



**REGULAR MEETING AGENDA  
OF THE  
ARVIN PLANNING COMMISSION  
(VIA TELECONFERENCE)**

**TUESDAY MAY 19, 2020 6:00pm**

**CITY HALL COUNCIL CHAMBERS  
200 CAMPUS DRIVE, ARVIN**

This meeting is compliant with the Governor’s Executive Order N-25-20 issued on March 4, 2020 and N-29-20 issued on March 18, 2020, allowing for a deviation of teleconference rules required by the Brown Act. The purpose of this is to provide a safe environment for staff and the public to conduct city business, while allowing for public participation. The meeting will be held by teleconference only. **The public may participate by calling:**

**1-877-568-4106**

**Access Code 180-327-837#**

**To join the meeting from your computer, tablet or smartphone click on the following link:**

<https://global.gotomeeting.com/join/180327837>

**The meeting agendas are available at:** <https://www.arvin.org/government/clerk/meeting-agendas-minutes/planning-commission/>

The Planning Commission will accept comments on any items on the agenda, inclusive of closed session items, in writing, and in advance of the meeting, **up until Monday, May 18, 2020 at 3:00pm**. Comments may be mailed to City of Arvin, City Clerk’s Office, PO Box 548, Arvin, CA 93203 or emailed to [cvela@arvin.org](mailto:cvela@arvin.org). In the subject line, please provide “PUBLIC COMMENT ITEM #” (insert the item number relevant to your comment) or “PUBLIC COMMENT NON-AGENDA ITEM”. All public comments will be provided to the Arvin Planning Commission and may be read into the record or compiled as part of the record.

**CALL TO ORDER**

Chair Gerardo Tinoco

**PLEDGE OF ALLEGIANCE**

\*\*\*\*\*

**ROLL CALL:**

- |                  |                                   |
|------------------|-----------------------------------|
| Gerardo Tinoco   | Chairperson                       |
| Miguel Rivera    | Vice Chairperson                  |
| Arturo Hinojosa  | Planning Commissioner             |
| Yesenia Martinez | Planning Commissioner             |
| Cesar Moreno     | Planning Commissioner             |
| Sergio Hernandez | Planning Commissioner (Alternate) |

\*\*\*\*\*

## **PUBLIC COMMENTS:**

The meetings of the City Council and all municipal entities, commissions, and boards (“the City”) are open to the public. At regularly scheduled meetings, members of the public may address the City on any item listed on the agenda, or on any non-listed matter over which the City has jurisdiction. At special or emergency meetings, members of the public may only address the City on items listed on the agenda. The City may request speakers to designate a spokesperson to provide public input on behalf of a group, based on the number of people requesting to speak and the business of the City.

In accordance with the Brown Act, all matters to be acted on by the City must be posted at least 72 hours prior to the City meeting. In cases of an emergency, or when a subject matter needs immediate action or comes to the attention of the City subsequent to the agenda being posted, upon making certain findings, the City may act on an item that was not on the posted agenda.

## **AGENDA STAFF REPORTS AND HANDOUTS:**

Staff reports and other disclosable public records related to open session agenda items are available at City Hall, 200 Campus Drive, Arvin, CA 93203 during regular business hours.

## **CONDUCT IN THE CITY COUNCIL CHAMBERS:**

### **Rules of Decorum for the Public**

Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, clapping, whistling, stamping of feet or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the City meeting infeasible. A member of the audience engaging in any such conduct shall, at the discretion of the presiding officer or a majority of the City, be subject to ejection from the meeting per Gov. Code Sect. 54954.3(c).

### **Removal from the Council Chambers**

Any person who commits the following acts in respect to a meeting of the City shall be removed from the Council Chambers per Gov. Code Sect. 54954.3(c).

- (a) Disorderly, contemptuous or insolent behavior toward the City or any member thereof, tending to interrupt the due and orderly course of said meeting;
- (b) A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting;
- (c) Disobedience of any lawful order of the Mayor, which shall include an order to be seated or to refrain from addressing the City; and
- (d) Any other unlawful interference with the due and orderly course of said meeting.

---

### **AMERICANS with DISABILITIES ACT:**

In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by the City, please contact the City Clerk’s office, (661) 854-3134. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

**1. Approval of Agenda As To Form.** Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: PC Martinez \_\_\_\_\_ PC Hinojosa / Alt. PC Hernandez \_\_\_\_\_ PC Moreno \_\_\_\_\_ VC Rivera \_\_\_\_\_

Chair Tinoco \_\_\_\_\_

**2. PUBLIC COMMENTS**

*This portion of the agenda is reserved for persons wishing to address the Planning Commission. At regularly scheduled meetings, members of the public may address the Planning Commission on any matter that is not listed for review on the agenda. At special or emergency meetings, members of the public may only address the Planning Commission on matters that are listed for review on the agenda. Individuals must give their name and limit their comments to two minutes. Issues raised during Public Comments are informational only and the Planning Commission cannot take action at this time. All comments shall be directed towards the Chairperson and not to individual Commissioners or staff.*

**3. CONSENT AGENDA ITEM(S)**

**A. Approval of the Minutes of the Special Meeting of April 27, 2020.**

Staff recommends approval of the Minutes of the Special Meeting of April 27, 2020.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: PC Martinez \_\_\_\_\_ PC Hinojosa / Alt. PC Hernandez \_\_\_\_\_ PC Moreno \_\_\_\_\_ VC Rivera \_\_\_\_\_

Chair Tinoco \_\_\_\_\_

**4. PUBLIC HEARING(S)**

**A. A Public Hearing to Consider Approval of A Resolution of the Planning Commission of the City of Arvin For Site Development Plan No. 2020-SDP300Sycamore and Conditional Use Permit 2020-CUP300Sycamore for Cannabis Operation for Micro-Business Type 12, Type 3B Cultivation Mixed-Light Medium, Type 6 Manufacturer 1, Type 7 Manufacturer 2, Type 11 Distributor, and (1) Type 8 Testing Laboratory, Type 9 Non-Storefront Retailer (Delivery Only), Type 10 Retailer (Delivery Only) to be Implemented in Seven Phases and Adoption of A Related CEQA Exemption Findings Pursuant to the California Environmental Quality Act.**

Staff recommends the Planning Commission open the hearing; allow for public testimony; close the hearing; and approve the resolution approving Site Development Permit 2020-SDP300Sycamore and Conditional Use Permit 2020-CUP300Sycamore located at 300 Sycamore Road for Cannabis Operation and adoption of a CEQA exemption finding pursuant to the California Environmental Quality Act.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: PC Martinez \_\_\_\_\_ PC Hinojosa / Alt. PC Hernandez \_\_\_\_\_ PC Moreno \_\_\_\_\_ VC Rivera \_\_\_\_\_

Chair Tinoco \_\_\_\_\_

**5. REPORTS FROM STAFF**

**6. PLANNING COMMISSIONER COMMENTS**

**7. ADJOURNMENT**

I hereby certify, under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted on the City Hall Bulletin Board, not less than 24 hours prior to the meeting. Dated: May 15, 2020.



---

Cecilia Vela, Secretary

**SPECIAL MEETING MINUTES  
ARVIN PLANNING COMMISSION**

**APRIL 27, 2020**

**CALL TO ORDER @ 6:06PM**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL: PC Moreno, PC Hinojosa and PC Rivera absent; All others present.**

**1. Approval of Agenda As To Form.**

**Motion to approve the Agenda.**

Motion PC Martinez                      Second PC Hernandez                      Vote 3-0

**2. PUBLIC COMMENTS**

*This portion of the agenda is reserved for persons wishing to address the Planning Commission. At regularly scheduled meetings, members of the public may address the Planning Commission on any matter that is not listed for review on the agenda. At special or emergency meetings, members of the public may only address the Planning Commission on matters that are listed for review on the agenda. Individuals must give their name and limit their comments to two minutes. Issues raised during Public Comments are informational only and the Planning Commission cannot take action at this time. All comments shall be directed towards the Chairperson and not to individual Commissioners or staff.*

**3. CONSENT AGENDA ITEM(S)**

**A. Approval of the Minutes of the Regular Meeting of October 15, 2019.**

Staff recommends approval of the Minutes of the Regular Meeting of October 15, 2019.

**Motion to approve the Minutes of the Regular Meeting of October 15, 2019.**

Motion PC Martinez                      Second PC Hernandez                      Vote 3-0

**4. PUBLIC HEARING(S)**

**A. A Public Hearing to Consider A Resolution of the Planning Commission of the City of Arvin, County of Kern, State of California, Recommending to the City Council the Approval of An Ordinance of the City Council of the City of Arvin Adopting Chapter 17.65 of Title 17 of the Arvin Municipal Code Pertaining to Hemp Activity and Related CEQA Determination.**

Staff recommends the Planning Commission open the hearing; allow for public testimony; close the hearing; and approve the resolution.

**Hearing opened.**

**Public Testimony: Six (6) members of the public spoke in favor of the Resolution.**

**No members of the public spoke in opposition of the Resolution. An email dated April 27, 2020 addressed to the City of Arvin City Clerk from Greg Fankhauser, Kern**

**County Agricultural Commissioner regarding hemp/marijuana cultivation requirements was read into the record.**

**Hearing closed.**

Motion Chair Tinoco          Second PC Hernandez          Vote 3-0

**Resolution No. APC2020-01**

**5. REPORTS FROM STAFF**

**NONE**

**6. PLANNING COMMISSIONER COMMENTS**

**NONE**

**7. ADJOURNED @ 7:01PM**

Respectfully submitted,

---

Cecilia Vela, Secretary

**DRAFT**



**CITY OF ARVIN  
Planning Commission**

**Meeting Date: May 19, 2020**

**TO:** Arvin Planning Commission Members

**FROM:** Mitzy Cuxum, Senior Planner  
R. Jerry Breckinridge, City Manager

**SUBJECT:** Public Hearing to consider and adopt a resolution of the Planning Commission of the City of Arvin Approving Site Development Permit (2020-SDP300Sycamore) and Conditional Use Permit (2020-CUP300Sycamore) located at 300 Sycamore Road for Cannabis Operation and adoption of a CEQA exemption finding pursuant to the California Environmental Quality Act

**RECOMMENDATION:**

Staff recommends that the Planning Commission approve the attached Resolution for Site Development Permit (2020-SDP300Sycamore) and Conditional Use Permit (2020-CUP300Sycamore) for Cannabis Operation operations that would allow the use of Micro-Business Type 12, Type 3B Cultivation Mixed-Light Medium, Type 6 Manufacturer 1, Type 7 Manufacturer 2, Type 11 Distributor, and Type 8 Testing Laboratory, Type 9 Non-Storefront Retailer (delivery only), Type 10 Retailer (delivery only) to be implemented in seven phases, and adoption of a related CEQA exemption findings pursuant to the California Environmental Quality Act

**APPLICANT AND LOCATION:**

Applicant:	C&Z Farms, Curtis Arthur, P.O Box 713 Arvin, CA 93203
Project Address:	300 Sycamore Road, Arvin, CA 93434
Project Location:	300 Sycamore Road is located at the north of sycamore Rd. west corner of potato Rd. and east of Tejon Highway. The project location may be also by identified by 1071,1065, 1051, 1041, 1011, 1021, 1061 1101, 1001 Potato Road Potato Road
Assessor Parcel No.	193-150-19 consisting of 9.3 acres.
Zoning:	M-2, Light Manufacturing Zone
General Plan Land Use Designation	Industrial

## **BACKGROUND:**

The City adopted Chapter 17.64 Commercial Cannabis Activity on June 19, 2018 permitting specific commercial cannabis activities by conditional use permit, including within the M-2 zoned district. The ordinance includes protections for the community, including restricting uses near homes, schools, parks and libraries.

C&Z Farms, Curtis Arthur, (“Developer”) has filed applications with the City for development of 300 Sycamore Road, in Arvin, California, which is generally located north of Sycamore Road fronting on an unimproved road to the west “Potato Road” and east of Tejon Highway. The Developer is proposing the property be used for the development of cannabis uses that would allow for various licenses to be used in the property. The proposed Cannabis Operation is to be implemented in seven phases of development. The CUP and SDP (collectively “entitlements”) will allow for commercial cannabis activities to operate at the site.

The applicant proposed the following phases:

1. Phase 1 will consist of three separate buildings. The permitted Licenses and uses will include a Type 12 Micro-Business, Type 11 Distributor, Type 8 Testing Laboratory, and Type 7 Manufacture 2.
2. Phase 2 consist of a one 13,277 SQF building. The permitted Licenses and uses will include a Type 3B Cultivation; Mixed Light; Medium, Type 6 Manufacturer 1, Type 7 Manufacture 2, and Type 11 Distributor.
3. Phase 3 consist of one 26,300 SQF building. The permitted Licenses and uses will include a Type 3B Cultivation; Mixed Light; Medium, Type 6 Manufacturer 1, Type 7 Manufacture 2, and Type 11 Distributor.
4. Phase 4 consist of one 26,300 SQF building. The permitted Licenses and uses will include a Type 3B Cultivation; Mixed Light; Medium, Type 6 Manufacturer 1, Type 7 Manufacture 2, and Type 11 Distributor.
5. Phase 5 consist of two buildings and the combined SQF is 32,000.
6. Phase 6 consist of one 13,205 SQF building.
7. Phase 7 consist of one 11,000 SQF building.

Once the Developer has obtained approval of the entitlements, the Developer will then be required to obtain further permits for each cannabis license use as required by Chapter 17.64 of the Arvin Municipal Code, as well as the appropriate licenses from the State before operations may commence.

## **CONDITIONS OF APPROVAL:**

In addition to requiring compliance with the detailed conditions of the City’s commercial cannabis ordinance, the CUP and SDP include conditions related to on-site improvements which include landscaping, parking, hours of operation (which are allowed 24 hours a day, 365 days a year for cultivation activities), road improvement of Potato Road, building code, business license, locations of types of operations within the building, approvals by other agencies, etc. See the attachment to the proposed Resolution for additional details.

## **ENVIRONMENTAL CONSIDERATIONS:**

The City has performed a preliminary assessment of this project and, pursuant to the California PC Hearing of May 19, 2020 – C&Z Farms, 300 Sycamore Road



Environmental Quality Act (CEQA) Guidelines section 15061(b)(3), proposes to determine with certainty that there is no possibility this project will have a significant effect on the environment. The project will use existing facilities and will be subject to the restrictions of the Arvin Municipal Code for cannabis operations, including odor, noise, etc.

**PUBLIC NOTIFICATION:**

The City properly noticed the June 18, 2019, public hearing before the Planning Commission for the proposed Site Development Permit (SDP) and Conditional Use Permit (CUP) 2019-901, 921, and 991 Potato Road pursuant to Government Code sections 65090 and 65091 by publication in the newspaper on May 2, 2020. A copy of the notice is attached to this staff report, Exhibit D. In addition, the City Clerk provided notice of the proposed conditional use permit by mailing the public notice to all property owners within the 300-foot radius.

**ATTACHMENTS:**

1. Resolution of the Planning Commission of the City Of Arvin Approving Resolution for Site Development Permit (2020-SDP300Sycamore) and Conditional Use Permit (2020-CUP300Sycamore) for Cannabis Operations and environmental assessment.
  - Exhibit A Conditions of Approval for CUP
  - Exhibit B Conditions of Approval for SDP
  - Exhibit C Approved Site Plan
2. Copy of Published Public Hearing Notice

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARVIN APPROVING RESOLUTION FOR SITE DEVELOPMENT PLAN NO. 2020-SDP300SYCAMORE AND CONDITIONAL USE PERMIT 2020-CUP300SYCAMORE FOR CANNABIS OPERATION FOR MICRO-BUSINESS TYPE 12, TYPE 3B CULTIVATION MIXED-LIGHT MEDIUM, TYPE 6 MANUFACTURER 1, TYPE 7 MANUFACTURER 2, TYPE 11 DISTRIBUTOR, AND (1) TYPE 8 TESTING LABORATORY, TYPE 9 NON-STOREFRONT RETAILER (DELIVERY ONLY), TYPE 10 RETAILER (DELIVERY ONLY) TO BE IMPLEMENTED IN SEVEN PHASES AND ADOPTION OF A RELATED CEQA EXEMPTION FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, C&Z Farms, Curtis Arthur (“Developer”) desires to develop 300 Sycamore in Arvin, California (APN: 193-150-19), which is generally located northwest corner of South Derby and Sycamore Road. The project location may be also by identified by 1071,1065, 1051, 1041, 1011, 1021, 1061 1101, 1001 Potato Road Potato Road (the “Project Area” or “Property”) for cannabis uses under (the “Project”):

**WHEREAS**, the Developer has filed applications for development of the Property as follows:

- 1) An application for a conditional use permit (2020-CUP300Sycamore) for cannabis operations, which would allow the use of Micro-Business Type 12, Type 3B Cultivation Mixed-Light Medium, Type 6 Manufacturer 1, Type 7 Manufacturer 2, Type 11 Distributor, and Type 8 Testing Laboratory, Type 9 Non-Storefront Retailer (delivery only), Type 10 Retailer (delivery only), and
- 2) An application for a site development permit (2020-CUP300Sycamore); and

**WHEREAS**, the Developer will file for Commercial Cannabis Permit(s) Application as required by Chapter 17.64 of the Arvin Municipal Code, for cannabis uses in the Project Area upon approval of CUP and SDP approvals by the Planning Commission.

The various entitlements are collectively referred to as “Project Approvals”; and

**WHEREAS**, the Developer proposes to implement the project in seven phases and the project proposed phasing is as follows:

1. Phase 1 will consist of three separate buildings. The permitted Licenses and uses will include a Type 12 Micro-Business, Type 11 Distributor, Type 8 Testing Laboratory, and Type 7 Manufacture 2.
2. Phase 2 consist of a one 13,277 SQF building. The permitted Licenses and uses will include a Type 3B Cultivation; Mixed Light; Medium, Type 6 Manufacturer 1, Type 7 Manufacture 2, and Type 11 Distributor.
3. Phase 3 consist of one 26,300 SQF building. The permitted Licenses and uses will include a Type 3B Cultivation; Mixed Light; Medium, Type 6 Manufacturer 1, Type

- 7 Manufacture 2, and Type 11 Distributor.
4. Phase 4 consist of one 26,300 SQF building. The permitted Licenses and uses will include a Type 3B Cultivation; Mixed Light; Medium, Type 6 Manufacturer 1, Type 7 Manufacture 2, and Type 11 Distributor.
5. Phase 5 consist of two buildings and the combined SQF is 32,000.
6. Phase 6 consist of one 13,205 SQF building.
7. Phase 7 consist of one 11,000 SQF building.

**WHEREAS**, the CUP and SDP are being considered concurrently; and

**WHEREAS**, the City performed a preliminary environmental assessment pursuant to the requirements of the California Environmental Quality Act (California Public Resources Code section 21000, et seq.) and the Guidelines thereunder (14 California Code of Regulations section 15000, et seq.) (collectively, “CEQA”), and determined the Project Approvals were subject to exemptions pursuant to CEQA Guidelines Section 15061(b)(3), proposes to determine with certainty that there is no possibility this project will have a significant effect on the environment. The project will use existing facilities and will be subject to the restrictions of the Arvin Municipal Code for cannabis operations, including odor, noise, etc.

**WHEREAS**, public notice for the public hearing was published in the Bakersfield Californian on May 2<sup>nd</sup> 2020, and notices were mailed to individual property owners within 300-feet of the project site; and

**WHEREAS**, notice has been given in the time and in the manner required by State Law and City Code; and

**WHEREAS**, 2020-CUP300Sycamore and 2020-SDP300Sycamore have been assessed for the purposes of CEQA as noted above; and

**WHEREAS**, the Planning Commission held a public hearing on May 19, 2020, regarding 2020-CUP300Sycamore and 2020-SDP300Sycamore and the CEQA assessment and has received testimony and other evidence at the meeting regarding the same; and

**WHEREAS**, the Planning Commission of the City of Arvin now desires to 2020-CUP300Sycamore and 2020-SDP300Sycamore and associated CEQA findings as set forth below.

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

1. The recitals and findings set forth above are true and correct and incorporated herein by this reference.
2. The Planning Commission find and adopts an exemption pursuant to California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3), as there is no possibility this project will have a significant, adverse, effect on the environment. The project will use existing facilities and will be subject to the restrictions of the Arvin Municipal Code for cannabis operations, including odor, noise, etc. Further, none of the exceptions to categorical exemptions set forth in CEQA Guidelines, section 15300.2, apply to this project.

3. The Planning Commission finds as follows with regard to Conditional Use Permit CUP 2020-CUP300Sycamore:

a. The commercial cannabis business satisfies all requirements of Section 17.64.210 of the Arvin Municipal Code and all other requirements of Chapter 17.64 pertaining to the location of the commercial cannabis business. The project is conditioned to comply with Chapter 17.64, including Section 17.64.210 regulating conditional use permits.

b. The commercial cannabis business satisfies all requirements of Chapter 17.56. Specifically, the proposed use complies with the regulations for the issuance of a conditional use permit.;

b. The proposed land use will be compatible with the uses authorized in and the regulations prescribed for the zoning district and area in which the premises of the business is located. The commercial cannabis activities or operations for Phases 1, 2, 6, and 7 are within an existing building identified as 300 Sycamore in Arvin, CA, and Site Plan attached hereto as Exhibit C The proposed use is consistent with the various elements and/or objectives of the City of Arvin's comprehensive general plan, as well as the City's commercial cannabis ordinance and zoning ordinance including the applicable zoned district designation.

d. The proposed land use will not be detrimental to the health, safety, environmental quality, and general welfare of the community. The operations are conditioned to comply with Chapter 17.56, which is designed to protect the community health, safety, environmental quality, and general welfare of the community. Additionally, the project has been assessed under CEQA, and determined that it will not have a significant, adverse, effect on the environment as noted above.

e. The issuance of the conditional use permit is consistent with the terms of any development agreement entered into pursuant to Section 17.64.200. As this project does not have a development agreement, issuance of a conditional use permit will not be inconsistent with a non-existent agreement.

4. The Planning Commission approves Conditional Use Permit (2020-CUP300Sycamore, subject to the conditions and requirements set forth in Exhibit A, for the property located at 300 Sycamore also sometimes identified as 1071,1065, 1051, 1041, 1011, 1021, 1061 1101, 1001 Potato Road Potato Road.

5. The Planning Commission further finds as follows with regard to Site Development Permit 2020-SDP300Sycamore,

a. The existing buildings, located at 300 Sycamore, Arvin, CA, have been vacant for more than 90 days, and the project is a change of use from a processing warehouses to cannabis Micro-Business Type 12, Type 3B Cultivation Mixed-Light Medium, Type 6 Manufacturer 1, Type 7 Manufacturer 2, Type 11 Distributor, and (1) Type 8 Testing Laboratory, Type 9 Non-Storefront Retailer (delivery only), Type 10 Retailer (delivery only)

- b. The proposed greenhouses are new construction and subject to Chapter 17.60 Site Development Permit;
  - c. As conditioned, 2020-SDP300Sycamore has met the requirements of the Arvin Municipal Code, including Chapter 17.70 (Site Development Standards), Chapter 17.64 (Commercial Cannabis Activity), and all applicable laws and ordinances of the City, including compliance with all applicable City policies duly adopted by a majority vote of the Planning Commission or the City Council;
  - d. As conditioned, 2020-SDP300Sycamore, meets the requirements for site layout, building appearance and structural design, landscaping, water and sewer service and other utilities, surface drainage and erosion control, fire protection, access, traffic circulation and parking. Compliance shall be confirmed with the City of Arvin prior to the issuance of the Certificate of Occupancy by the City of Arvin’s Building Official; and
  - e. Approval of 2020-SDP300Sycamore will not be detrimental to the health, safety, peace, morals, comfort or general welfare. The businesses and greenhouses will be required to comply with the conditions of the Conditional Use Permit. This includes conditions and requirements of the Arvin Municipal Code, including those designed to ensure the buildings are not detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood. The particular location of this project is not located near residences, the property is zoned for industrial uses, and is compatible with the other agricultural processing and associated uses in the area. Additionally, the buildings and operations have been assessed under CEQA, and will not have a significant, adverse, effect on the environment for persons in the area.
6. The Planning Commission approves Site Development Permit 2020-SDP300Sycamore, subject to the conditions and requirements set forth within Exhibit B, for the property located 300 Sycamore Road, Arvin, CA.
7. Approval of Conditional Use Permit 2020-CUP300Sycamore and 2020-SDP300Sycamore, shall not become effective until the Developer and any property owner(s) or business owners(s) of the project shall submit affidavits of acceptance of the conditions of approval for this project, including an acknowledgement that failure to comply with the conditions of approval shall constitute grounds for suspension, revocation and/or other enforcement action.

/////

/////

/////

/////

/////

/////

/////

**I HEREBY CERTIFY** that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Arvin at a regular meeting thereof held on the 19<sup>th</sup> day of May 2020 by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
**CECILIA VELA**, Secretary

**ARVIN PLANNING COMMISSION**

By: \_\_\_\_\_  
**GERARDO TINOCO**, Chairperson

Exhibit A: Conditions of Approval (CUP)

Exhibit B: Conditions of Approval (SDP)

Exhibit C: Approved Site Plan

I, \_\_\_\_\_, Secretary of the Planning Commission of the City of Arvin, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Resolution passed and adopted by the Planning Commission of the City of Arvin on the date and by the vote indicated herein.

**EXHIBIT A  
CONDITIONS OF APPROVAL**

**CONDITIONAL USE PERMIT 2020-CUP300SYCAMORE FOR  
CANNABIS OPERATIONS**

**NOTICE TO PROJECT APPLICANT**

In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within ninety (90) calendar days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project.

This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

**PART A - PROJECT INFORMATION**

Applicant:	C&Z Farms, Curtis Arthur, PO Box 713 Arvin, CA 93203
Project Address:	300 Sycamore Road, Arvin, CA 93434
Project Location:	300 Sycamore Road is located at the north of Sycamore Rd. west corner of Potato Rd. and east of Tejon Highway. The project location may be also by identified by 1071, 1065, 1051, 1041, 1011, 1021, 1061 1101, 1001 Potato Road
Assessor Parcel No.	193-150-19 consisting of 9.3 acres.
Zoning:	M-2, Light Manufacturing Zone
General Plan Land Use Designation	Industrial

**PART B — GENERAL CONDITIONS AND REQUIREMENTS**

The Planning Commission approved the following conditions on May 19, 2020, and the project must comply with all of the following conditions and requirements:

1. Location of Use. Application and operation shall be limited to the project site located at 300 Sycamore Road, Arvin, CA, also known as (AKA) 1071,1065, 1051, 1041, 1011, 1021, 1061 1101, 1001 Potato Road, Arvin, CA 93203, currently consisting a 9.3 acre site with five existing buildings.
2. Approvals: The project shall be implemented and used in accordance with all approved plans, conditions of approval, and other required permits and approvals.
3. Site Development Permit. A Site Development Permit is required for this use. Prior to the issuance of a Certificate of Occupancy by the City of Arvin’s Building Official, the conditions and requirements as established under the Site Development Permit application, 2020-

SDP300Sycamore shall be completed.

4. Construction and Building Improvements. Building improvements, including greenhouses, shall meet the requirements of city, state, and federal codes including Arvin Municipal Code Chapter 17.60 Site Development Permits and Chapter 17.70 Site Development Standards, which includes but not limited to on-site and off-site improvements. All construction shall comply with applicable building codes and engineering requirements including the California Building Code, California Fire Code, and Arvin Municipal Code.
5. Interior Conversions. The interior conversion of the building for commercial cannabis operations will require tenant improvements including but not limited to bring the project site into compliance with the requirements of the California Building Code and Arvin Municipal Code. The interior conversion and improvements are required to meet or exceed California Fire Code and Kern County Fire Department standards. The Applicant shall provide proof of clearance/approval from the Kern County Fire Department prior to the issuance of the Certificate of Occupancy by the City of Arvin's Building Official, prior to the occupancy of any building.
6. Inspections. The Applicant shall allow the City of Arvin, its employees and/or contractors to conduct all required inspection(s) during normal business hours prior to the final approval of the project and/or any required City of Arvin issued permits, or as otherwise required by the Arvin Municipal Code or the law.
7. Secured Site, Fencing and Walls: The site shall be secured by the construction and continued maintenance of fencing compliant with the requirements of the Arvin Municipal Code. The site shall have security controls as is required by Arvin Municipal Code Chapter 17.64 Commercial Cannabis Activity.
8. Water Services. The Applicant shall provide proof of availability of service from the Arvin Community Services District prior to the issuance of the Certificate of Occupancy by the City of Arvin's Building Official.
9. Waste Management Plan. The applicant shall provide proof of clearance/approval from the Kern County Environmental Health Department prior to operation consistent with the "Cannabis Waste Management Plan."
10. Costs of Processing. The Applicant shall pay the City of Arvin for all actual costs incurred for processing the applications and all required approval materials for the project.
11. Fees and Costs: Prior to commencing use under this conditional use permit, the applicant shall pay, in full, all fees and costs required for the processing of the use permit or otherwise required by any applicable City of Arvin resolution, ordinance, or development agreement. If a deposit has been made with the City, and is inadequate, the applicant shall pay any remaining balance(s) within 30 days of being invoiced by the City, subject to the provisions of any applicable development agreement.
12. Ordinance Fee: Applicant shall pay its fair share cost for the preparation of and adoption of Chapter 17.64 Commercial Cannabis Activity. The fee is based on each application total



square footage used for commercial cannabis activity as follows: Cost Estimate for ordinance: \$60,000 / 1,350,000 square feet of permitted cannabis area = \$0.044 per square foot; 2020-CUP300 Sycamore and 2020-SDP2020300Sycamore the gross square footage of the existing and proposed building of 151,052 gross square footage X \$0.044 = \$6,646.28. Fee shall be paid within 30 days of adoption of CUP/SDP 2019-901, 921, 991 Potato Road.

13. City Business License. Prior to beginning operations, the applicant shall obtain a business license from the City of Arvin. Applicant shall maintain a business license when conducting operations.
14. City Cannabis Permits. This conditional use permit, in and of itself, does not authorize the Applicant, project and/or property located at 300 Sycamore Road, Arvin, CA, to commence or engage in any cannabis activity regardless of whether it is authorized by the State of California or any department of the state authorized to regulate cannabis. Prior to commencing use under this CUP, each operator must obtain a Commercial Cannabis Permit and comply with all the requirements of Arvin Municipal Code Chapter 17.64 - Commercial Cannabis Activity. The operator shall submit and complete an application, including, but not limited to, identifying all corporate directors, board members, investors, lenders, creditors and/or parent corporations whether publicly or privately held, for any cannabis application permit.
15. State Licenses Required. The Applicant shall seek and receive a Micro-Business Type 12, Type 3B Cultivation Mixed-Light Medium, Type 6 Manufacturer 1, Type 7 Manufacturer 2, Type 11 Distributor, and (1) Type 8 Testing Laboratory, Type 9 Non-Storefront Retailer (delivery only), Type 10 Retailer (delivery only) license issued by the State of California. Failure to receive said license from the State of California or its designated department charged with regulation cannabis licensing shall prohibit the applicant from engaging in that commercial cannabis business operation or activity for which such a license is required.
16. Limitations on Cannabis Uses. This conditional use permit does not authorize the applicant, project and/or property located at 300 Sycamore Road to engage in other cannabis activity or operation other than the following: Micro-Business Type 12, Type 3B Cultivation Mixed-Light Medium, Type 6 Manufacturer 1, Type 7 Manufacturer 2, Type 11 Distributor, Type 8 Testing Laboratory, Type 9 Non-Storefront Retailer (delivery only), Type 10 Retailer (delivery only) uses. However, the Applicant may apply to the City of Arvin for an amendment to this conditional use permit.
17. No Requirement of City Action. This conditional use permit does not guarantee nor require the City of Arvin to take any particular action and/or approve any future action sought by the Applicant, project and/or property located at 300 Sycamore Road, Arvin, CA.
18. Conditions Run with Land. These conditions shall run with the land. All owners or operators, present and future, of the property located at 300 Sycamore Road, Arvin, CA, shall be subject to these conditions of approval. Failure to comply with any condition of approval is grounds for immediate suspension or revocation of this conditional use permit or other appropriate action as may be authorized including as set forth under Arvin Municipal Code Section 17.64.170.
19. Compliance with Laws and Regulations: The use will comply with will all applicable laws and

government regulations, including all applicable state, and local laws, Chapter 17.64 Commercial Cannabis Activity of Title 17 of the Arvin Municipal Code, Business and Professions Code, Division 10. Cannabis (§§26000 - 26231.2). Prior to receiving final approval of any building and/or site plans by the City, the project must comply with all State and local commercial cannabis statutes, rules, regulations and requirements. Granting of this CUP does not constitute a finding by the City of Arvin or its staff that the project meets state law commercial cannabis regulations and/or requirements. Failure to comply with any applicable law or regulation, may result in, and is grounds for, immediate suspension or revocation of this conditional use permit, or other appropriate action as may be authorized including as set forth under Arvin Municipal Code Section 17.64.170 or as authorized by the City's Nuisance Ordinance.

20. Failure to Timely Use. Failure to utilize and implement the conditional use permit within one year of approval by the Planning Commission, may be cause for revocation or render the conditional use permit null and void absent Applicant obtaining a timely extension from the Planning Commission.
21. Indemnity, Defense and Hold Harmless: The Applicant shall enter into an indemnification agreement with the City. Additionally, as a condition of approval, the applicant, operator, and/or property owner ("Applicant" herein) agrees to indemnify, defend, and hold harmless the City of Arvin, 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 conditional use permit, 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.
22. Minor Modifications. Community Development Director is authorized to consider minor modifications to conditions of approval and timing of implementation of conditions where it is found that such modifications and adjustment in timing of implementation of conditions do not nullify the intent of the conditions established by the City Planning Commission.

### **IMPORTANT: PLEASE READ CAREFULLY**

Please note that this project may be subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies, those determined through site plan review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community, and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings can be made.

All discretionary conditions of approval will ultimately be deemed mandatory unless appealed to the City Council within 15 days after the decision by the Planning Commission or 10 days after the mailing required notices (if any), whichever date is later.

In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the City Clerk. The appeal shall include a statement of your interest in or relationship to the subject property, the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

Approval of this conditional use permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:

- a. All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property; and
- b. All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,

Approval of this use permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this use permit, the Zoning Ordinance, and all City Standards and Specifications. *This use permit is granted, and the conditions imposed, based upon the application submittal provided by the applicant. The application is material to the issuance of this use permit. Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised use permit is required if the operation of this establishment changes or becomes inconsistent with the application.* Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the use permit or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the use permit review process or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this use permit or subsequent amendments or revisions.

If the conditional use permit is not implemented within 12 months from the date of issuance, or within any extended period thereof, this conditional use permit shall expire, and the permit approval shall be null and void.

These conditions are applicable to any person or entity making use of this use permit, whether identified as "permittee," "applicant," "operator," "developer," or is unnamed.

**EXHIBIT B**  
**CONDITIONS OF APPROVAL FOR SITE DEVELOPMENT**  
**PLAN/PERMIT 2020-SDP300 SYCAMORE ROAD**

**NOTICE TO PROJECT APPLICANT**

In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within ninety (90) calendar days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project.

This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

**PART A - PROJECT INFORMATION AND DESCRIPTION**

Applicant:	C&Z Farms, Curtis Arthur, P.O Box 713 Arvin, CA 93203
Project Address:	300 Sycamore Road, Arvin, CA 93434
Project Location:	300 Sycamore Road is located at the north of Sycamore Rd. west corner of Potato Rd. and east of Tejon Highway. The project location may be also by identified by 1071, 1065, 1051, 1041, 1011, 1021, 1061 1101, 1001 Potato Road
Assessor Parcel No.	193-150-19 consisting of 9.3 acres.
Zoning:	M-2, Light Manufacturing Zone
General Plan Land Use Designation	Industrial

**PART B — GENERAL CONDITIONS AND REQUIREMENTS**

The Planning Commission approved the following conditions on May 19, 2020, and the project must comply with all of the following conditions and requirements:

1. Location of Use. Application and operation shall be limited to the project site located at 300 Sycamore Road, Arvin, CA, also known as (AKA) 1071,1065, 1051, 1041, 1011, 1021, 1061 1101, 1001 Potato Road, Arvin, CA 93203, currently consisting a 9.3 acre site with five existing buildings, currently including warehouses, cold storage, and an office.
2. Approvals: The project shall be implemented and used in accordance with all approved plans, conditions of approval (including compliance with any Conditional Use Permit), and other required permits and approvals.
3. Final Approved Site Plan. Prior to the issuance of a Certificate of Occupancy by the City of Arvin’s Building Official, the conditions and requirements as established under the Site Development Permit application, 2020-SDP300Sycamore shall be completed, including a final

Site Plan approved by the City Engineer.

4. Construction and Building Improvements. Building improvements, including greenhouses, shall meet the requirements of city, state, and federal codes including Arvin Municipal Code Chapter 17.60 Site Development Permits and Chapter 17.70 Site Development Standards, which includes but not limited to on-site and off-site improvements including off-street parking, landscaping, drainage, exterior lighting, secured access to and from the site. All construction shall comply with applicable building codes and engineering requirements including the California Building Code, California Fire Code, and Arvin Municipal Code.
5. Interior Conversions. The interior conversion of the building for commercial cannabis operations will require tenant improvements including but not limited to bring the project site into compliance with the requirements of the California Building Code and Arvin Municipal Code. The interior conversion and improvements are required to meet or exceed California Fire Code and Kern County Fire Department standards. The Applicant shall provide proof of clearance/approval from the Kern County Fire Department prior to the issuance of the Certificate of Occupancy by the City of Arvin's Building Official, prior to the occupancy of any building.
6. Inspections. The Applicant shall allow the City of Arvin, its employees and/or contractors to conduct all required inspection(s) during normal business hours prior to the final approval of the project and/or any required City of Arvin issued permits, or as otherwise required by the Arvin Municipal Code or the law.
7. Secured Site, Fencing and Walls: The site shall be secured by the construction and continued maintenance of fencing compliant with the requirements of the Arvin Municipal Code. The site shall have security controls as is required by Arvin Municipal Code Chapter 17.64 Commercial Cannabis Activity.
8. Water Services. The Applicant shall provide proof of availability of service from the Arvin Community Services District prior to the issuance of the Certificate of Occupancy by the City of Arvin's Building Official.
9. Waste Management Plan. The applicant shall provide proof of clearance/approval from the Kern County Environmental Health Department prior to operation consistent with the "Cannabis Waste Management Plan."
10. Costs of Processing. The Applicant shall pay the City of Arvin for all actual costs incurred for processing the applications and all required approval materials for the project.
11. Fees and Costs: Prior to commencing use under this conditional use permit, the applicant shall pay, in full, all fees and costs required for the processing of the use permit or otherwise required by any applicable City of Arvin resolution, ordinance, or development agreement. If a deposit has been made with the City, and is inadequate, the applicant shall pay any remaining balance(s) within 30 days of being invoiced by the City, subject to the provisions of any applicable development agreement.
12. Ordinance Fee: Applicant shall pay its fair share cost for the preparation of and adoption of

Chapter 17.64 Commercial Cannabis Activity. The fee is based on each application total square footage used for commercial cannabis activity as follows: Cost Estimate for ordinance: \$60,000 / 1,350,000 square feet of permitted cannabis area = \$0.044 per square foot; 2020-CUP300 Sycamore and 2020-SDP2020300Sycamore the gross square footage of the existing and proposed building of 151,052 gross square footage X \$0.044 = \$6,646.28. Fee shall be paid within 30 days of adoption of CUP/SDP 2019-901, 921, 991 Potato Road.

13. City Business License. Prior to any site improvements and/or building renovation or remodeling, all contractors shall obtain a business license from the City of Arvin.
14. City Cannabis Permits. This conditional use permit, in and of itself, does not authorize the Applicant, project and/or property located at 300 Sycamore Road, Arvin, CA, to commence or engage in any cannabis activity regardless of whether it is authorized by the State of California or any department of the state authorized to regulate cannabis. Prior to commencing use under this CUP, each operator must obtain a Commercial Cannabis Permit and comply with all the requirements of Arvin Municipal Code Chapter 17.64 - Commercial Cannabis Activity. The operator shall submit and complete an application, including, but not limited to, identifying all corporate directors, board members, investors, lenders, creditors and/or parent corporations whether publicly or privately held, for any cannabis application permit.
15. State Licenses Required. The Applicant shall seek and receive a Micro-Business Type 12, Type 3B Cultivation Mixed-Light Medium, Type 6 Manufacturer 1, Type 7 Manufacturer 2, Type 11 Distributor, and (1) Type 8 Testing Laboratory, Type 9 Non-Storefront Retailer (delivery only), Type 10 Retailer (delivery only) license issued by the State of California. Failure to receive said license from the State of California or its designated department charged with regulation cannabis licensing shall prohibit the applicant from engaging in that commercial cannabis business operation or activity for which such a license is required.
16. Limitations on Cannabis Uses. This conditional use permit does not authorize the applicant, project and/or property located at 300 Sycamore Road to engage in other cannabis activity or operation other than the following: Micro-Business Type 12, Type 3B Cultivation Mixed-Light Medium, Type 6 Manufacturer 1, Type 7 Manufacturer 2, Type 11 Distributor, Type 8 Testing Laboratory, Type 9 Non-Storefront Retailer (delivery only), Type 10 Retailer (delivery only) uses. However, the Applicant may apply to the City of Arvin for an amendment to this conditional use permit.
17. No Requirement of City Action. This conditional use permit does not guarantee nor require the City of Arvin to take any particular action and/or approve any future action sought by the Applicant, project and/or property located at 300 Sycamore Road, Arvin, CA.
18. Conditions Run with Land. These conditions shall run with the land. All owners or operators, present and future, of the property located at 300 Sycamore Road, Arvin, CA, shall be subject to these conditions of approval. Failure to comply with any condition of approval is grounds for immediate suspension or revocation of this conditional use permit or other appropriate action as may be authorized including as set forth under Arvin Municipal Code Section 17.64.170.
19. Compliance with Laws and Regulations: The use will comply with will all applicable laws and

government regulations, including all applicable state, and local laws, Chapter 17.64 Commercial Cannabis Activity of Title 17 of the Arvin Municipal Code, Business and Professions Code, Division 10. Cannabis (§§26000 - 26231.2). Prior to receiving final approval of any building and/or site plans by the City, the project must comply with all State and local commercial cannabis statutes, rules, regulations and requirements. Granting of this CUP does not constitute a finding by the City of Arvin or its staff that the project meets state law commercial cannabis regulations and/or requirements. Failure to comply with any applicable law or regulation, may result in, and is grounds for, immediate suspension or revocation of this conditional use permit, or other appropriate action as may be authorized including as set forth under Arvin Municipal Code Section 17.64.170 or as authorized by the City’s Nuisance Ordinance.

20. Failure to Timely Use. Failure to utilize and implement this site development permit within one year of approval by the Planning Commission, may be cause for revocation or render the conditional use permit null and void absent Applicant obtaining a timely extension from the Planning Commission.
21. Indemnity, Defense and Hold Harmless: The Applicant shall enter into an indemnification agreement with the City. Additionally, as a condition of approval, the applicant, operator, and/or property owner (“Applicant” herein) agrees to indemnify, defend, and hold harmless the City of Arvin, 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 conditional use permit, 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.
22. Minor Modifications. Community Development Director is authorized to consider minor modifications to conditions of approval and timing of implementation of conditions where it is found that such modifications and adjustment in timing of implementation of conditions do not nullify the intent of the conditions established by the City Planning Commission.

## **PART C — ADDITIONAL CONDITIONS**

### **Engineering:**

1. Minor Modifications to Site Plan. The Site Development Permit approved by the Planning Commission shall establish the general layout of the site and the locations of any new structures and significant site components. The following list of engineering conditions of approval shall reinforce elements shown on the approved site plan. However, minor modifications that are immaterial to the overall concept of the site may be necessary, and may be requested by the Community Development Department as detailed civil site plans are developed for this project. Said modifications shall be permitted at the discretion of the

Community Development Department.

2. Sycamore Road. The main access road to the site is Sycamore Road, which is a paved road with no other improvements. The road is in a considerable state of disrepair, and the additional traffic, particularly that of semi-trucks and trailers, will add to the poor conditions of the road. The Applicant shall be responsible for removal of the existing road improvements and a reconstruction of the roadway, per City standards, from the centerline of the road to the future gutter lip for a length of approximately 568 feet along the southern boundary of the property line. The applicant shall also be required to construct curb, gutter, sidewalk, and applicable ADA ramps per city standards along the southern boundary of the property. The total road right-of-way shall be 60 feet, with the back of the sidewalk being set at 30 feet from the roadway centerline.
3. Potato Road Improvements. Potato Road is a secondary access road for the site. The construction of the roadbed shall be done by others at a later date. The project applicant shall be responsible to construct curb, gutter, sidewalk, and applicable ADA ramps per city standards along the eastern boundary of the property adjacent to the future road. Said roadway will have a planned 60 foot Right-of-Way.
4. Irrigation and Landscaping. Applicant shall install irrigation systems, landscaping, and street trees per City Standards. A minimum of 25 feet must be landscaped along Sycamore Road between Potato Road and the western-most Sycamore Road drive approach. A minimum of 5 feet must be landscaped along the eastern perimeter of the site at the back of the sidewalk improvements.
5. Soils Reports. Applicant shall be required to provide a preliminary soils report to be utilized in the design of the on site improvements, and a final soils report to show conformance with the design recommendations. Each report must be provided to the City Engineer for review and comment.
6. Drainage. Applicant shall be required to develop a detailed drainage study which shows the pre and post-project drainage patterns. Applicant shall be further required to contain all storm runoff on site either through the construction of an appropriately sized sump, bio-swales, underground detention, or via dry well catch basins. Catch basins are allowed to be located in the form of curb inlets located along Potato Road but shall contain roadway runoff only. Said drainage and storm runoff containment shall be submitted to the City for review and approval.
7. Sewer Service. It is understood that the project site is connected to the domestic sanitary sewer system. The applicant shall show the location, size, and material of the connecting pipe or pipes tied into the system on a utility drawing. The applicant shall also provide a video inspection of the entire length of the existing sewer lateral(s) and shall provide to the City Engineer for review. At their sole discretion, the Engineer may determine that portions of the lateral are damaged, and therefore must be repaired or replaced per City standards. Such repairs must be shown on a civil utility plan.



8. Industrial Discharge. Industrial discharges from the cannabis or other industrial operations shall not be allowed to be directed to the municipal system. The Applicant must show an appropriate method of collection for any drains that are not connected solely to lavatories, showers, sinks, laundry facilities, and dishwashers. If said collection system is internal to buildings, said collection system must be included and detailed in the building plans. If said collection systems exit any particular building, it shall be included and detailed in the civil utility plans.
9. Civil Utility Plans. Applicant shall be required to develop and submit civil utility plans which shows the sanitary sewer connections to the site as well as any modifications or additional connections to the lateral(s) serving the site (example: additional connections coming from future buildings) along with appropriate calculations that shows the anticipated flow coming from the site. Connections to any existing or future septic systems shall not be permitted.
10. Roadway Dedication. Existing parcel map (6716) shows a 40-foot wide public and roadway easement along Potato Road. The Applicant shall dedicate a 30-foot wide public and roadway easement to the City, and may obtain an abandonment of the remaining 10 foot easement from the railroad. Applicant shall also dedicate a 30-foot wide public and roadway easement along Sycamore Road to the City.
11. Exterior Fencing. The location of the exterior fence lines must be consistent with the updated roadway dedications.
12. Rule 9510 Compliance. As required by the San Joaquin Valley Air Pollution Control District, Applicant must comply with Air District Rule 9510 for Indirect Source Review. District approval or clearance must be provided prior to issuance of building or grading permits.
13. Health Risk Assessment. As required by the San Joaquin Valley Air Pollution Control District, applicant must develop a Health Risk Assessment, if required. District approval must be provided to the City Engineer prior to issuance of building or grading permits.
14. Storm Water. Applicant shall comply with applicable construction storm water requirements as required by the California Water Board. A Stormwater Pollution Prevention Plan (SWPPP) may be required. Applicant should retain the services of a Qualified SWPPP Developer (QSD) to make such determinations. Applicant must provide a Board-approved plan and a Water Discharger Identification (WDID) number (or approved erosivity waver) to the City prior to commencing construction.
15. Grading Permit. Applicant must apply for and obtain a grading permit from the City prior to any on-site or off-site grading.
16. Plans. Applicant must submit detailed civil site, grading, and utility plans to the City Engineer, for approval. Said plans must also show on site lighting improvements consistent with City site development standards. Include product information for light fixtures.
17. Parking. Site plans must clearly show locations and layouts of employee and customer/visitor parking including dimensions that are in compliance with city design

standards. Also show and detail locations of ADA parking stalls along with parking tables to justify the number of stalls provided.

18. Utility Plans. Utility plans must also show new points of connection or existing connections to the municipal water system. Applicant must coordinate with the Arvin Community Services District as necessary.
19. Fire Protection. Applicant must also coordinate with the Kern County Fire Department for all required fire lanes, hydrants, access points, and other necessary fire protection systems. The applicant should not construe any approvals by the Community Development Department to be an approval of the layout and functionality of any fire protection systems.
20. Public Right of Way. Existing above ground utilities and structures must be moved out of the public right-of-way. The applicant and their contractors shall be responsible for coordinating with the utility companies as necessary.
21. Trash Enclosure. Provide a minimum of one enclosed trash enclosure that is compliant with City site development standards. It shall be located in an area within the site that is accessible by the City refuse collection service. Applicant shall comply with Arvin Municipal Code Chapter 15.32 regarding floodplain requirements and shall provide the floodplain administrator for the City all required plans, forms, and information. Elevation certificates shall be required and submitted to the City for new or improved structures if none are on file with the City.
22. Flood Zone. Development is in an AO flood zone (BFE=1', v=2fps). Future or re-constructed structures must be elevated to a height, as required by the California Building Code or other applicable requirements, above the base flood elevation (BFE). The civil grading plan must show the finished floor elevations of all existing and proposed buildings as well as the highest adjacent pre-construction grade around each structure.
23. Floodplain Management Compliance. For all existing structures determined not to be properly elevated or otherwise floodproofed, the applicant shall provide the City Engineer with a good faith cost estimate of the total cost of the proposed tenant improvements for each building as well as an independent appraisal of the pre-project building (not including land) to be used to determine the extent to which the development must comply with floodplain management requirements as prescribed by the Arvin Municipal Code. This is required by FEMA as a part of the Substantial Improvements/Substantial Damage requirements as a part of the City's participation in the National Flood Insurance Program.
24. Encroachment Permits. The applicant and their contractor(s) shall be required to apply for an obtain encroachment permits for any work along Sycamore and Potato Roads. It shall also be necessary for the applicant and their contractor(s) to develop a traffic control plan for road work along Sycamore Road which must be submitted with the encroachment permit application.

#### **Police Department:**

25. Site Security and Access. The site perimeter is to be secured with an eight (8-0) foot fencing with access control available for the Kern County Fire Department and Arvin

Police Department – also must comply with Arvin Municipal Code Section 17.64.080 Security Measures.

**TENANT IMPROVEMENTS AND PROPOSED ENTITLEMENTS FOR CANNABIS LICENSE TYPES:**

26. Final Site Plans: Final Site Plans shall be submitted to and approved by the City Engineering and Planning Divisions of the Community Development Department, prior to any on-site improvements.
27. Greenhouses: Prior to construction of any greenhouse, Applicant must submit specifications for approval to the City’s Building division. All greenhouses must comply with the following standards, consistent with the Arvin Municipal Code as may be amended: Greenhouses used for cannabis cultivation shall be fully-enclosed permanent structures with solid walls that are clad in an opaque material with climate control, such as heating and ventilation capabilities and supplemental artificial lighting, and that use a combination of natural and supplemental artificial lighting. The cultivation activities conducted within a greenhouse shall not be visible from any public right-of-way or adjacent private property. All greenhouses shall comply with the requirements of the Arvin Municipal Code, including Chapter 17.64, the adopted requirements of the California Building Code, the California Fire Code and any other code adopted or incorporated by reference within the Arvin Municipal Code, as amended.
29. Tenant Improvements to Existing Buildings: Applicant shall prepare and submit plans prepared by an architect or engineer to the City for Building Division review and approval. All improvements must comply with Arvin Municipal Code Chapter 17.64, including Arvin Municipal Code Section 17.64.080-Security Measures. Applicant is advised that plans will be circulated for review, including review by the Kern County Fire Department and Police Department as the City may deem appropriate.

**IMPORTANT: PLEASE READ CAREFULLY**

Please note that this project may be subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies, those determined through site plan review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community, and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings can be made.

All discretionary conditions of approval will ultimately be deemed mandatory unless appealed to the City Council within 15 days after the decision by the Planning Commission or 10 days after the mailing required notices (if any), whichever date is later.

In the event you wish to appeal the Planning Commission’s decision or discretionary conditions of approval, you may do so by filing a written appeal with the City Clerk. The appeal shall include a

statement of your interest in or relationship to the subject property, the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

Approval of this site development plan/permit shall be considered null and void in the event of failure by the Applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:

- a. All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property; and
- b. All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,

Approval of this site development plan/permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this permit, the Zoning Ordinance, and all City Standards and Specifications. *This site development permit is granted, and the conditions imposed, based upon the application submittal provided by the applicant. The application is material to the issuance of this permit. Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised permit is required if the operation of this establishment changes or becomes inconsistent with the application.* Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the permit or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the permit review process or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this site development permit or subsequent amendments or revisions.

If the site development permit is not implemented within twelve (12) months from the date of issuance of this site development permit, or within any extended period thereof, this site development permit shall expire, and the site development permit approval shall be null and void.

These conditions are applicable to any person or entity making use of this site development permit, whether identified as “permittee,” “applicant,” “operator,” “developer,” or is unnamed.

**EXHIBIT C**

**SITE DEVELOPMENT PLAN/PERMIT (SDP)  
300 Sycamore Approved Site Plan**

## NOTICE OF PUBLIC HEARING

### Conditional Use Permit No. 2020-SDP300Sycamore, Site Development Plan No. 2020-CUP300 Sycamore, and Related CEQA Determination for Commercial Cannabis Operations at 300 Sycamore Street, Arvin (C&Z Farms)

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

- Adoption of a Resolution Approving Conditional Use Permit No. 2020-CUP 300 Sycamore for Micro-Business Type 12, Type 3B Cultivation Mixed-Light Medium, Type 6 Manufacturer 1, Type 7 Manufacturer 2, Type 11 Distributor, and (1) Type 8 Testing Laboratory, Type 9 Non-Storefront Retailer (delivery only), Type 10 Retailer (delivery only) and Site Development Permit No. 2020-SDP-300Sycamore for commercial cannabis operations located at 300 Sycamore Road, Arvin, CA, including the adoption of an exemption pursuant California Environmental Quality Act Guidelines Sections 15061(b)(3)..

#### Arvin Planning Commission Public Hearing Information

**Date:** May 19, 2020

**Time:** 6:00 PM

**Place:** City of Arvin Council Chambers (by telephone\*)  
200 Campus Drive, Arvin, CA 93203

**Call In Number:** 1-877-568-4106; Access Code 180-327-837#

**COVID-19 NOTE:** These meetings will be held by telephone consistent with the Governor’s Executive Order N-25-20 and N-29-20 issued on March 18, 2020. The purpose of this is to provide a safe environment for staff and the public to conduct City business, while allowing for public participation. These meetings will be held by teleconference only unless the emergency has been lifted before the meeting date. Members of the public are encouraged to participate by phone or email at [cvela@arvin.org](mailto:cvela@arvin.org) or by submitting written comments at City Hall prior to the hearing. At least 72 hours before the meeting the Agenda will be posted at <https://www.arvin.org/government/clerk/meeting-agendas-minutes/documents-page/>. Please check the Agenda for additional ways to participate in this matter.

**Description of the Project:** The purpose of the public hearing is to consider approval of a Conditional Use Permit (CUP) and Site Development Plan (SDP) (collectively “entitlements”) and associated environmental determination under the California Environmental Quality Act (CEQA). The entitlements would allow



for commercial cannabis businesses to operate at the site, consisting of Micro-Business Type 12 and Type 3B Cultivation Mixed-Light Medium, Type 6 Manufacturer 1, Type 7 Manufacturer 2, Type 11 Distributor, and (1) Type 8 Testing Laboratory, Type 9 Non-Storefront Retailer (delivery only), Type 10 Retailer (delivery only), within the existing building located at 300 Sycamore Road. The applicant proposed the following phases:

1. Phase 1 will consist of three separate buildings. The permitted Licenses and uses will include a Type 12 Micro-Business, Type 11 Distributor, Type 8 Testing Laboratory, and Type 7 Manufacture 2.
2. Phase 2 consist of a one 13,277 SQF building. The permitted Licenses and uses will include a Type 3B Cultivation; Mixed Light; Medium, Type 6 Manufacturer 1, Type 7 Manufacture 2, and Type 11 Distributor.
3. Phase 3 consist of one 26,300 SQF building. The permitted Licenses and uses will include a Type 3B Cultivation; Mixed Light; Medium, Type 6 Manufacturer 1, Type 7 Manufacture 2, and Type 11 Distributor.
4. Phase 4 consist of one 26,300 SQF building. The permitted Licenses and uses will include a Type 3B Cultivation; Mixed Light; Medium, Type 6 Manufacturer 1, Type 7 Manufacture 2, and Type 11 Distributor.
5. Phase 5 consist of two buildings and the combined SQF is 32,000..
6. Phase 6 consist of one 13,205 SQF building.
7. Phase 7 consist of one 11,000 SQF building.

The above proposed phases timeline are subject to the developers discretion.

Applicant:	C&Z Farms, Curtis Arthur, P.O Box 713 Arvin, CA 93203
Project Address:	300 Sycamore Street, Arvin, CA 93434
Project Location:	300 Sycamore Road is located at the northwest corner of South Derby and Sycamore Road. The project location may be also by identified by 1071,1065, 1051, 1041, 1011, 1021, 1061 1101, 1001 Potato Road Potato Road
Assessor Parcel No.	193-150-19 consisting of 9.3 acres.
Zoning:	M-2, Light Manufacturing Zone
General Plan Land Use Designation	Industrial

The City has performed a preliminary assessment of this project and, pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3), proposes to determine with certainty that there is no possibility this project will have a significant effect on the environment. The project will use existing facilities and will be subject to the restrictions of the Arvin Municipal Code for cannabis operations, including odor, noise, etc.

Additional information on the proposed project and proposed environmental finding may be obtained from the City from the City of Arvin, City Hall, 200 Campus Drive, Arvin, California, 93203, or the City's web site at [www.arvin.org](http://www.arvin.org).

All persons interested in this topic who have questions, would like to provide feedback, or who have comments are invited to attend. If you challenge the approval or denial of these matters in court, you may be limited to raising only those issues you or someone else raised at the public

hearing described in this notice, or in written correspondence delivered to the City Clerk, at or prior to, the public hearing. Address any communications or comments regarding the project to Cecilia Vela, City Clerk, at 200 Campus Drive, Arvin, CA 93203, (661) 854-3134, [cvela@arvin.org](mailto:cvela@arvin.org).

Cecilia Vela, City Clerk

Published: May 02, 2020, Bakersfield Californian