



PLANNING COMMISSION AGENDA
MEETING OF JUNE 20, 2019
Council Chambers, City Hall South, 1501 Truxtun Avenue
Regular Meeting 5:30 P.M.

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1. ROLL CALL

DANIEL CATER, CHAIR
LARRY KOMAN, VICE-CHAIR
BOB BELL
MICHAEL BOWERS
BARBARA LOMAS
OSCAR L. RUDNICK
PATRICK WADE

2. PLEDGE OF ALLEGIANCE

3. PUBLIC STATEMENTS

4. CONSENT CALENDAR NON-PUBLIC HEARING

- a. Approval of minutes for the Regular Planning Commission meeting of June 6, 2019.
Staff recommends approval.

5. CONSENT CALENDAR PUBLIC HEARINGS

Ward 3

- a. **Extension of Time for Vesting Tentative Tract Map 6459:** McKenzie Dibble requests an extension of time for this subdivision to create 57 single-family residential lots on 11.18 acres located north of Niles St. and east of Park Dr. Notice of Exemption on file.
Staff recommends approval.

Ward 6

- b. **Extension of Time for Vesting Tentative Tract Map 7213:** Porter & Associates request an extension of time for this subdivision consisting of 158 single-family residential lots on 35.70 acres, located at the southeast corner of Berkshire Road and Ashe Road. Notice of Exemption on file.
Staff recommends approval.

Ward 6

- c. **Vesting Tentative Tract Map 7352:** Porter & Associates, Inc. proposes to subdivide 7.26 acres into 26 single-family residential lots, located west of Stine Road and Poppyseed Street. Negative Declaration on file.
Staff recommends approval.

Ward 7

- d. **Tentative Parcel Map 12286:** Wiley D. Hughes Surveying, Inc., proposes to subdivide 0.86 acres into 4 parcels and 1 designated remainder for future multiple-family dwelling development, located ¼ mile west of South H St. and Planz Rd. Notice of Exemption on file. Staff recommends approval.

Ward 7

- e. **Planned Development Review No. 18-0456:** DeWalt Corporation requests a new planned development review to allow development of a commercial center in the C-2/P.C.D. (Regional Commercial/Planned Commercial Development Zone) district, located at the southeast corner of Hosking Avenue and South H Street (1631 Hosking Avenue), pending approval of related General Plan Amendment / Zone Change No. 18-0457. Notice of Exemption on file. *Continued from 6/6/19.* Staff recommends approval.

Ward 3

- f. **Planned Development Review No. 19-0141:** M. W. Steele Group requests a new planned development review to allow development of 81 multiple-family dwelling units in the R-3/P.U.D. (Multiple-Family Dwelling/Planned Unit Development Zone) district, located at 3345 Bernard Street. Notice of Exemption on file. *Continued from 6/6/19.* Staff recommends approval.

6. PUBLIC HEARINGS

7. WORKSHOPS

- a. **2020-25 Consolidated Plan for HUD Funds**
Receive and File

8. COMMUNICATIONS

9. COMMISSION COMMENTS

10. ADJOURNMENT



Kevin F. Coyle, AICP CEP
Planning Director



COVER SHEET

PLANNING DEPARTMENT

STAFF REPORT

MEETING DATE: June 20, 2019

ITEM NUMBER: 4.(a.)

TO:

FROM:

PLANNER:

DATE:

WARD:

SUBJECT: Approval of minutes for the Regular Planning Commission meeting of June 6, 2019.

APPLICANT:

OWNER:

LOCATION:

STAFF RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

Description	Type
☐ Minutes of June 6, 2019	Cover Memo



PLANNING COMMISSION MINUTES

Meeting of June 6, 2019 - 5:30 p.m.
Council Chambers, City Hall, 1501 Truxtun Avenue

ACTION TAKEN

1. ROLL CALL

Present: Chair Cater, Koman, Bell, Bowers, Lomas, Rudnick, Wade

Absent: None

Staff Present: Richard Iger, Deputy City Attorney; Kevin F. Coyle, DS Planning Director; Jim Schroeter, Public Works Civil Engineer III; Paul Archambault, Building Civil Engineer III; Steve Esselman, DS Principal Planner; Dana Cornelius, Secretary.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC STATEMENTS

None

4. CONSENT CALENDAR NON-PUBLIC HEARING

a. Approval of minutes for the Regular Planning Commission meeting of May 16, 2019.

b. **City of Bakersfield's Proposed Capital Improvement Program for FY 2019-20:** Resolution finding the City's Capital Improvement Program (CIP) is consistent with the *Metropolitan Bakersfield General Plan*. The CIP sets forth projects that will be constructed to maintain the City's existing streets, sewers, parks, office facilities, etc. and build new public facilities such as parks, fire stations, police stations, etc. Notice of Exemption on file.

RES NO. 57-19

Motion by Commissioner Koman, seconded by Commissioner Rudnick, to approve Consent Calendar Non-Public Hearing Item 4.a. and 4.b.

APPROVED

ACTION TAKEN

5. CONSENT CALENDAR PUBLIC HEARINGS

- | | |
|---|--|
| <p>a. General Plan Amendment/Zone Change No. 18-0366: Gilmar Construction, Inc., proposes a general plan amendment/zone change on 0.66 acres located generally on the northwest corner of Cottonwood road and East Planz Road consisting of (1) an amendment of the Land Use Element land use designation from LMR (Low Medium Density Residential) to GC (General Commercial), or a more restrictive designation; and (2) a change in zone classification from R-2 (Limited Multiple Family Dwelling) to C-2 (Regional Commercial), or a more restrictive district. Mitigated Negative Declaration on file.</p> <p>b. General Plan Amendment/Zone Change No. 18-0448: Hageman Land Partners, LLC proposes a general plan amendment/zone change on 8.53 acres located on the southwest corner of the Renfro Road and Santa Fe way consisting of (1) an amendment to the Land Use Element land use designation from R-IA (Resource – Intensive Agriculture) to LI Light Industrial), or a more restrictive designation; and (2) a change in zone classification from A (Agriculture) to M-1 (Light Manufacturing), or a more restrictive district. Mitigated Negative Declaration on file.</p> <p>c. General Plan Amendment/Zone Change No. 18-0457: DeWalt Corporation proposes a general plan amendment/zone change on 12.97 acres located at the southeast corner of Hosking Avenue and South H Street consisting of (1) and amendment to the Land Use Element land use designation from LR (Low Density Residential) to GC (General Commercial), or a more restrictive designation; and (2) a change in zone classification from R-1 (One Family Dwelling) to C-2/PCD (Regional Commercial/Planned Commercial Development), or a more restrictive district. Mitigated Negative Declaration on file.</p> <p>d. Planned Development Review No. 18-0456: DeWalt Corporation requests a new planned development review to allow development of a commercial center in the C-2/P.C.D. (Regional Commercial/Planned Commercial Development Zone) district, located at the southeast corner of Hosking Avenue and South H Street (1631 Hosking Avenue) pending approval of related General Plan Amendment/Zone Change No. 18-0457. Notice of Exemption on file.</p> | <p>RES NO. 58-19
RES NO. 59-19
RES NO. 60-19</p>
<p>RES NO. 61-19
RES NO. 62-19
RES NO. 63-19</p> <p>REMOVED
FROM
CONSENT</p>
<p>RES NO. 64-19
RES NO. 65-19
RES NO. 66-19</p>
<p>CONTINUED TO
JUNE 20, 2019</p> |
|---|--|

ACTION TAKEN

- e. **General Plan Amendment/Zone Change No. 19-0035:** Porter & Associates, Inc., proposes a general plan amendment/zone change on 10.1 acres located on the northeast corner of Hosking Avenue and Wible Road consisting of (1) an amendment of the Land Use Element land use designation from LMR (Low Medium Density Residential) to GC (General Commercial), or a more restrictive designation; and (2) a change in zone classification from R-S (Residential Suburban) and R-1 (One Family Dwelling) to C-1 (Neighborhood Commercial), or a more restrictive district. Mitigated Negative Declaration on (MND) on file.
- f. **General Plan Amendment/Zone Change No. 19-0039:** Tanya Lopez proposes a general plan amendment/zone change on 0.64 acres located at 1720 Planz Road consisting of (1) and amendment of the Land Use Element land use designation from HR (High Density Residential) to GC (General Commercial), or a more restrictive designation; and (2) a change in zone classification from R-S (Residential Suburban), R-4 (High Density Multiple Family Dwelling), C-2 (Regional Commercial), and R-3 (Multiple Family Dwelling) to only C-2 (Regional Commercial), or a more restrictive district. Notice of Exemption on file.
- g. **General Plan Amendment/Zone Change No. 19-0134:** City of Bakersfield proposes a general plan amendment/zone change on 1.72 acres located at existing Weill Park, located at the southwest corner of James Street and Q Street consisting (1) and amendment of the Land Use Element land use designation from OS-P (Parks and Recreation) to SI (Service Industrial); and (2) a change in zone classification from OS (Open Space) to M-2 (General Manufacturing). Notice of Exemption on file.
- h. **Planned Development Review No. 19-0141:** M.W. Steele Group requests a new planned development review to allow development of 81 multiple-family dwelling units in the R-3/P.U.D. (Multiple-Family Dwelling/Planned Unit Development Zone) district located at 3345 Bernard Street. Notice of Exemption on file.
- i. **Extension of Time for Planned Commercial Development No. 19-0206:** Audrey Garvey requests an extension of time for commence construction of a previously approved plan to allow development of a 37,000 square foot, 59 bed, skilled nursing facility (GPA/ZC 16-0093) in the P.C.D. (Planned Commercial Development Zone) district located at 3450 Bernard Street. Notice of Exemption on file.

**REFERRED
BACK TO STAFF**

**RES NO. 67-19
RES NO. 68-19
RES NO. 69-19**

**RES NO. 70-19
RES NO. 71-19
RES NO. 72-19**

**REMOVED
FROM
CONSENT**

**REMOVED
FROM
CONSENT;
CONTINUED TO
JUNE 20, 2019**

RES NO. 73-19

**REMOVED
FROM
CONSENT**

ACTION TAKEN

Staff report given. Public hearing open, Agenda Items 5.b., g., h. and i. were removed from Consent Calendar for Public hearing. Public hearing closed for Consent Calendar-Public Hearing items not removed.

Motion by Commissioner Bell, seconded by Commissioner Bowers to approve Agenda Items 5.a., c., and f., and Agenda Item 5.e. was referred back to staff.

APPROVED

6. PUBLIC HEARINGS

5.g. General Plan Amendment/Zone Change No. 19-0134: City of Bakersfield proposes a general plan amendment/zone change on 1.72 acres located at existing Weill Park, located at the southwest corner of James Street and Q Street consisting (1) and amendment of the Land Use Element land use designation from OS-P (Parks and Recreation) to SI (Service Industrial); and (2) a change in zone classification from OS (Open Space) to M-2 (General Manufacturing). Notice of Exemption on file.

Staff report given. Public hearing open. Two people spoke in favor. Two people spoke in opposition. Both sides given a five-minute rebuttal period. Public hearing closed. Commission deliberated.

Motion by Commissioner Lomas, seconded by Commissioner Koman to approve Agenda Item 5.g., with staff recommendations.

APPROVED

5.b. General Plan Amendment/Zone Change No. 18-0448: Hageman Land Partners, LLC proposes a general plan amendment/zone change on 8.53 acres located on the southwest corner of the Renfro Road and Santa Fe way consisting of (1) an amendment to the Land Use Element land use designation from R-IA (Resource – Intensive Agriculture) to LI Light Industrial), or a more restrictive designation; and (2) a change in zone classification from A (Agriculture) to M-1 (Light Manufacturing), or a more restrictive district. Mitigated Negative Declaration on file.

Staff report given. Public hearing open. One person spoke in favor. One person spoke in opposition. Both sides given a five-minute rebuttal period. Public hearing closed. Commission deliberated.

Motion by Commissioner Wade, seconded by Commissioner Rudnick to approve Agenda Item 5.b., with staff recommendations.

APPROVED

ACTION TAKEN

5.h. Planned Development Review No. 19-0141: M.W. Steele Group requests a new planned development review to allow development of 81 multiple-family dwelling units in the R-3/P.U.D. (Multiple-Family Dwelling/Planned Unit Development Zone) district located at 3345 Bernard Street. Notice of Exemption on file.

Staff report given. Public hearing open. One person spoke in favor. Three people spoke in opposition. Both sides given a five-minute rebuttal period. Public hearing closed. Commission deliberated.

Motion by Commissioner Rudnick, seconded by Commissioner Lomas, to continue Agenda 5.h., to the June 20, 2019 Planning Commission meeting. Commissioners Cater and Koman voted no; Commissioner Bell abstained.

**CONTINUED TO
JUNE 20, 2019**

**CATER,
KOMAN
VOTED NO**

**BELL
ABSTAINED**

5.i. Extension of Time for Planned Commercial Development No. 19-0206: Audrey Garvey requests an extension of time for commence construction of a previously approved plan to allow development of a 37,000 square foot, 59 bed, skilled nursing facility (GPA/ZC 16-0093) in the P.C.D. (Planned Commercial Development Zone) district located at 3450 Bernard Street. Notice of Exemption on file.

Staff report given. Public hearing opened and closed.

Motion by Commissioner Lomas, seconded by Commissioner Bell, to approve Agenda Item 5.i., with staff recommendations.

APPROVED

7. COMMUNICATIONS

Planning Director Kevin Coyle thanked the Planning Commission and stated there would be a Planning Commission meeting on June 20, 2019.

8. COMMISSION COMMENTS

None

ADJOURNMENT

There being no further business, Chair Cater adjourned the meeting at 8:19 p.m.

Dana Cornelius
Recording Secretary

Kevin F. Coyle, AICP CEP
Planning Director



COVER SHEET

PLANNING DEPARTMENT

STAFF REPORT

MEETING DATE: June 20, 2019

ITEM NUMBER: Consent - Public
Hearings5.(a.)

TO: Planning Commission

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

PLANNER: Jennie Eng, Principal Planner

DATE:

WARD: Ward 3

SUBJECT:

Extension of Time for Vesting Tentative Tract Map 6459: McKenzie Dibble requests an extension of time for this subdivision to create 57 single-family residential lots on 11.18 acres located north of Niles St. and east of Park Dr. Notice of Exemption on file.

APPLICANT: McKenzie Dibble

OWNER: Bakersfield Brentwood LLC

LOCATION: Located north of Niles St. and east of Park Dr in northeast Bakersfield

STAFF RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Staff Report	Staff Report
<input type="checkbox"/> Resolution with Exh A-1 & A-2	Resolution
<input type="checkbox"/> Attachment B-NOE	Backup Material



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CITY OF BAKERSFIELD PLANNING DEPARTMENT STAFF REPORT

TO: Chair and Members of the Planning Commission

AGENDA ITEM: _____

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

APPROVED: KFC

DATE: June 20, 2019

SUBJECT: EXTENSION OF TIME FOR VESTING TENTATIVE TRACT MAP 6459 (WARD 3)

APPLICANT: APPLICANT

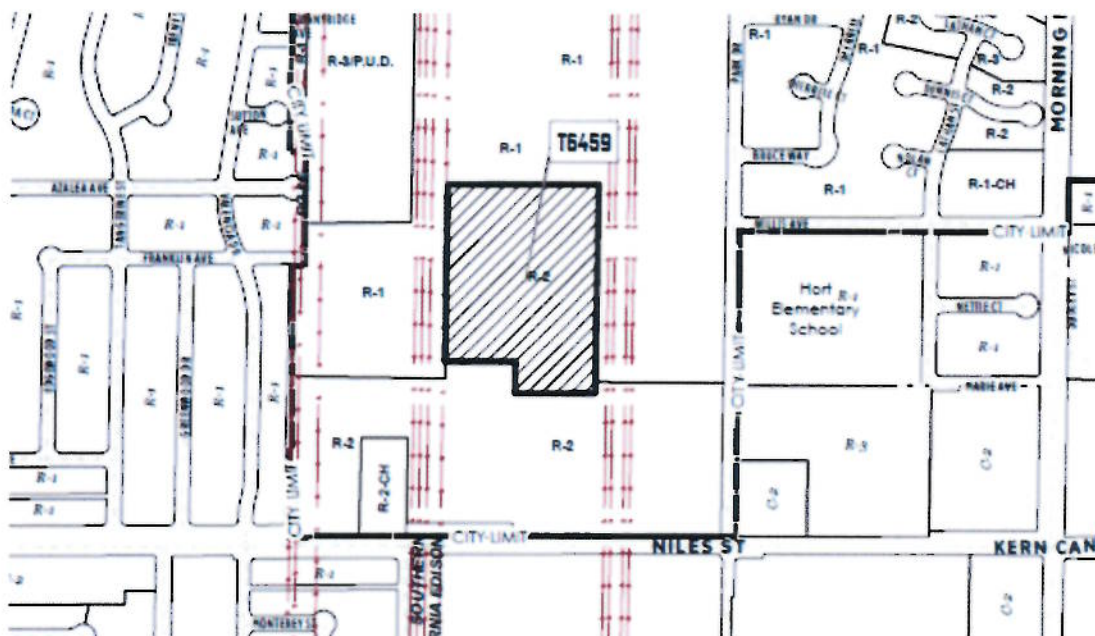
SUBDIVIDER/PROPERTY OWNER

McKenzie Dibble
5251 Ericson Way
Arcata, CA 95521

Bakersfield Brentwood LLC
(same as applicant)

LOCATION: Generally north of Niles St. and east of Park Dr. in northeast Bakersfield.
(APN #123-010-31)

Figure 1. Location Map



RECOMMENDATION:

Adopt Resolution and suggested findings **APPROVING** the extension of time for Vesting Tentative Tract Map 6459 as depicted in the project description.

PROJECT DESCRIPTION

This project is a request for an extension of time for a vesting tentative tract map to create 57 single-family residential lots and 3 landscape lots on 11.18 acres, zoned R-2 (Limited Multi-Family).

Figure 2: SITE VISIT PHOTO

View looking west across site.



PROJECT ANALYSIS:

Background and Timeline:

June 7, 2007. Original approval of Vesting Tentative Tract Map 6459 by your Commission to create 57 single-family lots and 3 landscape lots on an 11.18 acre subdivision area zoned R-1 (One-Family Dwelling). A Mitigated Negative Declaration for the related GPA/ZC # 06-2198 was adopted by City Council on May 9, 2007, which included of a site specific cultural resource survey mitigation and biological resources mitigation requirements.

2008, 2010, 2011, 2013 and 2015: Automatic extensions of time as approved by State legislation (further detail provided below under “Analysis”).

Analysis:

The applicant is requesting a three-year extension of time to allow for additional time to record this map. This map has not recorded (not a phased map). The applicant requested the extension of time in writing prior to the June 6, 2019 expiration date and the applicant has requested additional time due to lack of funding.

In response to the Economic Downturn and the Recession, the California State Legislature approved a series of automatic extensions to certain approved tentative subdivision maps. As a result of these state extensions, Vesting Tentative Tract Map 6459 was previously provided one additional year of approval per SB 1185 (2008), two additional years under AB 333 (2009), two additional years under AB 208 (2011), two additional years under AB 116 (2013) and two

additional years under AB 1303 (2015). The cumulative result of the automatic extensions of time approved by the State is that this tentative map expires on June 6, 2019. The Subdivision Map Act allows an additional 60 days beyond the expiration date to provide local jurisdictions time to consider the extension of time request.

The Subdivision Map Act and the Bakersfield Municipal Code allow for separate extensions to be approved by your Commission with an aggregate of up to six years. Typically, City policy has been to approve extensions of time in 2, three-year intervals. This current request represents the first request for Vesting Tentative Tract Map 6459. Staff recommends approval of a three-year extension of time to expire on June 6, 2022, with no changes to previously approved conditions of approval. The original subdivision application was deemed complete on May 9, 2007.

Except as may otherwise be described in this staff report, the proposed project is subject to the original conditions of approval, complies with the ordinances and policies of the City of Bakersfield.

Surrounding Uses:

The site is surrounded primarily by vacant land surrounding the project site. Urbanization is located to the west and north.

Figure 3. Aerial Photo



The project site is depicted as Low Medium Density Residential on the Land Use Element of the Metropolitan Bakersfield General Plan. The site is vacant land and is surrounded by:

Table A. Surrounding Land Use Designations and Zoning Districts

DIRECTION	LAND USE DESIGNATION	ZONING DISTRICT	EXISTING LAND USE
NORTH	LR	R-1	Vacant
SOUTH	HMR	R-2	Vacant, sump
EAST	LR	R-1	Vacant, Electrical Power Lines
WEST	LR	R-1	Vacant, Electrical Power Lines
Land Use Designations:	LR: ≤ 7.26 du/na LMR: $> 4 \leq 10$ du/na HMR: $> 7.26 \leq 17.42$ du/na	Zoning Designations:	R-1: One Family Dwelling R-2: Limited Multiple Family Dwelling

Circulation:

The tract has two accesses to future Brentwood Drive, a collector street. The closest arterial street is Niles Street, approximately 550' south of the southern boundary of the tract. Conditions of approval require construction of connecting streets from this subdivision to existing streets. The closest Golden Empire Transit (GET) bus is at Niles St. and Park Dr. (Route 45), and is accessible to the tract approximately 1/4 of a mile along south to Niles St. The City's Bikeway Master Plan identifies Morning and Kern Canyon Road (Niles extension, east of Morning as Class 2 facilities (bike lanes), approximately to the 1/4 mile east of Vesting Tentative Tract Map 6459. Bike lanes are currently in place to the north on Fairfax.

ENVIRONMENTAL REVIEW AND DETERMINATION:

Based upon an initial environmental assessment, pursuant to the California Environmental Quality Act (CEQA) an initial study was prepared for the original project of the subject property and a Mitigated Negative Declaration was adopted the City Council on May 9, 2007 for related GPA/ZC # 06-2198. In accordance with Section 15061(b) (3), Common Sense Exemption, this project is exempt from the requirements of CEQA because it will not affect the environment.

Noticing:

Notice of public hearing before the Planning Commission of the City of Bakersfield for the project was advertised in the newspaper and posted on the bulletin board of the Bakersfield City Planning Department. All property owners within 300 feet of the project site were notified about the hearing at least 10 days prior to the public hearing in accordance with State law.

CONCLUSION:

The applicant provided the application for the Extension of Time for Vesting Tentative Tract Map 6459 in a timely manner, and has requested a three-year extension due to lack of funding to construct. The three-year extension is reasonable and is in compliance with the extensions permitted by BMC 16.16.080. The request is recommended for approval by the Planning Director.

Exhibits: (attached):

Exhibit A: Resolution
A-1 Location Map with Zoning
A-2 Vesting Tentative Tract Map 6459
Exhibit B: Notice of Exemption

EXHIBIT A

RESOLUTION NO. _____

DRAFT

**RESOLUTION OF THE BAKERSFIELD PLANNING
COMMISSION TO APPROVE AN EXTENSION OF TIME
FOR VESTING TENTATIVE TRACT MAP 6459, GENERALLY
LOCATED NORTH OF NILES STREET AND WEST OF PARK
DRIVE.**

WHEREAS, McKenzie Dibble representing Bakersfield Brentwood, LLC, filed an application with the City of Bakersfield Planning Department requesting an extension of time for Vesting Tentative Tract Map 6459 (the "Project") located in the City of Bakersfield as shown on attached (Exhibit "A"); and

WHEREAS, the application was submitted on May 13, 2019, which is prior to the expiration date of Vesting Tentative Map 6459, and in accordance with the provisions of Section 16.16.080 of the Bakersfield Municipal Code; and

WHEREAS, the original application of the tentative map was deemed complete on May 9, 2007, and conditionally approved by the Planning Commission on June 7, 2007; and

WHEREAS, a mitigated negative declaration was previously approved by the City Council on May 9, 2007 for related GPA/ZC # 06-2198; and

WHEREAS, there have been no substantial changes to the Project or circumstances under which it will be undertaken; and

WHEREAS, no new environmental impacts have been identified; and

WHEREAS, the Project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant State CEQA Guidelines Section 15061(b)(3), Common Sense Exemption; and

WHEREAS, the Secretary of the Planning Commission set Thursday, June 20, 2019 at 5:30 p.m. in the Council Chambers of City Hall, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for a public hearing before the Planning Commission to consider the application, and notice of the public hearing was given in the manner provided in Title Sixteen of the Bakersfield Municipal Code; and

WHEREAS, the facts presented in the staff report, environmental review evidence received both in writing, and the 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 the CEQA have been followed.
3. Pursuant to State CEQA Guidelines Section 15061(b)(3), Common Sense Exemption, the Project is exempt from the requirements of CEQA because it will not affect the environment. The Notice of Exemption was properly noticed for public review.
4. This request for an extension of time is pursuant to Bakersfield Municipal Code Section 16.16.080 and Subdivision Map Act Section 66452.6 (e).

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Bakersfield as follows:

1. The above recitals, incorporated herein, are true and correct.
2. The project is exempt from CEQA, pursuant to CEQA Guidelines Section 15061(b)(3), Common Sense Exemption.
3. The expiration date of Vesting Tentative Tract Map 6459 is hereby extended until June 6, 2022.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Bakersfield at a regular meeting thereof held on June 20, 2019, on a motion by Commissioner _____ and seconded by Commissioner _____, by the following vote.

AYES:

NOES:

ABSENT:

APPROVED

DANIEL CATER, CHAIR
City of Bakersfield Planning Commission

Exhibits: A-1 Location Map with Zoning
 A-2 Vesting Tentative Tract Map

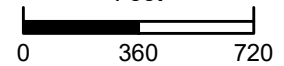
VTTM 6459 EXTENSION OF TIME

CITY OF BAKERSFIELD

EXHIBIT A-1

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, 2.5, 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



Document Name: 20190514

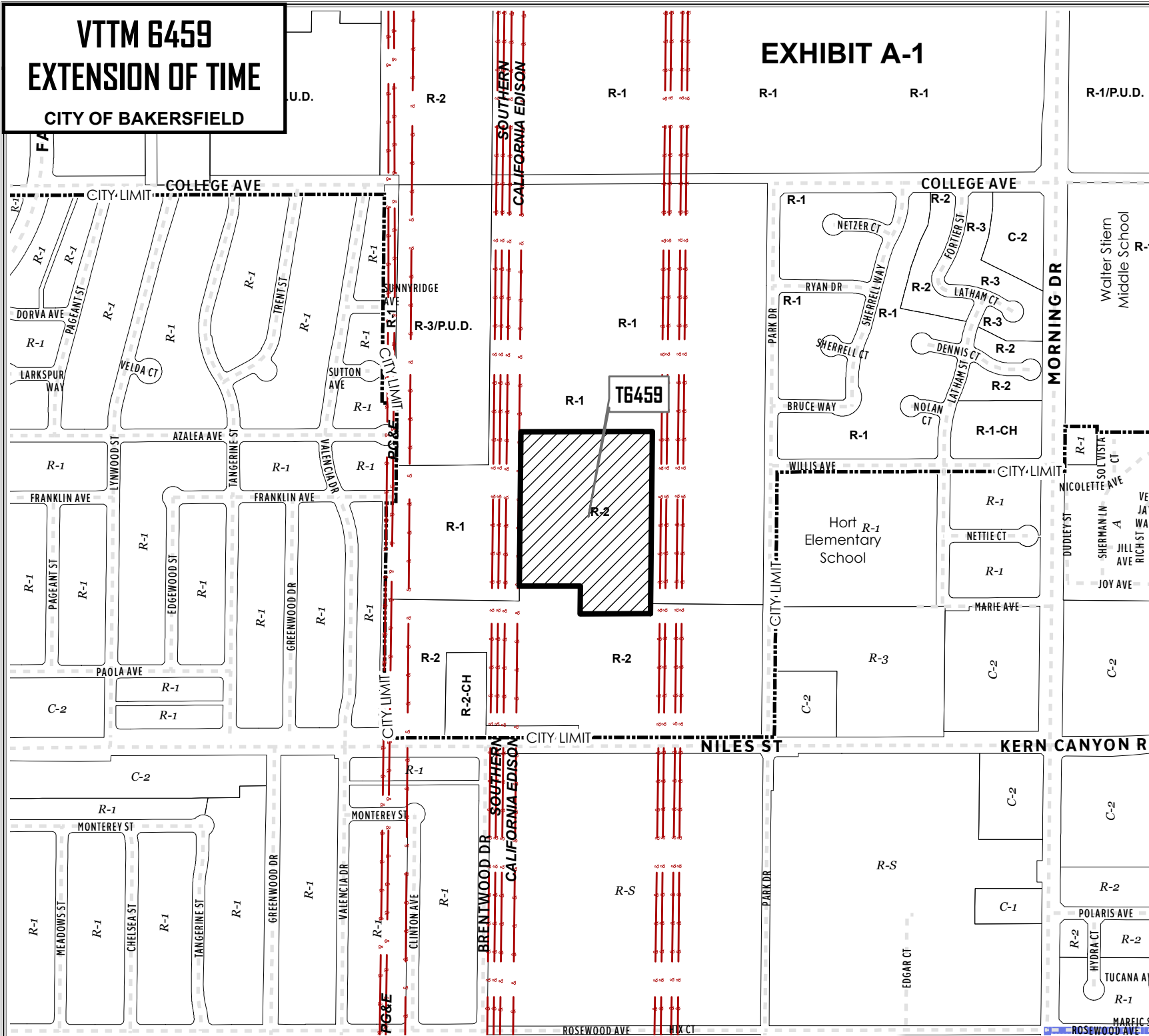
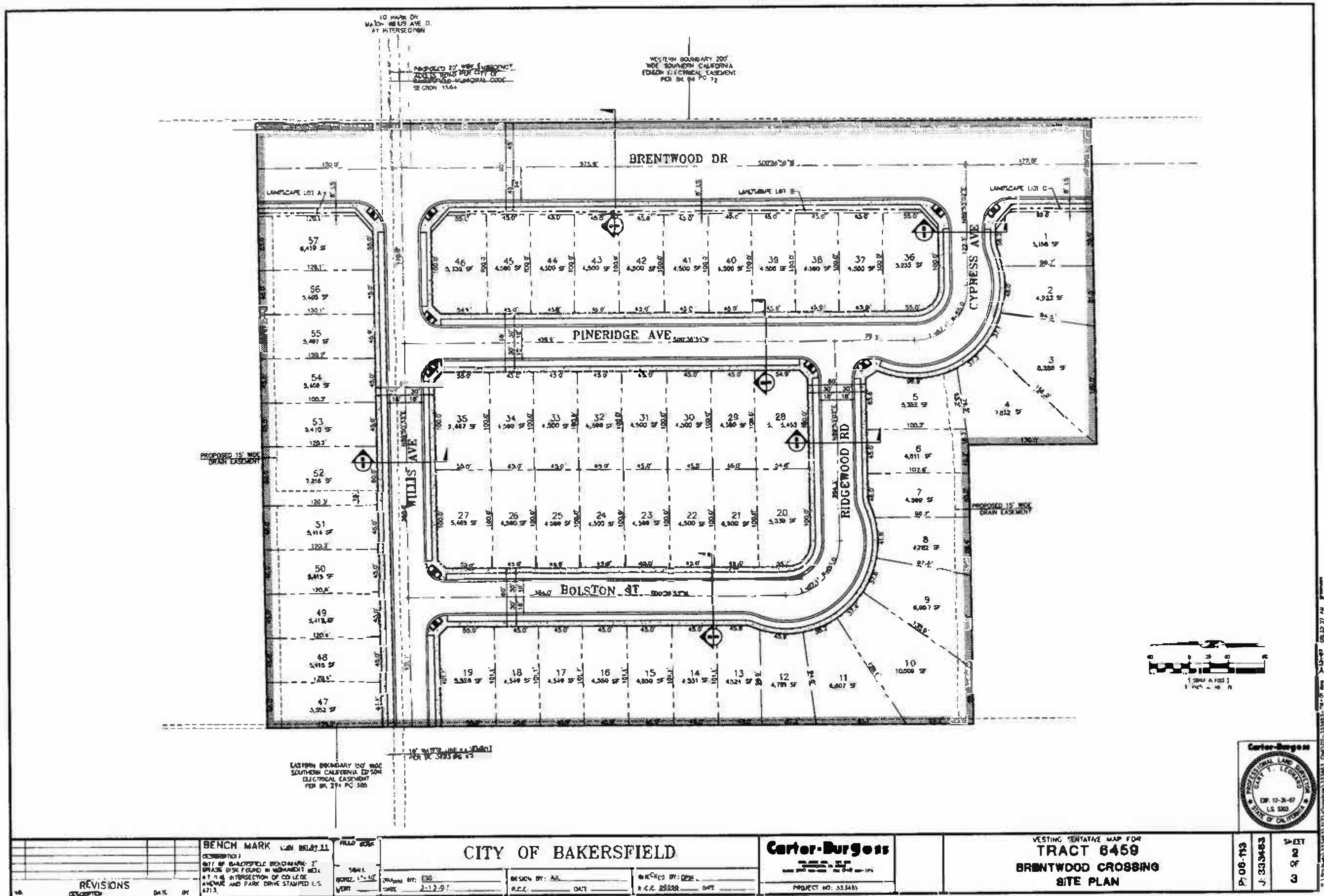


EXHIBIT A-2



<p>REVISIONS</p> <p>DATE BY</p>	<p>BENCH MARK</p> <p>1.00 01.07.11</p> <p>2.00 01.07.11</p> <p>3.00 01.07.11</p> <p>4.00 01.07.11</p> <p>5.00 01.07.11</p> <p>6.00 01.07.11</p> <p>7.00 01.07.11</p> <p>8.00 01.07.11</p> <p>9.00 01.07.11</p> <p>10.00 01.07.11</p> <p>11.00 01.07.11</p> <p>12.00 01.07.11</p> <p>13.00 01.07.11</p> <p>14.00 01.07.11</p> <p>15.00 01.07.11</p> <p>16.00 01.07.11</p> <p>17.00 01.07.11</p> <p>18.00 01.07.11</p> <p>19.00 01.07.11</p> <p>20.00 01.07.11</p> <p>21.00 01.07.11</p> <p>22.00 01.07.11</p> <p>23.00 01.07.11</p> <p>24.00 01.07.11</p> <p>25.00 01.07.11</p> <p>26.00 01.07.11</p> <p>27.00 01.07.11</p> <p>28.00 01.07.11</p> <p>29.00 01.07.11</p> <p>30.00 01.07.11</p> <p>31.00 01.07.11</p> <p>32.00 01.07.11</p> <p>33.00 01.07.11</p> <p>34.00 01.07.11</p> <p>35.00 01.07.11</p> <p>36.00 01.07.11</p> <p>37.00 01.07.11</p> <p>38.00 01.07.11</p> <p>39.00 01.07.11</p> <p>40.00 01.07.11</p> <p>41.00 01.07.11</p> <p>42.00 01.07.11</p> <p>43.00 01.07.11</p> <p>44.00 01.07.11</p> <p>45.00 01.07.11</p> <p>46.00 01.07.11</p> <p>47.00 01.07.11</p> <p>48.00 01.07.11</p> <p>49.00 01.07.11</p> <p>50.00 01.07.11</p> <p>51.00 01.07.11</p> <p>52.00 01.07.11</p> <p>53.00 01.07.11</p> <p>54.00 01.07.11</p> <p>55.00 01.07.11</p> <p>56.00 01.07.11</p> <p>57.00 01.07.11</p>	<p>CITY OF BAKERSFIELD</p> <p>DESIGN BY: AL</p> <p>CHECKED BY: DME</p> <p>PROJECT NO: 13345</p>	<p>Carter-Burgess</p> <p>PROFESSIONAL LAND SURVEYOR</p> <p>STATE OF CALIFORNIA</p> <p>License No. 13345</p>	<p>VESTING TENTATIVE MAP FOR</p> <p>TRACT 6459</p> <p>BRENTWOOD CROSSING</p> <p>SITE PLAN</p> <p>DATE: 01.07.11</p> <p>BY: J. 333453</p> <p>SHEET 2 OF 3</p>
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ATTACHMENT B NOTICE OF EXEMPTION

TO: — Office of Planning and Research
 PO Box 3044, 1400 Tenth Street, Room 222
 Sacramento, CA 95812-3044

FROM: City of Bakersfield
 Planning Division
 1715 Chester Avenue
 Bakersfield, CA 93301

X County Clerk
 County of Kern
 1115 Truxtun Avenue
 Bakersfield, CA 93301

Project Title: Extension of Time for Vesting Tentative Tract Map 6459

Project Location-Specific: Located at north of Niles Street and west of Park Drive.

Project Location-City: Bakersfield **Project Location-County:** Kern

Description of Project: **Extension of Time for Vesting Tentative Tract Map 6459 (Phased):**
McKenzie Dibble requests an extension of time for Vesting Tentative Tract 6459 consisting of 57 lots on 11.18 acres, zoned R-2 for single family residential development generally located at north of Niles Street and west of Park Drive.

Name of Public Agency Approving Project: City of Bakersfield

Name of Person or Agency Carrying Out Project: McKenzie Dibble

Exempt Status:

- ☐ Ministerial (Sec.21080(b)(1); 15268));
- ☐ Declared Emergency (Sec.21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number.
- ☐ Statutory Exemptions. State section number. _____
- ☒ Project is exempt from CEQA pursuant to Section 15061(b)(3)

Reasons why project is exempt: Will not have an effect on the environment based on the common sense exemption.

Lead Agency: Contact Person: Principal Planner Telephone/Ext.: 661-326-3043

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes__ No__

Signature: _____ **Title:** Principal Planner **Date:** _____

☒ Signed by Lead Agency

Signed by Applicant

Date received for filing at OPR: _____



COVER SHEET

PLANNING DEPARTMENT

STAFF REPORT

MEETING DATE: June 20, 2019

ITEM NUMBER: Consent Calendar5.(b.)

TO: Planning Commission

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

PLANNER: Tony Jaquez

DATE:

WARD: Ward 6

SUBJECT:

Extension of Time for Vesting Tentative Tract Map 7213: Porter & Associates request an extension of time for this subdivision consisting of 158 single-family residential lots on 35.70 acres, located at the southeast corner of Berkshire Road and Ashe Road. Notice of Exemption on file.

APPLICANT: Porter & Associates, Inc.

OWNER: Old River Land Co., LLC

LOCATION: Located at the southeast corner of Berkshire Road and Ashe Road in southwest Bakersfield.

STAFF RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Staff Report	Staff Report
<input type="checkbox"/> Resolution	Resolution
<input type="checkbox"/> Exhibits	Exhibit



www.bakersfieldcity.us

CITY OF BAKERSFIELD PLANNING DEPARTMENT STAFF REPORT

TO: Chair and Members of the Planning Commission AGENDA ITEM: 5.b.

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

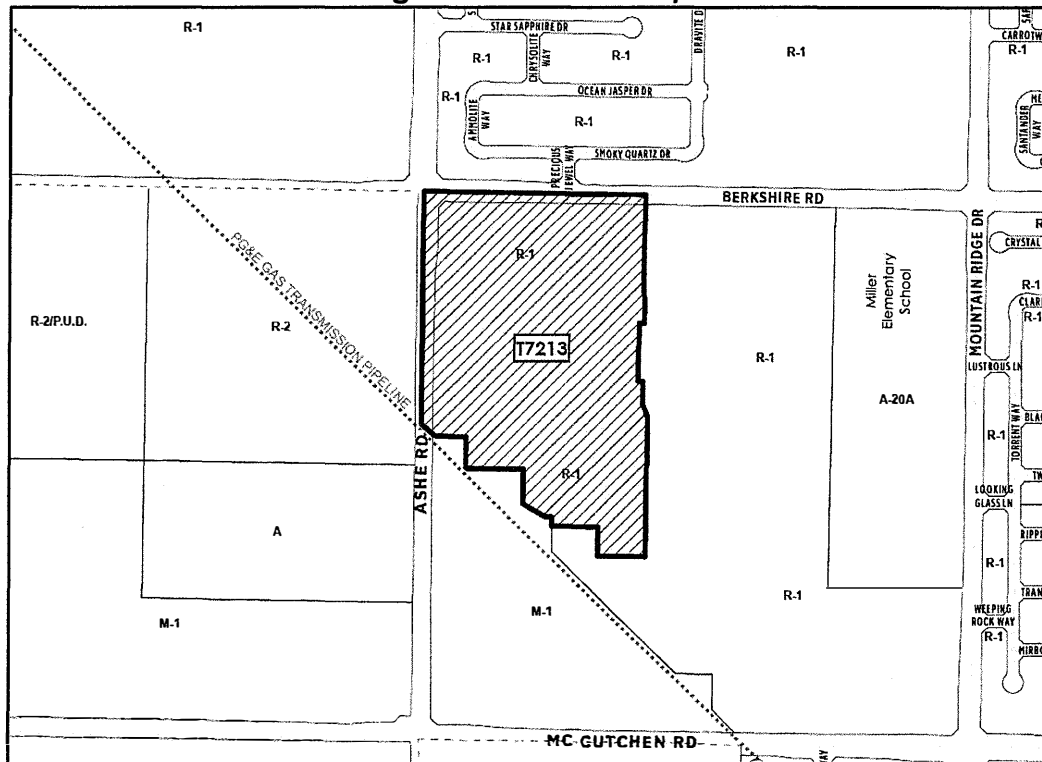
DATE: June 20, 2019

SUBJECT: EXTENSION OF TIME FOR VESTING TENTATIVE TRACT MAP 7213 - PHASED (WARD 6)

APPLICANT: ENGINEER SUBDIVIDER/PROPERTY OWNER
Porter and Associates, Inc. Old River Land Co., LLC
1200 21ST Street 10457 Van Horn Road
Bakersfield, CA 93301 Bakersfield, CA 93313

LOCATION: Southeast corner of Berkshire Road and Ashe Road in southwest Bakersfield
(APN #: 538-020-15)

Figure 1. Location Map



RECOMMENDATION:

Adopt Resolution and suggested findings **APPROVING** the extension of time for Vesting Tentative Tract Map No. 7313 as depicted in the project description.

PROJECT DESCRIPTION

This project is a request for an extension of time for a vesting tentative tract map to create 161 lots, with 158 single family residential lots, and 3 landscape lots on 35.70 acres, zoned R-1 (One-Family Dwelling Zone).

Figure 2: SITE VISIT PHOTO
View facing southeast across project site.



PROJECT ANALYSIS:

Background and Timeline:

November 20, 1991. Ashe No. 2 (Annexation 354) was annexed to the City of Bakersfield. This project site was included as a portion of this annexation area.

March 8, 2006. City Council approved General Plan Amendment/Zone Change 04-1344 (City Council Ordinance No. 4320) which amended the Metropolitan Bakersfield General Plan Land Use Element from RI-A (Resource-Intensive Agriculture) to LR (Low Density Residential) and changed the zoning from A-20A (Agriculture 20-acre minimum) to R-1 (One Family Dwelling Zone). A Mitigated Negative Declaration for the project was also adopted, which included a review of a site specific air quality study, cultural resource survey mitigation requirements.

July 1, 2010. Original approval of Vesting Tentative Tract Map 7231 by your Commission to create 161 lots, with 158 single family residential lots, and 3 landscape lots on a 35-acre subdivision area zoned R-1 (One-Family Dwelling).

2011, 2013 and 2015: Automatic extensions of time as approved by State legislation (further detail provided below under "Analysis").

Analysis:

The applicant is requesting a three-year extension of time to allow for additional time to record this map. The applicant requested the extension of time in writing prior to the June 30, 2019

expiration date and the applicant has requested additional time to allow the opportunity to complete improvement plans and begin construction of the subdivision.

In response to the Economic Downturn and the Recession, the California State Legislature approved a series of automatic extensions to certain approved tentative subdivision maps. As a result of these state extensions, Vesting Tentative Tract Map 7213 was previously provided two additional years under AB 208 (2011), two additional years under AB 116 (2013) and two additional years under AB 1303 (2015). The cumulative result of the automatic extensions of time approved by the State is that this tentative map expires on June 30, 2019. The Subdivision Map Act allows an additional 60 days beyond the expiration date to provide local jurisdictions time to consider the extension of time request.

The Subdivision Map Act and the Bakersfield Municipal Code allow for separate extensions to be approved by your Commission with an aggregate of up to six years. Typically, City policy has been to approve extensions of time in 2, three-year intervals. This current request represents the first request for Vesting Tentative Tract Map 7213. Staff recommends approval of a three-year extension of time to expire on June 30, 2022, with no changes to previously approved conditions of approval. The original subdivision application was deemed complete on May 13, 2010.

Except as may otherwise be described in this staff report, the proposed project is subject to the original conditions of approval, which complies with the ordinances and policies of the City of Bakersfield.

Surrounding Uses:

Relationship to Surrounding Uses:

The project site is depicted as Low Density Residential on the Land Use Element of the Metropolitan Bakersfield General Plan. A PG&E high pressure gas transmission pipeline is located along the southwestern boundary of the subdivision in the adjacent industrial zoned property. This residential tract has been designed to accommodate the required 50 foot building setback from the pipeline. The site is surrounded by:

DIRECTION	LAND USE DESIGNATION	ZONING DISTRICT	EXISTING LAND USE
NORTH	LR	R-1	Developing single family residential
SOUTH	LR and LI	M-1 and R-1	Vacant; Sewer Treatment Plant #3 is ¼ mile southwest of project site.
EAST	LR	R-1	Vacant; approved VTM 7140 for single family residential
WEST	HMR and LR	M-1 and R-2	Vacant
Land Use Designations: LR: ≤ 7.26 du/na HMR: > 7.26 ≤ 17.42 du/na LI: Light Industrial		Zoning Designations R-1: One Family Dwelling R-2: Limited Multiple Family M-1: Light Manufacturing	

[illegible]

Access to the project site is from Ashe Road (arterial street) and Berkshire Road (collector street). There are several local residential street connections to approved Vesting Tentative Tract 7140 located adjacent to the east of this subdivision. The closest Golden Empire Transit (GET) bus is at the intersection of Ashe Road and Panama Lane (Route 61), and is accessible to the tract approximately a half mile south along Ashe Road.

ENVIRONMENTAL REVIEW AND DETERMINATION:

Noticing:

Prepared by TJaquez/ S:\TRACTS\7213 EOT\1PC Staff Report\7213_Staff Report.docx PAGE 4 of 5

CONCLUSION:

The applicant provided the application for the Extension of Time for Vesting Tentative Tract Map 7213 in a timely manner, and has requested a three-year extension to continue with improvements and record the map. The three-year extension is reasonable and is in compliance with the extensions permitted by BMC 16.16.080. Therefore, the request is recommended for approval by the Planning Director.

Exhibits: (attached):

Exhibit A: Resolution

A-1 Location Map with Zoning

A-2 Vesting Tentative Tract Map

Exhibit B: Notice of Exemption

EXHIBIT A

RESOLUTION NO. _____

RESOLUTION OF THE BAKERSFIELD PLANNING COMMISSION TO APPROVE AN EXTENSION OF TIME FOR VESTING TENTATIVE TRACT MAP 7213 (PHASED), LOCATED AT THE SOUTHEAST CORNER OF BERKSHIRE ROAD AND ASHE ROAD IN SOUTHWEST BAKERSFIELD.

WHEREAS, Porter and Associates, Inc., representing Old River Land Co., LLC, filed an application with the City of Bakersfield Planning Department requesting an extension of time for Vesting Tentative Tract Map 7213 (the "Project") located in the City of Bakersfield as shown on attached (Exhibit "A-1"); and

WHEREAS, the application was submitted on April 30, 2019, which is prior to the expiration date of Vesting Tentative Tract Map 7213, and in accordance with the provisions of Section 16.16.080 of the Bakersfield Municipal Code; and

WHEREAS, the original application of the tentative map was deemed complete on May 13, 2010, conditionally approved by the Planning Commission on July 1, 2010; and

WHEREAS, a mitigated negative declaration was previously approved by the City Council on March 8, 2006 for related General Plan Amendment/Zone Change 04-1344; and

WHEREAS, there have been no substantial changes to the Project or circumstances under which it will be undertaken; and

WHEREAS, no new environmental impacts have been identified; and

WHEREAS, the Project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant State CEQA Guidelines Section 15061(b)(3), Common Sense Exemption; and

WHEREAS, the Secretary of the Planning Commission set Thursday, June 20, 2019 at 5:30 p.m. in the Council Chambers of City Hall, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for a public hearing before the Planning Commission to consider the application, and notice of the public hearing was given in the manner provided in Title Sixteen of the Bakersfield Municipal Code; and

WHEREAS, the facts presented in the staff report, environmental review evidence received both in writing, and the 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 the CEQA have been followed.

3. Pursuant to State CEQA Guidelines Section 15061(b) (3), Common Sense Exemption, the Project is exempt from the requirements of CEQA because it will not affect the environment. The Notice of Exemption was properly noticed for public review.
4. This request for an extension of time is the first request pursuant to Bakersfield Municipal Code Section 16.16.080 and Subdivision Map Act Section 66452.6 (e).

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Bakersfield as follows:

1. The above recitals, incorporated herein, are true and correct.
2. The project is exempt from CEQA, pursuant to CEQA Guidelines Section 15061(b)(3), Common Sense Exemption.
3. The expiration date of Vesting Tentative Tract Map 7213 (Phased) is hereby extended until June 30, 2022.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Bakersfield at a regular meeting thereof held on June 20, 2019, on a motion by Commissioner _____ and seconded by Commissioner _____, by the following vote.

AYES:

NOES:

ABSENT:

APPROVED

DANIEL CATER, CHAIR
City of Bakersfield Planning Commission

Exhibits: A-1 Location Map with Zoning
 A-2 Vesting Tentative Tract Map

Document Name: 20190504

"VESTING" TENTATIVE TRACT NO. 7213

BEING A DIVISION OF A PORTION OF PARCEL 1 OF PARCEL MAP WAIVER NO. 07-0742 AS EVIDENCED BY CERTIFICATE OF COMPLIANCE DOCUMENT NO. 000207207319 RECORDED OCTOBER 12, 2007, O.R. ALSO BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 27, T.30S., R.27E., MDB&M, IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA

PROJECT INFORMATION:

- EXISTING ZONING: R-1
- PROPOSED ZONING: R-1
- LAND USE DESIGNATION: LR- LOW DENSITY RESIDENTIAL
- PROPOSED LAND USE: LR- LOW DENSITY RESIDENTIAL
- ASSESSORS PARCEL NO.: 538-020-15
- PROJECT ACREAGE: 35.70 GR AC 24.11 NET AC
- TOTAL LOTS: 161 (158 BUILDABLE, 3 L.S. LOTS)
PHASE 1 - 32 LOTS
PHASE 2 - 32 LOTS
PHASE 3 - 30 LOTS
PHASE 4 - 32 LOTS
PHASE 5 - 32 LOTS
- NET DENSITY: 6.55 DU/AC
- WATER: CITY OF BAKERSFIELD
- SEWER: CITY OF BAKERSFIELD

- DRAINAGE: SUMP IN TPM 11809
- GAS: P.G.&E.
- ELECTRIC: P.G.&E.
- TELEPHONE: A.T.&T.
- SCHOOL DIST: PANAMA BUENA VISTA ELEM. SCH. DIST.
KERN HIGH SCHOOL DIST.
MILLER ELEMENTARY SCHOOL
PANAMA JUNIOR HIGH SCHOOL
RIDGEVIEW HIGH SCHOOL
- SCHOOLS:
- THIS WILL BE A PHASED DEVELOPMENT.
- THIS SUBDIVISION WILL CONFORM TO CITY OF BAKERSFIELD SUBDIVISION STANDARDS.
- FIRE PROTECTION TO BE IN CONFORMANCE WITH THE CITY OF BAKERSFIELD FIRE DEPARTMENT STANDARDS.

ENGINEER:

SUMMIT ENGINEERING
2280 MING AVENUE
BAKERSFIELD, CA 93304
PH.: 661-831-5483
FAX: 661-831-5485

OWNER / SUBDIVIDER:

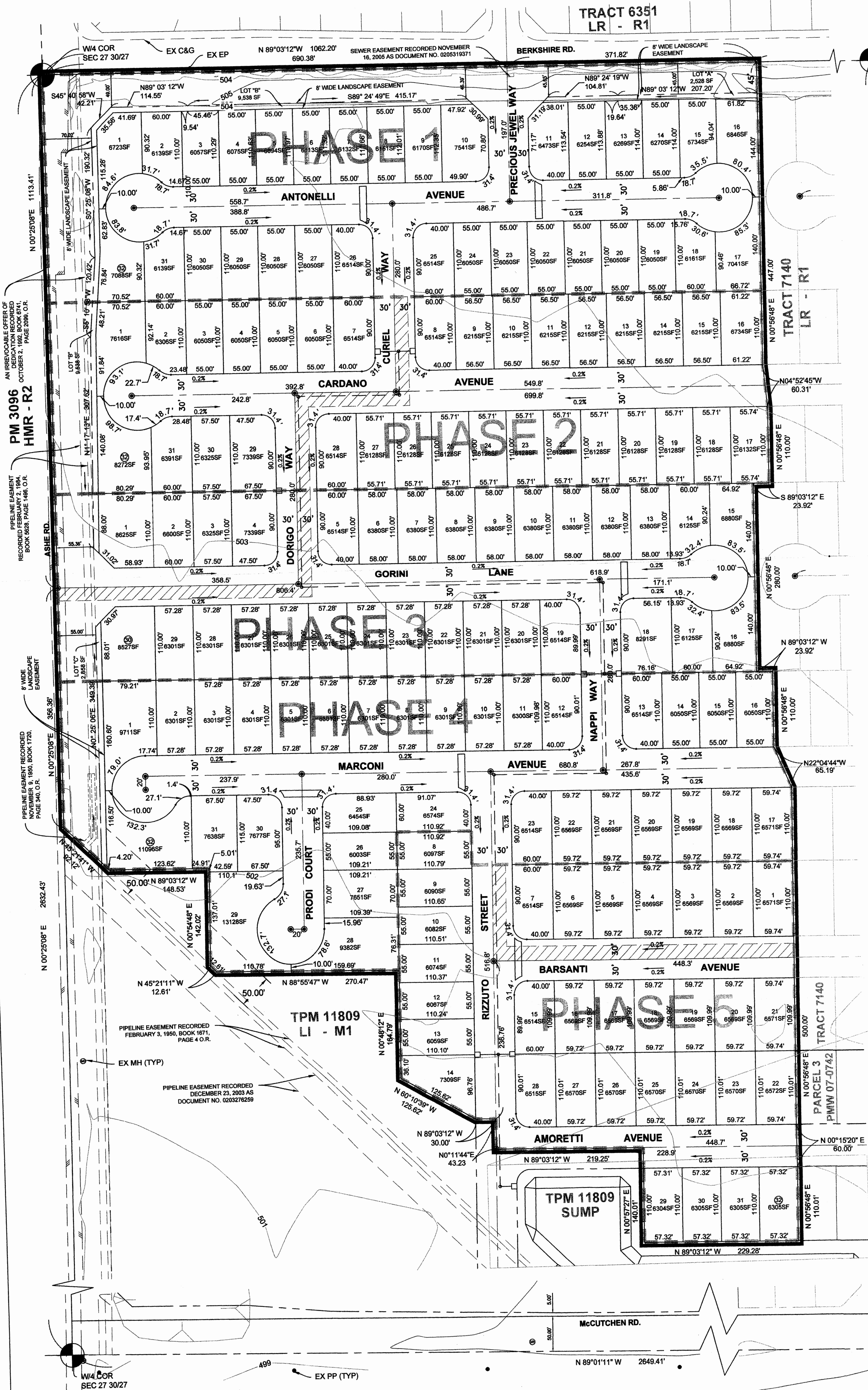
OLD RIVER LAND CO., LLC
10457 VAN HORN ROAD
BAKERSFIELD, CA 93313
PH.: 661-834-5173

BASIS OF BEARING:

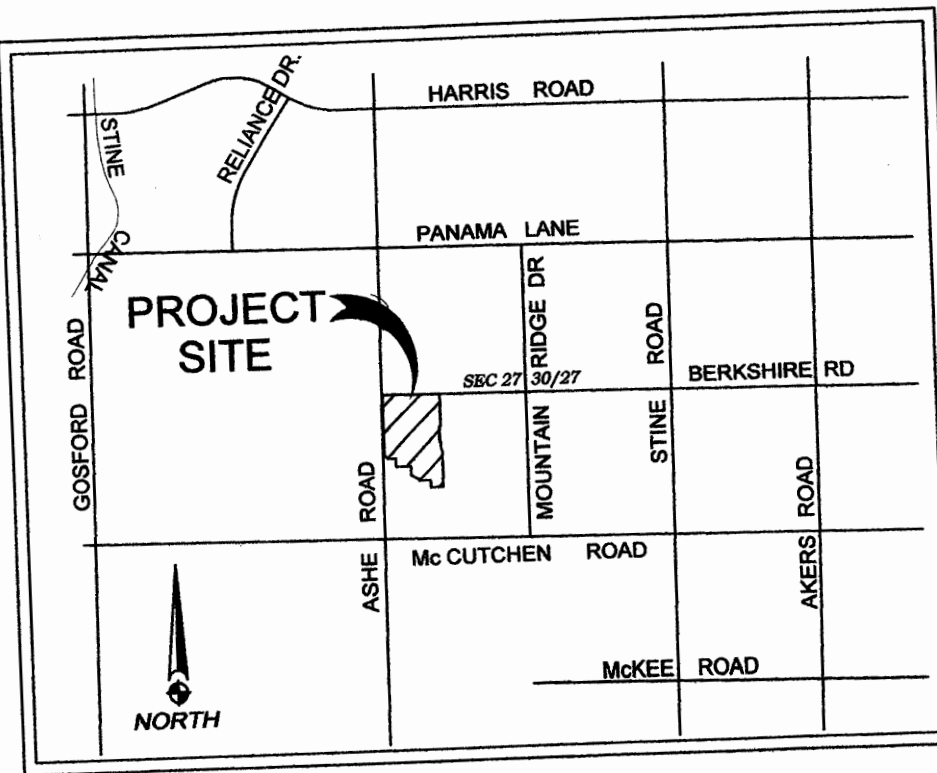
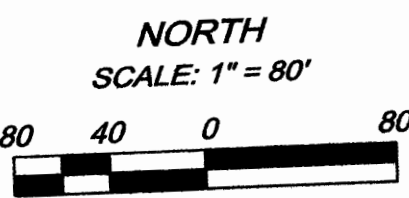
THE WEST LINE OF SECTION 27, TOWNSHIP 30 SOUTH, RANGE 27 EAST, MDB&M, WHOSES BEARING IS NORTH 00° 25' 08" EAST AS SHOWN ON RECORD OF SURVEY BK 22, PG 157 IN THE OFFICE OF THE KERN COUNTY RECORDER.

I, GLENN D. PARKER, HEREBY STATE THAT THERE ARE NO STRUCTURES WITHIN THIS MAP BOUNDARY.

Glenn D. Parker
GLENN D. PARKER L.S. 4831, EXP. 9-30-10
4/20/10
DATE



CENTER COR
SEC 27 30/27



VICINITY MAP
NO SCALE

LEGEND

- EXISTING GROUND CONTOURS (AS SHOWN)
- PROPOSED DRAINAGE FLOW
- CROSS CUTTER
- CATCH BASIN
- STORM DRAIN W/ MANHOLE
- EDGE OF PAVEMENT
- O.R. OFFICIAL RECORDS
- K.C.S. KERN COUNTY SURVEYOR
- C.O.B. CITY OF BAKERSFIELD
- 20' WIDE SECONDARY ACCESS

NOTES:

- ALL INTERSECTION RADII ARE 20' UNLESS OTHERWISE NOTED
- ALL CUL-DE-SAC ARE 50' RADIUS
- ALL CUL-DE-SAC RETURNS ARE 25' RADIUS

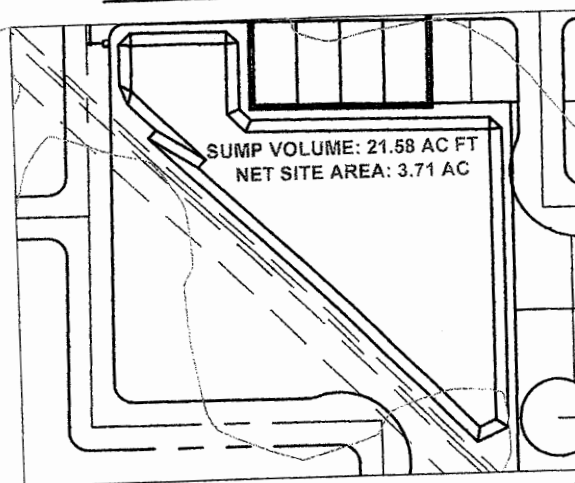
AN IRREVOCABLE OFFER OF DEDICATION RECORDED DECEMBER 1, 2004 AS DOCUMENT NO. 0204294674 O.R. DISPLAYS THE RW FOR THE MID-SECTION ROADS OF SECTION 27, WHICH INCLUDES BERKSHIRE RD AND ASH RD. THIS DOCUMENT HAS NOT BE LABELED WITHIN THE MAP AS THE RW IS EVIDENCED BY THE DRAWING ITSELF.

THERE ARE HOMES TO THE NORTH IN TRACT 6351, WHICH FALLS WITHIN 200' OF THE TRACT BOUNDARY.

ALTERNATE STREET NAMES:

- | | |
|----------|----------|
| SALVIATI | BELLINI |
| VIDIUS | CARIUSO |
| GIOTTO | MANZONI |
| FERMI | VERSACE |
| GIACOMO | MARCELLO |

TPM 11809 SUMP



APPROVED BY
PLANNING COMMISSION WITH
CONDITIONS ON JUL 01 2010



COVER SHEET

PLANNING DEPARTMENT

STAFF REPORT

MEETING DATE: June 20, 2019

ITEM NUMBER: Consent - Public
Hearing5.(c.)

TO: Planning Commission

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

PLANNER: Kristin Pittack, Associate Planner II

DATE:

WARD: Ward 6

SUBJECT:

Vesting Tentative Tract Map 7352: Porter & Associates, Inc. proposes to subdivide 7.26 acres into 26 single-family residential lots, located west of Stine Road and Poppyseed Street. Negative Declaration on file.

APPLICANT: Porter & Associates, Inc.

OWNER: Old River Land Company

LOCATION: Located west of the intersection of Stine Road and Poppyseed Street in southwest Bakersfield.

STAFF RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Staff Report	Staff Report
<input type="checkbox"/> Resolution	Resolution
<input type="checkbox"/> Exhibit A-1	Exhibit
<input type="checkbox"/> Exhibit A-2	Exhibit
<input type="checkbox"/> Exhibit A-3	Exhibit



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CITY OF BAKERSFIELD PLANNING DEPARTMENT STAFF REPORT

TO: Chair Cater and Members of the Planning Commission

AGENDA ITEM: 5.C

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

APPROVED: KFC

DATE: June 20, 2019

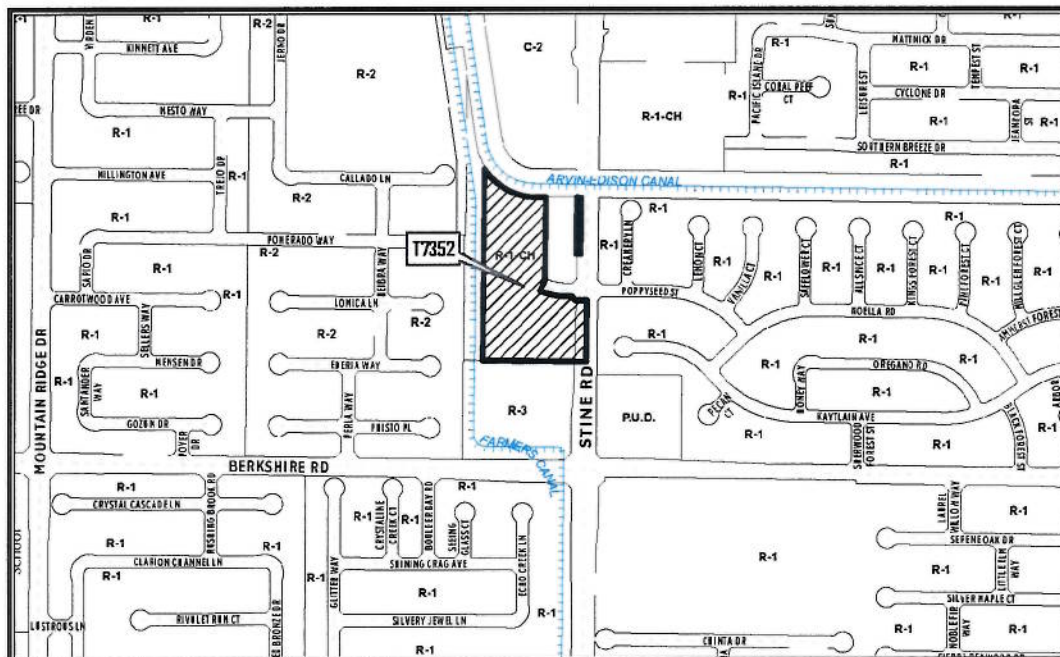
SUBJECT: VESTING TENTATIVE TRACT MAP 7352 (WARD 6)

APPLICANT: ENGINEER
Porter & Associates, Inc.
1200 21st Street
Bakersfield, CA 93301

SUBDIVIDER\PROPERTY OWNER
Old River Land Company
10457 Van Horn Road
Bakersfield, CA 93313

LOCATION: West of the intersection of Stine Road and Poppyseed Street in southwest Bakersfield (APN #: 538-010-07 and -35)

Figure 1. Location Map



RECOMMENDATION:

Motion to adopt Resolution and recommending findings **APPROVING** Vesting Tentative Tract Map 7352 with conditions.

PROJECT DESCRIPTION

Porter & Associates, Inc., representing Old River Land Company, is proposing to subdivide 7.26 acres into 26 single-family residential lots, 1 sump lot, and 1 street lot in an R-1-CH (One-Family Dwelling – Church Combining) zone district, located west of the intersection of Stine Road and Poppyseed Street in southwest Bakersfield. The project includes a request for alternate lot and street design, and waiver of mineral rights signatures pursuant to BMC 16.20.060.A.1.

Figure 2: SITE VISIT PHOTO

View from east boundary of the map at intersection of Stine Rd and Poppyseed St, facing west.



PROJECT ANALYSIS:

Background & Timeline:

May 31, 1989: Zone Change. City Council approved pre-zoning in order to change the zoning for this site and property to the north and south from County A (Exclusive Agriculture) to City C-2 (Regional Commercial), R-1-CH (One-Family Dwelling – Church Combining), and R-3 (Multiple-Family Dwelling) zone districts on approximately 38.73 acres. Zoning on this site was changed to R-1-CH (One-Family Dwelling – Church Combining). Zoning would not become effective until annexation of said property occurred. A Mitigated Negative Declaration was adopted at the same meeting which included mitigation measures.

December 14, 1989: Annexation. The project site and property to the north and south were annexed to the City as a part of the Stine No. 6 Annexation (Annexation #334).

Analysis:

The proposed vesting tentative tract subdivision consists of 26 single-family residential lots, 1 sump lot, and 1 street lot on 7.26 acres. Typical single-family residential lot size is 60 feet wide by

– 122 feet deep (7,336 square feet). The net density is 3.6 dwelling units per net acre, which is consistent with the Low Density Residential designation of the project site of less than or equal to 7.26 dwelling units per net acre. The application was deemed complete on May 7, 2019.

Relationship to Surrounding Uses:

The project site is depicted as LR (Low Density Residential) on the Land Use Element of the Metropolitan Bakersfield General Plan. The project site is currently zoned for single family use with church combining district and is vacant land. Property to the north includes the Arvin-Edison canal with commercial property further north. City Fire Station No. 13 is adjacent to the east boundary of the site, with existing single-family development across Stine Road. Property to the south is zoned for multi-family use and is currently vacant. Property to the west includes the Farmer's canal with existing single-family residences. The site is surrounded by:

<i>Table A. Surrounding Land Use Designations and Zoning Districts</i>			
DIRECTION	LAND USE DESIGNATION	ZONING DISTRICT	EXISTING LAND USE
NORTH	GC	C-2	Arvin-Edison canal and vacant land
SOUTH	HR	R-3	Vacant land
EAST	LR	R-1-CH and R-1	City Fire Station No. 13 and single-family residences
WEST	LR	R-1-CH, R-1, and R-2	Farmer's canal and single-family residences
Land Use Designations: LR: ≤ 7.26 du/na HR: $> 17.42 \leq 72.6$ du/na GC: General Commercial		Zoning Designations R-1: One Family Dwelling CH : Church Combining R-2 : Limited Multiple Family Dwelling R-3 Multi-Family Dwelling C-2: Regional Commercial	

Consistency/Deviation from Design Standards:

The applicant has requested the following modifications or deviations from City standards.

Table B. Summary of Modification Requests

MODIFICATION REQUEST	APPLICANT'S REASON / JUSTIFICATION	STAFF COMMENT / RECOMMENDATION
Double frontage lots (Lots 23-26)	Stine Road is an arterial. Lots abutting will have access eliminated by waiver of direct access.	APPROVE with Condition No. 9 requiring waiver of direct access on lots abutting arterials.
Non-radial and non-perpendicular side lot lines (Lots 5-8, 11, 12, 15, 16, 19-22, 24, 25)	Non-radial and non-perpendicular side lot lines allow for uniformity in lot widths and to conform with existing constraints affecting project layout.	APPROVE due to the existing constraints of previously dedicated Poppyseed Street, shape of the parcel, and uniformity of lot widths.

The subdivision includes double frontage lots located along Stine Road, an arterial street. BMC Section 16.28.170 H allows the Planning Commission flexibility in determining the appropriateness of double frontage lots with considerations to design options and street functions. The proposed double frontage lots shown on the tentative map are reasonable due to such controlling factors as traffic, safety, appearance and setback. Staff is of the opinion the proposed double frontage lots depicted on the tentative map are consistent with said section, and a finding is provided in attached resolution (Exhibit "A-1") to facilitate approval. Staff recommends Condition No. 9 requiring waiver of direct access onto Stine Road. A block wall and landscaping along Stine Road are also required.

Additionally, as the east project boundary abuts existing City Fire Station No. 13, two conditions of approval are recommended to resolve issues related to public health, safety, and welfare. The first recommended condition requires the construction of a block wall along the common property line of the residential lots and fire station to separate the residential use and fire station activities (Condition Nos. 23). Staff also recommends a condition that will require the applicant to record a covenant on all lots within the tentative map regarding potential noise and other fire station activities (Condition No. 24).

Circulation:

Main access to the project is provided by the intersection of Poppyseed Street (local street) and Stine Road (arterial street). The nearest GETbus route is located at Panama Lane and Stine Road, which intersects three bus routes (Route 47, 61 and 62) and is located approximately ¼ mile north of the project site.

The City's Bikeway Master Plan identifies Stine Road as a Class 2 facility (bike lanes). If bike lanes do not currently exist and at the time the property is developed, lane striping will be required with the construction of street improvements. However, the Traffic Engineer will evaluate if striping should be delayed if its installation will compromise public safety (e.g. short lengths of unconnected bike lanes that would confuse drivers and cyclists increasing the likelihood of accidents). Striping would then occur at the time the City added bike lanes along the street with connections to the existing bikeway network.

Figure 3. Aerial Photo

Park Land In-Lieu Fees/Dedication:

The City of Bakersfield provides park and recreational services to the project site. The nearest existing park to the subdivision is Challenger Park located about ½ mile northeast of the project site. Staff recommends payment of in-lieu fees to satisfy the park land requirement of BMC Chapter 15.80 (Condition No. 14).

Mineral Rights:

The applicant is requesting the Planning Commission approve waiver of mineral rights signatures on the final map pursuant to BMC 16.20.060 A.1. The preliminary title report indicates that by recorded document, the mineral rights owners have waived their right to surface entry. Staff recommends the Planning Commission approve waiver of these signatures on the final map.

ENVIRONMENTAL REVIEW AND DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) an initial study was prepared for the original project (Zone Change) of the subject property and a Mitigated Negative Declaration was adopted on May 31, 1989. In accordance with CEQA section 15162, no further environmental documentation is necessary because no substantial changes to the original project are proposed, there are no substantial changes in circumstances under which the project will be undertaken and no new environmental impacts have been identified. Mitigation measures from the related project have been included in the attached conditions of approval (Condition Nos. 25 and 26).

Noticing:

Notice of public hearing before the Planning Commission of the City of Bakersfield for the project with the associated proposed Mitigated Negative Declaration was advertised in the newspaper and posted on the bulletin board of the Bakersfield City Planning Department. All

property owners within 300 feet of the project site were notified about the hearing and the proposed subdivision at least 10 days prior to the public hearing in accordance with State law. The applicant has provided proof that signs giving public notice of the proposed tract map were posted on the property 20 to 60 days prior to the public hearing before the Planning Commission.

Conclusion:

As noted above, the applicant has requested approval of Vesting Tentative Tract Map 7352 to subdivide 7.26 acres into 26 single-family residential lots, 1 sump lot, and 1 street lot, ranging in size from 6,130 square feet to 15,621 square feet, in an R-1-CH (Single-family dwelling – Church Combining) zone. The purpose of this request is to subdivide the property for single-family residential development. The second component of the request is for deviations of City standard regarding double frontage lots and non-radial and non-perpendicular side lots.

With regard to the first component of the request, Staff finds that subdivision of the 7.26-acre parcel into 26 lots for single-family residential development, 1 sump lot, and 1 street lot is reasonable and Staff recommends approval of VTTM 7352 as requested.

With regard to the second component of the request, Staff finds that the requests for double frontage lots and non-radial and non-perpendicular side lots is acceptable due to the existing constraints of the existing parcel and, therefore, recommends approval.

Exhibits: (Attached)

- A. Resolution with Exhibits: A-1. Conditions of Approval
A-2. Location Map with Zoning
A-3. Tentative Map
- B. CEQA document

ATTACHMENT A

DRAFT

RESOLUTION NO. _____

**RESOLUTION OF THE BAKERSFIELD PLANNING COMMISSION
TO APPROVE VESTING TENTATIVE TRACT MAP 7352, LOCATED
WEST OF THE INTERSECTION OF STINE ROAD AND POPPYSEED
STREET IN SOUTHWEST BAKERSFIELD.**

WHEREAS, Porter & Associates, Inc. representing Old River Land Company, filed an application with the City of Bakersfield Planning Department requesting a Vesting Tentative Tract Map 7352 (the "Project"), and a modification request for double frontage lots and non-radial and non-perpendicular side lots, to subdivide 7.26 acres into 26 single-family residential lots, 1 sump lot, and 1 street lot in an R-1-CH (One-Family Dwelling – Church Combining), as shown on attached Exhibit "A-3", located west of the intersection of Stine Road and Poppyseed Street in southwest Bakersfield as shown on attached Exhibit "A-2"; and

WHEREAS, the application was deemed complete on May 7, 2019; and

WHEREAS, an initial study was conducted and it was determined that the Project would not have a significant effect on the environment and a Mitigated Negative Declaration was prepared and approved by the City Council on May 31, 1989, in conjunction with a Zone Change, in accordance with California Environmental Quality Act (CEQA); and

WHEREAS, the Secretary of the Planning Commission, did set Thursday, June 20, 2019, at 5:30 p.m. in the Council Chambers of City Hall, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for a public hearing before the Planning Commission to consider the proposed Mitigated Negative Declaration and the Project, and notice of the public hearing was given in the manner provided in Title 16 of the Bakersfield Municipal Code; and

WHEREAS, the laws and regulations relating to CEQA and the City of Bakersfield's CEQA Implementation Procedures have been duly followed by city staff and the Planning Commission; and

WHEREAS, the City of Bakersfield Planning 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, environmental review, and special studies (if any), 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. Staff determined that the proposed activity is a project and an initial study was prepared for the original project (Zone Change) of the subject property and a Mitigated Negative Declaration was adopted on May 31, 1989 by the City Council for the original project, and duly noticed for public review.
3. A Mitigated Negative Declaration for the Project is the appropriate environmental document to accompany its approval. In accordance with the State CEQA Guidelines, staff prepared an initial study and indicated that because mitigation measures relating to archeological and biological resources have been incorporated into the Project, the Project will not significantly impact the physical environment.
4. Urban services are available for the proposed development. The Project is within an area to be served by all necessary utilities and waste disposal systems. Improvements proposed as part of the Project will deliver utilities to the individual lots or parcels to be created.
5. The application, together with the provisions for its design and improvement, is consistent with the Metropolitan Bakersfield General Plan. (Subdivision Map Act Section 66473.5) The proposed density and intensity of development are consistent with the LR (Low Density Residential) land use classification on the property. Proposed road improvements are consistent with the Circulation Element. The overall design of the project, as conditioned, is consistent with the goals and policies of all elements of the General Plan.
6. Mineral right owners' signatures may be waived on the final map pursuant to Bakersfield Municipal Code Section 16.20.060 A.1. The applicant has provided evidence with the Project application that it is appropriate to waive mineral right owners' signatures because in accordance with BMC Section 16.20.060 A.1., the party's right of surface entry has been by recorded document prior to recordation of any final map.
7. In accordance with BMC 16.28.170 H, Stine Road functions as a major street as shown on the Project, therefore the abutting double frontage lots are reasonable due to controlling factors as traffic, safety, appearance, and setback, and are approved with construction of a 6-foot high masonry wall separating the residential lot and the major street.
8. The request for modification(s) is consistent with sound engineering practices or subdivision design features.
9. The conditions of approval are necessary for orderly development and to provide for the public health, welfare, and safety.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Bakersfield as follows:

1. The recitals above are true and correct and incorporated herein by this reference.
2. This map pertains to the Mitigated Negative Declaration previously approved in conjunction with the Zone Change.
3. Vesting Tentative Tract Map 7352, is hereby approved with conditions of approval and mitigation measures shown on Exhibit "A-1".

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Bakersfield at a regular meeting thereof held on June 20, 2019, on a motion by Commissioner _____ and seconded by Commissioner _____, by the following vote.

AYES:

NOES:

ABSENT:

APPROVED

DANIEL CATER, CHAIR

City of Bakersfield Planning Commission

Exhibits (attached):

Exhibit A-1: Conditions of Approval

Exhibit A-2: Location Map

Exhibit A-3: Tentative Map

By KP\6.7.19\ S:\TRACTS\7352\pc-res.docx

EXHIBIT "A-1"
VESTING TENTATIVE TRACT MAP 7352
CONDITIONS OF APPROVAL

NOTE to Subdivider/Applicant: *It is important that you review and comply with requirements and deadlines listed in the "FOR YOUR INFORMATION" packet that is provided separately. This packet contains existing ordinance requirements, policies, and departmental operating procedures as they may apply to this subdivision.*

PUBLIC WORKS

1. In a letter dated January 29, 2019, the applicant requested deviations from the following ordinance and policy requirements:
 - 1.1. BMC 16.28.170.H. – Request for double frontage lots. Recommendation: **APPROVE** request with Condition No. 7 requiring waiver of direct access on lots abutting Stine Road (arterial street). Lots 23-26.
 - 1.2. BMC 16.28.170.F. – Request for non-radial and non-perpendicular side lot lines. Recommendation: **APPROVE** request due to the existing constraints of the previously dedicated Poppyseed Street and the shape of the parcel and uniformity of lot widths. Lots 5/6, 7/8, 11/12, 19/20, 21/22, 24/25, 15/16.
2. Approval of this tentative map does not indicate approval of grading, drainage lines and appurtenant facilities shown, or any variations from ordinance, standard, and policy requirements which have neither been requested nor specifically approved.
3. Prior to recordation of any final map phase, the applicant shall provide dedication of LOT B as shown on the tentative map to the City of Bakersfield, and shall be reviewed and approved by the City Engineer and City Attorney.
4. Project shall comply with will applicable conditions included in Zone Change Ordinance #3230.
5. Prior to grading plan review submit the following for review and approval:
 - 5.1. A drainage study for the entire subdivision.
 - 5.2. A sewer study to include providing service to the entire subdivision and showing what surrounding areas may be served by the main line extensions.
6. The following conditions must be reflected in the design of the improvement plans:
 - 6.1. Final plan check fees shall be submitted with the first plan check submission.
 - 6.2. Per Resolution 035-13 the area within the Tract shall implement and comply with the "complete streets" policy. Complete streets will require pedestrian and bicycle access to the Tract from existing sidewalks and bike lanes. If there is a gap less than ¼ mile then construction of asphalt sidewalks and bike lanes to the tract will be required.

7. The subdivider shall construct the full width landscaped median island in Stine Road for the site's frontage.
 - 7.1. Install traffic signal interconnect conduit and pull rope for the frontage in all arterials and collectors. Install conduit and pull ropes in future traffic signal locations.
 - 7.2. In addition to other paving requirements, on and off site road improvements may be required. Access turns shall be restricted to right turn in and right turn out at Poppyseed Street. A left turn into Poppyseed Street may be allowed. Channelization shall be developed to provide necessary transitions and deceleration lanes to meet the current Caltrans standards for the design speed of the roadway in question.
 - 7.3. Off-site pavement and striping construction will be required to transition from the proposed/ultimate on-site improvements to the existing conditions at the time construction commences. Transitions must be designed in accordance with City Standards and/or the Caltrans Highway Design Manual. If existing conditions change during the period of time between street improvement plan approval and construction commencement, the street improvement plans must be revised and approved by the City Engineer.
8. The subdivider shall comply with the following conditions:
 - 8.1. Right turn deceleration lanes are required on arterials at local streets.
 - 8.2. The phasing map as submitted may be unbalanced with respect to the required improvements along the tract frontages. Therefore, in order to promote orderly development, each phase shall be responsible for an equal dollar amount of frontage improvement. Prior to recordation of each final map for any phase that does not construct its share of the improvements, the difference between the cost of the frontage improvements constructed and the phase share shall be placed into an escrow account. The money deposited in this account would be for the use of the developer of any future phase responsible for more than its share of improvements. The final per lot share will be based upon an approved engineer's estimate. In lieu of the use of an escrow account, the developer may choose to construct with each phase its proportionate share of the frontage improvements, with approval of the City Engineer.
 - 8.3. The following conditions are based upon the premise that filing of Final Maps will occur in the order shown on the map with Phase 1 first, then Phase 2, then Phase 3, etc. If recordation does not occur in that normal progression, then, prior to recordation of each final map, the City Engineer shall determine the extent of improvements to be done with that particular phase. The applicant proposes no phasing.
 - 8.3.1. The following shall occur with Phase 1:
 - 8.3.1.1. Construct Stine Road for the full extent of the street lying within the tract's boundary.
 - 8.3.1.2. Construct the remaining portion (sidewalk and curb ramps) of Poppyseed Street from Stine Road to the project boundary.

If the number of phases or the boundaries of the phases are changed, the developer must submit to the City Engineer an exhibit showing the number and configuration of the proposed phases. The City Engineer will review the exhibit and determine the order and extent of improvements to be constructed with each new phase. The improvement plans may require revision to conform to the new conditions.

- 8.4. The subdivider is responsible for verifying that existing streets within the boundary of the tract are constructed to city standards and shall reconstruct streets within the boundary if not to standard.
 - 8.5. Where streets do not have curb and gutter, construct a minimum section of 36 feet wide consisting of 2-12' lanes, 2-4' paved shoulders and 2 additional feet per side of either AC or other dust proof surface.
 - 8.6. The use of interim, non-standard drainage retention areas shall be in accordance with the drainage policy adopted by letter dated January 24, 1997, and modification policy letter dated October 20, 2000.
 - 8.7. In order to preserve the permeability of the sump and to prevent the introduction of sediments from construction or from storm events, Best Management Practices for complying with the requirements of the Clean Water Act are required.
 - 8.8. All lots with sumps and water well facilities will have wall and/or slatted chain link fence and landscaping to the appropriate street standards, at the building setback with landscaping as approved by the Public Works and Parks Directors.
 - 8.9. Install blue markers in the street at the fire hydrants per the Fire Department requirements.
9. The following must be reflected in the final map design:
- 9.1. A waiver of direct access shall be required for all lots abutting any arterials and collectors: Stine Road.
10. Prior to recording the first final map:
- 10.1. The City Council must have taken final action for inclusion of this tract within the Consolidated Maintenance District.
 - 10.2. The developer is required to construct an improvement which is on the facilities list for the Metropolitan Bakersfield Transportation Impact Fee: Stine Road, one southbound lane. The developer shall receive credit against his traffic impact fees for constructing this project. The developer must submit an appraisal, to be approved by the City Engineer, verifying the cost of the right-of-way to be acquired. This credit is not available until the improvement has been constructed by the developer and accepted for maintenance by the City. Any building permit issued prior to this acceptance shall pay the full impact fee.
 - 10.3. if it becomes necessary to obtain any off site right of way and if the subdivider is unable to obtain the required right of way, then he shall pay to the City the up-front costs for eminent domain proceedings and enter

into an agreement and post security for the purchase and improvement of said right of way.

11. Prior to recording each final map:

- 11.1. The subdivider shall submit an enforceable, recordable document approved by the City Attorney to be recorded concurrently with the Final Map which will prohibit occupancy of any lot until all improvements have been completed by the subdivider and accepted by the City.
- 11.2. The subdivider shall submit an enforceable, recordable document approved by the City Attorney to be recorded concurrently with the Final Map containing information with respect to the addition of this subdivision to the consolidated maintenance district. Said covenant shall also contain information pertaining to the maximum anticipated annual cost per single family dwelling for the maintenance of landscaping associated with this tract. Said covenant shall be provided to each new property owner through escrow proceedings. If the parcel is already within a consolidated maintenance district, the owner shall update the maintenance district documents, including a Proposition 218 Ballot and Covenant, which shall be signed and notarized.

12. Prior to acceptance of the public improvements by the City,

- 12.1. Street name signs (SNS) shall be installed:
 - 12.1.1. Metro Size SNS shall be installed at the intersection of local streets with Arterial and collector streets.
 - 12.1.2. Standard SNS shall be installed at all other locations.

13. Prior to Notice of Completion:

- 13.1. The storm drain system, including the sump, shall be inspected and any debris removed.

WATER RESOURCES

- 14. Prior to recordation of each final map, subdivider shall record a covenant affecting each lot prohibiting the pumping and taking of groundwater from the property for any use off the property; provided, however, such pumping and taking may be carried out by the authorized urban water purveyor which provides water service to the subdivided land, or by a county-wide governmental entity with water banking powers, and such pumping is part of an adopted water banking program that will not have a significant adverse impact on the groundwater levels or diminish the quality of water underlying the subdivision.

Orderly development and as required by BMC Section 16.40.101.B.

FIRE SAFETY DIVISION

- 15. Pipeline Easements.

- 15.1 Concurrently with recordation of any phase that includes the pipeline easements or portions thereof, subdivider shall show the easements on the final map with a notation that structures including accessory buildings and swimming pools, are prohibited within the easements and record a corresponding covenant.
- 15.2 Prior to or concurrently with recordation of any phase that includes the pipeline easements or portions thereof, subdivider shall show on the final map that no habitable portion of a structure may be built within 50 feet of a gas main, or transmission line, or refined liquid product line with 36 inches of cover, and record a corresponding covenant.
- 15.3 No structure may be within 40 feet of a hazardous liquids pipeline bearing refined product, within 48 inches or more of cover. If a pipeline meets this criteria, the 40-foot setback line shall be shown in the final map and a corresponding covenant shall be recorded prior to or concurrently with recordation of any phase that is affected.
- 15.4 No habitable portion of a structure may be built within thirty (30) feet of a crude oil pipeline operating at twenty percent (20%) or greater of its design strength.
- 15.5 Prior to or concurrently with recordation of any phase within 250 feet of the pipeline easements, subdivider shall record a covenant disclosing the location of the pipelines on all lots of this subdivision within 250 feet of the pipelines.

Public health, safety and welfare.

RECREATION AND PARKS

16. Prior to recordation of each final map, the subdivider shall pay an in-lieu fee based on a park land dedication requirement of 2.5 acres per 1000 population in accordance with Chapter 15.80 of the Bakersfield Municipal Code. If the number of dwelling units increases or decreases upon recordation of a final map(s), the park land requirement will change accordingly. Refer to BMC Chapter 15.80 and the Planning Information Sheet regarding calculation and payment of in-lieu fee. In accordance with Government Code Section 66020(d), you are hereby notified that the 90-day period in which you may protest the imposition of this fee has begun.

BMC Chapter 15.80 requires the Planning Commission to determine if a subdivider is to dedicate park land, pay an in-lieu fee, reserve park land or a combination of these in order to satisfy the City's park land ordinance. Staff is recommending this condition in accordance with BMC Chapter 15.80.

CITY ATTORNEY

17. 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.

PLANNING

18. This subdivision shall comply with all provisions of the Bakersfield Municipal Code, and applicable resolutions, policies and standards in effect at the time the application for the subdivision map was deemed complete per Government Code Section 66474.2.
19. The subdivision shall be recorded in no more than 2 phases. Phases shall be identified numerically and not alphabetically.

Orderly development.

20. Prior to recordation of each final map, subdivider shall submit a "will serve" or "water availability" letter or other documentation acceptable to the Planning Director from the water purveyor stating the purveyor will provide water service to the phase to be recorded.

Required for orderly development and provide for the public health, welfare and safety by ensuring water service to the subdivision at the time of final map recordation because the water purveyor has included an expiration date in the initial "will serve" letter.

21. Mineral Rights: Prior to recordation of the first final map, the following shall apply:
 - a. Subdivider shall submit written evidence that waiver(s) of surface entry has been obtained from 100% of the mineral right interest(s) for the entire area of this tract. Written evidence shall be submitted to the Planning Director in the form of a recorded document such as a grant deed or other instrument approved by the City Attorney. The proposed lots shown underlying the drill site shall be allowed to record subject all other conditions of approval of the tentative map.
 - b. If Subdivider does not provide verification to the Planning Director that waiver of surface entry from all mineral rights owners have been obtained, the minimum 2-

acre drill site drill site reservation as approved by the Planning Commission shall be recorded with the first final map, and prior to or concurrently with the final map, the subdivider shall:

- i. Record a covenant encumbering the drill site as such;
- ii. Record a covenant of all lots of this subdivision within 500 feet of the drill site disclosing the drill site location and possible activities;
- iii. Construct a six-foot high masonry wall with gate access around the drill site as shown on the tentative tract. However, upon approval by the Planning Director, wall construction may be deferred until adjacent residential lots are recorded. Wall height shall be measured to the highest adjacent grade.
- iv. Have covenants reviewed approved by the City Attorney and Planning Director prior to recording.

Required to verify compliance with BMC Section 16.20.060 A. and orderly development.

22. Prior to recordation of each final map on any phase located within one-quarter mile of any canal, concrete lined canal, open conduit waterway, or unlined canal, the subdivider shall construct a 6-foot-high chain link fence, in accordance with City of Bakersfield Subdivision and Engineering Design Manual Standard D - 12 (aka S-10) or equivalent to separate the subdivision and the unlined canal. The concrete curb for the chain link fence may be waived subject to Planning Director approval. The canal fence may not be bonded or secured. A temporary fencing plan may be approved by the Planning Director to facilitate project phasing.

Requirement required to satisfy BMC Sections 16.32.060.B.8 and based on a finding to provide for the public health, safety and welfare.

23. Prior to recordation of each final map on the phase depicting residential lots abutting City Fire Station #13, the subdivider shall construct an 8-foot-high masonry wall, as measured from highest adjacent grade, along the common property line.

Orderly development.

24. Prior to recordation of any final map phase adjacent to City Fire Station No. 13, the project proponent shall prepare a covenant on all lots within the tentative map regarding potential noise and other fire station activities, and shall provide a copy to the City Planning Director and City Attorney for review and approval prior to recordation.

Orderly development.

Mitigation Measures from Zone Change adopted on May 31, 1989 (Ordinance No. 3230)

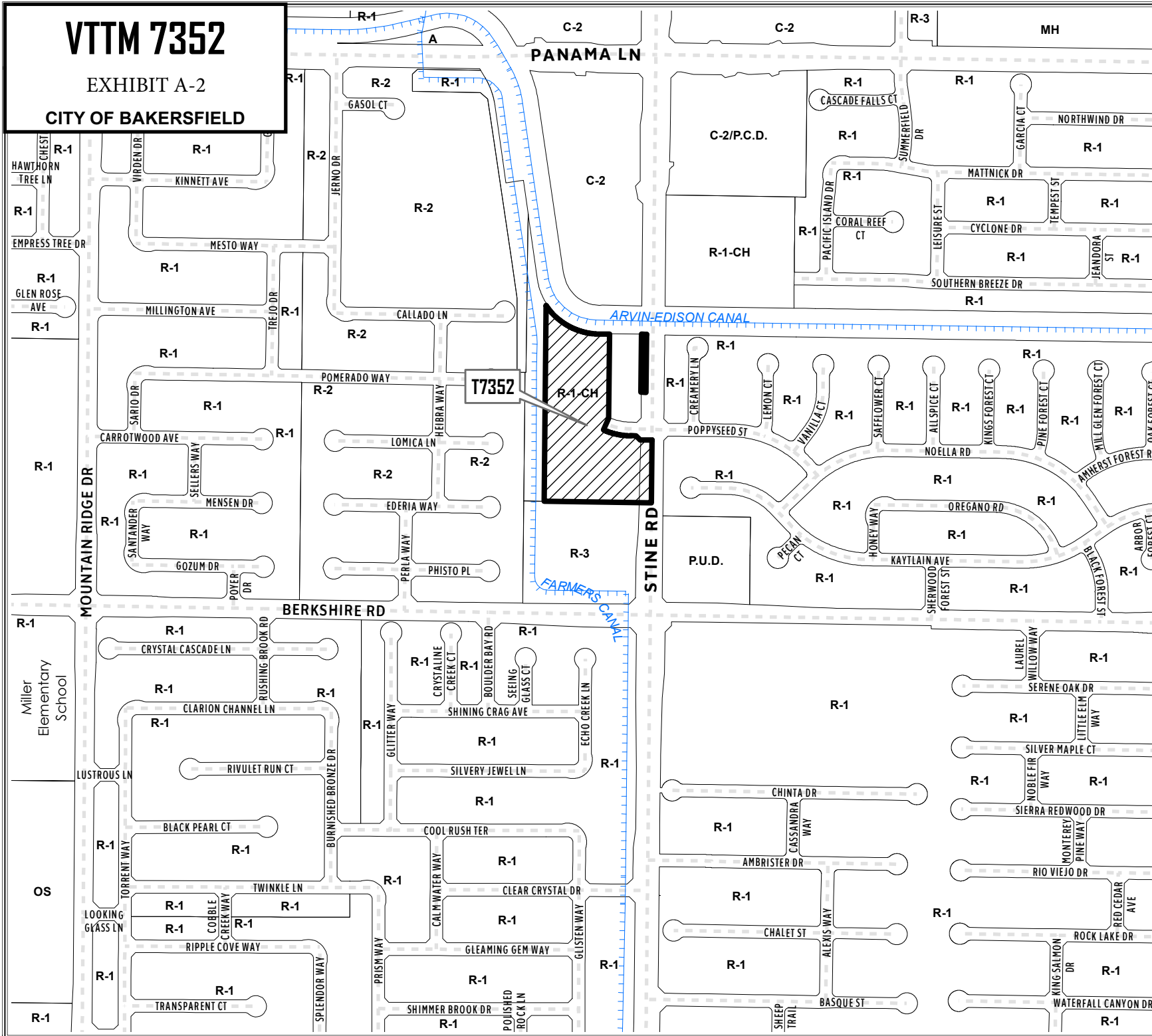
25. If during construction activities or ground disturbance, cultural resources are uncovered, the subdivider shall stop work and retain a qualified archeologist for further study. Subdivider shall notify the proper authorities and be subject to any mitigation measures required of the archeologist.
26. Prior to ground disturbance, the developer shall have a qualified biologist survey the location for species covered under the Metropolitan Bakersfield Habitat Conservation Plan incidental take permit for urban development (Tipton kangaroo rat, San Joaquin kit fox, San Joaquin antelope squirrel, & Bakersfield cactus) and comply with the mitigation measures of the permit. Survey protocol shall be that recommended by the California Department of Fish and Wildlife. Developer shall be subject to additional mitigation measures recommended by the qualified biologist. A copy of the survey shall be provided to the Community Development Department and wildlife agencies no more than 30 days prior to ground disturbance.

The current MBHCP urban development incidental take permit expires on September 1, 2019. Projects may be issued an urban development permit, grading plan approval, or building permit and pay fees prior to the September expiration date. 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 expiration date will be eligible to pay fees under the current MBHCP incidental take permit. 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 incidental take permit. Urban development permits issued after the 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 Agency and the California Department of Fish and Wildlife.

VTTM 7352

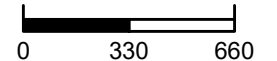
EXHIBIT A-2

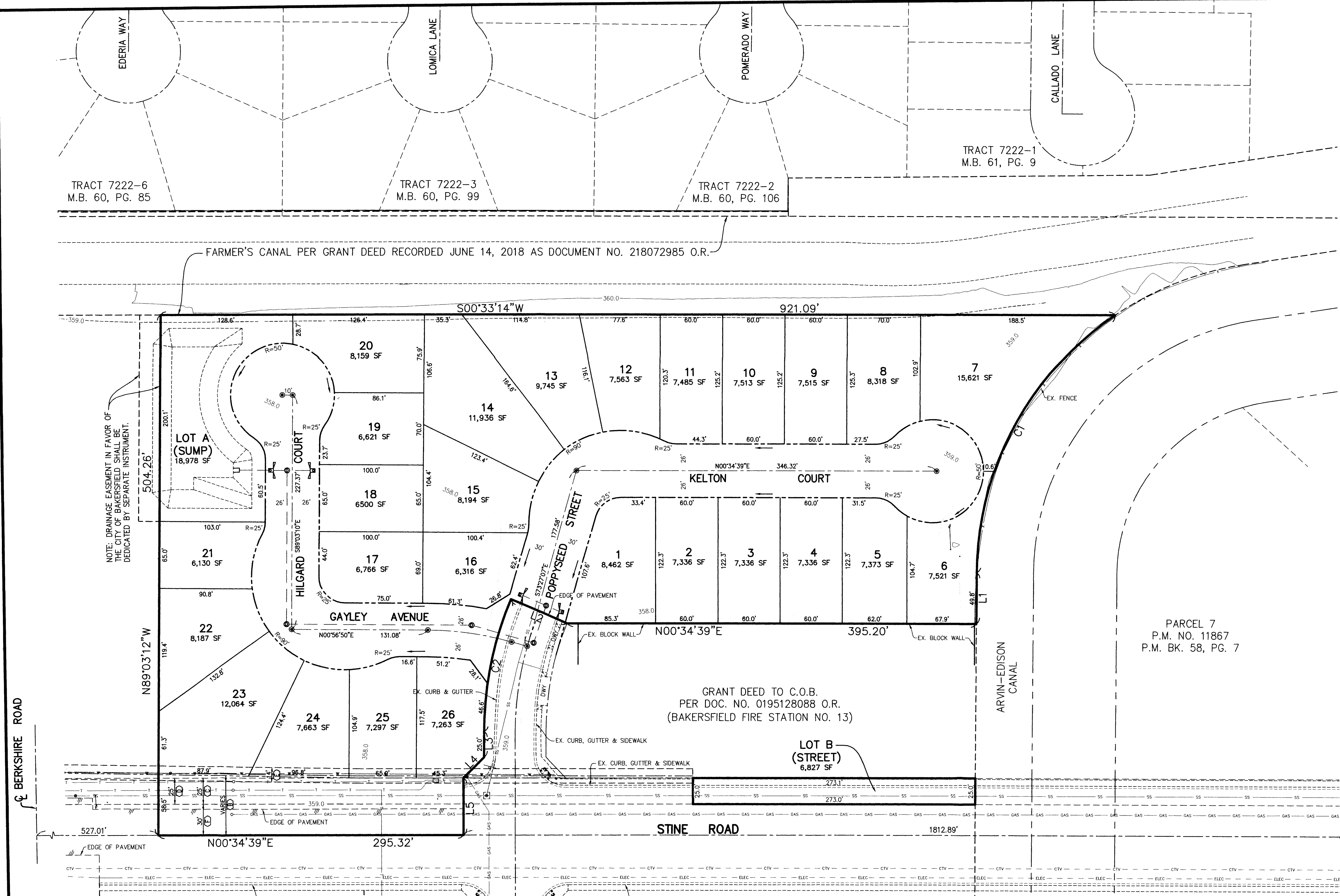
CITY OF BAKERSFIELD



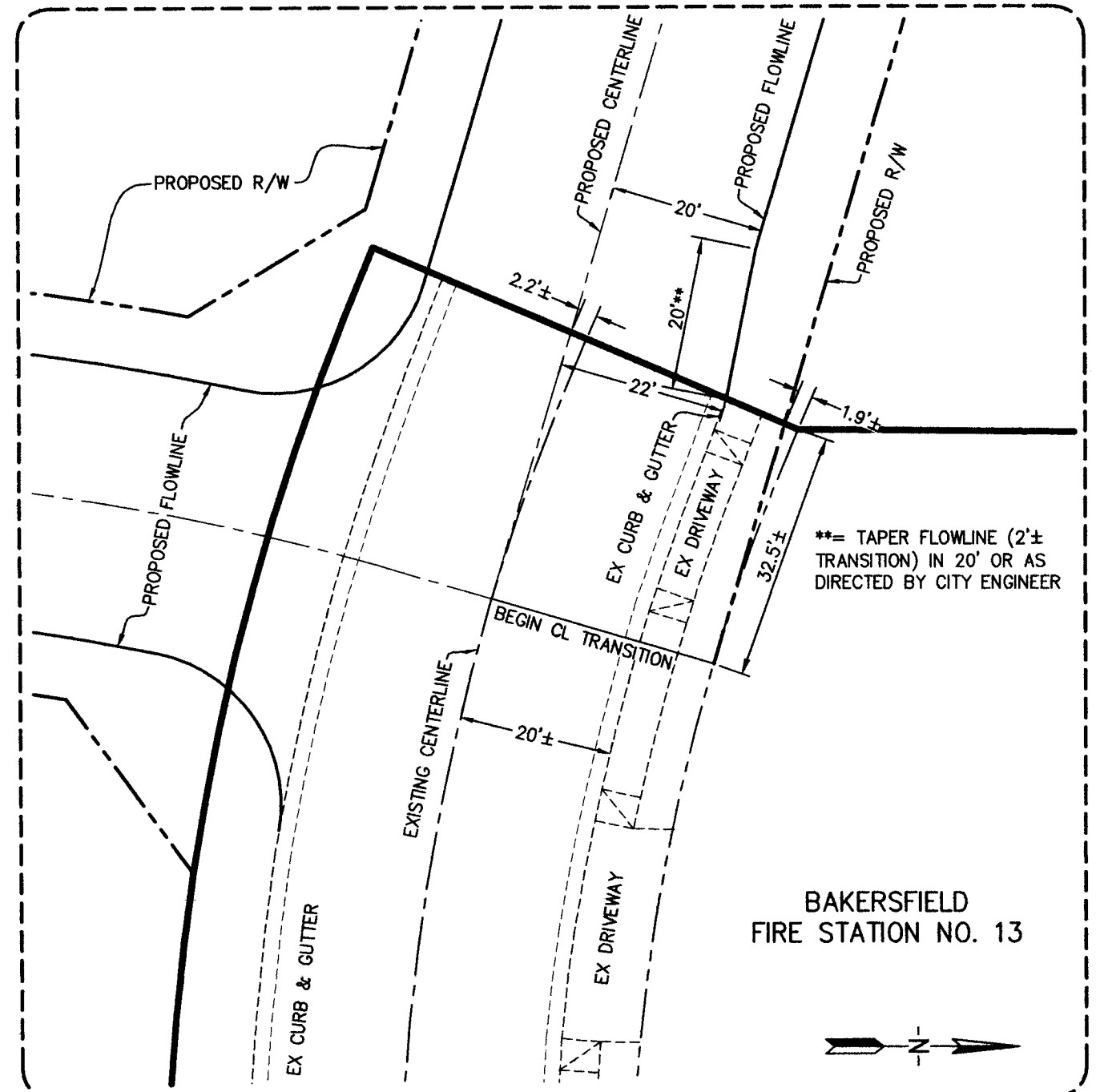
LEGEND (ZONE DISTRICTS)

- 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, 2.5, 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



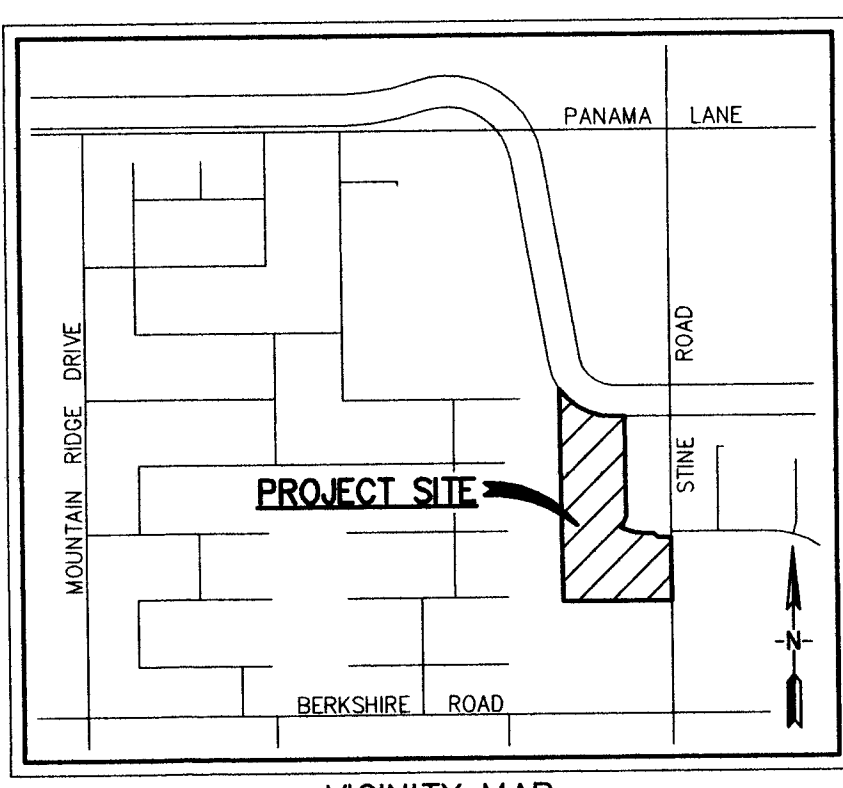


- GENERAL NOTES**
- ASSESSOR'S PARCEL NUMBER(S): 538-010-07 AND 538-010-35
 - THIS DEVELOPMENT WILL CONFORM TO THE CITY OF BAKERSFIELD SUBDIVISION STANDARDS
 - FIRE PROTECTION: IN CONFORMANCE WITH CITY OF BAKERSFIELD FIRE DEPT. STANDARDS
- STATISTICS**
- APPROXIMATE ACREAGE: 7.26 ACRES GROSS 6.72 ACRES NET
 - NUMBER OF LOTS: 26 BUILDABLE, 1 SUMP LOT & 1 STREET LOT
- UTILITIES**
- WATER: CITY OF BAKERSFIELD
 - SEWER: CITY OF BAKERSFIELD
 - DRAINAGE: ON-SITE DRAINAGE FACILITIES IN ACCORDANCE WITH CITY OF BAKERSFIELD STANDARDS
 - GAS: PACIFIC GAS AND ELECTRIC COMPANY
 - ELECTRIC: PACIFIC GAS AND ELECTRIC COMPANY
 - TELEPHONE: AT&T
 - CABLE: SPECTRUM
- LAND USE**
- EXISTING LAND USE: VACANT
 - PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL SUBDIVISION
 - EXISTING AND PROPOSED ZONING: R-1-CH
 - EXISTING GENERAL PLAN DESIGNATION: LR
- SCHOOLS & DISTRICTS**
- HIGH SCHOOL: STOCKDALE H.S. (KERN UNION HIGH S.D.)
 - JUNIOR HIGH SCHOOL: EARL WARREN JUNIOR H.S. (PANAMA-BUENA VISTA UNIFIED S.D.)
 - ELEMENTARY SCHOOL: BUENA VISTA ELEMENTARY (PANAMA-BUENA VISTA UNIFIED S.D.)
- FLOOD ZONES**
- FLOOD ZONE DESIGNATIONS PER FIRM MAP No. 06029C2300E, DATED SEPTEMBER 26, 2008.
FIRM ZONE "X": AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- ADDITIONAL NOTES:**
- THE BOLD BORDER REPRESENTS THE BOUNDARY BEING SUBDIVIDED.
STREET FLOWLINE GRADES ARE 0.20% MIN. AND 2% MAX.
THERE ARE NO BUILDINGS WITHIN MAP BOUNDARY



POPPYSEED STREET TIE-IN DETAIL
SCALE: 1"=20'

LINE TABLE			CURVE TABLE				
LINE	BEARING	LENGTH	CURVE	RADIUS	LENGTH	DELTA	TANGENT
L1	N 89°07'36" W	49.81'	C1	305.00'	293.95'	55°13'13"	159.52'
L2	N 23°27'23" E	60.00'	C2	330.00'	131.80'	22°53'02"	66.79'
L3	N 89°25'21" W	25.00'					
L4	N 44°25'21" W	28.28'					
L5	N 89°25'21" W	55.00'					



TRACT 5432-1
M.B. 39, PG. 73

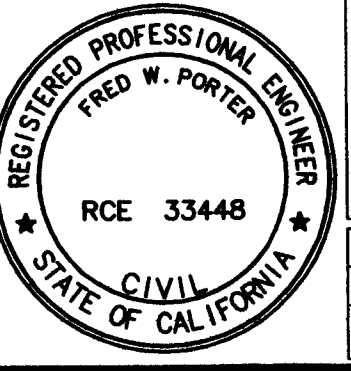
EASEMENT DESCRIPTION TABLE

NAME	INTEREST
(A) KERN COUNTY LAND COMPANY	EASEMENT FOR CANALS, DITCHES, ROADS, HIGHWAYS TELEGRAPH LINES, RAILROADS AND "OTHER PURPOSES" RECORDED APRIL 20, 1892 IN BOOK 38, PAGE 23 OF DEEDS (CANNOT BE LOCATED FROM RECORD INFORMATION)
(B) CITY OF BAKERSFIELD	EASEMENT FOR INGRESS, EGRESS AND ROAD PURPOSES RECORDED DECEMBER 1, 2004 AS DOC. NO. 0204294674 O.R.
(C) CITY OF BAKERSFIELD	EASEMENT FOR SEWER PIPELINE PURPOSES RECORDED FEBRUARY 4, 1991 IN BOOK 6487 PAGE 2388 O.R.
(D) CITY OF BAKERSFIELD	EASEMENT FOR ROAD PURPOSES RECORDED OCTOBER 2, 1992 IN BOOK 6741 PAGE 2099 O.R.
(E) CITY OF BAKERSFIELD	EASEMENT FOR WATER PIPELINE PURPOSES RECORDED JANUARY 14, 1993 IN BOOK 6790 PAGE 335 O.R.
(F) CITY OF BAKERSFIELD	EASEMENT FOR ROAD PURPOSES RECORDED SEPTEMBER 11, 1894 IN VOLUME 6 AT PAGE 449 OF VIEWERS REPORT.

OWNER/SUBDIVIDER:
OLD RIVER LAND COMPANY, A CALIFORNIA CORPORATION
10457 VAN HORN ROAD
BAKERSFIELD, CA 93313

LEGAL DESCRIPTION:
BEING A DIVISION OF PARCEL "B" OF LOT LINE ADJUSTMENT NO. 18-0390 AS PER CERTIFICATE OF COMPLIANCE RECORDED _____, 20____ AS DOCUMENT NO. _____, OFFICIAL RECORDS, ALSO BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 30 SOUTH, RANGE 27 EAST, MOUNT DIABLO MERIDIAN, IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA.

PORTER & ASSOCIATES, INC.
ENGINEERING & SURVEYING
1200 21st Street, Bakersfield, California 93301
661.327.0362 FAX 661.327.1065



FRED W. PORTER	
PROJECT MANAGER: FP2	
DRAFTSMEN: LGH	
PA REVIEW BY: _____	DATE: _____

DATE 2/05/2019 PA JOB No. 2992B

VESTING TENTATIVE TRACT No. 7352

1 OF 1 SHEETS



COVER SHEET

PLANNING DEPARTMENT

STAFF REPORT

MEETING DATE: June 20, 2019

ITEM NUMBER: Consent - Public
Hearing5.(d.)

TO: Planning Commission

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

PLANNER: Kristin Pittack, Associate Planner II

DATE:

WARD: Ward 7

SUBJECT:

Tentative Parcel Map 12286: Wiley D. Hughes Surveying, Inc., proposes to subdivide 0.86 acres into 4 parcels and 1 designated remainder for future multiple-family dwelling development, located ¼ mile west of South H St. and Planz Rd. Notice of Exemption on file.

APPLICANT: Wiley D. Hughes Surveying, Inc.

OWNER: Davary Group, Inc.

LOCATION: Located approximately ¼ mile west of the intersection of South H Street and Planz Road in southeast Bakersfield.

STAFF RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Staff Report	Staff Report
<input type="checkbox"/> Resolution	Resolution
<input type="checkbox"/> Exhibit A-1	Exhibit
<input type="checkbox"/> Exhibit A-2	Exhibit
<input type="checkbox"/> Exhibit A-3	Exhibit



www.bakersfieldcity.us

CITY OF BAKERSFIELD PLANNING DEPARTMENT STAFF REPORT

TO: Chair Cater and Members of the Planning Commission

AGENDA ITEM: 5.d

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

APPROVED: KFC

DATE: June 20, 2019

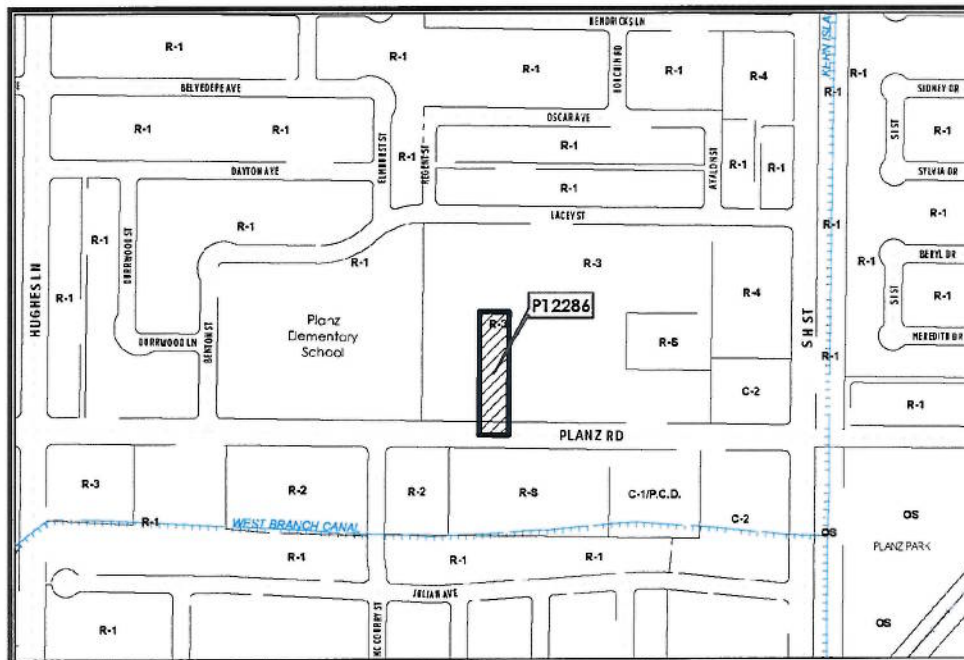
SUBJECT: TENTATIVE PARCEL MAP 12286 (WARD 7)

APPLICANT: ENGINEER
Wiley D. Hughes Surveying, Inc.
PO Box 43133
Bakersfield, CA 93384

PROPERTY OWNER
Davary Group, Inc.
10905 Craigton Court
Bakersfield, CA 93311

LOCATION: Approximately 1/4 mile west of the intersection of South H Street and Planz Road in southeast Bakersfield. (APN #: 023-172-05)

Figure 1. Location Map



RECOMMENDATION:

Motion to adopt Resolution and recommending findings **APPROVING** Tentative Parcel Map 12286 with conditions.

PROJECT DESCRIPTION

Wiley D. Hughes Surveying, Inc., representing Davary Group, Inc., is proposing to subdivide approximately 0.86 acres into 4 parcels and 1 designated remainder in an R-3 (Limited Multiple-Dwelling) zone, located approximately ¼ mile west of the intersection of South H Street and Planz Road in southeast Bakersfield.

Figure 2: SITE VISIT PHOTO

View from south boundary of the map generally facing north.



PROJECT ANALYSIS:

Background & Timeline:

June 26, 1967: Annexation. The project site and surrounding property was annexed to the City as a part of the Benton Park No. 8 Annexation (Annexation #155).

June 6, 1977: Zone Change. City Council approved a Zone Change for a portion of this site and property to the east and west from R-S (Residential Suburban) to R-3-D (Limited-Multiple Family Dwelling – Architectural Design) to provide zoning consistency for residential development.

Analysis:

The proposed tentative parcel subdivision consists of 4 parcels and 1 designated remainder in an R-3 (Limited Multiple-Family Dwelling) zone district for purposes of future multi-family development. Typical parcel size is 100 feet wide by 72 feet deep (7,200 square feet). The net density for the project site is > 17.42 and ≤ less than or equal to 72.6 dwelling units per net acre for HR (High Density Residential) general plan designation. The 4 parcels proposed for subdivision

are currently vacant land and with an existing single-family residence located on the designated remainder. The application was deemed complete on April 30, 2019.

Relationship to Surrounding Uses:

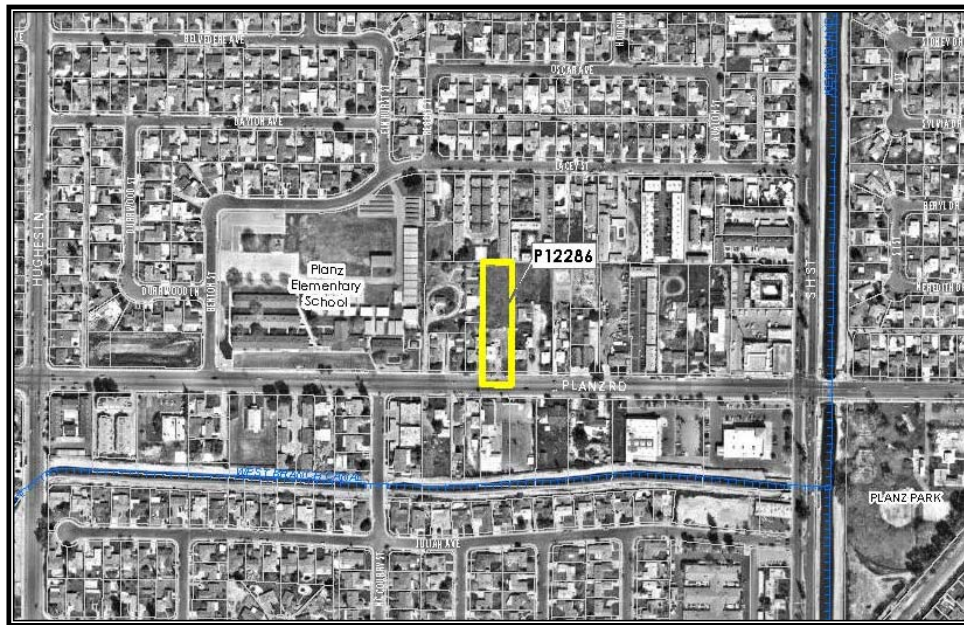
The project site is depicted as HR (High Density Residential) on the Land Use Element of the Metropolitan Bakersfield General Plan. The site is surrounded by existing single- and multi-family development with HR (High Density Residential) general plan designated property to the north, east, and west. Property to the south is designated as HMR (High-Medium Density Residential) with an existing temple. Planz Elementary School is located approximately 300 feet to the west. The site is surrounded by:

<i>Table A. Surrounding Land Use Designations and Zoning Districts</i>			
DIRECTION	LAND USE DESIGNATION	ZONING DISTRICT	EXISTING LAND USE
NORTH	HR	R-3	Multi-family fourplex units
SOUTH	HMR	R-S	Shri Durga Temple
EAST	HR	R-3	Single- and Multi-family dwellings
WEST	HR	R-3	Single-family dwelling
Land Use Designations: HMR: $> 7.26 \leq 17.42$ du/na HR: $> 17.42 \leq 72.6$ du/na		Zoning Designations R-3 : Multiple-Family Dwelling R-S : Residential Suburban	

Circulation:

Access to the project site is provided by Planz Road (collector street). Condition No. 19 requires the applicant to provide parking and access easement to parcels 1-4 via the designated remainder adjacent to Planz Road. The nearest access to a GETBus route (Route 62) is located approximately 1/4 mile east of the project site on South H Street.

The City's Bikeway Master Plan identifies Planz Road (collector street) as a Class 2 facility (bike lanes). If bike lanes do not currently exist and at the time the property is developed, lane striping will be required with the construction of street improvements. However, the Traffic Engineer will evaluate if striping should be delayed if its installation will compromise public safety (e.g. short lengths of unconnected bike lanes that would confuse drivers and cyclists increasing the likelihood of accidents). Striping would then occur at the time the City added bike lanes along the street with connections to the existing bikeway network.

Figure 3. Aerial Photo**Mineral Rights:**

In accordance with Subdivision Map Act Section 66445 (e), mineral rights owners' signatures are not required on final parcel maps with 4 (four) or fewer parcels (BMC Section 16.22.030.B). This parcel map contains 4 buildable parcels; therefore, signatures are not required.

Division of Oil, Gas and Geothermal Resources submitted a letter stating the project site is beyond their administrative boundaries of any oil or gas fields. There are no known wells on the property and no known active operator of record. If a well is uncovered, the subdivider must consult with the Division regarding proper abandonment of the well, in accordance with the Bakersfield Municipal Code (Condition No. 18).

ENVIRONMENTAL REVIEW AND DETERMINATION:

Pursuant to CEQA Section 15315, Class 15 Minor Land Division, a project may be exempt in which the division of property in urbanized areas zoned for residential, commercial, or industrial use into 4 (four) or fewer parcels when the division is in conformance with the General Plan and zoning, no variances are required, all services and access to the proposed parcels to local standards are available, and that the parcel was not involved in division of a larger parcel within the last two years, and the parcel does not have an average slope of 20 percent or greater. In reviewing this project and Class 15 requirements, Staff determined the project is categorically exempt from CEQA. The approximate 0.86-acre site is surrounded by residential uses and can be served by all required utilities and City public services. Therefore, a Notice of Exemption is provided as Attachment B.

Noticing:

Notice of public hearing before the Planning Commission of the City of Bakersfield for the project with the associated proposed Notice of Exemption was advertised in the newspaper and posted on the bulletin board of the Bakersfield City Planning Department. All property owners within 300 feet of the project site were notified about the hearing and the proposed subdivision at least 10 days prior to the public hearing in accordance with State law.

Conclusion:

As noted above, the applicant has requested approval of Tentative Parcel Map 12286 to subdivide 0.86 acres into 4 parcels approximately 7,200 square feet in size, in an R-3 (Limited-Multiple Family) zone district. The purpose of this request is to subdivide the existing parcel to facilitate future multi-family development. Staff finds that subdivision of the 0.86-acre parcel into 4 parcels for multi-family development and 1 designated remainder is reasonable and Staff recommends approval of TPM 12286 as requested.

Exhibits: (Attached)

- A. Resolution with Exhibits: A-1. Conditions of Approval
A-2. Location Map with Zoning
A-3. Tentative Map
- B. CEQA document

ATTACHMENT A

DRAFT

RESOLUTION NO. _____

**RESOLUTION OF THE BAKERSFIELD PLANNING COMMISSION
TO APPROVE TENTATIVE PARCEL MAP 12286, LOCATED
APPROXIMATELY ¼ MILE WEST OF THE INTERSECTION OF
SOUTH H STREET AND PLANZ ROAD IN SOUTHEAST
BAKERSFIELD.**

WHEREAS, Wiley D. Hughes Surveying, Inc. representing Davary Group, Inc., filed an application with the City of Bakersfield Planning Department requesting a Tentative Parcel Map 12286 (the "Project"), consisting of 4 parcels and 1 designated remainder on approximately 0.86 acres to develop multi-family residences, as shown on attached Exhibit "A-3", located approximately ¼ mile west of the intersection of South H Street and Planz Road in southeast Bakersfield as shown on attached Exhibit "A-2"; and

WHEREAS, the application was deemed complete on April 30, 2019; and

WHEREAS, the Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with State CEQA Guidelines Section 15315; and

WHEREAS, the Secretary of the Planning Commission, did set Thursday, June 20, 2019, at 5:30 p.m. in the Council Chambers of City Hall, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for a public hearing before the Planning Commission to consider the Project, and notice of the public hearing was given in the manner provided in Title 16 of the Bakersfield Municipal Code; and

WHEREAS, the laws and regulations relating to CEQA and the City of Bakersfield's CEQA Implementation Procedures have been duly followed by city staff and the Planning Commission; and

WHEREAS, the City of Bakersfield Planning 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, environmental review, and special studies (if any), 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 application is a project under CEQA and the Project is Categorically Exempt from State CEQA Guidelines under Section 15315 and duly noticed for public review.
4. Urban services are available for the proposed development. The Project is within an area to be served by all necessary utilities and waste disposal systems. Improvements proposed as part of the Project will deliver utilities to the individual lots or parcels to be created.
5. The application, together with the provisions for its design and improvement, is consistent with the Metropolitan Bakersfield General Plan. (Subdivision Map Act Section 66473.5) The proposed density and intensity of development are consistent with the HR (High Density Residential) land use classification on the property. Proposed road improvements are consistent with the Circulation Element. The overall design of the project, as conditioned, is consistent with the goals and policies of all elements of the General Plan.
6. Mineral right owners' signatures are not required on the final map pursuant to Bakersfield Municipal Code Section BMC Section 16.22.030.B. In accordance with Subdivision Map Act Section 66445(e), mineral rights owners' signatures are not required on final parcel maps with 4 or fewer parcels (BMC Section 16.22.030.B). This parcel map contains 4 buildable parcels.
9. The conditions of approval are necessary for orderly development and to provide for the public health, welfare, and safety.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Bakersfield as follows:

1. The recitals above are true and correct and incorporated herein by this reference.
2. The map is Categorically Exempt from the requirements of State CEQA Guidelines Section 15315.
3. Tentative Parcel Map 12286 is hereby approved with conditions of approval and mitigation measures shown on Exhibit "A-1".

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Bakersfield at a regular meeting thereof held on June 20, 2019, on a motion by Commissioner _____ and seconded by Commissioner _____, by the following vote.

AYES:

NOES:

ABSENT:

APPROVED

DANIEL CATER, CHAIR

City of Bakersfield Planning Commission

Exhibits (attached):

Exhibit A-1: Conditions of Approval

Exhibit A-2: Location Map

Exhibit A-3: Tentative Map

By KP\6.10.19\ S:\TRACTS\12286\pc-res.docx

EXHIBIT "A-1"
TENTATIVE PARCEL MAP 12286
CONDITIONS OF APPROVAL

NOTE to Subdivider/Applicant: It is important that you review and comply with requirements and deadlines listed in the "FOR YOUR INFORMATION" packet that is provided separately. This packet contains existing ordinance requirements, policies, and departmental operating procedures as they may apply to this subdivision.

PUBLIC WORKS

1. The following conditions are based upon the premise that filing of Final Maps will occur in the order shown on the map with Phase 1 first, then Phase 2, then Phase 3, etc. If recordation does not occur in that normal progression, then, prior to recordation of a final map, the City Engineer shall determine the extent of improvements to be done with that particular phase.
 - 1.1. At applicant's request, this map will not be phased.
 - 1.2. The subdivider shall construct a minimum of a 4'-6" wide concrete sidewalk and multi-family driveway to City standards, if not already existing, along the Planz Road frontage.

If the number of phases or the boundaries of the phases are changed, the developer must submit to the City Engineer an exhibit showing the number and configuration of the proposed phases. The City Engineer will review the exhibit and determine the order and extent of improvements to be constructed with each new phase. The improvement plans may require revision to conform to the new conditions.

2. Prior to recordation of each Final Map, the subdivider shall:
 - 2.1. Submit an enforceable, recordable document approved by the City Attorney to be recorded concurrently with the Final Map which will prohibit occupancy of any lot until all improvements have been completed by the subdivider and accepted by the City.
 - 2.2. The subdivider shall submit an enforceable, recordable document approved by the City Attorney to be recorded concurrently with the Final Map containing information with respect to the addition of this subdivision to the consolidated maintenance district. If the parcel is already within a consolidated maintenance district, the owner shall update the maintenance district documents.
3. The subdivider shall comply with the following:
 - 3.1. If it becomes necessary to obtain any off site right of way and if the subdivider is unable to obtain the required right of way, the subdivider shall pay to the City the up-front costs for eminent domain proceedings and enter into an agreement and post security for the purchase and improvement of said right of way.
 - 3.2. If the map will have private facilities, submit for the City's Review and approval C.C. & R.'s and Property Owner's Association By-Laws for the use and

- maintenance of all non-dedicated, shared facilities. Among those non-dedicated, shared facilities will be the on-site sewer main lines and laterals and storm water retention basin(s) and associated storm drain lines and appurtenant facilities, and shared access from Planz Road.
- 3.3. Provide easements for required facilities not within the border of the phase being recorded, such as for utilities.
 - 3.4. Per Resolution 035-13 the area within the tentative map shall implement and comply with the "complete streets" policy. Complete streets will require pedestrian and bicycle access to the tentative map from existing sidewalks and bike lanes. If there is a gap less than ¼ mile then construction of asphalt sidewalks and bike lanes to the tract will be required.
 - 3.5. Ensure that each cable television company provides notice to the City Engineer of its intention to occupy the utility trench.
4. Prior to grading plan review, submit the following for review and approval:
 - 4.1. A drainage study for the entire subdivision. Ensure the retention basin site is designed to retain the drainage from the entire subdivision, unless otherwise approved by the City Engineer. Investigate the use of existing storm drain facilities in Planz Road.
 - 4.2. A sewerage study to include providing service to the entire subdivision and showing what surrounding areas may be served by the main line extensions.
 - 4.3. Verification from the responsible authority that all the wells, if any, have been properly abandoned.
 5. Final plan check fees shall be submitted with the first plan check submission.
 6. All lots with sumps and water well facilities, if such facilities are necessary, will have wall and/or slatted chain link fence and landscaping to the appropriate street standards, at the building setback with landscaping as approved by the Public Works and Parks Directors.
 7. The use of interim, non-standard drainage retention areas shall be in accordance with the drainage policy adopted by letter dated January 22, 1997.
 8. Concurrently with recordation of each Final Map, the following covenant shall be recorded by the property owner: a covenant containing information with respect to the addition of this subdivision to the consolidated maintenance district. Said covenant shall also contain information pertaining to the maximum anticipated annual cost per single family dwelling for the maintenance of landscaping associated with this tract. Said covenant shall be provided to each new property owner through escrow proceedings.
 9. Approval of this tentative map does not indicate approval of grading, drainage lines and appurtenant facilities shown, or any variations from ordinance, standard, and policy requirements which have neither been requested nor specifically approved.

WATER RESOURCES

10. Prior to recordation of each final map, subdivider shall record a covenant affecting each lot prohibiting the pumping and taking of groundwater from the property for any use off the property; provided, however, such pumping and taking may be carried out by the authorized urban water purveyor which provides water service to the subdivided land, or by a county-wide governmental entity with water banking powers, and such pumping is part of an adopted water banking program that will not have a significant adverse impact on the groundwater levels or diminish the quality of water underlying the subdivision.

Orderly development and as required by BMC Section 16.40.101.B.

FIRE SAFETY DIVISION

11. Prior to final map approval for any phase, a working fire hydrant acceptable to Fire Department standards of 400 feet of parcels and a fire access road with a turnaround on Parcel 1 shall be shown on the map. Approval of the disposition of the fire hydrant and location of the access road and turnaround shall be submitted to the Fire Prevention Services Director and Planning Director for review and approval prior to recordation of a final map.

Public health, safety and welfare.

- 12 Pipeline Easements.
 - 12.1 Concurrently with recordation of any phase that includes the pipeline easements or portions thereof, subdivider shall show the easements on the final map with a notation that structures including accessory buildings and swimming pools, are prohibited within the easements and record a corresponding covenant.
 - 12.2 Prior to or concurrently with recordation of any phase that includes the pipeline easements or portions thereof, subdivider shall show on the final map that no habitable portion of a structure may be built within 50 feet of a gas main, or transmission line, or refined liquid product line with 36 inches of cover, and record a corresponding covenant.
 - 12.3 No structure may be within 40 feet of a hazardous liquids pipeline bearing refined product, within 48 inches or more of cover. If a pipeline meets this criteria, the 40-foot setback line shall be shown in the final map and a corresponding covenant shall be recorded prior to or concurrently with recordation of any phase that is affected.
 - 12.4 No habitable portion of a structure may be built within thirty (30) feet of a crude oil pipeline operating at twenty percent (20%) or greater of its design strength.
 - 12.5 Prior to or concurrently with recordation of any phase within 250 feet of the pipeline easements, subdivider shall record a covenant disclosing the location of the pipelines on all lots of this subdivision within 250 feet of the pipelines.

Public health, safety and welfare.

RECREATION AND PARKS

13. Prior to recordation of each final map, the subdivider shall pay an in-lieu fee based on a park land dedication requirement of 2.5 acres per 1000 population in accordance with Chapter 15.80 of the Bakersfield Municipal Code. If the number of dwelling units increases or decreases upon recordation of a final map(s), the park land requirement will change accordingly. Refer to BMC Chapter 15.80 and the Planning Information Sheet regarding calculation and payment of in-lieu fee. In accordance with Government Code Section 66020(d), you are hereby notified that the 90-day period in which you may protest the imposition of this fee has begun.

BMC Chapter 15.80 requires the Planning Commission to determine if a subdivider is to dedicate park land, pay an in-lieu fee, reserve park land or a combination of these in order to satisfy the City's park land ordinance. Staff is recommending this condition in accordance with BMC Chapter 15.80.

CITY ATTORNEY

14. 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.

PLANNING

15. This subdivision shall comply with all provisions of the Bakersfield Municipal Code, and applicable resolutions, policies and standards in effect at the time the application for the subdivision map was deemed complete per Government Code Section 66474.2.

16. The subdivision shall be recorded in no more than 2 phases. Phases shall be identified numerically and not alphabetically.

Orderly development.

17. Prior to recordation of each final map, subdivider shall submit a "will serve" or "water availability" letter or other documentation acceptable to the Planning Director from the water purveyor stating the purveyor will provide water service to the phase to be recorded.

Required for orderly development and provide for the public health, welfare and safety by ensuring water service to the subdivision at the time of final map recordation because the water purveyor has included an expiration date in the initial "will serve" letter.

18. In the event a previously undocumented well is uncovered or discovered on the project site, the subdivider is responsible to contact the Department of Conservation's Division of Oil, Gas, and Geothermal Resources (DOGGR). The subdivider is responsible for any remedial operations on the well required by DOGGR. Subdivider shall also be subject to provisions of BMC Section 15.66.080 (B.)

Police power based on public health, welfare and safety.

19. Prior to or concurrently with recordation of each final map, subdivider shall record a common access and parking easement encumbering the subject parcel map. Easement shall be submitted to the City Attorney and Planning Director for review and approval prior to recordation of a final map.

Police power to provide for orderly development.

20. Upon the development of the Designated Remainder, the developer will either apply for a subdivision map or a Certificate of Compliance for the Designated Remainder.

Subdivision Map Act Section 66424.6

21. Prior to ground disturbance, the developer shall have a qualified biologist survey the location for species covered under the Metropolitan Bakersfield Habitat Conservation Plan incidental take permit for urban development (Tipton kangaroo rat, San Joaquin kit fox, San Joaquin antelope squirrel, & Bakersfield cactus) and comply with the mitigation measures of the permit. Survey protocol shall be that recommended by the California Department of Fish and Wildlife. Developer shall be subject to additional mitigation measures recommended by the qualified biologist. A copy of the survey shall be provided to the Community Development Department and wildlife agencies no more than 30 days prior to ground disturbance.

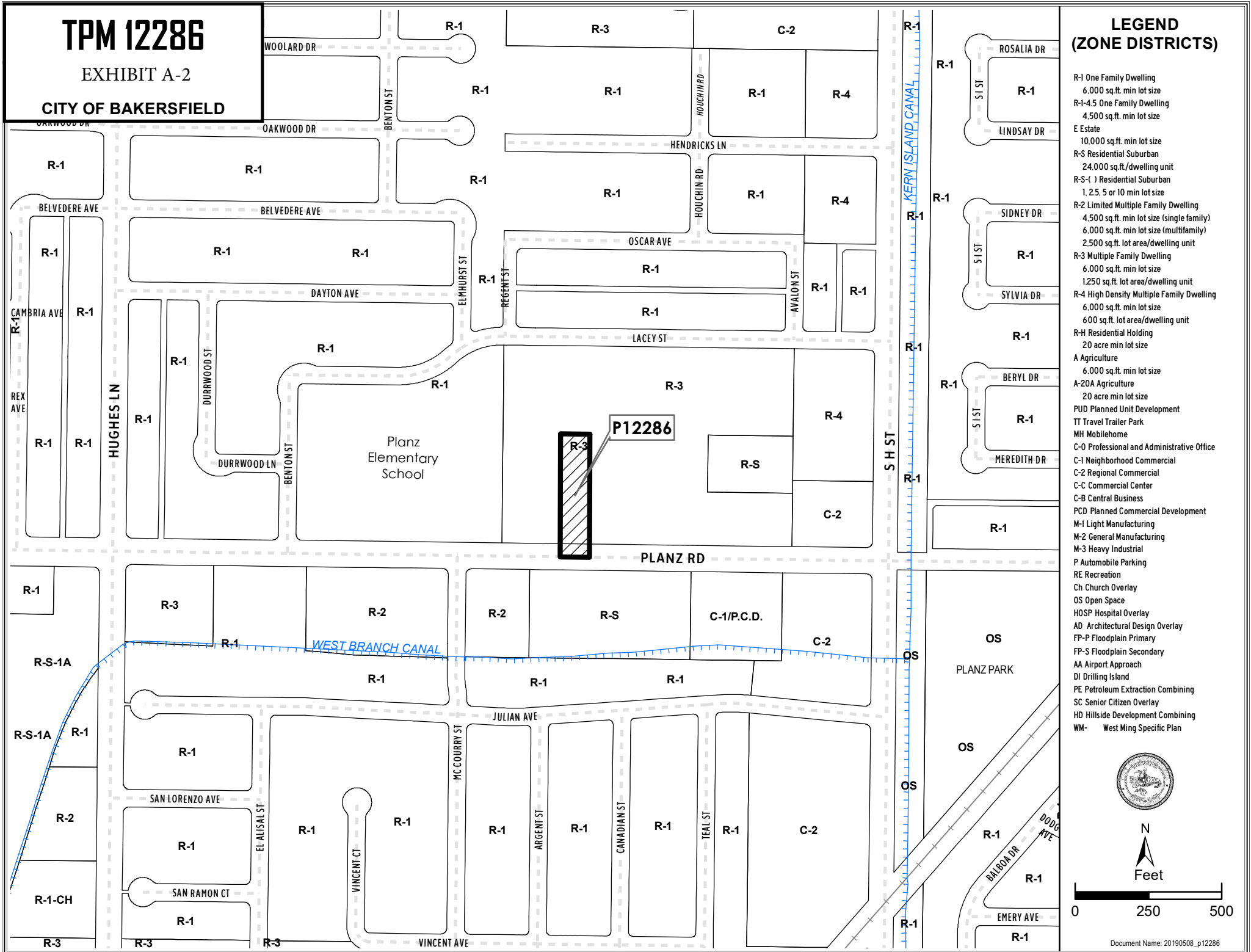
The current MBHCP urban development incidental take permit expires on September 1, 2019. Projects may be issued an urban development permit, grading

plan approval, or building permit and pay fees prior to the September expiration date. 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 expiration date will be eligible to pay fees under the current MBHCP incidental take permit. 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 incidental take permit. Urban development permits issued after the 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 Agency and the California Department of Fish and Wildlife.

TPM 12286

EXHIBIT A-2

CITY OF BAKERSFIELD



LEGEND (ZONE DISTRICTS)

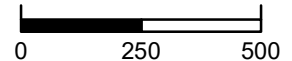
- R-1 One Family Dwelling
6,000 sq.ft. min lot size
- R-1-4.5 One Family Dwelling
4,500 sq.ft. min lot size
- E Estate
10,000 sq.ft. min lot size
- R-S Residential Suburban
24,000 sq.ft./dwelling unit
- R-S-1 Residential Suburban
1, 2.5, 5 or 10 min lot size
- R-2 Limited Multiple Family Dwelling
4,500 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



N



Feet



TENTATIVE PARCEL MAP NO. 12286

BEING A DIVISION OF A PORTION OF THE PARCEL DESCRIBED IN DOC. NO. 217150001, O.R. RECORDED IN THE KERN COUNTY RECORDERS OFFICE, SAID PARCEL LIES IN THE SOUTHEAST QUARTER OF SECTION 12, T.30S., R.27E., IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA.

SURVEYOR

WILEY D. HUGHES SURVEYING, INC.
P.O. BOX 43133
BAKERSFIELD, CA 93384
661-834-1492

OWNER/SUBDIVIDER

DAVARY GROUP INC., A CALIFORNIA CORPORATION
10905 CRAIGTON CT.
BAKERSFIELD, CA 93311
(661) 303-5977

LEGAL DESCRIPTION

THE EAST 100 FEET OF THE WEST 300 FEET OF THE SOUTH 420 FEET OF THAT PORTION OF SECTION 12, TOWNSHIP 30 SOUTH, RANGE 27 EAST, M.D.B.M., IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF THE SURVEY OF SAID LAND ON FILE IN THE BUREAU OF LAND MANAGEMENT, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 12; RUNNING THENCE NORTHERLY ALONG THE EAST LINE OF SAID SECTION, A DISTANCE OF 1,740 FEET; THENCE WESTERLY AT RIGHT ANGLES A DISTANCE OF 1,320 FEET; THENCE SOUTHERLY AT RIGHT ANGLES A DISTANCE OF 1,740 FEET TO THE SOUTH LINE OF THE SAID SECTION; THENCE EASTERLY AT RIGHT ANGLES A DISTANCE OF 1,320 FEET TO THE POINT OF COMMENCEMENT.
EXCEPTING THERE FROM 50% OF ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES WITHIN OR UNDERLYING SAID LAND, OR THAT MAY BE PRODUCED AND SAVED THERE FROM, AS RESERVED IN THE DEED FROM JEAN ERASSARRET, ET UX, RECORDED MARCH 20, 1951 IN BOOK 1786, PAGE 366 OF OFFICIAL RECORDS.

EASEMENTS & ENCUMBERMENTS

THE FOLLOWING IS PER PRELIMINARY TITLE REPORT BY FIRST AMERICAN TITLE COMPANY IN REPORT OF TITLE NO. 1004-5616415, DATED JANUARY 4, 2018.

- ① AN EASEMENT TO PUBLIC STREET TO THE CITY OF BAKERSFIELD PER BOOK 4995, PAGE 1795, OF OFFICIAL RECORDS.

NOTES

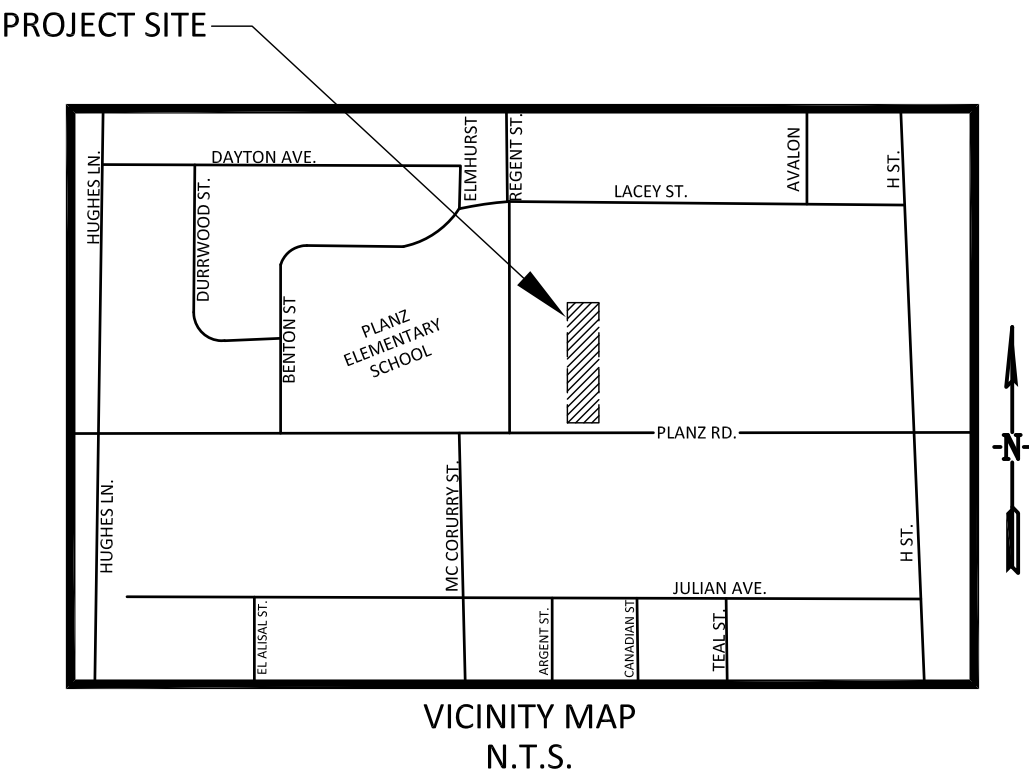
PROJECT SIZE: 37,500.06 SQ. FT. – 0.86 ACRES
PARCEL 1 – 7,200.01 SQ. FT. 0.17 ACRES
PARCEL 2 – 7,200.01 SQ. FT. 0.17 ACRES
PARCEL 3 – 7,050.01 SQ. FT. 0.16 ACRES
PARCEL 4 – 6,819.01 SQ. FT. 0.16 ACRES
DES. REM. – 9,231.02 SQ. FT. 0.21 ACRES

EXISTING ZONE: R-3 (MULTIPLE-FAMILY DWELLING)
PROPOSED ZONE: R-3 (MULTIPLE-FAMILY DWELLING)
EXISTING GENERAL PLAN: HR (HIGH DENSITY RESIDENTIAL)
PROPOSED GENERAL PLAN: HR (HIGH DENSITY RESIDENTIAL)
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL
THE SURROUNDING PROPERTIES WEST, NORTH & EAST ARE ALL ZONED R-3 (MUTIPLE-FAMILY DWELLING) WITH A GENERAL PLAN – HR (HIGH DENSITY RESIDENTIAL)
FEMA FLOOD ZONE: FLOOD ZONE X PER FEMA MAP NO. 06029C2300E DATED 9/26/2008
MAP WILL NOT BE PHASED
APN: 023-172-05
UTILITIES:
WATER: CALIFORNIA WATER SERVICE
SEWER: CITY OF BAKERSFIELD
ELECTRICITY: PG&E
GAS: PG&E
CABLE TV: SPECTRUM
TELEPHONE: SPECTRUM
SCHOOL DISTRICT
K-8: GREENFIELD UNION SCHOOL DISTRICT
9-12: KERN HIGH SCHOOL DISTRICT
SOUTH HIGH SCHOOL

CONTOUR INTERVAL: 2'
IMPROVEMENTS – TYPE 'A'
NUMBER OF LOTS: 4 & A DESIGNATED REMAINDER
NUMBER OF BUILDABLE LOTS: 4 & A DESIGNATED REMAINDER

DENSITY CALCULATIONS: (>17.42 AND LESS THAN OR EQUAL TO 72.6 DWELLING UNITS/NET ACRE)

NET DENSITY: THE MINIMUM LOT AREA SHALL BE NOT LESS THAN SIX THOUSAND SQUARE FEET, AND THE MINIMUM LOT AREA SHALL BE NOT LESS THAN ONE THOUSAND TWO HUNDRED FIFTY SQUARE FEET PER DWELLING UNIT.



BY: _____ DATE _____
WILEY D. HUGHES
LS 3779 EXPIRES 06-30-2020



TENTATIVE PARCEL MAP NO. 12286

BASIS OF BEARING:

THE BEARING OF N00°04'00"E SHOWN FOR
THE CENTERLINE OF SOUTH "H" STREET PER
TRACT NO. 1904 RECORDED IN MAP BOOK 9,
PAGE 83 WAS TAKEN AS THE BASIS OF
BEARING FOR THIS SURVEY.

SCALE: 1"=40'

LEGEND:

● = FOUND MONUMENT AS DESCRIBED

 = 1/16 COR., NOTHING FOUND, NOTHING SET.

 = TREE

 = POWER POLE

NOTE:

THIS MAP IS BEING FILED PURSUANT TO
SECTION 8762 (b)(4) OF THE PROFESSIONAL
LAND SURVEYORS ACT TO SHOW THE
LOCATION OF THE PARCEL DESCRIBED IN
DOC. NO. 0206179488, O.R.

E. 1/4 COR. SEC. 12, 30/27-
ESTABLISHED POSITION OF
MONUMENT FROM C.O.B SWING
TIES BOOK 257, PAGE 14.

ZONE - R-3
GENERAL PLAN - HR

APN: 023-171-07

APN: 023-171-03

APN: 023-171-05

ZONE - R-3
GENERAL PLAN - HR

PARCEL MAP 5660
REC. OCT. 26, 1979 IN BK. 24 OF
PARCEL MAPS AT PG. 4

EX
BUILDING

— PROPOSED
25' ACCESS
EASEMENT

PARCEL 3
,050.01 SQ.FT.
0.16 ACRES

APN: 023-172-07

ZONE - R-3
GENERAL PLAN - HR

APN: 023-172-04

SEARCHED FOR 1/16 COR.
NOTHING FD., NOTHING SET.

— DES. REMAINDER
9,231.02 SQ.FT.
0.21 ACRES

SEE DETAIL "A"

PROPERTY WEST CONTAINS
CURB GUTTER & SIDEWALK

203.66'

C1 PLANTZ

FD. CONC. MON. TAGGED L.S. 2263 PER
COUNTY FILED MAP 7-1. BK. 6. PG. 29.

PROPERTY SOUTH CONTAINS
CURB GUTTER & SIDEWALK

SHEET 2 OF 2



COVER SHEET

PLANNING DEPARTMENT

STAFF REPORT

MEETING DATE: June 20, 2019

ITEM NUMBER: Consent Calendar Public Hearings5.(e.)

TO: Planning Commission

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

PLANNER: Paul Johnson, Principal Planner

DATE:

WARD: Ward 7

SUBJECT:

Planned Development Review No. 18-0456: DeWalt Corporation requests a new planned development review to allow development of a commercial center in the C-2/P.C.D. (Regional Commercial/Planned Commercial Development Zone) district, located at the southeast corner of Hosking Avenue and South H Street (1631 Hosking Avenue), pending approval of related General Plan Amendment / Zone Change No. 18-0457. Notice of Exemption on file. *Continued from 6/6/19.*

APPLICANT: DeWalt Corporation

OWNER: Daniel and Susan Duncan

LOCATION: 1631 Hosking Avenue

STAFF RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Staff Report	Staff Report
<input type="checkbox"/> Attachment A - Resolution	Resolution
<input type="checkbox"/> Attachment B - Public Comments	Correspondence
<input type="checkbox"/> Attachment C - PCD	Backup Material



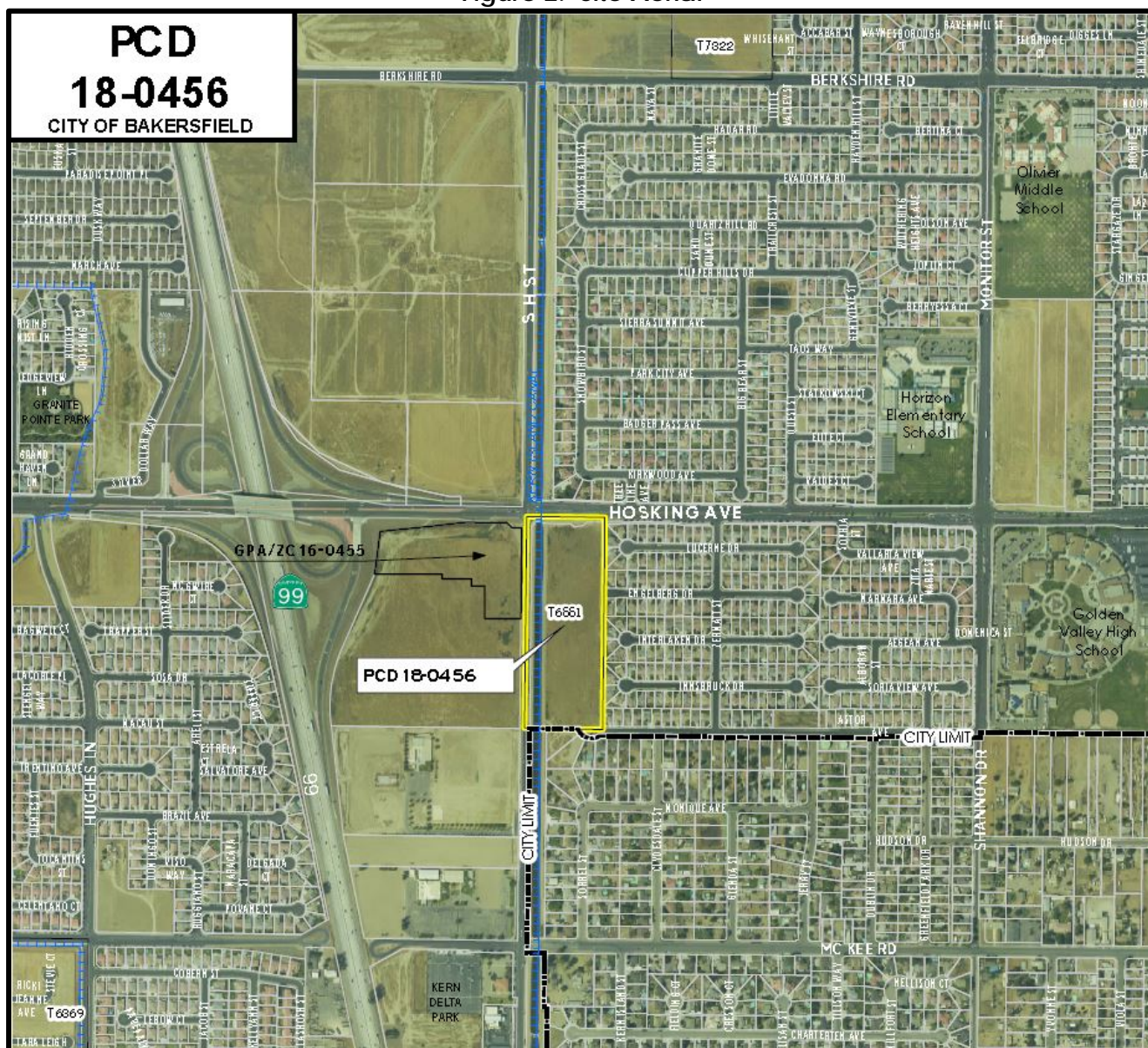
RECOMMENDATION: Adopt Resolution and suggested findings **APPROVING** Planned Development Review No. 18-0456, as depicted in the project description and subject to the listed mitigation/conditions of approval.

PROJECT SUMMARY:

This project was scheduled to be considered at the June 6, 2019 meeting; however, staff requested the project be continued for two weeks to allow additional time to analyze the proposed development.

The project is a request for a new Planned Development Review to allow development of a commercial center in the C-2/P.C.D. (Regional Commercial/Planned Commercial Development Zone) district, located at 1631 Hosking Avenue.

Figure 2. Site Aerial



SURROUNDING LAND USES:

The project site is situated on an undeveloped 12.97 acre parcel. 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	GC	C-2/P.C.D.	Undeveloped
North	LR	R-1	Single-Family Residential
East	LR	R-1	Single-Family Residential
South	LMR/LR (County)	R-S (County)	Single-Family Residential
West	GC and LR	R-1 and C-2/P.C.D.	Kern Island Canal & Undeveloped
General Plan Key GC: General Commercial LR: Low Density Residential LMR: Low Medium Density Residential		Zone District Key C-2: Regional Commercial P.C.D.: Planned Commercial Development R-1: One-Family Dwelling R-S: Residential Suburban Combining District	

TIMELINE & BACKGROUND:

December 1990 - Pre-Zoning. City Council approved pre-zoning from County A (Exclusive Agriculture) and County E 1/4 RS (Estate 1/4 acre Residential Suburban) to City R-1 (One-family dwelling) on 149.95 acres, which included the subject 12.97 acres (Ordinance No. 3331). This pre-zoning was consistent with the existing LR (Low Density Residential) Land Use designation.

July 1991 - Annexation. The site was annexed into the City as part of a larger annexation (Annexation No. 340, Hosking No. 1) which consisted of 160± acres and included surrounding properties along the east side of State Route 99, generally between Hosking Avenue and McKee Road.

June 2019 - Land Use Entitlement. Applicant is requesting a General Plan Amendment to change the land use designation from LR (Low Density Residential) to GC (General Commercial), and Zone Change from R-1 (One Family Dwelling) to C-2/P.C.D. (Regional Commercial/Planned Commercial Development).

APPLICABLE DEVELOPMENT STANDARDS:

Planned Commercial Development (P.C.D.) Review Requirements (Chapter 17.54). The project is subject to the P.C.D. zoning overlay, and the stated purpose of this district is as follows (see Attachment B):

The planned commercial development zone is intended to allow for innovative design and diversification in the relationship of various uses, buildings, structures, lot sizes and open spaces while ensuring compliance with the general plan and the intent of the municipal code. In addition, the development would provide adequate improvements and standards necessary to satisfy the requirements of the public health, safety and general welfare. This zone is not to be used to restrict commercial development or to compromise other zoning districts that may be more appropriate for a site. Instead, it enables a developer to obtain approval of a specific, detailed plan for a commercial development, which ensures that the uniqueness of the project design being proposed is preserved. Standards shall be observed without unduly inhibiting the advantages of modern site planning techniques and innovative planning of commercial and professional office neighborhoods.

As such, your Commission has the authority to require design standards, regulations, limitations and restrictions which are designed to protect and maintain property values and provide or protect community amenities which would foster and maintain the health, safety and general welfare of the community, including and relating to but not limited to the categories specified in Section 17.54.060 (P.C.D. Latitude of Regulations).

Generally, those standards are related to topics such as: construction of fences and walls, structure height, distance between buildings, parking ratios, open space, architectural design of buildings and structures, and any additional improvements and dedications reasonably necessary to fulfill public needs for the general health, safety and welfare of the neighborhood and the City.

ANALYSIS:

The applicant is requesting phased construction to allow development of a commercial center as follows:

Phase I Single-tenant fast food restaurant (3,000 square feet), multi-tenant fast food restaurant (1,200 square feet) and convenience store (3,000 square feet) with eight fuel pumps, and a carwash tunnel with office (600 square feet).

Phase II Self-storage facility (10 buildings) with caretaker's unit and office.

As proposed, there are 50 required parking spaces for the center. The applicant is providing 67 parking spaces. The project has been designed in compliance with requirements of City standards and policies, and no deviations from zoning ordinance standards have been requested. Should the applicant decide to expand on-site development in the future, your Commission will have the opportunity to review and comment under a separate review.

Figure 2. Site Development Plan

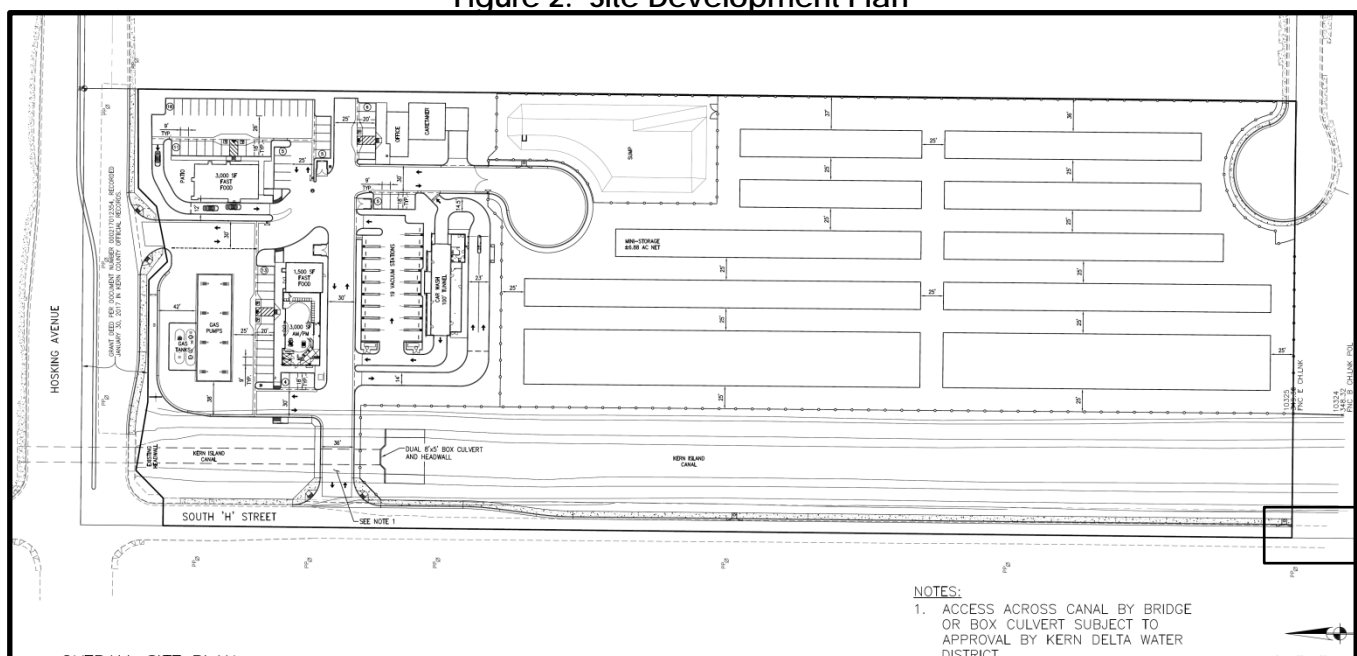


Figure 3. Typical Elevations



ENVIRONMENTAL REVIEW AND DETERMINATION:

In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), this proposal is exempt from the requirements of CEQA, because the proposed development will not adversely affect the environment.

PUBLIC NOTIFICATION:

The Notice of Public Hearing before your Commission for the project was advertised in *The Bakersfield Californian* and posted on the bulletin board at the City of Bakersfield Development Services Department/Planning Division. 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.

In response, staff received a comment letter from the Kern Delta Water District (Kern Delta). As reflected on the site plan, access to the site includes a bridge across Kern Island Canal, connecting the site with South H Street. Kern Delta stated that as of May 30, 2019 they have not approved either extending the culvert on Hosking Avenue, or installing a bridge within the Kern Island Canal right-of-way. Therefore, Kern Delta requested the right to offer further comment until they can review plans/proposals for the site.

Subsequent to receiving the letter, the applicant contacted Kern Delta to discuss access. Kern Delta confirmed with Planning staff that the revised site plan, which includes a note stating the bridge/culvert is subject to their approval, satisfies their concerns with access. To ensure Kern Delta has reviewed the final design, staff is recommending the following condition of approval:

B. DEVELOPMENT SERVICES – PLANNING

21. Prior to issuance of any utility, grading, or building permit, Kern Delta Water District shall approve final access design over Kern Island Canal. The project proponent shall provide a copy of approval documents to the Planning Director.

CONCLUSIONS:

Consistency with General Plan and Zoning Ordinance. Staff finds that the proposal is consistent with the Metropolitan Bakersfield General Plan and with the objectives of the Bakersfield Zoning Ordinance. The proposal will constitute a commercial development of sustained desirability and stability, and will compliment and harmonize well with the character of the surrounding neighborhood. Compliance with Bakersfield Zoning Ordinance Chapter 17.54 (Planned Commercial Development Zone) will ensure that the development enhances the city's character and promotes a heightened quality of life by providing commercial services to the community.

Overall, Staff found that the applicable provisions of CEQA have been complied with, that the applicant has designed the project to site commercial uses in a way that will be compatible with the existing residential and future commercial land uses in the surrounding area, and the proposal sufficiently demonstrates compliance with the necessary findings. Additionally, as conditioned, the project will be developed in compliance with the applicable regulations.

Overall Recommendation. Based on the foregoing, Staff concludes the request sufficiently demonstrates compliance with the necessary findings and, therefore, recommends your Commission approve Resolution and suggested findings approving Planned Development Review No. 18-0456 as depicted in the project description and subject to the listed mitigation/conditions of approval.

ATTACHMENTS:

- A. Draft Resolution with Exhibits
- B. Public Comments
- C. Chapter 17.54 (Planned Commercial Development Zone)

Attachment A
(Draft Resolution)

RESOLUTION NO.____

RESOLUTION OF THE PLANNING COMMISSION APPROVING A NEW PLANNED DEVELOPMENT REVIEW TO ALLOW DEVELOPMENT OF A COMMERCIAL CENTER IN THE C-2/P.C.D. (REGIONAL COMMERCIAL/PLANNED COMMERCIAL DEVELOPMENT ZONE) DISTRICT, LOCATED AT 1631 HOSKING AVENUE. (FILE NO. 18-0456)

WHEREAS, DeWalt Corporation on behalf of Daniel and Susan Duncan (property owners) filed an application with the City of Bakersfield Development Services Department requesting approval of a new Planned Development Review to allow development of a commercial center in the C-2/P.C.D. (Regional Commercial/Planned Commercial Development Zone) district, located at 1631 Hosking Avenue; and

WHEREAS, the Secretary of the Planning Commission did set Thursday, June 6, 2019, at 5:30 p.m. in the Council Chambers, City Hall South, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for consideration of the Planned Development Review, and consideration of the project was continued to the regularly scheduled meeting of June 20, 2019; 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 Planning Commission; and

WHEREAS, the above described project is exempt from the requirements of the California Environmental Quality Act in accordance with State CEQA Guidelines Section 15061(b)(3); and

WHEREAS, at said public hearing held June 6, 2019, the Planned Development Review was duly considered and the Planning Commission found as follows:

1. All required public notices have been given. Hearing notices regarding the proposed project were mailed to property owners within 300 feet of the project area and published in a local newspaper of general circulation 10 days prior to the hearing.
2. The provisions of the California Environmental Quality Act (CEQA) have been followed.
3. Pursuant to State CEQA Guidelines Section 15061(b)(3), this request is exempt from the requirements of CEQA because it will not affect the environment.
4. The proposed development does not deviate from the intent and purpose of the P.C.D. Zone district.
5. The proposed development will constitute a land use of sustained desirability and stability, and it will compliment and harmonize with the character of the surrounding neighborhood and community.
6. The proposed preliminary development plan is consistent with the Metropolitan Bakersfield General Plan and the objectives of Title 17 of the Bakersfield Municipal Code.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BAKERSFIELD as follows:

1. The recitals above are true and correct and incorporated herein by this reference.
2. The project is exempt from CEQA.
3. Planned Development Review No. 18-0456, as delineated in attached Exhibit B (Location Map) and Exhibit C (Site Development Plan), is hereby approved, subject to the mitigation/conditions of approval contained in Exhibit A.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the Planning Commission of the City of Bakersfield at a regular meeting thereof held on the 20th day of June 2019, on a motion by Commissioner _____ and seconded by Commissioner _____, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED

DANIEL CATER, CHAIR
City of Bakersfield Planning Commission

Exhibits:

1. Mitigation Measures/Conditions of Approval
2. Location Map
3. Site Plan/Elevations

Exhibit 1

(Mitigation/Conditions of Approval)

EXHIBIT A

Planned Development Review No. 18-0456 Mitigation Measures/Conditions of Approval

- I. The following comment(s) shall be satisfied as part of the approval of this project.

GENERAL COMMENTS

1. All mitigation measures and conditions of approval associated with General Plan Amendment/Zone Change No. 18-0457 are hereby incorporated.
- II. 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. Prior to review of improvement plans by the City, the developer shall submit a grading plan for the proposed site to be reviewed and approved by the City Engineer and Building Official (Bakersfield Municipal Code Section 16.44.010). With the grading plan, 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. 99-08-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 requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared, continuously carried out, and always be available for public inspection during normal construction hours.
2. A grading permit is required prior to final plan approval. The developer shall submit four (4) copies of grading plans and two (2) copies of the preliminary soils report to the Building Division. A final soils report shall also be submitted to the Building Division before they can issue a building permit. Please note that grading plans must be consistent with the final building site plans and landscaping plans. Building permits will not be issued until the grading permit is approved by the Building Division, Planning Division (HCP), and Public Works Department.
3. An approved site utilities plan is required prior to final plan approval.
4. Show on the final building plan how and where water will be drained from the property.
5. Show on the final building plan pedestrian access from the public way and handicap parking. Private streets are not the public way.

6. Include with or show on the final building plans information necessary to verify that the project complies with all accessibility requirements of Title 24 of the California Building Code.
7. The developer shall obtain all required approvals from the Kern County Environmental Health Services Department (2700 "M" Street, Bakersfield, CA., 93301; PH 661-862-8700) for any food handling facility (i.e.: market, delicatessen, café, concession, restaurant) before building permits can be issued.
8. Buildings or structures shall require installation of an automatic fire sprinkler system where required by current California Building Code and City ordinance.
9. The Building Division will calculate and collect the appropriate school district impact fee at the time they issue a building permit.
10. 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.
11. 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).
12. 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>
Multi-Tenant			
Convenience Store + Fast Food	4,200 SF	1/200 SF	21 spaces
Gas Pumps Credit	8 Fuel Islands	2 spaces/pump	(16) spaces
Single-Tenant			
Fast Food	3,000 SF	1/75 SF	40 spaces
FF Drive-Thru Credit	1 Window	2 spaces/window	(2) spaces
Drive-Thru Car Wash Office	600 SF	1/300 SF	2 spaces
Self-Storage Office	1,000 SF	1/300 SF	3 spaces
Caretaker's Unit	1,400 SF	2 spaces	2 spaces

Required Parking: 50 spaces

(Note: 67 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. Because parking and/or access is being shared with adjacent properties, the developer shall file with the Planning Division before any building permits are issued a copy of a recorded map, C. C. and R.'s, or other instrument that ensures that drive aisles, parking, and access is legally shared in common with adjoining properties as depicted on the site plan for the life of the project.
6. The developer shall include a copy of a final landscape plan with each set of the final building plans submitted to the Building Division. Building permits will not be issued until the Planning Division has approved the final landscape plan for consistency with approved site plans and minimum ordinance standards. **Please refer to the landscaping requirements in Chapter 17.61.** Landscape plans shall include, but are not limited to, data on: gallon/box size, spacing, species (reference approved parking lot tree list), ratio of deciduous vs. evergreen, shade calculations, ground cover calculations, etc.

(Note 1: At the time a final site inspection is conducted, it is expected that plants will match the species identified and be installed in the locations consistent with the approved landscape plan. Changes made without prior approval of the Planning staff may result in the removal and/or relocation of installed plant materials and delays in obtaining building occupancy.)

(Note 2: No mature landscaping shall be removed without prior approval by the Planning Director.)

(Note 3: Upon approval of the final landscape plan, a digital copy shall be submitted to the Planning staff contact listed above.)

7. Overlooks from windows, balconies, and decks of the second or higher floor into rear yards of property containing single-family homes must be screened (see Section 17.08.090). This condition affects any office, commercial, and industrial building, and any apartment or condominium structure containing three or more units that are within 150 feet of properties zoned R-1, R-S-1A, MH, or PUD, or from condominium projects of a single family character. Screening proposals must be approved by the Planning Division before building permits will be issued. Suggested methods for accomplishing screening are included in the referenced ordinance section.
8. A solid masonry wall shall be constructed adjacent to residentially zoned and/or designated property. If the parking lot, including drive aisles, delivery areas, loading and unloading areas are within 10 feet of residentially zoned property, a 7-foot wide landscape strip that includes landscaping consistent with Chapter 17.61 shall be installed between the wall and parking/drive areas.

(Note: Prior to the issuance of building permits, the applicant/developer shall provide proof to the Planning Division of compliance with the design measures to build a solid masonry wall adjacent to residentially zoned and/or designated property. This wall must be shown on the final building plans and shall be constructed at a minimum height of 8 feet as measured from the highest adjacent finished property grade.)

9. Evidence is required to determine that your parcel was legally created. Please provide a copy of a parcel map, tract map, or certificate of compliance.

(Note: Tract Map 6551 must be withdrawn prior to issuance of building permits.)

10. 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.)

11. 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.
12. A Park Development and Improvement Fee shall be paid at the time of the building permit being issued for each independent residential unit. We will base the fee at the rate in effect at the time the permit is issued.
 13. Rooftop areas of commercial buildings (e.g., office, retail, restaurant, assembly, hotel, hospital, church, school), and industrial buildings adjacent to residentially zoned properties, shall be completely screened by parapets or other finished architectural features constructed to a height of the highest equipment, unfinished structural element or unfinished architectural feature of the building.
 14. Open storage of materials and equipment shall be surrounded and screened with a solid wall or fence (screening also applies to gates). This fence shall be at least 6 feet in height and materials shall not be stacked above the height of the fence.

(Note: Fences taller than 6 feet are allowed in commercial and industrial zones but they will require a building permit.)

15. Areas used for outside storage shall be treated with a permanent dust binder or other permanent dust control measure consistent with the regulations of the San Joaquin Valley Air Pollution Control District.

(Note: All passenger vehicle-parking areas must be paved.)

16. 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.
17. 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.
18. 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).
19. 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.
20. Prior to the issuance of building permits, the applicant/developer shall provide proof to the Planning Division of annexation into the Greenfield County Water District service area.
21. Prior to issuance of any utility, grading, or building permit, Kern Delta Water District shall approve final access design over Kern Island Canal. The project proponent shall provide a copy of approval documents to the Planning Director.

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 lanes. Any modifications shall be approved by the Fire Department. Fire lane identification signs shall be installed every 100 feet with red curbing when curbing is required. All work shall be completed before occupancy of any building or portion of any building is allowed.

- b. 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.)
 - c. 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.
 - d. 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.
 - e. 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. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other driving surface approved by the fire chief. Must be capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds and shall be surfaced with the first lift of asphalt as to provide all-weather driving capabilities. All access (Permanent and temporary) to and around any building under construction must be a least 20 feet wide (26 feet wide where building height exceeds 30 feet), with an overhead clearance of 13 feet 6 inches, and contain no obstruction. The fire apparatus access road shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
 - 5. Turning Radius: The minimum turning radius shall be thirty-seven feet.
 - 6. The developer shall submit two (2) sets of plans for permits and approvals from the Fire Department for fuel tanks or related facilities before they are installed on the site. Please contact the Prevention Services Division at 661-326-3979 for further information.

7. If you handle hazardous materials or hazardous waste on the site, the Prevention Services Division may require a hazardous material management and/or risk management plan before you can begin operations. Please contact them at 661-326-3979 for further information.
8. If you store hazardous materials on the site in either an underground or a permanent aboveground storage tank, a permit from the Prevention Services Division is required to install and operate these tanks. The Prevention Services Division may also require a Spill Prevention Control and Countermeasure Plan for storage of petroleum products above ground in quantities of 1,320 gallons or more. Please contact them at 661-326-3979 for further information.
9. 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.
2. Developer shall submit two (2) sets of water plans signed by a California Registered Civil Engineer to the Water Resources Department showing all offsite and onsite improvements, including connections to the existing water main and underground fire waterlines and related apparatuses. Include any existing nearby on or off-site hydrants on the plans. Plans shall be submitted along with applicable plan check fees and any other associated fees per the current fee schedule. Plans shall comply with current City Standards and Specifications, California Fire Code, and City of Bakersfield Municipal Code. City Standards and Specifications are available for download from the City's website at www.bakersfieldcity.us/gov/depts./water_resources.
3. Developer shall pay the required fire water fees and submit an *Inspection Request Form* to the Water Resources Department for any underground fire waterlines and their apparatuses at least two (2) full business days before permanent construction. The form is available for download from the City's website at www.bakersfieldcity.us/gov/depts/water_resources.

E. PUBLIC WORKS – ENGINEERING (1501 Truxtun Avenue)

(Staff contact - Manpreet Behl; 661-326-3581 or MBehl@bakersfieldcity.us)

1. The developer shall construct curbs, gutters, cross gutters, 5-foot 6-inch wide sidewalks, and street/alley paving along Hosking Avenue and South H Street 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 install streetlights along Hosking Avenue and South H Street. The developer shall be responsible for providing the labor and materials necessary to energize all newly installed streetlights before occupancy of the building or site. 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 construct standard handicap ramps along the project frontage of Hosking Avenue and South H Street 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.
4. 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.
5. Show on the final building plans all existing connection(s) to the public sewer system.
6. 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.
7. 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.
8. 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).
9. If the project generates industrial waste, it shall be subject to the requirements of the Industrial Waste Ordinance. An industrial waste permit must be obtained from the Public Works Department before issuance of the building permit. To find out what type of waste is considered industrial, please contact the Wastewater Treatment Superintendent at 661-326-3249.
10. 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.
11. 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.
12. 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.
13. 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.

14. 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.
15. The developer shall either construct the equivalent full width landscaped median island in Hosking Avenue and South H Street 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.
16. 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.

(Note: If already within a maintenance district, may need to update the maintenance district form.)
17. 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.
18. 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.
19. 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.
20. 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 - Manpreet Behl; 661-326-3581 or MBehl@bakersfieldcity.us)

1. Show on the final building plans 36 foot wide (top-to-top) drive approaches. Drive approaches must be centered on drive aisles. All dimensions shall be shown on the final building plans.

2. Street return type approaches, if used, shall have 20-foot minimum radius returns with a 36 foot throat width. All dimensions shall be shown on the final building plans.
3. Two-way drive aisles shall be a minimum width of 24 feet. If perpendicular (90°) parking spaces are proposed where a vehicle must back into these aisles, the minimum aisle width shall be 25 feet. All drive aisle dimension shall be shown on the final building plans.
4. Show the typical parking stall dimension on the final building plans (minimum stall size is 9 feet x 18 feet and shall be designed according to standards established by the Traffic Engineer).
5. The Bakersfield Municipal Code (Section 17.58.050.K.) prohibits vehicles from backing out of a parking space into a street. Please revise the parking design on the final building plans to eliminate these spaces.

(Note: This prohibition does not include single-family homes in residential zones, or multiple family units on local streets where the Traffic Engineer has determined that backing onto a street will not adversely affect traffic and is similar to a single family residential driveway use.)

6. Walls, fences, or trash enclosures within 10 feet of a sidewalk at an alley or driveway shall not exceed 3 feet in height above the curb flow line. You must either revise the circulation design or show on the final building plans that the maximum fence/wall height will not exceed three feet.
7. The developer shall dedicate additional road right-of-way to the City of Bakersfield along Hosking Avenue and South H Street to full ☒ arterial ☐ collector ☐ local street width according to adopted city standards.

(Note: Right turn deceleration lane is required for any entrance from South H Street.)

8. The developer shall construct additional roadway, including ☒ expanded intersection and/or right turn lanes, along Hosking Avenue and South H Street to full ☐ arterial ☐ collector ☐ local street width according to adopted city standards.
9. No public access will be allowed through Astor Avenue.
10. Kern Delta shall approve any work within the canal right of way.

G. PUBLIC WORKS – SOLID WASTE (4101 Truxtun Avenue)

(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
 - ☒ Three (3) 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, 3, 3 cubic yard front loading type refuse/recycle bins shall be placed within the required enclosure.

<input type="checkbox"/> 6' deep x 8' wide (1 bin)	<input checked="" type="checkbox"/> One(1) - 8' deep x 15' wide (3 bins)
<input type="checkbox"/> 8' deep x 10' wide (2 bins)	<input type="checkbox"/> 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 that require grease containment must provide a storage location that is separate from the refuse bin location. This shall be shown on the final building plans.
5. 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.
6. Revise the sites plan to make the trash enclosure accessible to the refuse truck. Move the enclosure towards the front of the site entrance.

(Note: City trucks may not drive down dead end corridors, nor back-up long distances.)

Exhibit 2
(Location Map)

PCD
18-0456
CITY OF BAKERSFIELD

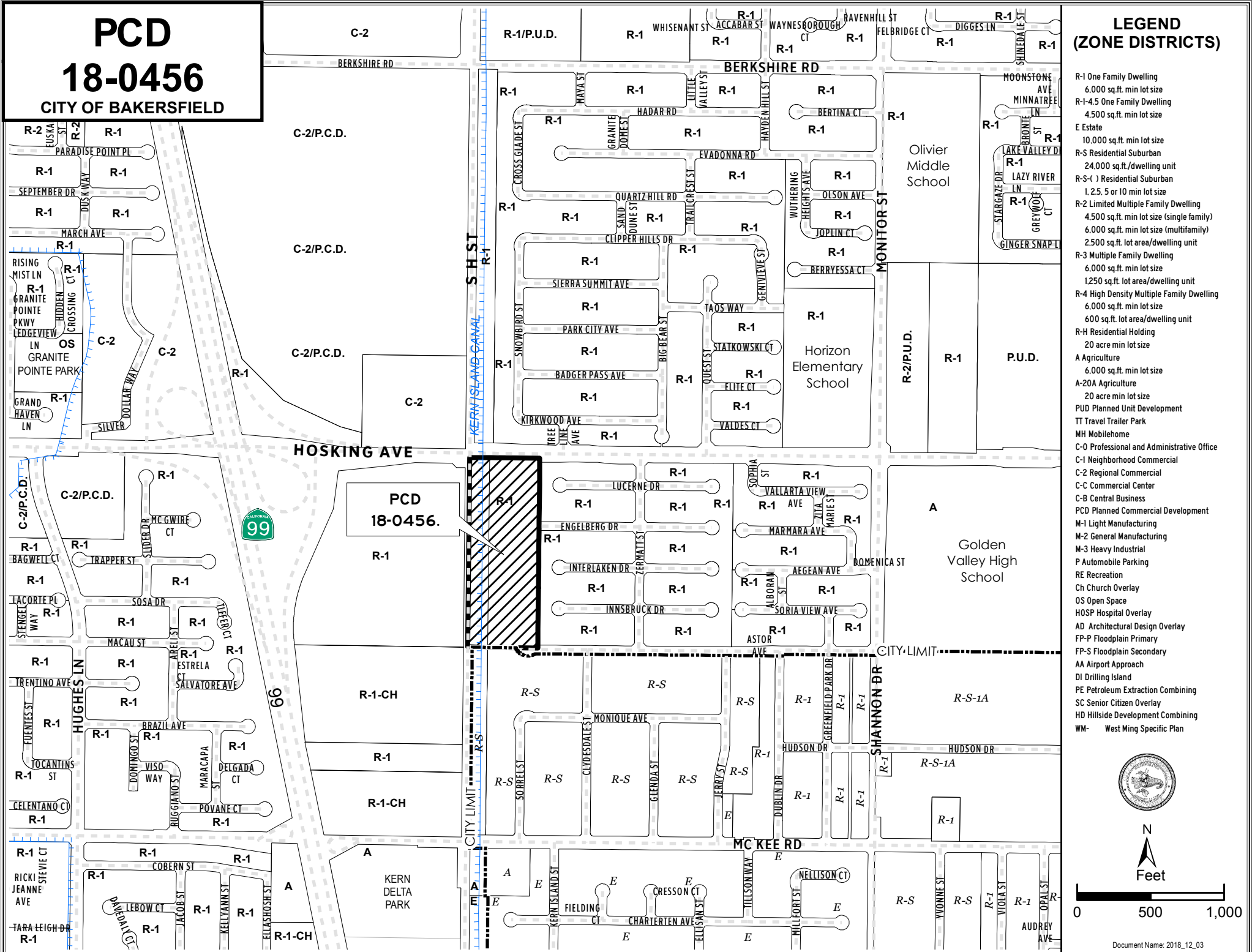
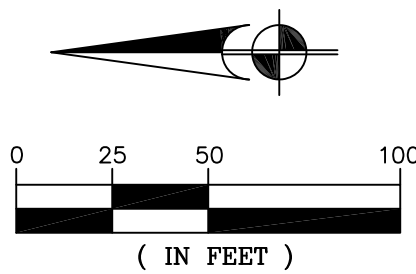


Exhibit 3
(Site Development Plan)



1. ACCESS ACROSS CANAL BY BRIDGE OR BOX CULVERT SUBJECT TO APPROVAL BY KERN DELTA WATER DISTRICT.



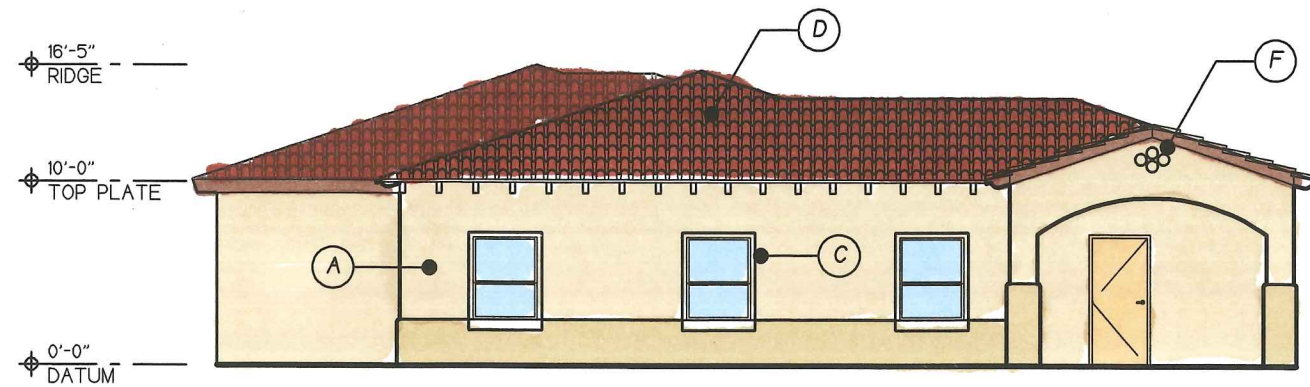
SCALE: 1" = 50'

OF: 1

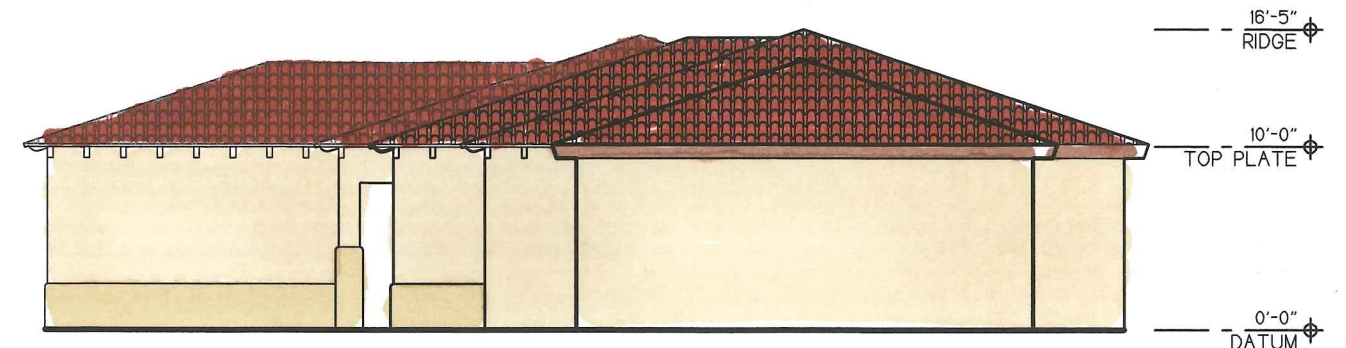


1930 22nd STREET BAKERSFIELD, CA. 93301
PH. (661) 323-4600 FAX (661) 323-4674

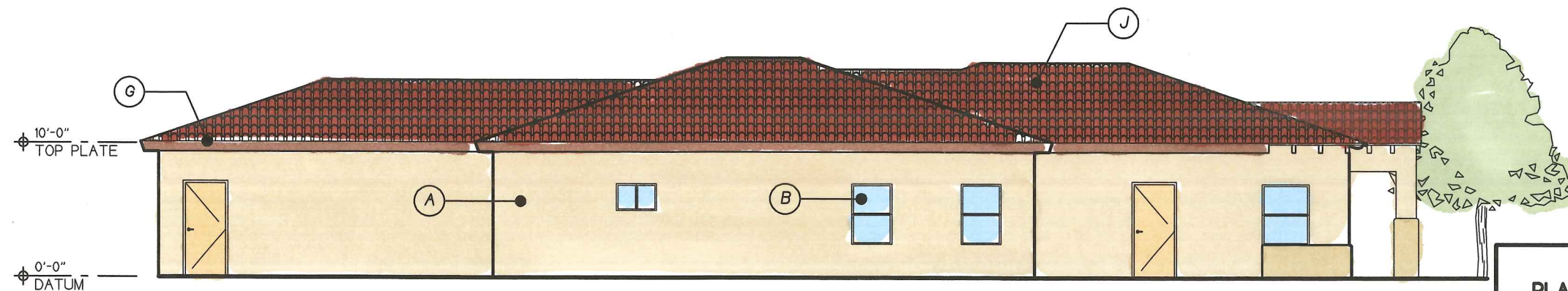
**PRECISE DEVELOPMENT PLAN
HOSKING AVENUE AND H STREET
APN: 517-010-01
BAKERSFIELD, CA**



NORTH



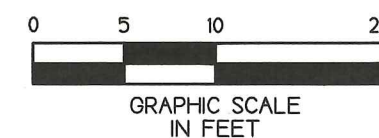
SOUTH



EAST



WEST



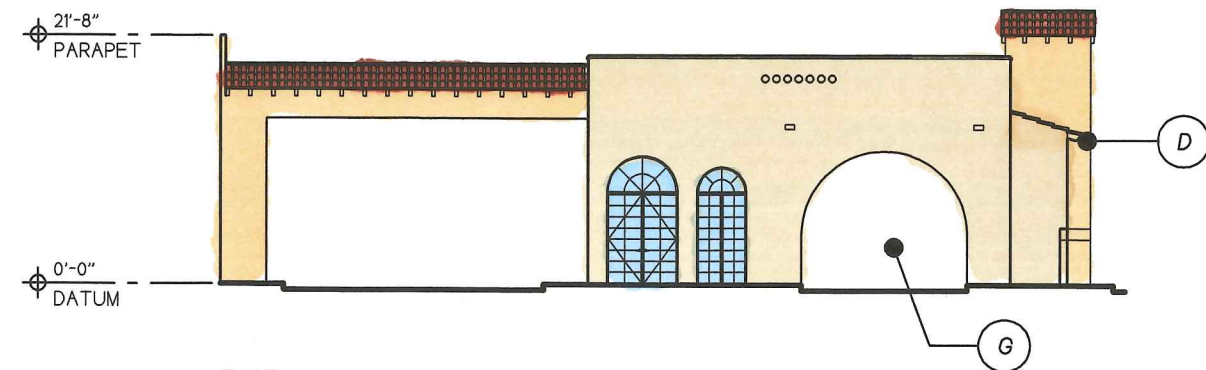
PLAN NOTES (X)

A.	CEMENT PLASTER WITH ACRYLIC FINISH
B.	WINDOW UNIT
C.	RECESSED WINDOW UNIT
D.	CONCRETE "S" STYLE ROOF TILE
E.	EXPOSED 4x SHAPED RAFTER TAILS
F.	CLAY PIPE ATTIC VENT
G.	2x FASCIA
H.	
J.	

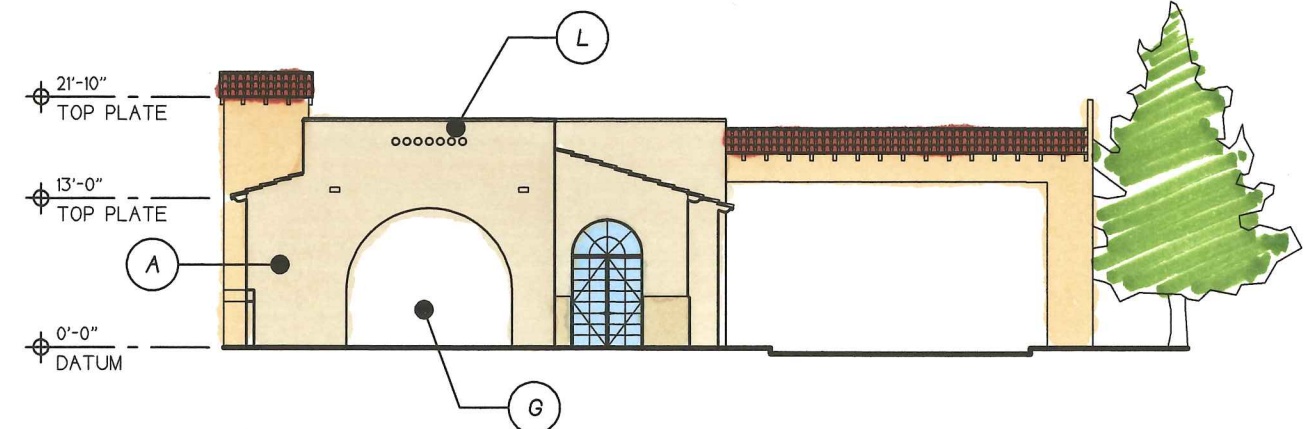
PCD 18-0456
CARETAKER UNIT & OFFICE

C-2 PCD

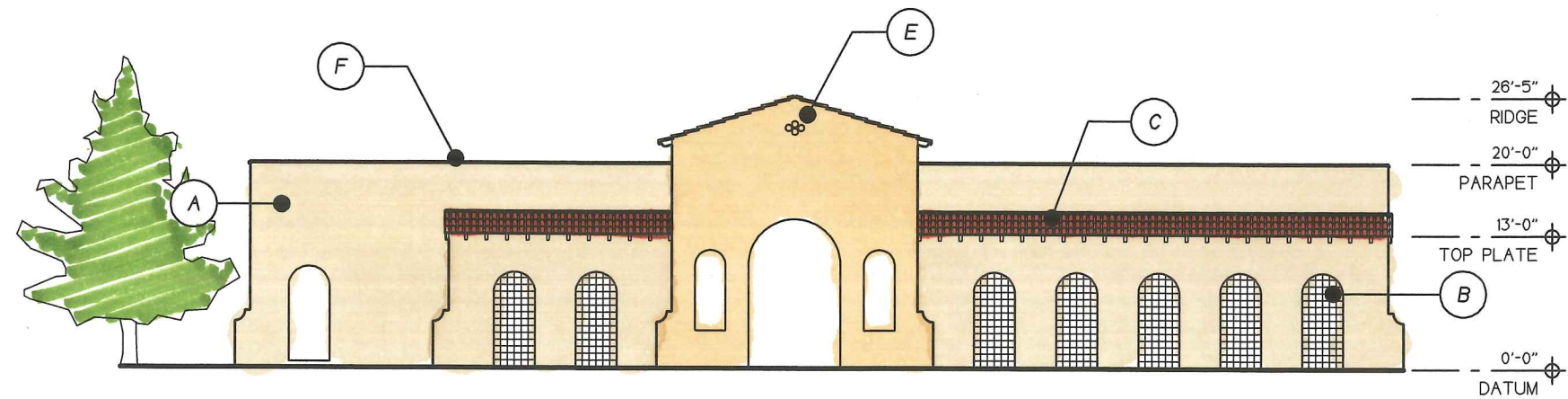
NW 1/4 SEC 31; T30S, R28E, MDM; COUNTY OF KERN



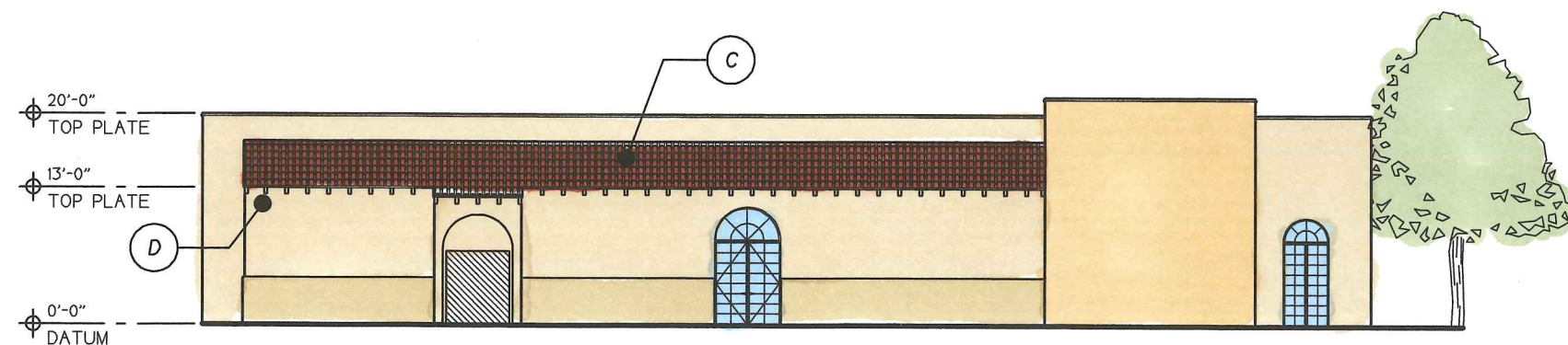
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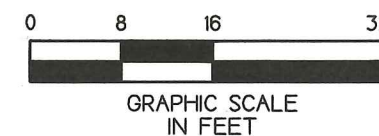
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NORTH



SOUTH



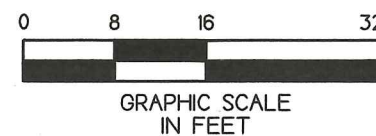
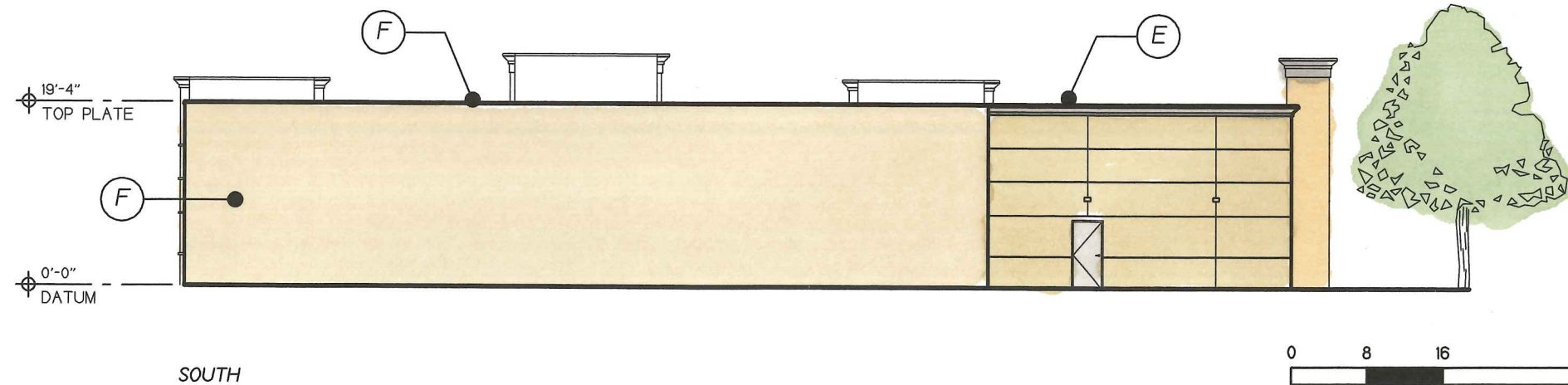
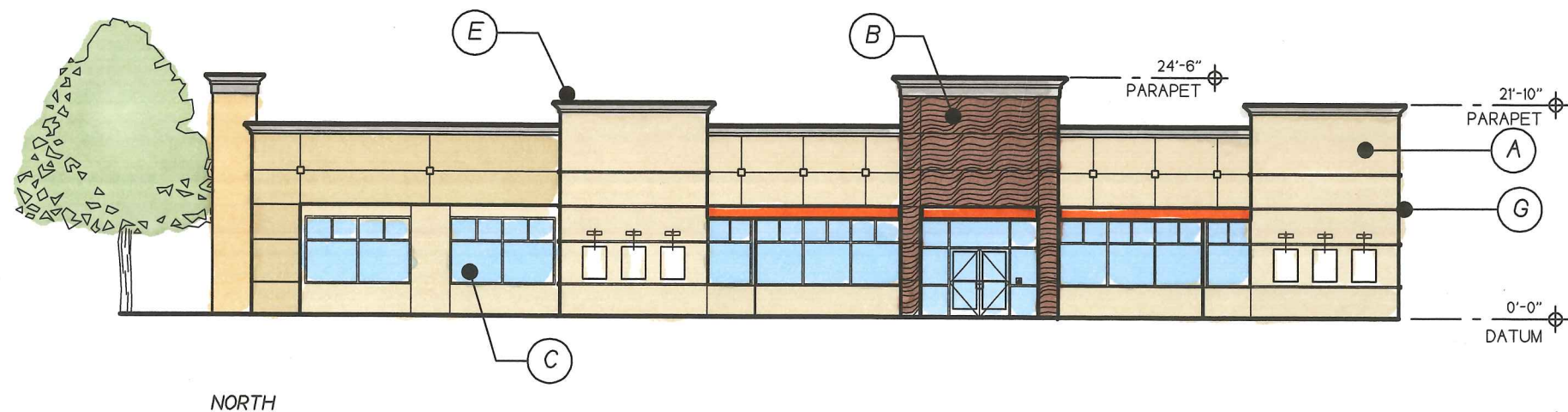
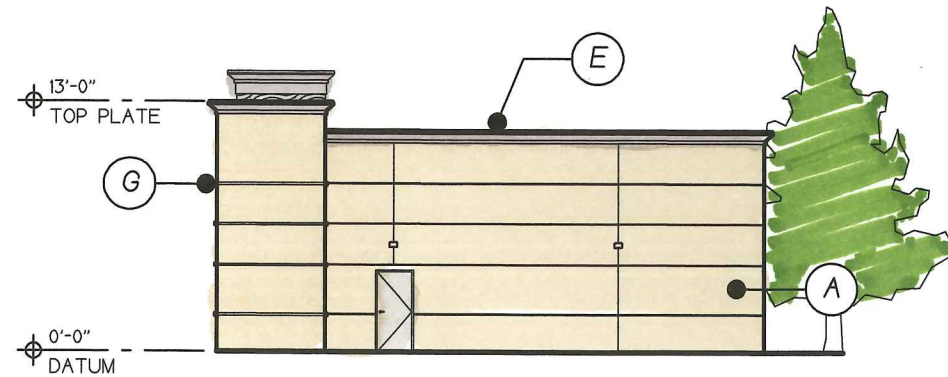
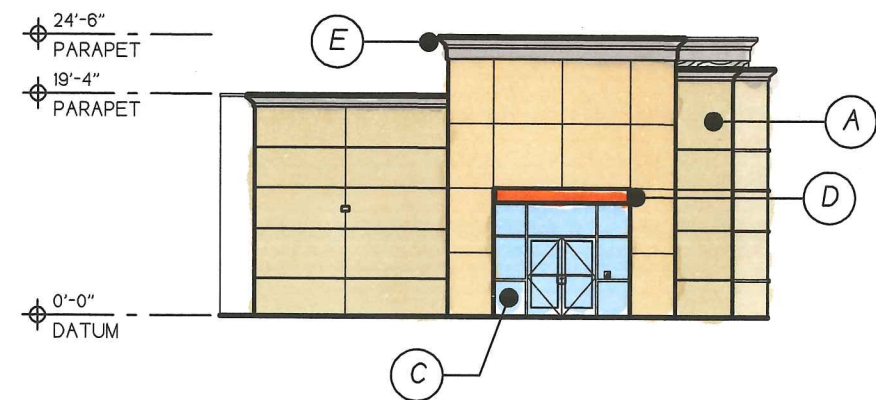
PLAN NOTES (X)

A.	CEMENT PLASTER WITH ACRYLIC FINISH
B.	CERAMIC TILE IN NICHE
C.	CONCRETE "S" STYLE ROOF TILE
D.	EXPOSED 4x SHAPED RAFTER TAILS
E.	CLAY PIPE ATTIC VENT
F.	SHEET METAL PARAPET CAP FLASHING
G.	CAR WASH TUNNEL
H.	
J.	

PCD 18-0456
CAR WASH

C-2 PCD

NW 1/4 SEC 31; T30S, R28E, MDM; COUNTY OF KERN



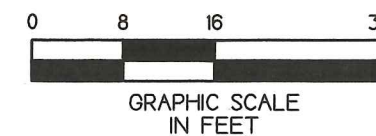
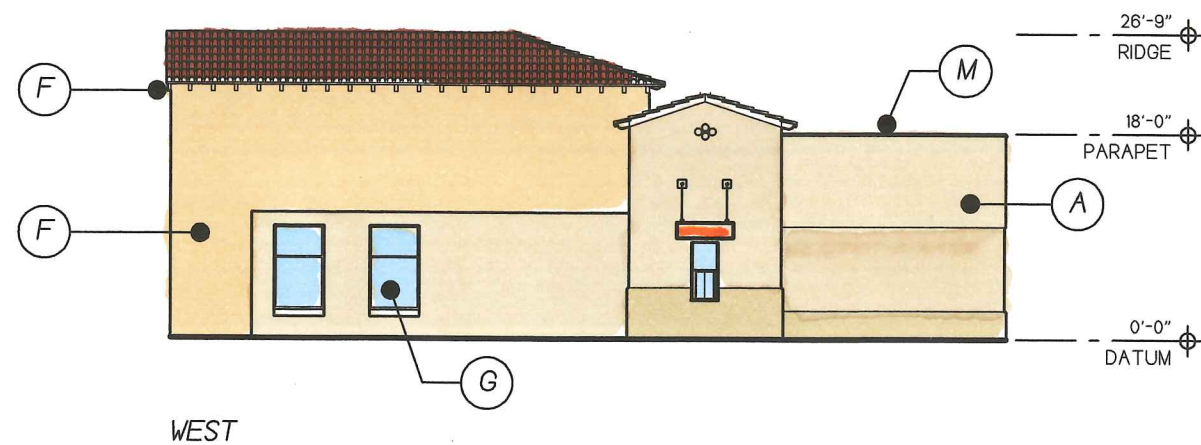
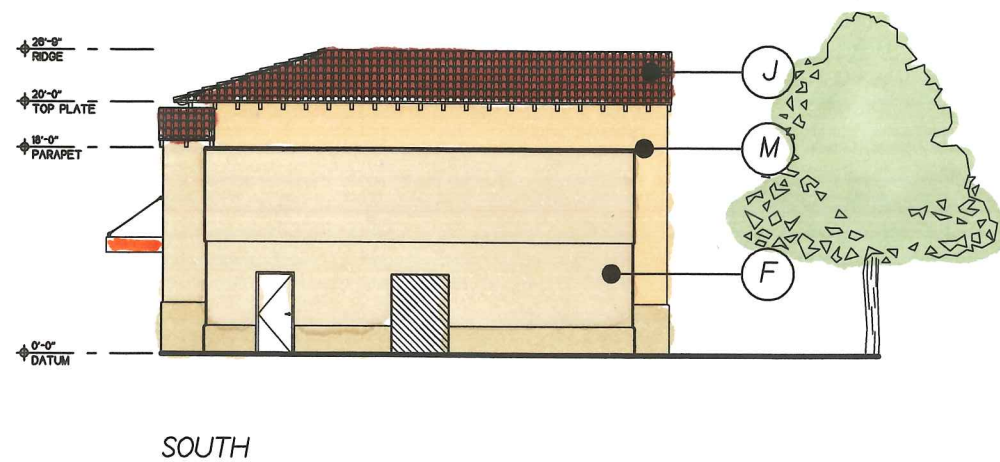
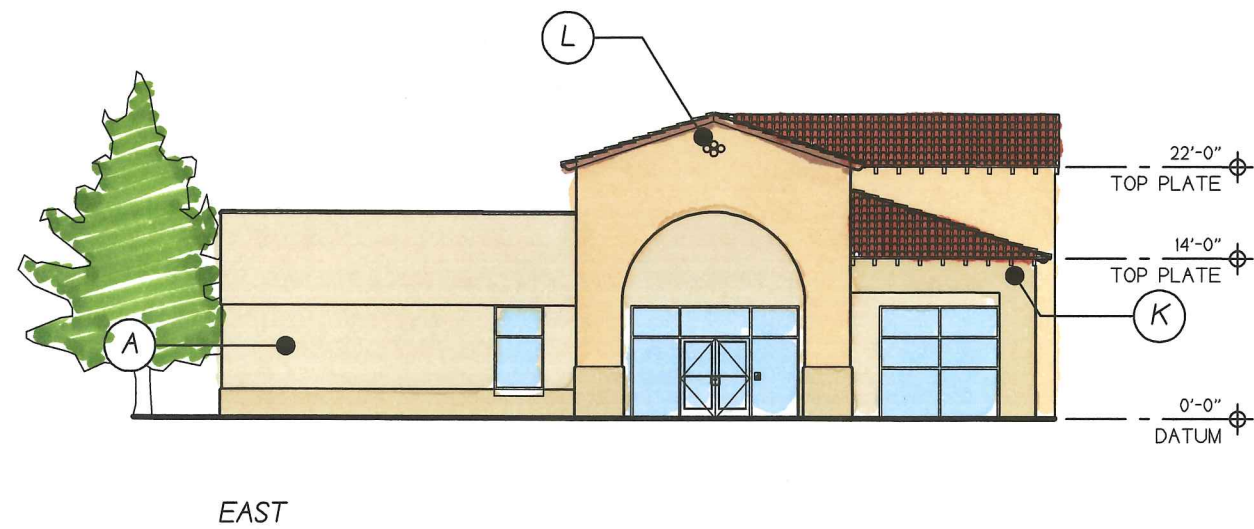
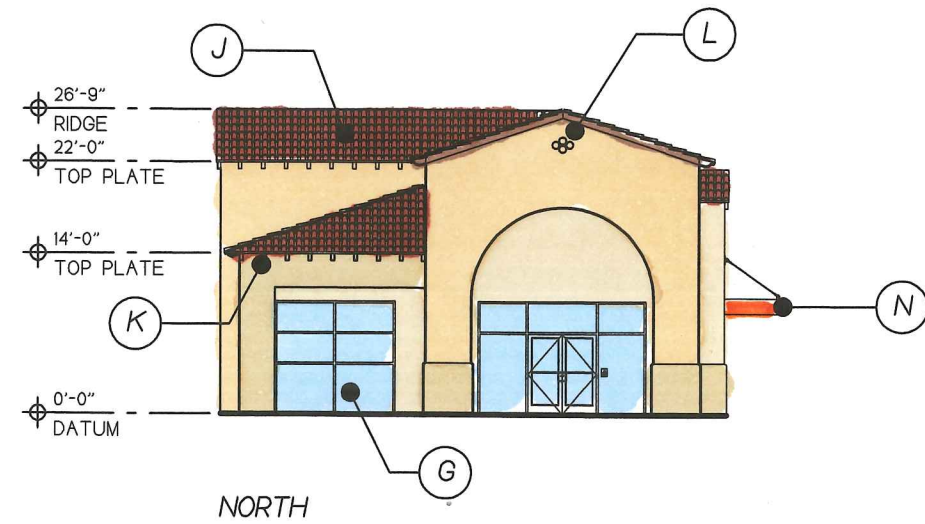
PLAN NOTES (X)

A.	CEMENT PLASTER WITH ACRYLIC FINISH
B.	METAL CLAD PANEL
C.	ALUMINUM STOREFRONT SYSTEM
D.	METAL FRAMED CANOPY
E.	BUILT-UP FASCIA TRIM WITH CEMENT PLASTER
F.	SHEET METAL PARAPET CAP FLASHING
G.	ALUMINUM BAR
H.	
J.	

PCD 18-0456
CONVENIENCE STORE

C-2 PCD

NW 1/4 SEC 31; T30S, R28E, MDM; COUNTY OF KERN



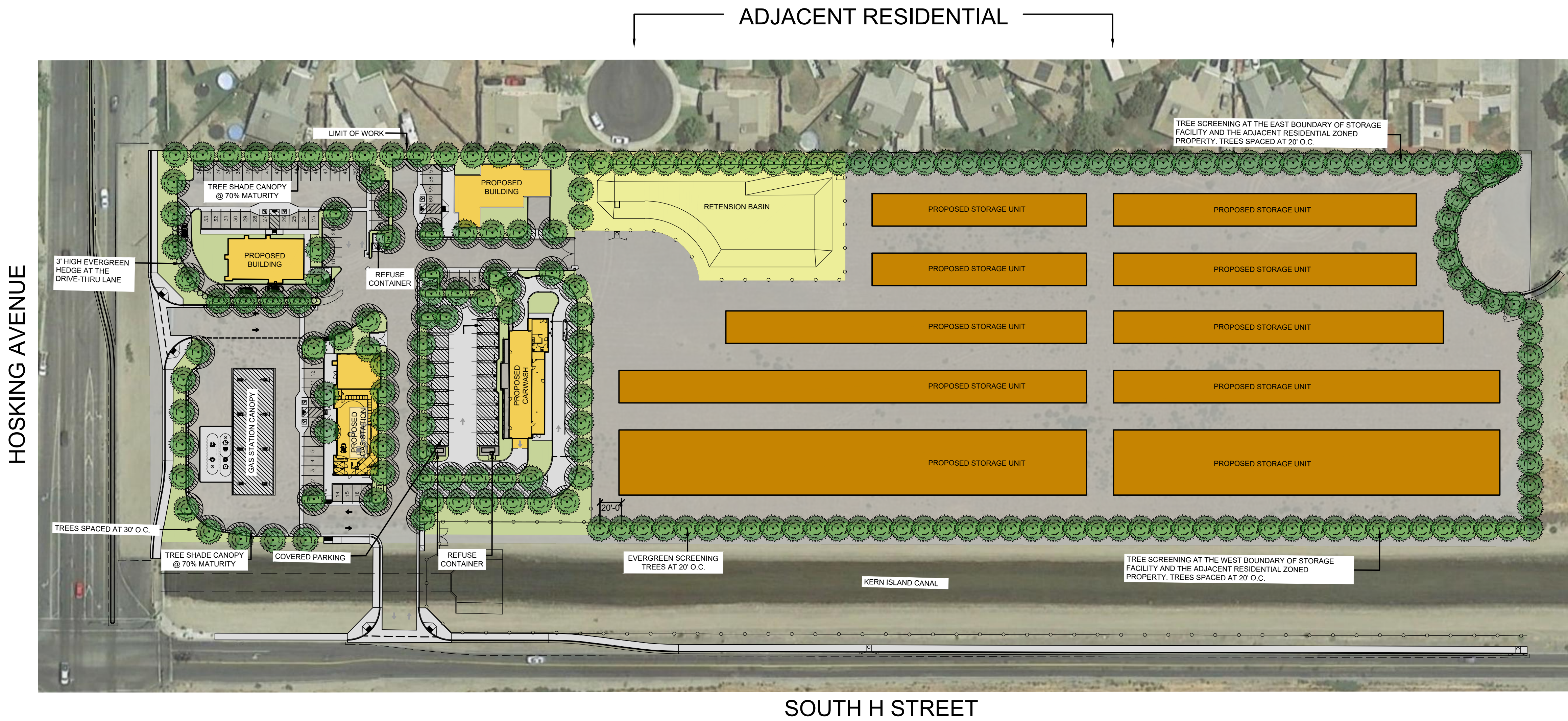
PLAN NOTES (X)

A.	CEMENT PLASTER WITH ACRYLIC FINISH
B.	CERAMIC TILE IN NICHE
C.	CONCRETE "S" STYLE ROOF TILE
D.	EXPOSED 4x SHAPED RAFTER TAILS
E.	CLAY PIPE ATTIC VENT
F.	SHEET METAL PARAPET CAP FLASHING
G.	CAR WASH TUNNEL
H.	
J.	

PCD 18-0456
FAST FOOD RESTAURANT

C-2 PCD

NW 1/4 SEC 31; T30S, R28E, MDM; COUNTY OF KERN



SHADE TREE ANALYSIS:
H STREET & HOSKING AVENUE BAKERSFIELD, CA

TOTAL PAVED PARKING AREA (WITHOUT CARPORTS: TREE CANOPY ONLY): 73,050 +/- SF
ADDITIONAL PARKING AREA (COVERED PARKING): 8,818 SF +/- SF
TOTAL PAVED PARKING AREA (WITH + WITHOUT COVERED PARKING): 81,868 +/- SF

TOTAL SHADED AREA REQUIRED: 40%
TOTAL AREA SHADED BY TREE CANOPY: 23,647 +/- SF (32%)
TOTAL AREA SHADED BY TREE CANOPY + COVERED PARKING: 32,465 +/- SF (40%)

DECIDUOUS TREES: 70%
EVERGREEN TREES: 30%

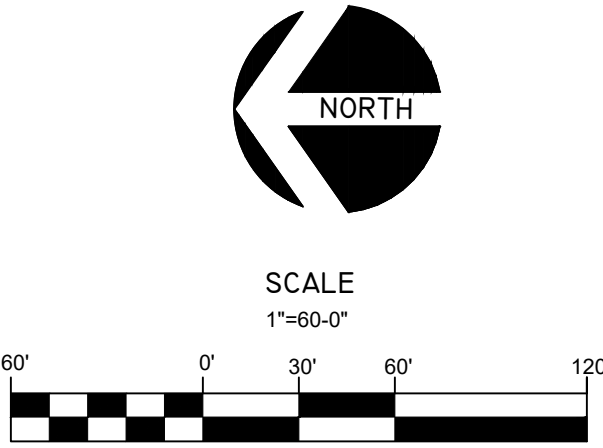
NOTES:

1. TREES SCREENING AT THE EAST BOUNDARY OF STORAGE FACILITY AND THE ADJACENT RESIDENTIAL ZONED PROPERTY. TREES SPACED AT 20' O.C.
2. TREES SCREENING AT THE WEST BOUNDARY OF STORAGE FACILITY AND THE ADJACENT RESIDENTIAL ZONED PROPERTY. TREES SPACED AT 20' O.C.
3. EVERGREEN SCREENING TREES AT 20' O.C.
4. 3' HIGH EVERGREEN HEDGE AT THE DRIVE-THRU LANE
5. TREE SHADE CANOPY @ 70% MATURITY
6. TREES SPACED AT 30' O.C.
7. TREE SHADE CANOPY @ 70% MATURITY
8. COVERED PARKING
9. REFUSE CONTAINER

SOUTH H STREET & HOSKING AVENUE

SITE DEVELOPMENT PLAN

PARCEL MAP NO. 12327 APN: 517-010-01
PARCELS NO. 01, 02, 03, 04



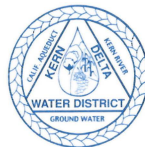
Attachment B
(Public Comments)

Kern Delta Water District

501 TAFT HIGHWAY
BAKERSFIELD, CALIFORNIA 93307-6247
TELEPHONE (661) 834-4656
FAX (661) 836-1705

BOARD OF DIRECTORS

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Attorneys-at-Law

May 30, 2019

City of Bakersfield
Planning Department
Attn: Whitney Jackson
1715 Chester Avenue
Bakersfield, CA 93301

Subject: Planned Development Review No. 18-0456

Dear Ms. Jackson,

Kern Delta Water District (Kern Delta) appreciates the opportunity to comment on the "Planned Development Review No. 18-0456". The proposed development is on the south-east corner of Hosking Avenue and South "H" Street, and Kern Delta's Kern Island Canal is adjacent to the western edge of the proposed development. Kern Delta has not, to date, approved either extending the culvert on Hosking Avenue, or installing a bridge within the Kern Island Canal right-of-way. Kern Delta reserves further comment until it can review plans/proposals for this site.

Sincerely,

L. Mark Mulkay
General Manager
Kern Delta Water District

LMM/dld
CC: KDWD File

Attachment C
(Chapter 17.54)

Chapter 17.54

PCD PLANNED COMMERCIAL DEVELOPMENT ZONE*

Sections:

- 17.54.010 Intent and purpose.**
- 17.54.020 Uses permitted.**
- 17.54.030 Application.**
- 17.54.040 Rezoning procedure.**
- 17.54.050 Final development plan.**
- 17.54.060 Latitude of regulations.**
- 17.54.070 Required findings.**
- 17.54.080 Expiration of zone or plans.**
- 17.54.090 Minimum site area.**
- 17.54.100 Modifications to approved preliminary and final development plans.**
- 17.54.110 Maintenance of common areas and non-dedicated improvements and facilities.**

* Prior code history: prior code §§ 17.47.010—17.47.130

17.54.010 Intent and purpose.

It is recognized that an integrated development provides an opportunity for cohesive design when flexible regulations are applied. The planned commercial development zone is intended to allow for innovative design and diversification in the relationship of various uses, buildings, structures, lot sizes and open spaces while ensuring compliance with the general plan and the intent of the municipal code. In addition, the development would provide adequate improvements and standards necessary to satisfy the requirements of the public health, safety and general welfare. This zone is not to be used to restrict commercial development or to compromise other zoning districts that may be more appropriate for a site. Instead, it enables a developer to obtain approval of a specific, detailed plan for a commercial development which ensures that the uniqueness of the project design being proposed is preserved. Standards shall be observed without unduly inhibiting the advantages of modern site planning techniques and innovative planning of commercial and professional office neighborhoods. Land may be classified as being solely within a PCD zone (exclusive zone), or the PCD zone may be used as a combining zone in a C-O, C-1, C-2, or CC zone to assign a base zone defining allowable uses and ensure future site development will be compatible with surrounding development and/or to recognize unique site characteristics. (Ord. 4305 § 1, 2006; Ord. 4009 § 2, 2001; Ord. 3656 § 2, 1995)

17.54.020 Uses permitted.

- A. Uses permitted in a PCD zone used as a combining zone are those uses permitted by the base zone with which the PCD zone is combined.
- B. Uses for land classified as being within a PCD zone are as follows:
1. Any permitted use listed in Chapters [17.20](#) (C-O), [17.22](#) (C-1) and [17.24](#) (C-2). Any use that is conditional in these zones may be requested as part of the initial zone change and approved as conditional uses subject to the findings, conditions and revocation of rights as set forth in Chapter [17.64](#). Uses which are conditional that are proposed once the PCD zone is effective shall be subject to the provisions of Chapter [17.64](#).
 2. Uses and structures which are incidental or accessory to any of the uses permitted in PCD zones.
- C. The permitted uses may be allowed in combinations in this zone, provided such use or uses are in harmony with each other and serve to fulfill the intent and purposes of the planned commercial development. (Ord. 4542 § 2, 2008; Ord. 4305 § 2, 2006; Ord. 4009 § 2, 2001; Ord. 3752 § 1, 1997; Ord. 3656 § 2, 1995)

17.54.030 Application.

- A. When the PCD zone is to be assigned as an exclusive zone classification, the zone change application shall include the following:
1. A preliminary development plan, drawn to scale, which shall be at the minimum scale indicated and shall include all the information as required for site plan review pursuant to Section [17.08.080\(A\)\(3\)](#). The number and type of plans shall be as follows:
 - a. Eight copies at scale of all plans submitted;
 - b. One copy of each plan reduced to a size of eight and one-half inches by eleven inches;
 - c. One color rendition at scale of the site/landscape plan, and elevation plan;
 2. If the proposed project is to be developed in several stages, indicate the anticipated sequence of development;
 3. Show the proposed methods by which the applicant will govern the maintenance and continued protection of the development including any common areas;
 4. Indicate all proposed signs for the development;
 5. A completed zone change application on such forms as provided by the city, signed by the owner or owners in fee of the subject land and the owner of any option to purchase the property or any portion thereof, if any;

6. Any additional information, plans, drawings, elevations, photos, diagrams and improvements as may be required by the planning director to adequately review the project.

B. When the PCD zone is used as a combining zone, the zone change application is not required to include development plans. Development plans as indicated in subsections (A)(1) through (A)(4) and (A)(6) shall be required prior to approval of a subdivision map pursuant to Section [16.28.170\(O\)](#) or prior to issuance of a building permit as appropriate, and shall be considered at an advertised public hearing before the planning commission. A complete application and fee shall be required. The application and fee shall be the same as that for a site plan review hearing. The hearing shall constitute the review and approval of the preliminary development plans. Modifications to approved plans will be subject to the provisions set forth in Section [17.54.100](#).

C. When the PCD zone is used as a combining zone, approval of development plans by the planning commission is final. If appealed, development plans shall be presented to the city council for final action at a noticed public hearing in accordance with Section [17.64.050\(B\)](#). (Ord. 4305 § 3, 2006; Ord. 4009 § 2, 2001; Ord. 3835 § 31, 1998; Ord. 3656 § 2, 1995)

17.54.040 Rezoning procedure.

An application shall be processed as follows:

- A. Pursuant to Chapter [17.64](#) of this code regarding zone changes.
- B. If the application is approved by the city council, the zoning map of the area shall be changed by identifying the area with the map symbol PCD. If the PCD zone is approved as a combining zone, the base zone shall be identified, followed by the map symbol PCD (Example: C2/PCD).
- C. The preliminary development plan as approved with a PCD exclusive zone, shall be filed with the city and shall, by reference, be incorporated into and thereby become a part of the zoning ordinance of the city.
- D. After the effective date of the ordinance change to an exclusive PCD zone, no building or structure shall be erected, moved or altered on the subject property except when in compliance with the final development plan as approved by the site plan review committee. (Ord. 4009 § 2, 2001; Ord. 3903 § 5, 1999; Ord. 3656 § 2, 1995)

17.54.050 Final development plan.

- A. *Contents.* The final development plan shall be drawn to the same scale and include the information as required for a preliminary development plan, together with any modifications or conditions that were required by the planning commission and city council.
- B. *Procedure.* The final development plan for a building permit shall be submitted and processed the same as required for a final site plan pursuant to Section [17.08.080B5](#). The site plan review committee shall review the plan for substantial compliance with the approved preliminary plan and satisfaction with all conditions set forth in the city council's final decision. In instances where the planning commission desires to review the final plan, they may

place a condition on the project requiring said plan to be brought back before them for review and approval. (Ord. 4009 § 2, 2001; Ord. 3903 § 7, 1999; Ord. 3874 § 2, 1998; Ord. 3835 § 31, 1998; Ord. 3656 § 2, 1995)

17.54.060 Latitude of regulations.

In the approval of PCD plans, the planning commission or city council may approve or require in the final development plan, standards, regulations, limitations and restrictions either more or less restrictive than those specified elsewhere in the municipal code and which are designed to protect and maintain property values and provide or protect community amenities which would foster and maintain the health, safety and general welfare of the community, including and relating to but not limited to the following:

- A. Height limitations or any bulk requirements of buildings or structures, lot and yard requirements and distances between buildings;
- B. Percent coverage of land by buildings and structures;
- C. Parking ratios and areas expressed in relation to use of various portions of the property and/or building floor area;
- D. Limitations upon the size, design, number, lighting and location of all signs;
- E. The location, width and improvement of vehicular and pedestrian access to various portions of the property including portions within abutting streets;
- F. Construction of fences and walls;
- G. Arrangement and spacing of buildings and structures to provide appropriate open spaces around same;
- H. Location and size of off-street loading areas and docks;
- I. Uses of buildings and structures by general classification and specific designation when there are unusual requirements for parking; or when use involves noise, dust, odor, fumes, smoke, vibrations, glare or radiation incompatible with present or potential development of surrounding property or of other property in the development;
- J. Architectural design of buildings and structures;
- K. Schedule of time for construction and establishment of the proposed buildings, structures, or land uses or any stage of development thereof;
- L. Requiring of performance bonds to insure development as approved;
- M. Planting and maintenance of trees, shrubs, plants and lawns in accordance with a landscape plan;
- N. Any additional improvements and dedications reasonably necessary to fulfill public needs for the general health, safety and welfare of the neighborhood and the city. (Ord. 4305 § 4, 2006; Ord. 4009 § 2, 2001; Ord. 3656 § 2, 1995)

17.54.070 Required findings.

In approving and adopting the rezoning application with the preliminary development plan, the planning commission and city council shall find the following:

- A. The proposed planned commercial development zone and preliminary development plan is consistent with the general plan and objectives of this ordinance;
- B. The proposed development will constitute a commercial environment of sustained desirability and stability, and it will compliment and harmonize with the character of the surrounding neighborhood and community;
- C. The proposed development justifies exceptions from the normal application of this code in that it integrates such elements as the location of structures, circulation pattern, parking, landscaping and utilities, together with a program for provision, operation and maintenance of all areas, improvements, facilities and services provided on the property. (Ord. 4009 § 2, 2001; Ord. 3656 § 2, 1995)

17.54.080 Expiration of zone or plans.

- A. When the PCD zone is assigned as an exclusive zone, the following shall apply:
 - 1. The applicant shall commence construction no later than three years from the effective date of the zoning change. If, within such period, the construction specified in the approved preliminary development plan has not been commenced, the planning director shall notify the planning commission of same and the commission shall consider whether changed circumstances justify a zone change to rescind the PCD zone or if additional time is necessary to be conditioned in order to commence construction of the project. Initiation of a zone change to rescind the PCD zone, or to change any conditions of approval including those extending time periods, shall be subject to the provisions of Section [17.64.070](#) of this code.
 - 2. With the exception of satellite pads, if a certificate of occupancy has not been issued for a substantial portion of the commercial structures in the first phase of a PCD zone within five years of the effective date of the PCD zone as determined by the planning director, he/she shall notify the planning commission of same and the commission shall consider whether changed circumstances justify a zone change to rescind the PCD zone or if additional time is necessary to be conditioned for the project to be completed. Initiation of a zone change to rescind the PCD zone, or to change any conditions of approval including those extending time periods, shall be subject to the provisions of Section [17.64.070](#) of this code.
 - 3. With the exception of satellite pads, where the first phase is substantially developed and the remaining phases are undeveloped or in various stages of development and five years have lapsed since the effective date of the PCD zone as determined by the planning director, he/she shall notify the planning commission of same and the commission shall consider whether changed circumstances justify a zone change to rescind the PCD zone for the area containing the uncompleted phases or if additional time is necessary to be conditioned for the project to be completed. Initiation of a zone change to rescind the PCD zone, or to change any conditions of approval including those extending time periods, shall be subject to the provisions of Section [17.64.070](#) of this code.

B. When the PCD zone is used as a combining zone, no status review or other notification shall be required. Approved preliminary plans shall be subject to the same time periods as an approved site plan (Section [17.08.080D](#)). If more than one preliminary development plan is approved for a site, the most recent approval shall supersede all previously approved plans. (Ord. 4009 § 2, 2001; Ord. 3656 § 2, 1995)

17.54.090 Minimum site area.

The minimum area for a PCD zone shall be one acre. (Ord. 4009 § 2, 2001; Ord. 3656 § 2, 1995)

17.54.100 Modifications to approved preliminary and final development plans.

- A. An approved preliminary development plan may be modified by submitting an application for such modification according to the same procedure as is required in the initial review and approval of said plan.
- B. The flexibility of code requirements ordinarily required in other zones permitted in any initial approval of a PCD zone shall not be considered as a precedent setting, or as a lone compelling reason for approving any modification.
- C. Any application for a modification to an approved preliminary plan may be approved only after it has been found that it does not deviate from the intent and purpose of this zone and the required findings in Section [17.54.070](#) can be made.
- D. The planning director shall have the authority to administratively approve minor changes, modifications, alternations, deviations, or substitutions to an approved preliminary development plan with respect to colors, materials, architectural elevations, landscape plans and other physical changes of a similar nature provided any such change does not alter any use, environmental mitigation measure, condition of approval or substantially affect the basic character of the architecture or landscape architecture as established in the planning commission or city council's approval of the project. Such minor changes, modifications, alterations, deviations, or substitutions to an approved preliminary or final development plan shall be reported to the planning commission at its next regular meeting. At that time, the planning commission may accept the planning director's report, may further modify the planning director's approved changes or may direct staff to set the matter for hearing in accordance with the provisions of Chapter [17.64](#) of this code. (Ord. 4009 § 2, 2001; Ord. 3903 §§ 6, 8, 1999; Ord. 3874 § 1, 1998; Ord. 3656 § 2, 1995)

17.54.110 Maintenance of common areas and non-dedicated improvements and facilities.

- A. All common areas, if any, including open or green spaces, community recreation facilities, common walkways, parking areas, private streets, sidewalks, curbs and gutters and any improvements listed in Section [16.32.060](#) of

the subdivision regulations of the city which are not dedicated and accepted may be constructed only upon full and adequate provision for their preservation and future maintenance in a manner acceptable to the city.

B. Where ownerships are to be separate, such provision may be satisfied by a declaration of covenants, conditions and restrictions duly signed and acknowledged by the original owner or owners; articles of incorporation to be filed with the Secretary of State forming a corporation or association, which shall include provision for empowering such entity created to own and maintain all the properties within its jurisdiction and to exercise the powers and duties of such entity to be fully set forth in the declaration; bylaws of the entity which shall set forth rules of membership, required fees and assessments to be used for maintenance purposes, membership rights and duties; and forms of deeds incorporating the declaration by reference to its recording data.

C. All documents must be referred to the city attorney for review and have the approval of the planning director as to their sufficiency to accomplish their purpose.

D. The owners of the properties shall, as a condition of such ownership, be required to participate in the legal entity so formed and be responsible to said legal entity for the cost of performing the necessary maintenance. (Ord. 4009 § 2, 2001; Ord. 3656 § 2, 1995)

The Bakersfield Municipal Code is current through Ordinance 4972, passed March 20, 2019.

Disclaimer: The city clerk has the official version of the Bakersfield Municipal Code. Users should contact the city clerk for ordinances passed subsequent to the ordinance cited above.

[City Website: www.bakersfieldcity.us](http://www.bakersfieldcity.us)

City Telephone: (661) 326-3000

[Code Publishing Company](#)



COVER SHEET

PLANNING DEPARTMENT

STAFF REPORT

MEETING DATE: June 20, 2019

ITEM NUMBER: Consent Calendar Public Hearings5.(f.)

TO: Planning Commission

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

PLANNER: Paul Johnson, Principal Planner

DATE:

WARD: Ward 3

SUBJECT:

Planned Development Review No. 19-0141: M. W. Steele Group requests a new planned development review to allow development of 81 multiple-family dwelling units in the R-3/P.U.D. (Multiple-Family Dwelling/Planned Unit Development Zone) district, located at 3345 Bernard Street. Notice of Exemption on file. *Continued from 6/6/19.*

APPLICANT: M. W. Steele Group

OWNER: Housing Authority of the County of Kern

LOCATION: 3345 Bernard Street

STAFF RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

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



www.bakersfieldcity.us

CITY OF BAKERSFIELD PLANNING DEPARTMENT STAFF REPORT

TO: Chair Cater and Members of the Planning Commission **AGENDA ITEM** 5.f

FROM: Kevin F. Coyle, AICP CEP, Planning Director **APPROVED** KCC

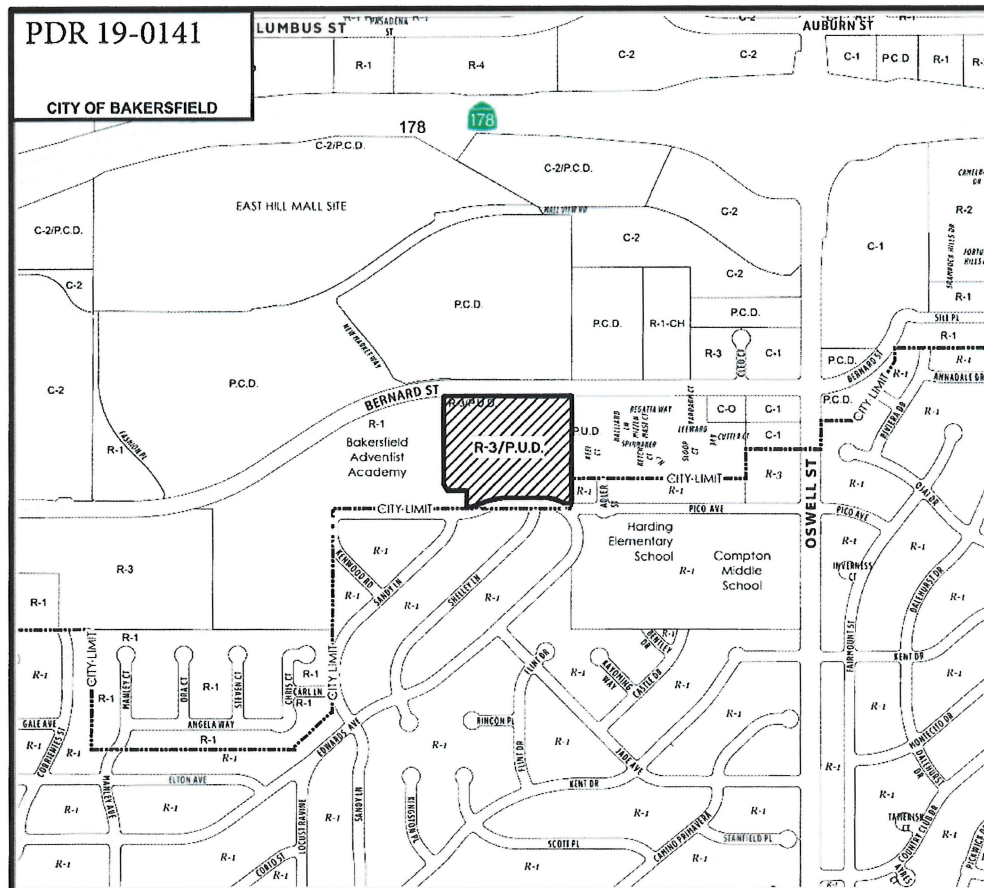
DATE: June 20, 2019

SUBJECT: **PLANNED DEVELOPMENT REVIEW NO. 19-0141 (WARD 3)**

APPLICANT: M. W. Steele Group **OWNER:** Housing Authority of the County of Kern
1805 Newton Avenue, Suite A 601 24th Street
San Diego, CA 92113 Bakersfield, CA 93301

LOCATION: 3345 Bernard Street | APN: 130-162-24

Figure 1. Location Map and Zone Map

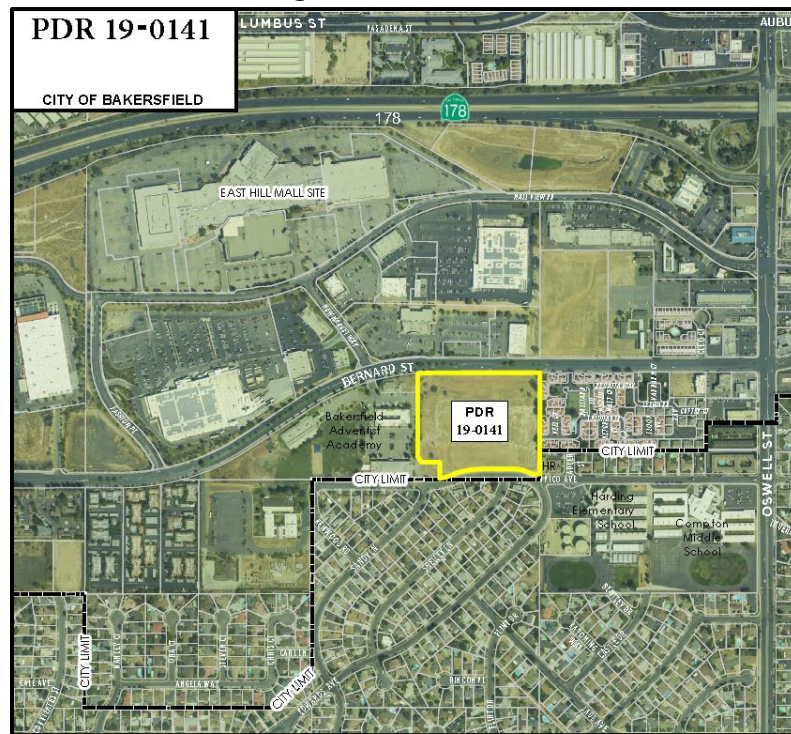


RECOMMENDATION: Adopt Resolution and suggested findings **APPROVING** Planned Development Review No. 19-0141, as depicted in the project description and subject to the listed mitigation/conditions of approval.

PROJECT SUMMARY:

This project was scheduled for consideration at the June 6, 2019 meeting; however, your Commission continued it for two weeks to identify if a traffic study was prepared for the project site. The project is a request for a Planned Development Review to allow a 66,000 square foot 81-unit apartment complex in the R-3/PUD (Multiple-Family Dwelling/Planned Unit Development Zone) district, located at 3345 Bernard Street.

Figure 2. Site Aerial



SURROUNDING LAND USES:

The project site is situated on 5.22 acres of an undeveloped 9.76-acre parcel. 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	HR	R-3/P.U.D.	Undeveloped
North	MC	P.C.D.	Shopping Center
East	HMR (City) HR (County)	P.U.D. (City) R-1 (County)	Multiple-Family Residential
South	LMR/LR (County)	R-1 (County)	Single-Family Residential
West	HR	R-1	Private School
General Plan Key HMR: High Medium Density Residential HR: High Density Residential LR: Low Density Residential LMR: Low Medium Density Residential MC: Major Commercial		Zone District Key R-1: One-Family Dwelling R-1 (County): Low Density Residential R-3: Multiple-Family Dwelling P.U.D.: Planned Unit Development P.C.D.: Planned Commercial Development	

ANALYSIS:

The applicant is proposing to develop approximately 1/2 of the site with an apartment complex. The complex will consist of five (5) two-story buildings for housing and one (1) two-story manager quarters/community room. The complex will contain 40 one-bedroom units, 20 two-bedroom units, and 21 three-bedroom units for an overall total of 81 units. A total of 101 parking spaces are required and provided.

At the June 6, 2019 Planning Commission meeting, the public raised concerns about the project's potential traffic impact on Pico Avenue. After discussion, Commissioner Rudnick made a motion to continue the project for two weeks to locate a traffic study.

Staff notes a traffic study was not prepared for the project being considered at today's meeting because your Commission is considering site configuration changes to the original development plan approved in June 2018. There is no change in the number of dwelling units proposed (81 units).

A traffic study was not prepared in 2018 because the land entitlement already existed. Specifically, the existing General Plan designation of HR (High Density) allows development greater than 17.42 and less than or equal to 72.6 dwelling units/net acre. This designation applies to large multiple-family structures, such as apartments, apartment hotels, and condominiums. Therefore, based on the current HR designation, a 5.22 net acre parcel would allow up to 378 dwelling units, far more than the proposed 81 units.

Staff also reviewed the 2007 Initial Study/Negative Declaration prepared for the zone change from R-1 (One-Family Dwelling Zone) to the current zone classification R-3/PUD (Multiple-Family Dwelling/Planned Unit Development Zone). At that time, the zone change was necessary to bring the project site into conformance with the HR designation that was already established. Based on the following excerpt from the initial environmental assessment for Transportation/Traffic, a study was not deemed necessary (Zone Change No. 07-1977):

XV. TRANSPORTATION/TRAFFIC -- *Would the project:*

- a) *Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?*

The proposed project will generate additional vehicular traffic movement within an accepted range as allowed for the land use and zone designations of the project site. The project may potentially cause an increase in traffic in relation to the existing traffic load (volume) and capacity of the street system, and impact existing transportation systems. The project may also alter the present patterns of circulation or movement of people and goods by improving new streets to serve the project.

A traffic analysis has not been required for this proposal. All regional traffic impacts caused by this development shall be mitigated according to the regional impact fee ordinance (BMC §15.84.010) at the time building permits are issued.

In addition, the Subdivision Ordinance (§ 16.32.060) requires the subdivider to construct street improvements within the development and a proportional share of boundary street improvements to serve traffic generated by this development. All

road improvements are subject to compliance with adopted engineering standards as stated in the General Plan and Bakersfield Municipal Code Chapter 13.12, Development Improvement Standards and Specifications, which includes the City's Subdivision Design Manual, and CalTrans Standard Specifications. The impacts are reduced to less than significant.

- b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?*

The project must comply with the Metropolitan Bakersfield General Plan level of service standard "C" which is a higher level than the Congestion Management Plan level of service standard "D". No impact has been identified.

- c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

The project does not propose air traffic or impact air traffic patterns. No impact has been identified.

- d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

All road improvements are to comply with adopted improvement standards as stated in the General Plan and Bakersfield Municipal Code Chapter 13.12. These standards are intended to reduce traffic hazards. There are no incompatible uses which have been identified with this project. No impact has been identified.

- e) *Result in inadequate emergency access?*

All projects are, by ordinance, subject to the access requirements of the City of Bakersfield Fire Department which includes an evaluation of adequate emergency access. No impact has been identified.

- f) *Result in inadequate parking capacity?*

Section 17.58.010 of the Zoning Ordinance requires that parking appropriate to each type of land use be provided. No impact has been identified.

- g) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?*

The project would not be inconsistent with policies or programs supporting alternative transportation. Payment of the transportation impact fee (BMC §15.84.010) is required. This fee in part is used to support mass transit. BMC § 16.16.050 requires consultation with responsible transit agencies such as Golden Empire Transit Bus (GET) and KernCOG. No impact has been identified.

The following is offered in response to other comments received at the June 6, 2019 Planning Commission meeting.

Zoning

The majority of zoning north of Bernard Street is for commercial use (see Figure 3). There should be minimal occurrences of children traversing vacant land to access the Elementary and Jr. High schools located south of Pico Avenue. Staff further notes that residential developments pay applicable school fees. An assessment by the school district will be made to determine if these fees should be allocated toward further school route improvements (e.g. adding bus stops).

Staff acknowledges other comments that a new road from Pico Avenue to Bernard Street could benefit residences to the south in accessing commercial development to the north. However, since there is no future circulation (road) alignment through the subject property, Staff does not believe there is a nexus to require a specific property owner to denote private property for a new public roadway when north-south access already exists via Oswell Street and Mt Vernon Avenue (see Figure 4).

Figure 3. Area Zoning

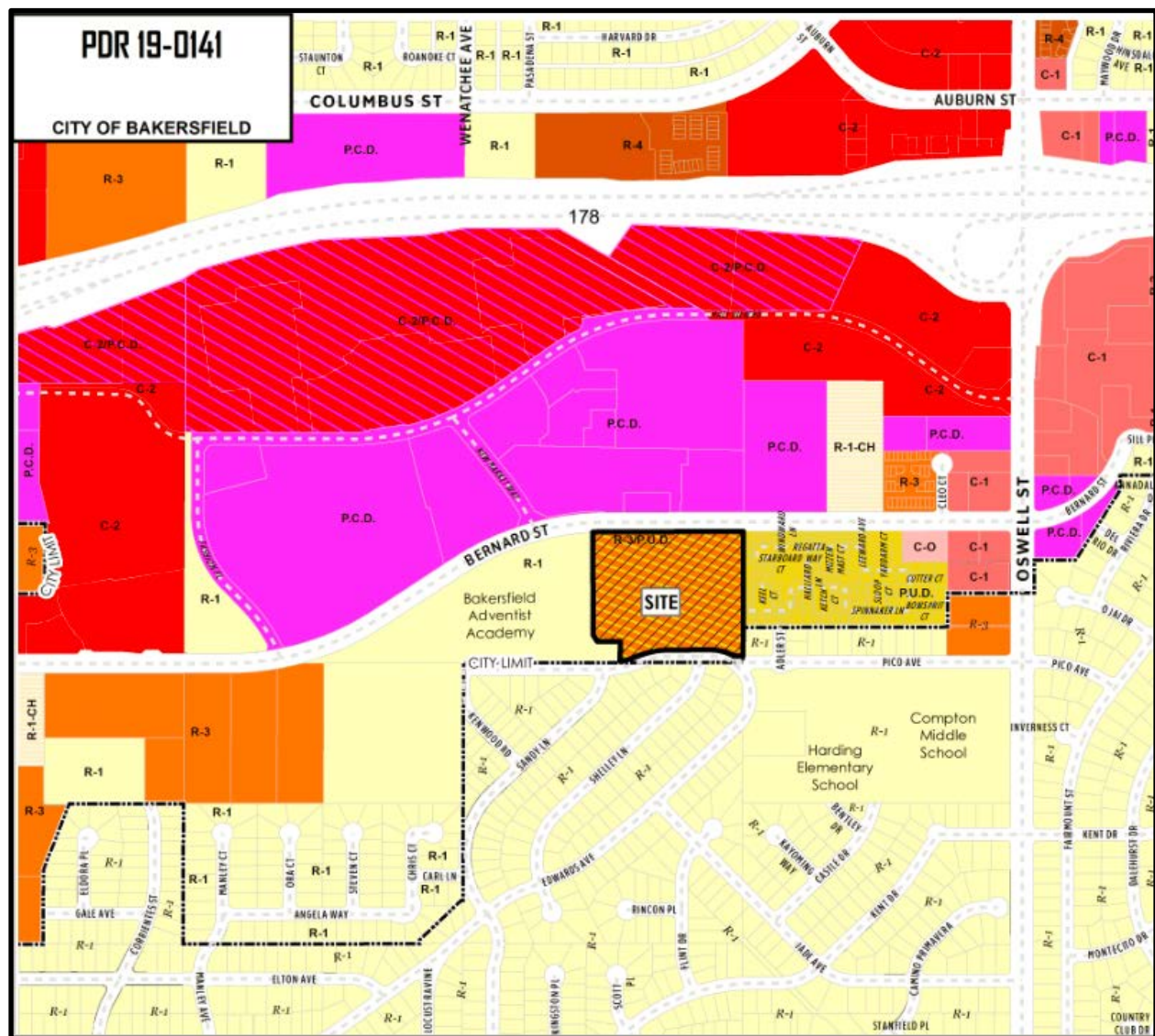
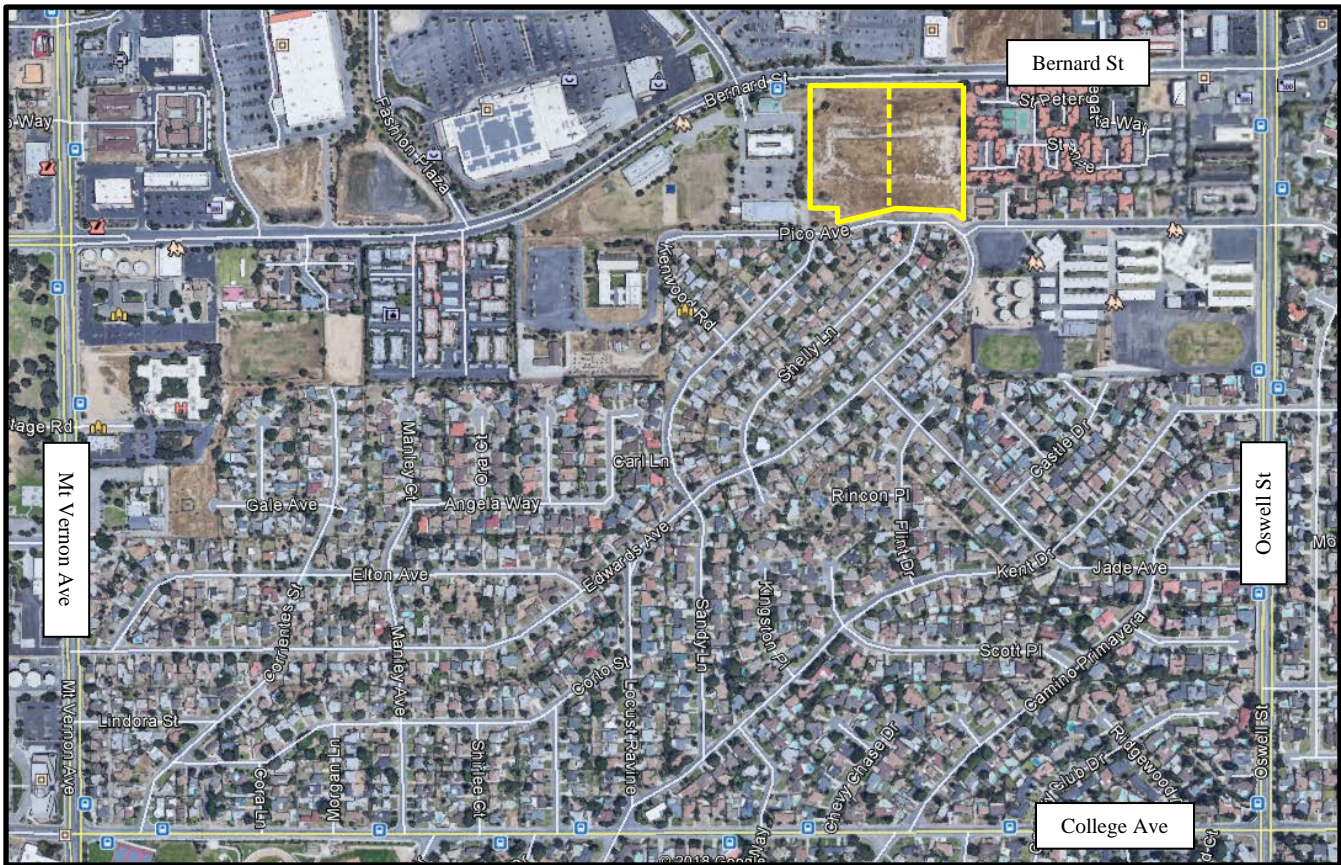


Figure 4. Street Aerial



Metropolitan Bakersfield Habitat Conservation Plan

It is a violation of the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) if a developer begins grading or ground-disturbance activities without compliance with the Plan Review Process. For background, the MBHCP is one of the longest running plans of its kind in California. The purpose of the MBHCP is to acquire, preserve, and enhance native habitats for species while allowing urban development. Development in the City of Bakersfield that causes permanent ground disturbance is required to pay a fee, which is used to purchase habitat in natural areas of Kern County. Through permits and agreements with State and federal wildlife agencies, the MBHCP is designed to offset impacts resulting from the loss of habitat because of development activities.

To comply with the MBHCP, any ground-disturbance activities (generally grading activities) require a developer to: (1) perform a Biological Clearance Survey by a Qualified Biologist no more than 30 days prior to disturbance; and (2) pay a Habitat Mitigation Fee. If the survey finds Covered Species within the survey area, then a Notice of Grading Start is required at least five business days prior to disturbance and after minimization measures are implemented. If the survey does not find Covered Species, then a Notice of Grading Start and five-day notice is not required. During the MBHCP process, the local government(s), along with State and federal wildlife agencies are involved to ensure the protection of Covered Species.

Parking

Pursuant to Bakersfield Municipal Code Section 17.58.110.E.3 (*Parking Space Requirements by Land Use*) parking space requirements are calculated at:

- Multiple-family dwellings and condominium (efficiency, studio and 1-bedroom units) - One (1) space per unit, plus an additional 10 percent for guest parking on parcels containing five (5) or more units. Moderate, low, and very low income projects with five (5) or more units and being recorded as such by declaration or covenant that runs with the land, may reduce required parking by 25 percent. Moderate, low and very low income is defined as being at or below 120 percent of the median income of Kern County as established by the State of California.
- Multiple-family dwellings and condominiums (2 or more bedrooms) - Two (2) space per unit, plus an additional 10 percent for guest parking on parcels containing five (5) or more units. Moderate, low, and very low income projects with five (5) or more units and being recorded as such by declaration or covenant that runs with the land, may reduce required parking by 25 percent. Moderate, low and very low income is defined as being at or below 120 percent of the median income of Kern County as established by the State of California.

Pursuant to Section 17.58.100 (*On-Street Parking Credit*), on-street parking credits will be allowed for all non-residential uses. For residential uses, only 50 percent of the guest parking that is required by this code will qualify for on-street parking credit.

The project complies with the ordinance by providing 101 on-site parking spaces where 101 parking spaces are required.

CONCLUSIONS:

Consistency with General Plan and Zoning Ordinance. Staff finds that the proposal is consistent with the Metropolitan Bakersfield General Plan and with the objectives of the Bakersfield Zoning Ordinance. The proposal will constitute a residential development of sustained desirability and stability, and will compliment and harmonize well with the character of the surrounding neighborhood. Compliance with Bakersfield Zoning Ordinance Chapter 17.52 (Planned Unit Development Zone) will ensure that the development enhances the city's character and promotes a heightened quality of life by providing a residential environment to the community.

Overall, Staff found that the applicable provisions of CEQA have been complied with, that the applicant has designed the project to site residential uses in a way that are compatible with the existing residential and commercial land uses in the surrounding area, and the proposal sufficiently demonstrated compliance with the necessary findings. Additionally, as conditioned, the project will be developed in compliance with the applicable regulations.

Overall Recommendation. Based on the foregoing, Staff concludes the request sufficiently demonstrates compliance with the necessary findings and, therefore, recommends your Commission approve Resolution and suggested findings approving Planned Development Review No. 19-0141 as depicted in the project description and subject to the listed mitigation/conditions of approval.

ATTACHMENTS:

- A. Draft Resolution with Exhibits

Attachment A
(Draft Resolution)

RESOLUTION NO.____

RESOLUTION OF THE PLANNING COMMISSION APPROVING A NEW PLANNED DEVELOPMENT REVIEW FOR 81 MULTIPLE-FAMILY DWELLING UNITS IN THE R-3/P.U.D. (MULTIPLE-FAMILY DWELLING/PLANNED UNIT DEVELOPMENT ZONE) DISTRICT, LOCATED AT 3345 BERNARD STREET. (FILE NO. 19-0141)

WHEREAS, M. W. Steele Group on behalf of the Housing Authority of the County of Kern (property owner) filed an application with the City of Bakersfield Development Services Department requesting approval of a new Planned Development Review for 81 multiple-family dwelling units in the R-3/P.U.D. (Multiple-Family Dwelling/Planned Unit Development Zone) district, located at 3345 Bernard Street; and

WHEREAS, the Secretary of the Planning Commission did set Thursday, June 6, 2019, at 5:30 p.m. in the Council Chambers, City Hall South, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for consideration of the Planned Development Review, and consideration of the project was continued to the regularly scheduled meeting of June 20, 2019; 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 Planning Commission; and

WHEREAS, the above described project is exempt from the requirements of the California Environmental Quality Act in accordance with State CEQA Guidelines Section 15061(b)(3); and

WHEREAS, at said public hearing held June 6, 2019, the Planned Development Review was duly considered and the Planning Commission found as follows:

1. All required public notices have been given. Hearing notices regarding the proposed project were mailed to property owners within 300 feet of the project area and published in a local newspaper of general circulation 10 days prior to the hearing.
2. The provisions of the California Environmental Quality Act (CEQA) have been followed.
3. Pursuant to State CEQA Guidelines Section 15061(b)(3), this request is exempt from the requirements of CEQA because it will not affect the environment.
4. The proposed development does not deviate from the intent and purpose of the PUD Zone district.
5. The proposed development will constitute a land use of sustained desirability and stability, and it will compliment and harmonize with the character of the surrounding neighborhood and community.
6. The proposed preliminary development plan is consistent with the Metropolitan Bakersfield General Plan and the objectives of Title 17 of the Bakersfield Municipal Code.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BAKERSFIELD as follows:

1. The recitals above are true and correct and incorporated herein by this reference.
2. The project is exempt from CEQA.
3. Planned Development Review No. 19-0141, as delineated in attached Exhibit B (Location Map) and Exhibit C (Site Development Plan), is hereby approved, subject to the mitigation/conditions of approval contained in Exhibit A.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the Planning Commission of the City of Bakersfield at a regular meeting thereof held on the 20th day of June 2019, on a motion by Commissioner _____ and seconded by Commissioner _____, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED

DANIEL CATER, CHAIR
City of Bakersfield Planning Commission

Exhibits:

1. Mitigation Measures/Conditions of Approval
2. Location Map
3. Site Plan/Elevations

Exhibit 1

(Mitigation/Conditions of Approval)

EXHIBIT 1

Planned Development Review No. 19-0141 Mitigation Measures/Conditions of Approval

- I. The following from shall be satisfied as part of the approval of this project.

GENERAL COMMENTS

1. All mitigation measures and conditions of approval associated with General Plan Amendment/Zone Change No. 07-1977 are hereby incorporated (see attached).
 2. Apartments shall be for moderate, low, and very low income, and the owner shall record as such by declaration or covenant that runs with the land. Moderate, low, and very low income is defined as being at or below 120 percent of the median income of Kern County as established by the State of California. Should the rental base change, the owner shall provide for sufficient parking.
- II. 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. COMMUNITY DEVELOPMENT – BUILDING

(Staff contact - Oscar Fuentes; 661-326-3676 or OFuentes@bakersfieldcity.us)

1. Prior to review of improvement plans by the City, the developer shall submit a grading plan for the proposed site to be reviewed and approved by the City Engineer and Building Official (Bakersfield Municipal Code Section 16.44.010). With the grading plan, 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. 99-08-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 requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared, continuously carried out, and always be available for public inspection during normal construction hours.
2. A grading permit is required prior to final plan approval. The developer shall submit four (4) copies of grading plans and two (2) copies of the preliminary soils report to the Building Division. A final soils report shall also be submitted to the Building Division before they can issue a building permit. Please note that grading plans must be consistent with the final building site plans and landscaping plans. Building permits will not be issued until the grading permit is approved by the Building Division, Planning Division (HCP), and Public Works Department.

3. An approved site utilities plan is required prior to final plan approval.
4. Show on the final building plan how and where water will be drained from the property.
5. Show on the final building plan pedestrian access from the public way and accessible parking. Private streets are not the public way.
6. 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.
7. 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.
8. Buildings or structures shall require installation of an automatic fire sprinkler system where required by current California Building Code and City ordinance.
9. Before the Building Division can allow occupancy of this apartment complex, they must inspect and approve the placement and colors of the address numbers identifying each unit and/or building, and on-site building/unit location maps so that emergency personnel can easily find a specific unit when responding to the site during an emergency.
10. The Building Division will calculate and collect the appropriate school district impact fee at the time they issue a building permit.
11. 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.
12. 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).
13. Show on the final building plan, electric vehicle supply equipment to facilitate future installation as required by the California Green Code.

B. COMMUNITY DEVELOPMENT – PLANNING**(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>Number of Units</u>	<u>Parking Ratio</u>	<u>Required Parking</u>
Building A (2-Story)	8 (1-bedroom)	1 space/unit	8 Spaces
	4 (2-bedroom)	2 spaces/unit	8 Spaces
	4 (3-bedroom)	2 spaces/unit	8 Spaces
Subtotal	16 units		24 Spaces
Building B (2-Story)	8 (1-bedroom)	1 space/unit	8 Spaces
	4 (2-bedroom)	2 spaces/unit	8 Spaces
	4 (3-bedroom)	2 spaces/unit	8 Spaces
Subtotal	16 units		24 Spaces
Building C (2-Story)	8 (1-bedroom)	1 space/unit	8 Spaces
	4 (2-bedroom)	2 spaces/unit	8 Spaces
	4 (3-bedroom)	2 spaces/unit	8 Spaces
Subtotal	16 units		24 Spaces
Building D (2-Story)	8 (1-bedroom)	1 space/unit	8 Spaces
	4 (2-bedroom)	2 spaces/unit	8 Spaces
	4 (3-bedroom)	2 spaces/unit	8 Spaces
Subtotal	16 units		24 Spaces
Building E (2-Story)	8 (1-bedroom)	1 space/unit	8 Spaces
	4 (2-bedroom)	2 spaces/unit	8 Spaces
	4 (3-bedroom)	2 spaces/unit	8 Spaces
Subtotal	16 units		24 Spaces
Building F (2-Story)			
Manager Quarters	1 (3-bedroom)	2 spaces/unit	2 Spaces
Subtotal	1 unit		2 Spaces
Totals	40 (1-bedroom)	1 spaces/unit	40 Spaces
	20 (2-bedroom)	2 spaces/unit	40 Spaces
	21 (3-bedroom)	2 spaces/unit	42 Spaces
Subtotal	81 units		122 Spaces
Income Reduction		25 Percent	(30) Spaces
			92 Spaces
Guest Parking		10 Percent	9 Spaces
		Required Parking	101 Spaces

(Note: 101 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. The developer shall include a copy of a final landscape plan with each set of the final building plans submitted to the Building Division. Building permits will not be issued until the Planning Division has approved the final landscape plan for consistency with approved site plans and minimum ordinance standards. **Please refer to the landscaping requirements in Chapter 17.61.** Landscape plans shall include, but are not limited to, data on: gallon/box size, spacing, species (reference approved parking lot tree list), ratio of deciduous vs. evergreen, shade calculations, ground cover calculations, etc.

(Note 1: At the time a final site inspection is conducted, it is expected that plants will match the species identified and be installed in the locations consistent with the approved landscape plan. Changes made without prior approval of the Planning staff may result in the removal and/or relocation of installed plant materials and delays in obtaining building occupancy.)

(Note 2: No mature landscaping shall be removed without prior approval by the Planning Director.)

(Note 3: Upon approval of the final landscape plan, a digital copy shall be submitted to the Planning staff contact listed above.)

6. Overlooks from windows, balconies, and decks of the second or higher floor into rear yards of property containing single-family homes must be screened (see Section 17.08.090). This condition affects any office, commercial, and industrial building, and any apartment or condominium structure containing three or more units that are within 150 feet of properties zoned R-1, R-S-1A, MH, or PUD, or from condominium projects of a single family character. Screening proposals must be approved by the Planning Division before building permits will be issued. Suggested methods for accomplishing screening are included in the referenced ordinance section.

7. A solid masonry wall shall be constructed adjacent to residentially zoned and/or designated property. 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. If the parking lot, including drive aisles, delivery areas, loading and unloading areas are within 10 feet of residentially zoned property, a 7-foot wide landscape strip that includes landscaping consistent with Chapter 17.61 shall be installed between the wall and parking/drive areas.
8. Provide a site plan showing all dwelling unit designations (by unit number or letter) for each building within the complex.
9. 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.)
10. 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 Community Development 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 Community Development Department, California Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service prior to ground disturbance.
 - d. Prior to ground disturbance, the developer shall have a California Department of Fish and Wildlife approved biologist survey the location for the blunt nose leopard lizard. Survey protocol shall be that recommended by the California Department of Fish and Wildlife. Developer shall be subject to the mitigation measure recommended by the biologist. A copy of the survey shall be provided to the Planning Department prior to ground disturbance.
11. A Park Development and Improvement Fee shall be paid at the time of the building permit being issued. We will base the fee at the rate in effect at the time the permit is issued. The current fee is \$1,870 for each independent residential unit.
 12. Open storage of materials and equipment shall be surrounded and screened with a solid wall or fence (screening also applies to gates). This fence shall be at least 6 feet in height and materials shall not be stacked above the height of the fence.

(Note: Fences taller than 6 feet are allowed in commercial and industrial zones but they will require a building permit).
 13. Areas used for outside storage shall be treated with a permanent dust binder or other permanent dust control measure consistent with the regulations of the San Joaquin Valley Air Pollution Control District.

(Note: All passenger vehicle-parking areas must be paved).
 14. 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.

15. If paleontological resources are encountered during construction, a qualified paleontologist shall be retained by the developer to evaluate the significance of the resources and formulate a mitigation program if necessary. The paleontologist shall coordinate with the Planning Division.
16. 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.
17. 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).
18. 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

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

1. Show on the final building plans the following items:
 - a. All fire lanes. Any modifications shall be approved by the Fire Department. Fire lane identification signs shall be installed every 100 feet with red curbing when curbing is required. All work shall be completed before occupancy of any building or portion of any building is allowed.
 - b. 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.)
 - c. 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.

- d. 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.
 - e. 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. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved fire apparatus access road* with an asphalt, concrete or other driving surface approved by the fire chief. Must be capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds and shall be surfaced with the first lift of asphalt as to provide all-weather driving capabilities. All access (Permanent and temporary) to and around any building under construction must be at least 20 feet wide (26 feet wide where building height exceeds 30 feet), with an overhead clearance of 13 feet 6 inches, and contain no obstruction. The fire apparatus access road shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
 5. Turning Radius: The minimum turning radius shall be thirty-seven feet.
 6. The minimum gate width shall be 20 feet and a minimum vertical clearance of thirteen (13) feet six (6) inches is required when the gate is at full open position. Where there is more than one gate and two or more driveways separated by islands, a minimum horizontal clearance of fifteen (15) feet for each driveway and a minimum vertical clearance of thirteen (13) feet six (6) inches is required when gates are at full open position. Horizontal distance shall be measured perpendicular to the direction of travel on the driveway. Vertical distance shall be measured from the highest elevation of the driveway to the lowest overhead obstruction.
 7. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official. All new construction of access gates shall be equipped with an automatic opening device which is activated through the wireless activation system utilized on City of Bakersfield owned vehicles for traffic preemption. Installation and maintenance of the wireless activation system on access gate(s) shall be completed by the gate owner. The gate opening device shall have a disconnect feature for manual operation of the gate when the power fails.

8. 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.
2. Developer shall submit two (2) sets of water plans signed by a California Registered Civil Engineer to the Water Resources Department showing all offsite and onsite improvements, including connections to the existing water main and underground fire waterlines and related apparatuses. Include any existing nearby on or off-site hydrants on the plans. Plans shall be submitted along with applicable plan check fees and any other associated fees per the current fee schedule. Plans shall comply with current City Standards and Specifications, California Fire Code, and City of Bakersfield Municipal Code. City Standards and Specifications are available for download from the City's website at www.bakersfieldcity.us/gov/depts./water_resources.
3. Developer shall pay the required fire water fees and submit an *Inspection Request Form* to the Water Resources Department for any underground fire waterlines and their apparatuses at least two (2) full business days before permanent construction. The form is available for download from the City's website at www.bakersfieldcity.us/gov/depts/water_resources.

E. PUBLIC WORKS – ENGINEERING (1501 Truxtun Avenue)

(Staff contact – Manpreet Behl; 661-326-3581 or MBehl@bakersfieldcity.us)

1. The developer shall construct curbs, gutters, cross gutters, 5-foot 6-inch wide sidewalks, and street/alley paving along Bernard Street and Pico Avenue 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 install streetlights along Bernard Street and Pico Avenue. The developer shall be responsible for providing the labor and materials necessary to energize all newly installed streetlights before occupancy of the building or site. 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 construct standard accessible ramps at both entrances 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.
4. 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.
5. Show on the final building plans all existing connection(s) to the public sewer system.

6. 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.
7. 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.
8. 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).
9. If the project generates industrial waste, it shall be subject to the requirements of the Industrial Waste Ordinance. An industrial waste permit must be obtained from the Public Works Department before issuance of the building permit. To find out what type of waste is considered industrial, please contact the Wastewater Treatment Superintendent at 661-326-3249.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.

15. 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.
16. 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.
17. 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.
18. 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.
19. 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 – Manpreet Behl; 661-326-3581 or MBehl@bakersfieldcity.us)

1. Show on the final building plans 25' driveway with 20' radius returns (top-to-top). Drive approaches must be centered on drive aisles. All dimensions shall be shown on the final building plans.
2. Street return type approaches, if used, shall have 20-foot minimum radius returns with a 25' throat width on Bernard Street and 36' wide pan-type driveway on Pico Avenue. All dimensions shall be shown on the final building plans.
3. Two-way drive aisles shall be a minimum width of 24 feet. If perpendicular (90°) parking spaces are proposed where a vehicle must back into these aisles, the minimum aisle width shall be 25 feet. All drive aisle dimension shall be shown on the final building plans. Provide a 25' minimum throat width.
4. Show the typical parking stall dimension on the final building plans (minimum stall size is 9 feet x 18 feet and shall be designed according to standards established by the Traffic Engineer).
5. The Bakersfield Municipal Code (Section 17.58.050.K.) prohibits vehicles from backing out of a parking space into a street. Please revise the parking design on the final building plans to eliminate these spaces.

(Note: This prohibition does not include single-family homes in residential zones, or multiple family units on local streets where the Traffic Engineer has determined that backing onto a street will not adversely affect traffic and is similar to a single family residential driveway use.)

6. Walls, fences, or trash enclosures within 10 feet of a sidewalk at an alley or driveway shall not exceed 3 feet in height above the curb flow line. You must either revise the circulation design or show on the final building plans that the maximum fence/wall height will not exceed three feet.
7. The developer shall dedicate additional road right-of-way to the City of Bakersfield along Bernard Street and Pico Avenue to full ☐ arterial ☒ collector ☒ local street width according to adopted city standards.

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, 8, 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 checked="" type="checkbox"/> 4 - 8' deep x 10' wide (2 bins) | <input type="checkbox"/> 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. Residential properties with four (4) units or greater and that are required to have ADA Accessible unit/s, must provide refuse/recycling enclosures that are ADA Accessible (Detail # ST-29).
5. 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.
6. Revise the sites plan to make the trash enclosure accessible to the refuse truck. Move the enclosure towards the front of the site entrance.

(Note: City trucks may not drive down dead end corridors, nor back-up long distances.)

EXHIBIT "1"
ZONE CHANGE 07-1977
CONDITIONS OF APPROVAL

CITY ATTORNEY

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 or 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.

PLANNING

2. The zone change shall be R-3/P.U.D. (Multi-Family Dwelling/Planned Unit Development) zone.

Orderly development.

3. Prior to approval of a site plan review, issuance of a building permit or any other development permit, the developer shall submit and obtain approval and recordation of the appropriate subdivision procedure to create a separate lot(s) for the subject property to eliminate the split zoning of the current property created upon approval of this zone change.

Orderly development.

MITIGATION MEASURES

Air Quality

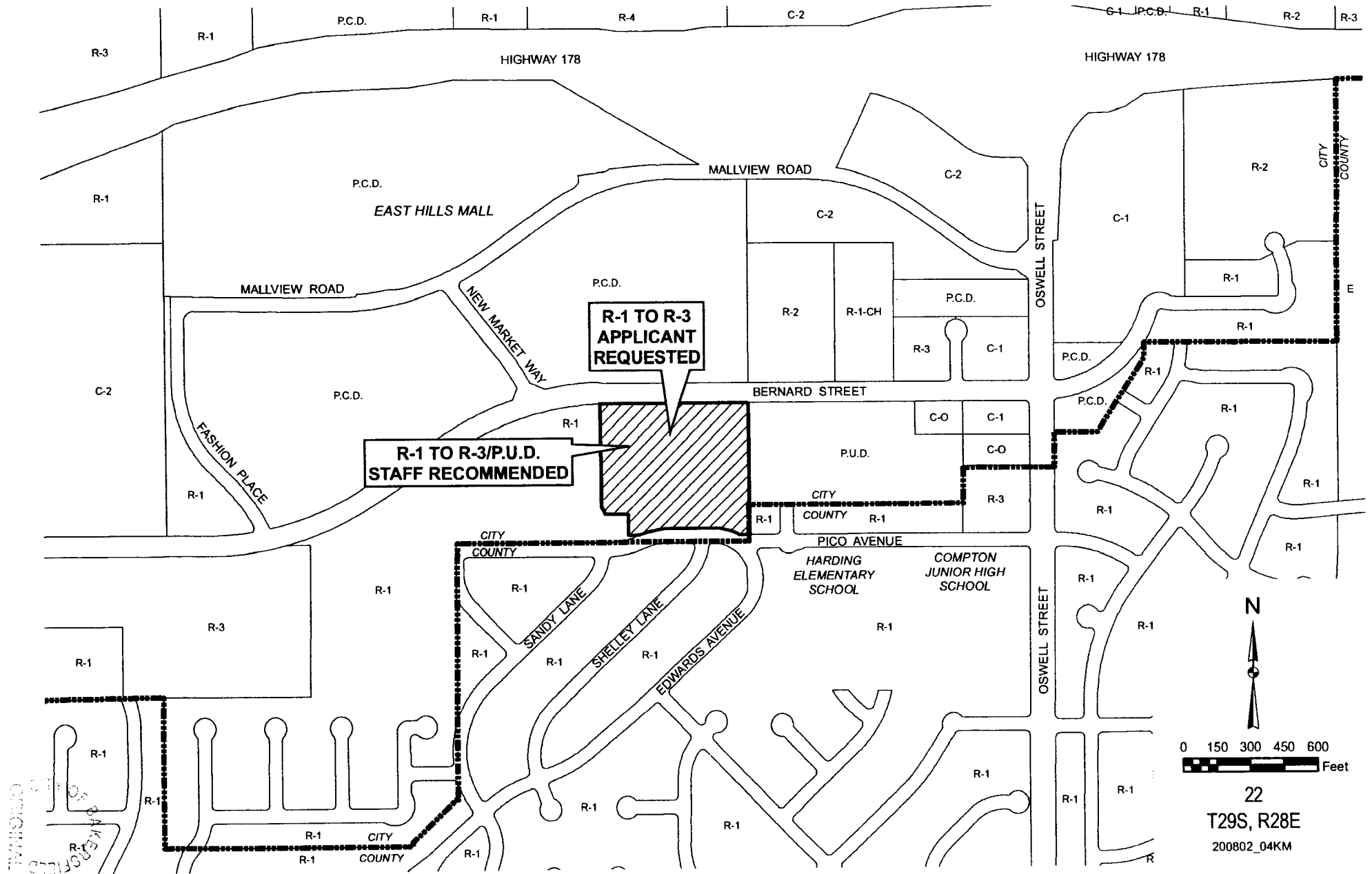
4. If the developer proposes 220 units or more when the project is reviewed in the P.U. D. approval process or during site plan review, an air quality analysis shall be required.

Cultural Resources

5. If during construction activities or ground disturbance, cultural resources are uncovered, the subdivider shall stop work and retain a qualified archeologist for further study. Subdivider shall notify the proper authorities and be subject to any mitigation measures required of the archeologist.

Mitigation measure as recommended the Southern San Joaquin Valley Information Center at CSUB states in their January 25, 2008 letter

ZONE CHANGE 07-1977



22
T29S, R28E
200802_04KM

EXHIBIT "3"

ZONE CHANGE NO. 07-1977

BEING A DIVISION OF PARCEL 1 OF PARCEL MAP WAIVER NO. 34-91, IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, AS PER CERTIFICATE OF COMPLIANCE RECORDED MARCH 30, 1992 IN BOOK 6651, PAGE 2475 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ALSO BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 29 SOUTH, RANGE 28 EAST, MOUNT DIABLO MERIDIAN, IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22;

THENCE (1) SOUTH 89°20'34" WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 22, 580.41 FEET;

THENCE (2) NORTH 00°25'32" WEST, 100.00 FEET;

THENCE (3) SOUTH 89°19'22" WEST, 109.00 FEET;

THENCE (4) NORTH 31°49'42" WEST 38.17 FEET;

THENCE (5) NORTH 00°36'56" WEST 483.44 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 1254.82 FEET, THE CENTER OF WHICH BEARS SOUTH 03°41'57" EAST, SAID CURVE ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF BERNARD STREET;

THENCE (6) EASTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 03°01'09", AN ARC DISTANCE OF 66.18 FEET;

THENCE (7) CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTH 89°19'22" EAST, A DISTANCE OF 644.75 FEET;

THENCE (8) SOUTH 00°25'32" EAST, 618.06 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPTING THEREFROM THAT COUNTY OF KERN PUBLIC ROAD MORE COMMONLY KNOWN AS PICO AVENUE.

CONTAINING 9.76 GROSS ACRES MORE OR LESS



CITY OF BAKERSFIELD
ORIGINAL

Exhibit 2
(Location Map)

PDR 19-0141

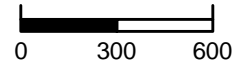
CITY OF BAKERSFIELD

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



Feet



Document Name: 2018_06_04

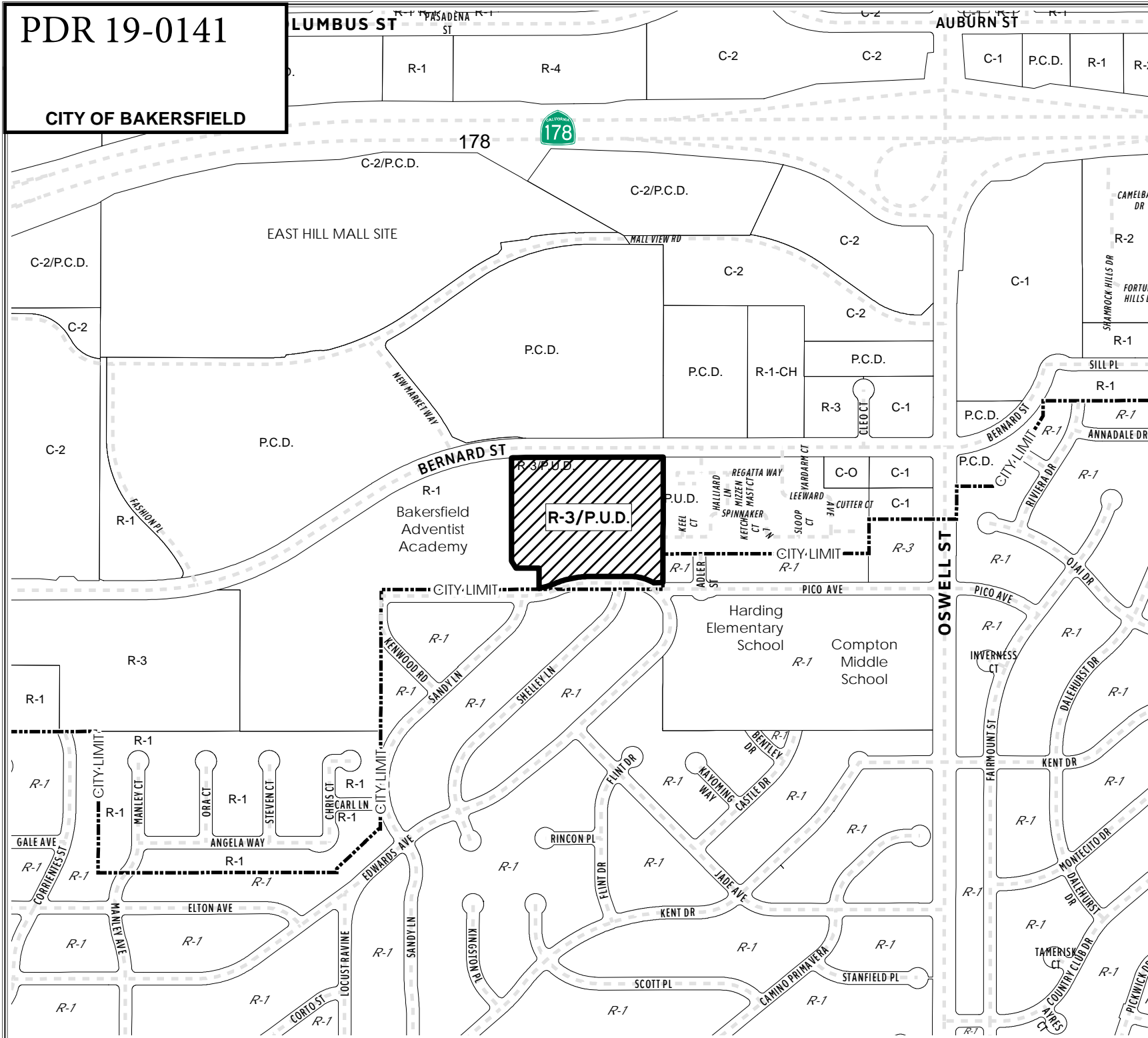
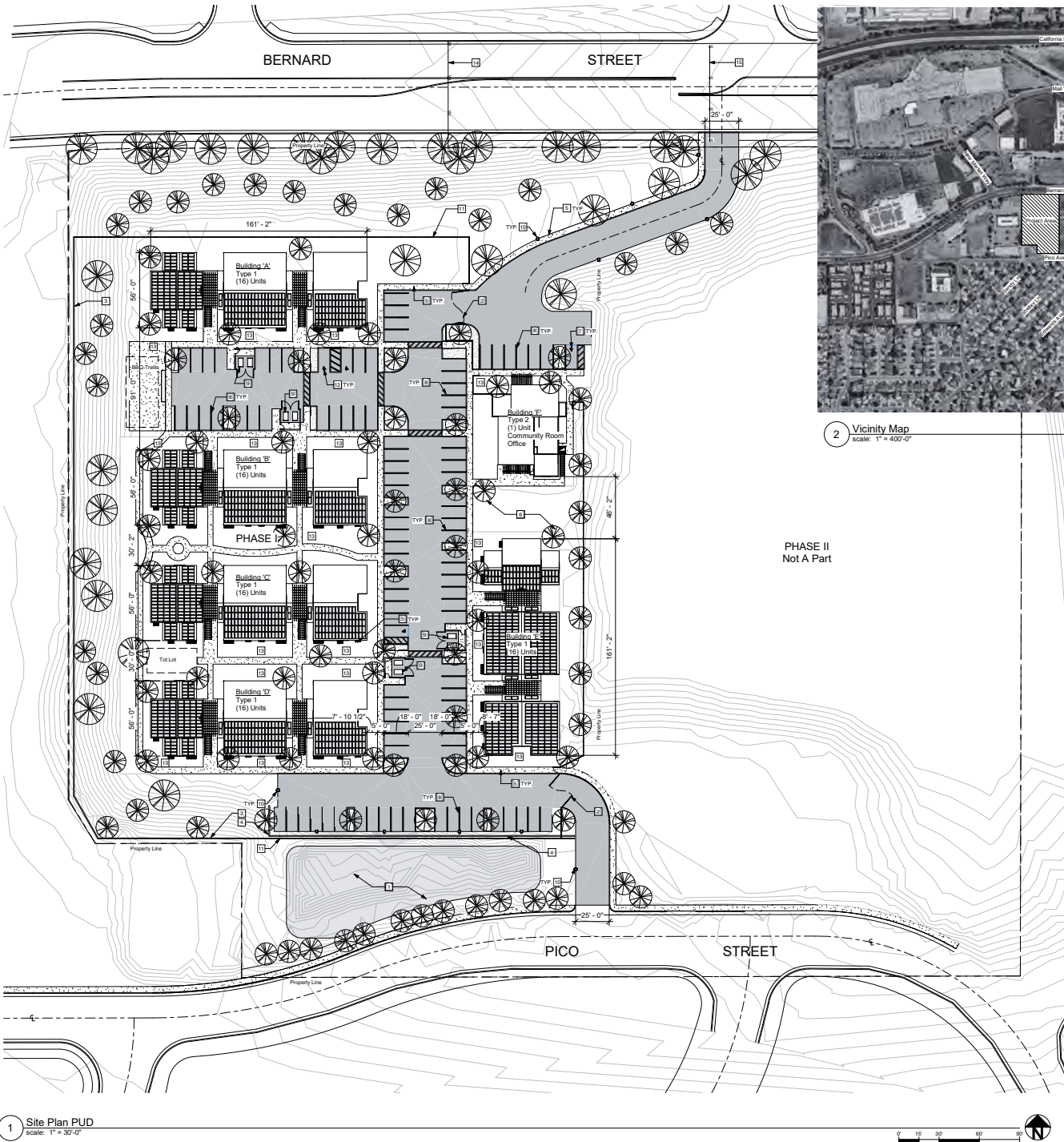


Exhibit 3
(Site Development Plan)



1 Site Plan PUD
scale: 1" = 30'-0"



2 Vicinity Map
scale: 1" = 400'-0"

PHASE II
Not A Part

Site Plan General Notes

- Refer to Civil Grading Permit Plans for drainage information, site walls, site steps and site ramps.
- Refer to Landscape Permit drawings for planting, grading and irrigation plans.
- All items shown are existing, unless noted otherwise.
- Properly completed and signed Certificates of Installation and Certificate of Acceptance shall be provided to the Inspector in the field.
- Spot elevations at exterior walkways/terraces shall not exceed 5% slope. Sidewalks shall not exceed 2 1/4% slope of each walk and sidewalk. Sidewalks and walkways to be finished concrete and to provide usable, firm and slip-resistant surfaces. No abrupt changes in sidewalk or paths are to occur with a greater than 1/4" in elevations.

Keynote Legend

Number	Description
1	Storm Water Retention Basin
2	2'-0" Wrought Iron Fence or Automatic Gates @ E.A. Drive
3	2'-0" x 4'-0" Concrete Block Wall
4	Concrete Block Retaining Wall
5	Concrete Retaining Wall with slope not to exceed 1:20
6	Retaining Area
7	Standard Accession Parking Stall
8	2'-0" x 8'-0" Parking Stall Per City Standards
9	Concrete 2-8in Concrete Block Total Enclosure 8'W x 10'0'. See City Standard Details #01-27, ST-26, ST-29 & ST-32
10	2'-0" Mounted Light
11	2'-0" x 4'-0" Wrought Iron Perimeter Fence
12	Van Accessible Parking Stall
13	Landscape Area, refer to landscape plan
14	Water connection
15	Power connection

Site Plan Legend

---	Scope of Work
---	Parcel Boundaries
---	Setback

Parking Calculations

Parking Summary:	
Project is subject to 25% parking reduction. Units will be rented to moderate, low and very low income (at or below 120% of its median income of Kern County) as established by the State of California.	
Required Parking per Zoning Ordinance:	
(40) Single Bedroom Units (40x17)	40 Stalls
(20) Two Bedroom Units (20x22)	40 Stalls
(11) Three Bedroom Units (21x24)	42 Stalls
Subtotal	122 Stalls
Reduction for income (25%)	30 Stalls
Reduced	92 Stalls
Total Required	192 Stalls
Total Parking Provided	191 Stalls*

* Accessible parking requirements:
3 standard accessible parking stalls
1 van accessible parking stall
Total accessible parking provided (3) standard stalls & (1) van accessible parking stall

Project Analysis

Assessors Parcel Number:	130-162-24
Lot Line Adjustment:	12-0439
Parcel Area:	9.76 acres
Development Area:	5.22 acres
Zoning:	R-3 / P.U.D.
Zoning Setbacks:	
Front yard: 15'-0"	
Side yard: 5'-0"	
Rear yard: 15'-0"	

Building Type 1 Summary - Two Story				
	# Units	# Bedrooms	Area Per Unit	Total Area
First Floor				
One Bedroom (A1)	4	4	627 s.f.	2508 s.f.
Two Bedroom (B1)	2	2	824 s.f.	1648 s.f.
Three Bedroom (C1)	2	6	1032 s.f.	2064 s.f.
Second Floor				
One Bedroom (A1)	4	4	627 s.f.	2508 s.f.
Two Bedroom (B1)	2	2	824 s.f.	1648 s.f.
Three Bedroom (C1)	2	6	1032 s.f.	2064 s.f.
Totals	16	28		12440 s.f.

Building Type 2 Summary - Two Story				
	# Units	# Bedrooms	Area Per Unit	Total Area
First Floor				
Community Center	-	-	-	2032 s.f.
Second Floor				
Three Bedroom (C2)	1	3	1171 s.f.	1171 s.f.
Totals	1	3		3203 s.f.

M.W. STEELE GROUP
ARCHITECTURE | PLANNING
1865 NEWTON AVE | SUITE A
SAN DIEGO | CA | 92113
TELEPHONE 619 239 0325
WWW.MWSTEELGROUP.COM



P.U.D. Submittal

Residences at East Hills
3345 Bakersfield Blvd.
Bakersfield, CA 93306
HOUSING AUTHORITY
LIFE THE QUALITY OF LIFE
Housing for people, places, and progress.

Project Number:	1814
Date:	APRIL 3, 2019
Drawn:	MG
Checked:	MP

No.	Description	Date

NOT FOR CONSTRUCTION
SHEET SIZE: 36" x 36"
DO NOT SCALE DRAWINGS

Site Plan

Scale: As indicated

A1-00



1 Rendered Site Plan
Scale: 1" = 30'-0"



P.U.D. Submittal

Residences at East Hills
3345 Bernard Street
Bakersfield, CA 93306
HOUSING AUTHORITY
L.P. 1111 LOST CITY OF L.A. 1111

Project Number:	1814
Date:	APRIL 3, 2019
Drawn:	MG
Checked:	MP

No.	Description	Date

NOT FOR CONSTRUCTION
SHEET SIZE: 60" x 30"
DO NOT SCALE DRAWINGS

Rendered Site Plan

Scale: 1" = 30'-0"

A1.01

Keynote Legend	
Number	Description

M.W. STEELE GROUP
ARCHITECTURE | PLANNING
 1665 NEWTON AVE | SUITE A
 SAN DIEGO | CA | 92113
 TELEPHONE 619 239 0925
 WWW.MWSTEELE.COM



P.U.D. Submittal

Residences at East Hills
 3345 Bakersfield Street
 Bakersfield, CA 93306
HOUSING AUTHORITY
 OF THE COUNTY OF KERN

Project Number: 1814
 Date: APRIL 3, 2019
 Drawn: MG
 Checked: MP

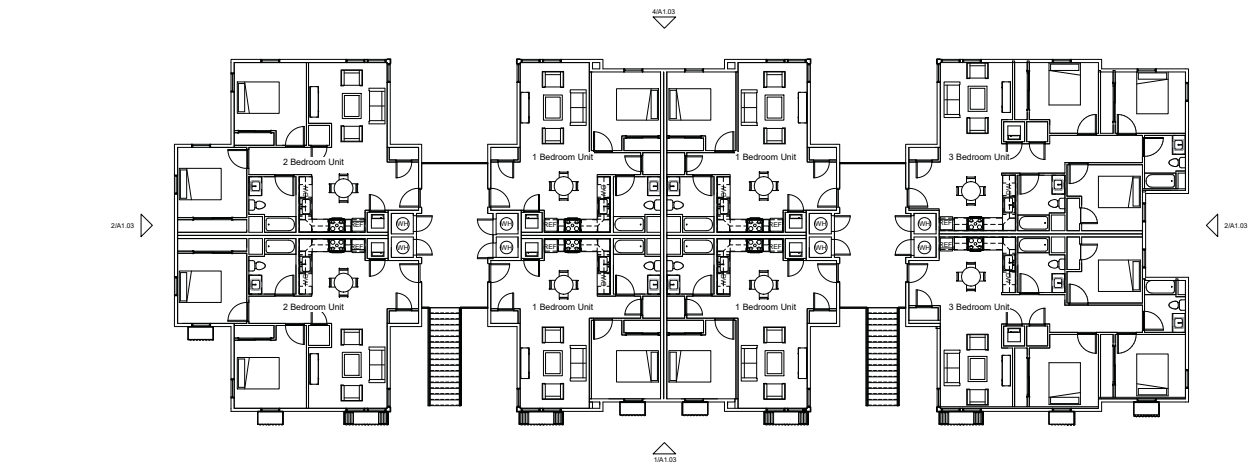
No.	Description	Date

NOT FOR CONSTRUCTION
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 DO NOT SCALE DRAWINGS

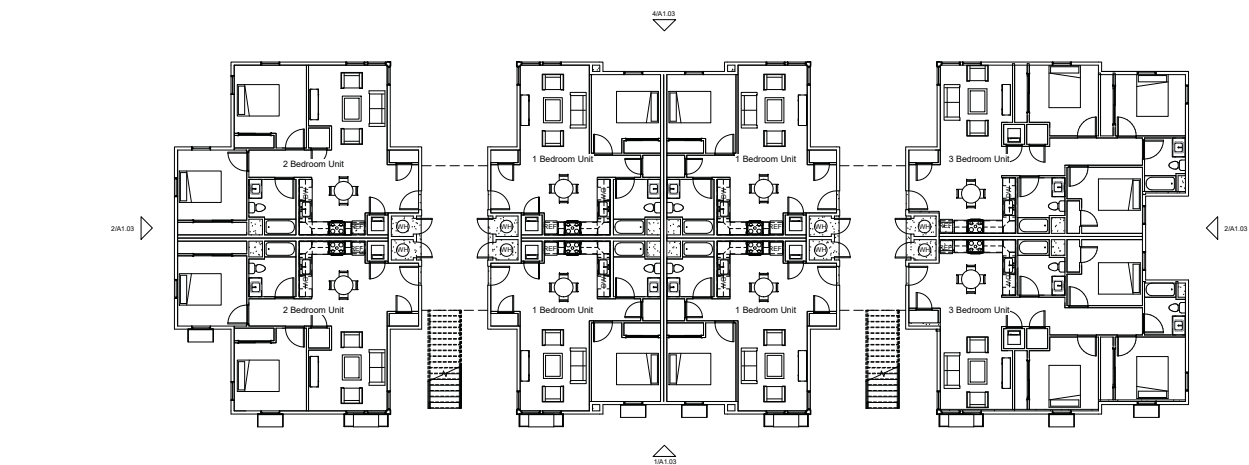
Typical Building Floor Plans

Scale: 1/8" = 1'-0"

A1.02



2 Typical Building Plan- Second Floor
 scale: 1/8" = 1'-0"



1 Typical Building Plan- Ground Floor
 scale: 1/8" = 1'-0"

Keynote Legend	
Number	Description
1	Asphalt Shingle Roof, "Maskey Roofing" Storm Gray
2	Board and Batten Siding, Sherwin Williams' SW 9077 Classic French Gray
3	Lap Siding, Sherwin Williams' SW 7627 White Haze
4	Acorn Shingle Siding, Sherwin Williams' SW 9038 Cinnamon Verde (shown), SW 9022 Yellow Bird, SW 6499 Stream, SW 7707 Copper Wire, SW 6595 Secure Blue (not shown)
5	Wood Trellis
6	Sisal Plant
7	Corrugated Metal Sun Shade

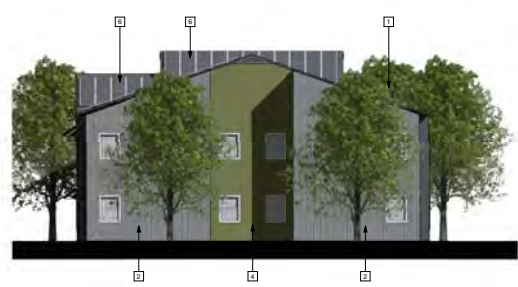
M.W. STEELE GROUP
ARCHITECTURE | PLANNING
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 SAN DIEGO | CA | 92113
 TELEPHONE 619 239 0925
 WWW.MWSTEELEGROUP.COM



1 Front Elevation
 scale: 1/8" = 1'-0"



2 Left Elevation
 scale: 1/8" = 1'-0"



3 Right Elevation
 scale: 1/8" = 1'-0"



4 Back Elevation
 scale: 1/8" = 1'-0"

P.U.D. Submittal

Residences at East Hills
 3345 Bakersfield Street
 Bakersfield, CA 93306
HOUSING AUTHORITY
 L.P. THE CLAYTON CO. LLC
Issued for your review only. Not for construction.

Project Number:	1814
Date:	APRIL 3, 2019
Drawn:	MG
Checked:	MP

No.	Description	Date

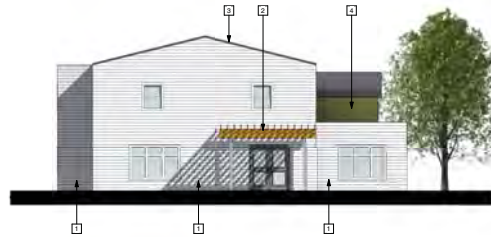
NOT FOR CONSTRUCTION
 SHEET SIZE: 42" x 36"
 DO NOT SCALE DRAWINGS
Typical Building Elevations

Scale: 1/8" = 1'-0"

A1.03

Keystone Legend	
Number	Description
1	Lap Siding, Sherwin Williams SW 7627 White Mason
2	Wood Trellis
3	Asphalt Shingle Roof, Mainkey Roofing, Storm Gray
4	Accent Shale Siding, Sherwin Williams SW 9038 Cocozza Verde (shown), SW 6022 Yellow Bird, SW 4499 Brown, SW 7707 Copper Wire, SW 6558 Secure Blue (not shown)
5	Shed Roof

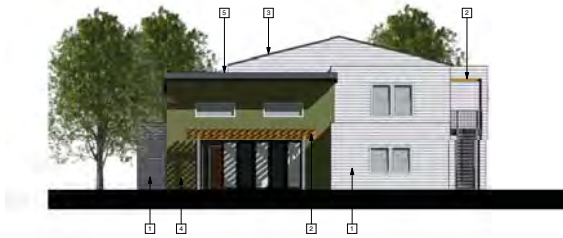
M.W. STEELE GROUP
ARCHITECTURE | PLANNING
 1865 NEWTON AVE | SUITE A
 SAN DIEGO | CA | 92113
 TELEPHONE 619 239 0925
 WWW.MWSTEELE.COM



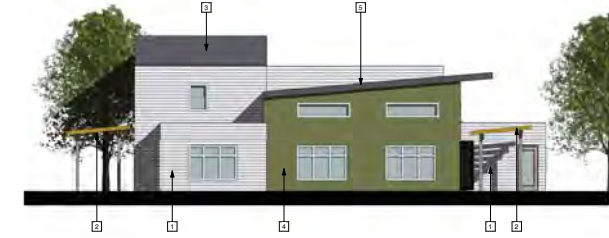
1 Community Center- North Elevation
 scale: 1/8" = 1'-0"



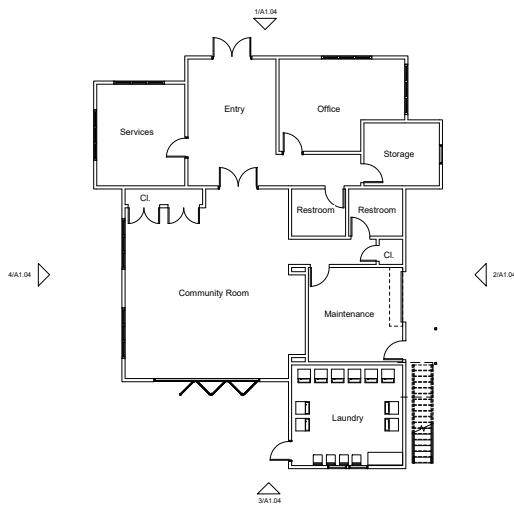
2 Community Center- East Elevation
 scale: 1/8" = 1'-0"



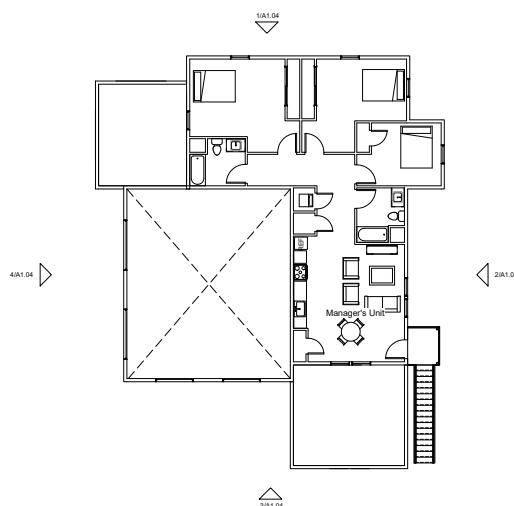
3 Community Center- South Elevation
 scale: 1/8" = 1'-0"



4 Community Center- West Elevation
 scale: 1/8" = 1'-0"



5 Community Center- Ground Floor Plan
 scale: 1/8" = 1'-0"



6 Community Center- Second Floor Plan
 scale: 1/8" = 1'-0"

P.U.D. Submittal

Residences at East Hills
 3345 Bakersfield Street
 Bakersfield, CA 93306
HOUSING AUTHORITY
 L.P. THE CITY OF BAKERSFIELD

Project Number:	1814	
Date:	APRIL 3, 2019	
Drawn:	MG	
Checked:	MP	
No.	Description	Date

NOT FOR CONSTRUCTION
 SHEET SIZE: 42" x 36"
 DO NOT SCALE DRAWINGS
Community Center
 Plans & Elevations

Scale: 1/8" = 1'-0"

A1.04

3333 Bernard Street
Bakersfield, CA 93306



Hologic Corporation



Hologic Corporation

[illegible]PRELIMINARY
LANDSCAPE
PLAN

PUD.L1



COVER SHEET

PLANNING DEPARTMENT

STAFF REPORT

MEETING DATE: June 20, 2019

ITEM NUMBER: Workshops7.(a.)

TO: Chair Cater and Members of the Planning Commission

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

PLANNER: Nina Carter, Associate Planner

DATE:

WARD:

SUBJECT:
2020-25 Consolidated Plan for HUD Funds

APPLICANT: N/A

OWNER: N/A

LOCATION: Citywide

STAFF RECOMMENDATION:

Receive and File

ATTACHMENTS:

Description	Type
2020-25 Consolidated Plan Overview	Staff Report



www.ci.bakersfield.ca.us

CITY OF BAKERSFIELD PLANNING DIVISION STAFF REPORT

TO: Chair Cater and Members of the Planning Commission

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

AGENDA ITEM _____

DATE: June 20, 2019

APPROVED KCC

SUBJECT: 2020 – 2025 Consolidated Plan and Assessment of Fair Housing

RECOMMENDATION: Receive and File

PROJECT BACKGROUND:

On April 3, 2019, the Development Services Department initiated the creation of the 2020 – 2025 Consolidated Plan (ConPlan) and update to the Assessment of Fair Housing (AFH). These two documents will serve as the basis for receiving and investing federal resources in low-to-moderate income (LMI) communities in Bakersfield over the next five years, as well as guide the City's efforts to affirmatively further fair housing in accordance with the Fair Housing Act and other federal and state regulations.

To assist in developing the ConPlan and AFH, the City has retained the services of LeSar Development Consultants (LDC), whose staff has helped develop 25 ConPlans in the last 25 years. LDC will assist the City's community engagement and outreach efforts, collect relevant data, produce drafts of the ConPlan and the AFH, and support City staff in plan presentation, finalization, and submission.

Consolidated Plan

- As an Entitlement Grantee Jurisdiction, the City receives funding for community and economic development from the federal government in proportion to its population, extent of poverty, and other socioeconomic and demographic data. To receive such funding, the City must submit a ConPlan to the U.S. Department of Housing and Urban Development (HUD) every five years. A ConPlan is both the official application to HUD for funding and the strategic document for investing such funds. HUD funds that are granted to the City each year are:
 - Community Development Block Grants (CDBG) – CDBG is a flexible funding source that can be used for both housing and non-housing activities, including neighborhood revitalization, workforce and economic development, community and nonprofit facilities, and infrastructure and public services in low-moderate income communities.
 - HOME Investment Partnerships (HOME) – HOME is used for building, acquiring, and rehabilitating affordable housing for rent and homeownership. It may also be used for direct rental assistance to low-income residents.

- Emergency Solutions Grants (ESG) – ESG funds programs and services supporting homeless individuals and families. This includes operating shelters, providing essential services to shelter residents, offering Rapid Rehousing, and preventing homelessness.
- Housing Opportunities for Persons with AIDS (HOPWA) – HOPWA supports low-income people living with HIV/AIDS and their families by providing affordable housing opportunities.

At current funding levels, the City anticipates a total allocation of over \$30 million during the 2020 – 2025 ConPlan period.

Assessment of Fair Housing

The Fair Housing Act and other federal regulations require HUD to administer housing and community development programs in a manner to advance fair housing goals. The AFH must include an overview of laws, regulations, conditions and other possible obstacles that could affect an individual's or a household's access to housing in Bakersfield.

Community Engagement

- The first step in developing the ConPlan and AFH is engaging the constituents and organizational stakeholders in a participatory process to better understand community needs, preferred investments, and barriers to fair housing choice. This process includes three components: community workshops, stakeholder consultations, and an online survey.

Along with this informational workshop at the Planning Commission meeting on June 20, 2019, three community workshops were held to inform the public and solicit their input on ConPlan and AFH development:

Baker Street Community Room June 17, 2019 5:30 PM	Greenfield Family Resource Center June 18, 2019 3:00 PM	Bakersfield Senior Center June 19, 2019 12:00 PM
---	---	--

The City also conducted consultations with organizational stakeholders with focus group discussions by topic: affordable housing, economic development, community development, homelessness, and community services.

An online survey, offered in both English and Spanish, is available May through July 2019 and further contributes to the City's community engagement efforts. The survey allows community members who are not able to attend workshops or consultations to provide their feedback on the ConPlan and AFH.

ConPlan and AFH Development

- The City expects initial drafts of both the ConPlan and AFH to be completed no later than December 2019. Final drafts will be completed no later than January 2020. This timeline allows ample time for the City to conduct the required month-long public comment in February-March 2020 and public hearings at City Council in April 2020. The documents will be submitted to HUD by May 15, 2020.