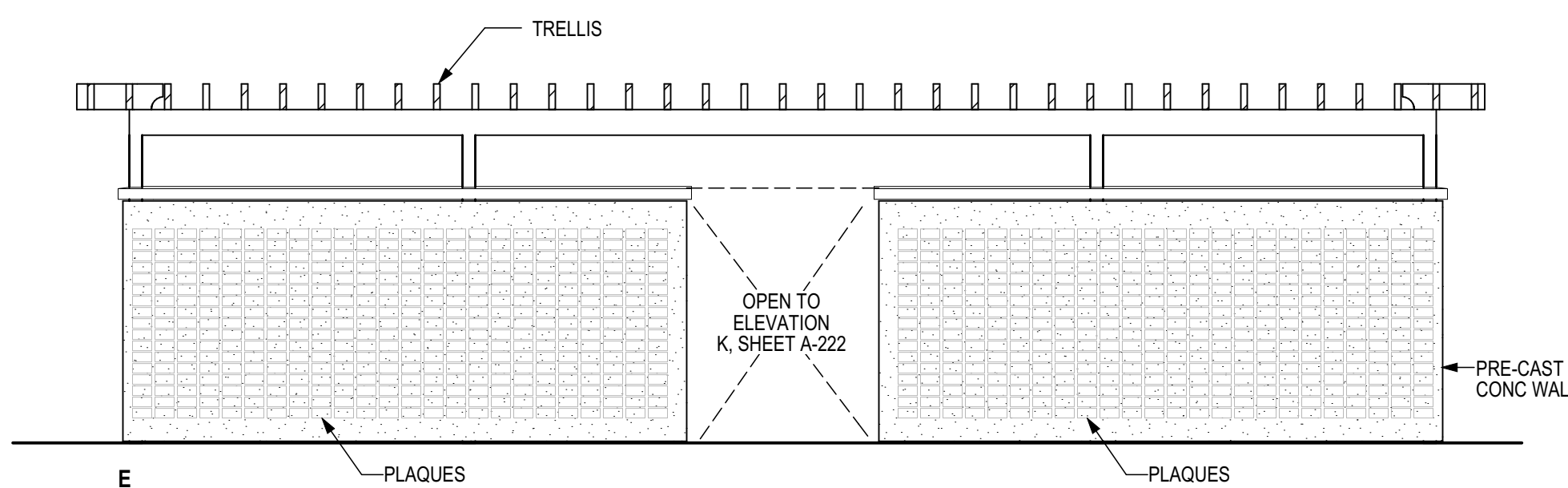
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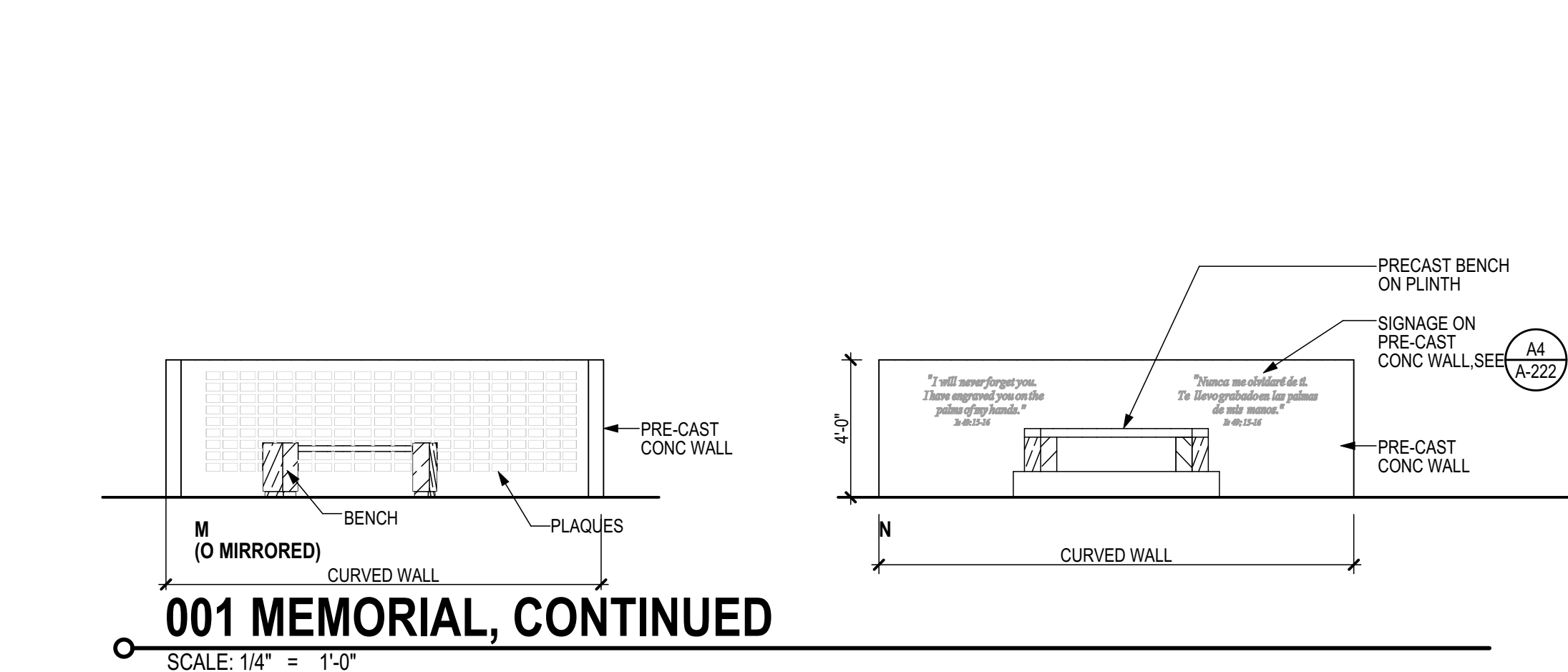
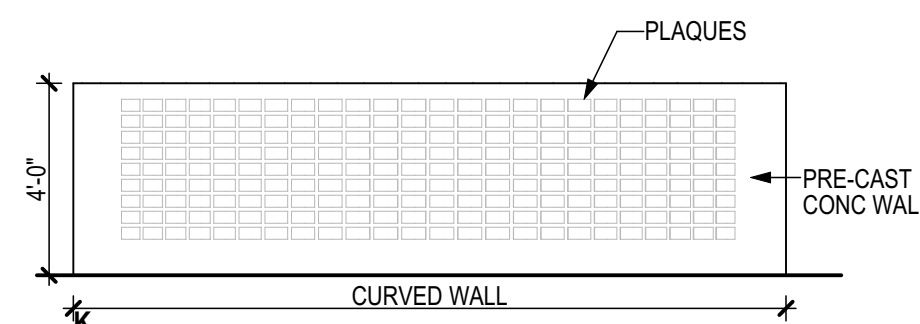
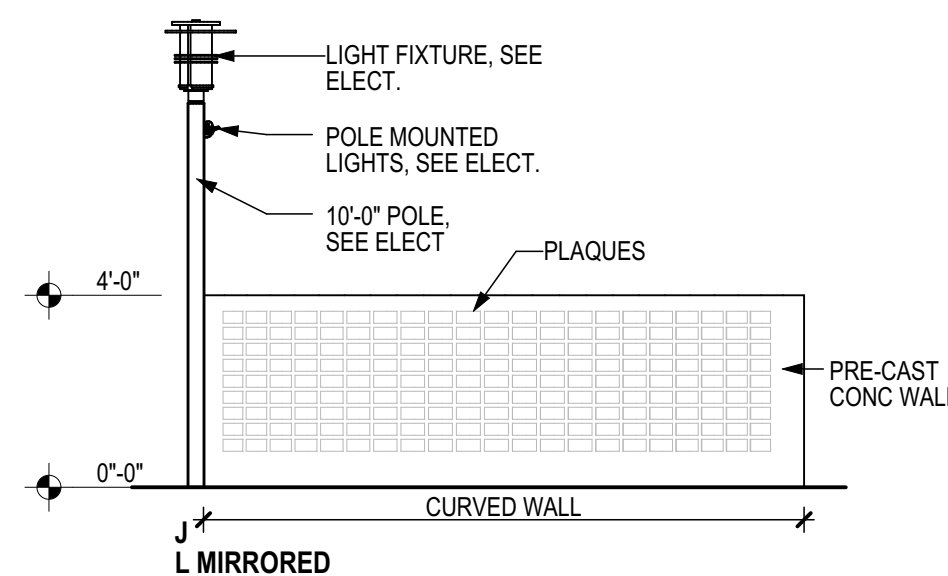
D1 001 MEMORIAL
SCALE: 1/4" = 1'-0"



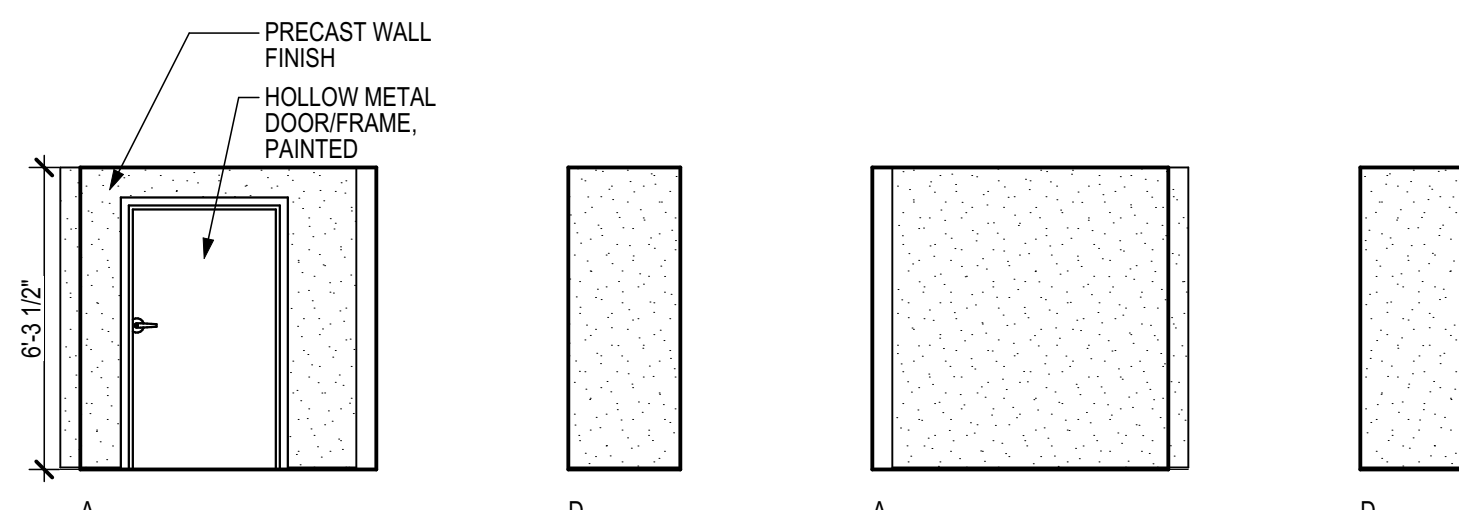
001 MEMORIAL CONTINUED
SCALE: 1/4" = 1'-0"



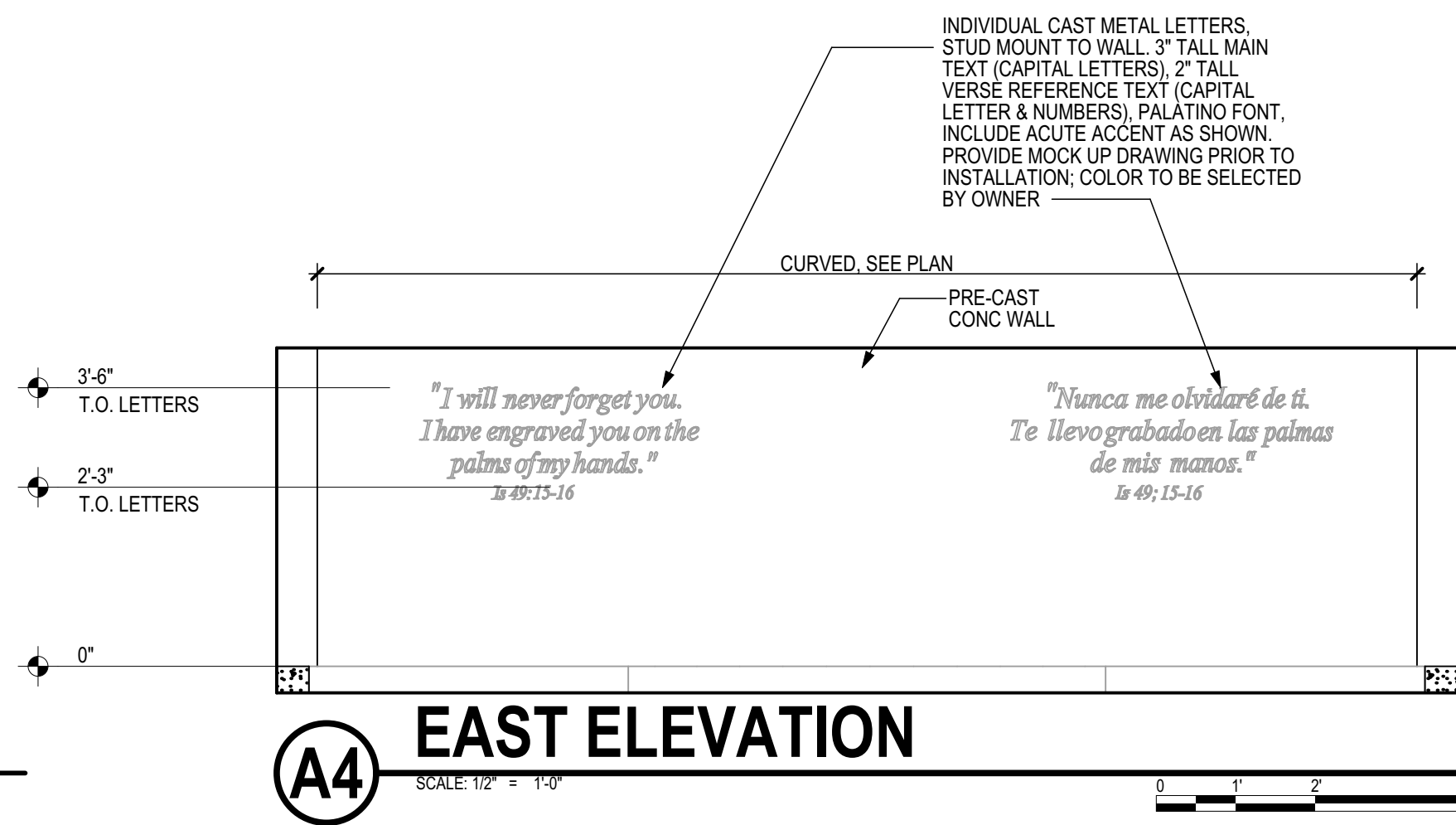
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SCALE: 1/4" = 1'-0"



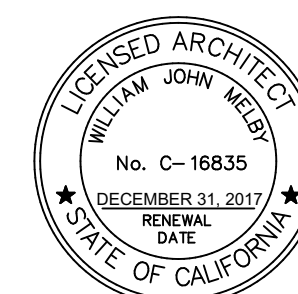
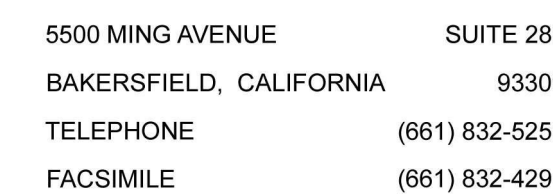
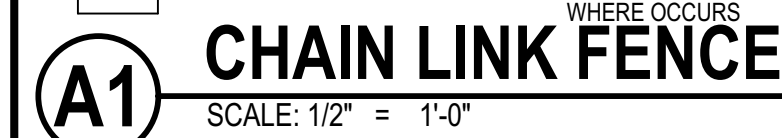
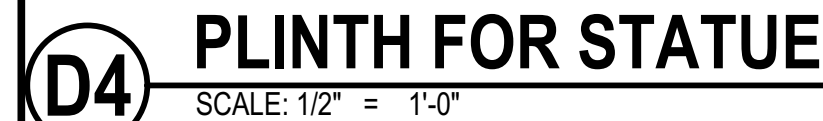
001 MEMORIAL, CONTINUED
SCALE: 1/4" = 1'-0"



A3 002 STORAGE (003 STORAGE SAME)
SCALE: 1/4" = 1'-0"



A4 EAST ELEVATION
SCALE: 1/2" = 1'-0"



DANNY E. ORDIZ, AIA
ARCHITECT C-14728

WILLIAM J. MELBY, AIA
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**MEMORIAL OF THE UNBORN
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A-301

██████████, ██████████

_____.

Public Comments

From: romeo hermosa <siclong2@yahoo.com>

Sent: Tuesday, December 4, 2018 12:19 PM

To: DEVPln <DEVPln@bakersfieldcity.us>

Subject: permit to allow a Mausoleum

Sir/Madam,

Please NO, NO in our neighborhood. This will lower our property values.

Respectfully yours,

Romeo M. Hermosa
4601 Bergquist Ave
Bakersfield, CA 93301



COVER SHEET

PLANNING DEPARTMENT

STAFF REPORT

MEETING DATE: December 11, 2018 **ITEM NUMBER:** 7.(a.)

TO: BZA

FROM: Kevin F. Coyle, AICP CEP, Planning Director

PLANNER: Paul Johnson, Principal Planner

DATE:

WARD:

SUBJECT:

Election of Board of Zoning Adjustment Chair for 2019.

APPLICANT:

OWNER:

LOCATION:

STAFF RECOMMENDATION: