



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

TUESDAY OCTOBER 20, 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:**

1-669-900-9128

Meeting ID: 814 7122 3031#

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

<https://us02web.zoom.us/j/81471223031>

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, October 19, 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. 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) |



I pledge allegiance to the flag of the United States of America
and to the Republic for which it stands, one nation, under
God, indivisible, with liberty and justice for all.

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 September 03, 2020.

Staff recommends approval of the Minutes of the Special Meeting of September 03, 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 Approving Site Development Permit (2020-SDP115Monroestreet) for an Urgent Care Medical Facility 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 and adoption of a related CEQA exemption findings 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 72 hours prior to the meeting. Dated: October 16, 2020.

A handwritten signature in blue ink, appearing to read "Cecilia Vela", written over a horizontal line.

Cecilia Vela, Secretary

**SPECIAL MEETING MINUTES
ARVIN PLANNING COMMISSION**

SEPTEMBER 03, 2020

CALL TO ORDER @ 6:12PM

PLEDGE OF ALLEGIANCE

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

1. Approval of Agenda As To Form.

Motion to approve the Agenda.

Motion VC Rivera 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.

NONE

3. CONSENT AGENDA ITEM(S)

A. Approval of the Minutes of the Regular Meeting of August 18, 2020.

Staff recommends approval of the Minutes of the Regular Meeting of August 18, 2020.

Motion to approve the Minutes of the Regular Meeting of August 18, 2020.

Motion VC Rivera Second PC Hernandez Vote 3-0

4. PUBLIC HEARING(S)

A. A Public Hearing to Consider Approval of A Resolution of the Planning Commission of the City of Arvin Recommending the City Council I) Approve General Plan Amendment 2020-01; II) Amend the Arvin Municipal Code to Add Standards for the Bear Mountain Central Business District, and Update Notice and Use Permit Findings; and III) Making CEQA Findings for the same.

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

Hearing opened.

No public testimony.

Hearing closed.

Motion to approve the Resolution recommending the City Council I) Approve General Plan Amendment 2020-01; II) Amend the Arvin Municipal Code to Add Standards for the Bear Mountain Central Business District, and Update Notice and Use Permit Findings; and III) Making CEQA Findings for the same.

Motion VC Rivera

Second PC Hernandez

Vote 3-0



Resolution No. APC 2020-07

5. REPORTS FROM STAFF

6. PLANNING COMMISSIONER COMMENTS

7. ADJOURNED @ 6:41PM

Respectfully submitted,

Cecilia Vela, Secretary

DRAFT



**CITY OF ARVIN
Planning Commission**

Meeting Date: October 20, 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-SDP115Monroestreet) for an Urgent Care Medical Facility 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-SDP115Monroestreet) and adoption of a related CEQA exemption findings pursuant to the California Environmental Quality Act

APPLICANT AND LOCATION:

Applicant:	Ted Moore on behalf of Arvin OZ, LLC
Project Address:	115 Monroe Street, Arvin CA, 93203
Project Location:	115 is located at the southwest corner of Bear Mountain Blvd. and Monroe Street.
Assessor Parcel No.	191-070-19, consisting of 1 acre.
Zoning:	C-2 Commercial Zone
General Plan Land Use Designation	General Commercial

BACKGROUND:

The developer Ted Moore, on behalf of Arvin OZ, LLC, applied to the City of Arvin for a site plan permit as required by chapter 17.60 of the zoning ordinance. The site is located at 115 Monroe Street, Arvin CA and generally located at the southwest corner of Bear Mountain Blvd. and Monroe Street.

The Developer is proposing to remodel and improve the site located at 115 Monroe Street from an existing church to a medical urgent care facility. The site is approximately 43,645 SQF. The remodeling would include: a medical facility of approximately 3582 SQF and a pharmacy of

approximately 700 SQF.

The City of Arvin has a population of approximately 40,335 residents. The community is currently served by one medical facility and the addition of an urgent care medical facility would be of great benefit to the community.

ENVIRONMENTAL CONSIDERATIONS:

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 15301 (Existing Facilities).

PUBLIC NOTIFICATION:

The City properly noticed the October 20,2020, public hearing before the Planning Commission for the proposed Site Development Permit (2020-SDP115Monroestreet) pursuant to Government Code sections 65090 and 65091 by publication in the newspaper on October 9,2020. A copy of the notice is attached to this staff report. 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-SDP115Monroestreet) and environmental assessment.
 - Exhibit A Conditions of Approval for SDP
 - Exhibit B Approved Site Plan
2. Copy of Published Public Hearing Notice

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARVIN APPROVING SITE DEVELOPMENT PERMIT NO. 2020-SDP115MONROESTREET FOR MEDICAL URGENT CARE FACILITY AND ADOPTION OF A RELATED CEQA EXEMPTION FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, Arvin Oz, LLC, managed by Ted Moore (“Developer”) desires to develop 115 Monroe Street in Arvin, California (APN: 191-070-19), which is generally located at the southwest corner of Bear Mountain Blvd. and Monroe Street (the “Project Area” or “Property”) for an medical urgent care facility (the “Project”):

WHEREAS, the Developer has filed an application for a site development permit 2020-SDP115Monroestreet.

WHEREAS, the project proposed is subject to section 17.60 of the zoning ordinance for sites that have been vacant for more than 90 days.

WHEREAS, the project proposed is subject to section 15.32 of the Buildings and Construction Ordinance for floodplain compliance.

WHEREAS, the Developer is proposing to remodel and improve the site located at 115 Monroe Street from an existing church to a medical urgent care facility. The site is approximately 43,645 SQF. The remodeling would include: a medical facility of approximately 3582 SQF and a pharmacy of approximately 700 SQF.

WHEREAS, the site located at 115 Monroe Street contains a single-family dwelling facility, however this is not part of the proposed project. Any future conversions would be subject to site plan review.

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 that the Project Approvals were subject to exemptions pursuant to CEQA Guidelines 15301 (Existing Facilities); and

WHEREAS, public notice for the public hearing was published in the Bakersfield Californian on October 9, 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, the site development permit 2020-SDP115Monroestreet has been assessed for the purposes of CEQA as noted above; and

WHEREAS, the Planning Commission held a public hearing on October 20, 2020, regarding 2020-SDP115Monroestreet 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 approve 2020-SDP115Monroestreet 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. This project is subject to a Class 1 (Existing Facilities) categorical exemption pursuant to CEQA Guidelines section 15301, as it consists of the operation, repair, permitting and licensing of an existing private structure and any appurtenant structures, involving negligible or no expansion of use beyond that existing at the time of the City's determination. The project will use existing facilities and will be subject to the restrictions of the Arvin Municipal Code for site development review. 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 Site Development Permit 2020-SDP115Monroestreet:
 - a. The existing buildings, located at 115 Monroe Street, Arvin, CA, have been vacant for more than 90 days, and the project is a change of use from a site of worship to medical urgent care facility
 - b. The proposed remodel and improvements are subject to Chapter 17.60 Site Development Permit, Chapter 17.70 Site Development Standards; Chapter 15.32 Floodplain Management 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;
 - c. As conditioned, 2020-SDP115Monroestreet, 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
 - d. Approval of SDP 2020-SDP115Monroestreet will not be detrimental to the health, safety, peace, morals, comfort or general welfare. 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.

5. The Planning Commission approves Site Development Permit 2020-SDP115Monroestreet, subject to the conditions and requirements set forth within Exhibit A, for the property located at 115 Monroe Street, Arvin, CA.
6. This Resolution shall take effect immediately.

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 20th day of October 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 (SDP)
 Exhibit B: Site Development Plan/Permit 2020-SDP115Monroestreet

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 FOR SITE DEVELOPMENT PERMIT
2020-SDP115MONROESTREET FOR UTILIZATION AN EXISTING
BUILDING AND FOR A CHANGE IN USE FROM A HOUSE OF
WORSHIP TO A MEDICAL URGENT CARE FACILITY AT 115
MONROE STREET, ARVIN.**

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:	Ted Moore on behalf of Arvin OZ, LLC.
Project Address:	115 Monroe Street, Arvin CA, 93203
Project Location:	115 is located at the southwest corner of Bear Mountain Blvd. and Monroe Street.
Assessor Parcel No.	191-070-19, consisting of 1 acre.
Zoning:	C-2 Commercial Zone
General Plan Land Use Designation	General Commercial

PART B — GENERAL CONDITIONS AND REQUIREMENTS

IMPORTANT: PLEASE READ CAREFULLY

Please note that this project is subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies, those determined through site development 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 timely appealed. The granting, either with or without conditions, or the denial of the site development permit by the Planning Commission shall be final unless within fifteen (15) days after the decision by the Planning Commission, or ten (10) days after the mailing of the required notices, whichever date is later, the applicant, or any other person aggrieved, appeals therefrom in writing to the City Council by presenting such appeal to the City Clerk. 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 as required by Arvin Municipal Code section 17.54.130. The appeal should state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the zoning ordinance. This should include identification of 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 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.

Approval of this site development 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 site development permit is granted, and the conditions imposed, based upon the application submittal provided by the applicant, including any operational statement. The application is material to the issuance of this site development permit.* Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised site development 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 site development permit or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the site development 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. These conditions are conditions imposed solely upon the site development permit, and are not conditions imposed on the City or any third party. Likewise, imposition of conditions to ensure compliance with federal, state, or local laws and regulations does not preclude any other type of compliance enforcement.

These conditions are applicable to any person or entity making use of this site development permit, and references to "developer" or "applicant" herein also include any applicant, property owner, owner, leasee, operator, or any other person or entity making use of this site development permit.

PART C – SPECIFIC CONDITIONS AND REQUIREMENTS

The applicant shall comply with the following conditions:

1. Application and operation shall be limited to the project site located at 115 Monroe, Arvin, CA.

2. The Developer proposes to remodel and improve the site located at 115 Monroe Street from an existing church to a medical urgent care facility. The site is approximately 43,645 SQF. The remodeling would include: a medical facility of approximately 3582 SQF and pharmacy of approximately 700 SQF.
3. The interior conversion of the building for the proposed medical urgent care facility will require tenant improvements including but not limited bring the project site into compliance with the requirements of the California Building Code and Arvin Municipal Code.
4. The interior conversion and improvements are required to meet or exceed California Fire Code and Kern County Fire Department standards.
5. Site Plan representation shall be verified and subject to approval by Planning Staff prior to the issuance of the Certificate of Occupancy by the City of Arvin's Building Inspector.
6. 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. 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.
8. 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. Prior to the issuance of a Certificate of Occupancy by the City of Arvin's Building Official, the conditions and requirements as established per Site Development Plan 2020-SDP115Monroestreet, shall be completed. Subsequent use shall comply with the Site Development Plan.
10. Prior to beginning operations, Applicant shall obtain a business license from the City of Arvin. Applicant shall maintain a business license when conducting operations.
11. 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. 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 if applicable. The Applicant shall pay all fees, exactions or taxes required by the City of Arvin and/or Arvin Municipal Code. All such fees, exactions, or taxes must be paid when due. Failure to pay the required fees, exactions or taxes is grounds for the immediate suspension or revocation of the conditional use permit or other appropriate action.
12. These conditions shall run with the land. All owners or operators, present and future, of the property located at 115 Monroe street, 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 the Arvin Municipal Code.

13. Failure to utilize and implement the site permit within one year of approval by the Planning Commission, may be cause for revocation or render the site permit null and void absent Applicant obtaining a timely extension from the Planning Commission.
14. 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.
15. Approvals: The project shall be implemented and used in accordance with all approved plans and other required permits and approvals. All construction shall comply with applicable building codes and engineering requirements.
16. Laws and Regulations: All improvements to the property located at 115 Monroe street shall comply with all requirements of the California Building Code, California Fire Code and Arvin Municipal Code. The use will comply with will all applicable laws and government regulations, including all applicable state, and local laws, Chapter 17.60 Site Development Permit of Title 17 of the Arvin Municipal Code, Business and Professions Code, Division 10.
17. 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.

Engineering:

18. The Site Development Permit approved by the Planning Commission establishes the general layout of the site and the locations of any new structures and significant site components. However, minor modifications that are immaterial to the overall concept of the site may be necessary, and may be requested from the City’s 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.

19. Final Site Plans: Final Site Plans, Utility Plans, Grading plans, Landscaping Plans, Electrical and Lighting Plans, applicable details, etc. shall be submitted to and approved by the City Engineering and Planning Divisions of the Community Development Department, prior to any on-site improvements. All plans must be signed and stamped by an appropriately licensed engineer prior to final approval by the City. The improvements must be completed prior to a certificate of occupancy being issued by the building department.
20. In addition to the detailed site plans, the Applicant must submit, for approval, drainage calculations to show that swales and other collection devices are appropriately sized for a 10 year storm per Kern County Development Standards.
21. The following permits and approvals must be applied for separately and issued either prior to construction or prior to receiving a certificate of occupancy: Arvin Building Permit, Arvin Grading Permit, Arvin Encroachment Permit for work within the public right-of-way, Arvin Sign Permit, Arvin Floodplain Compliance, Kern County Fire Department approvals, Caltrans Encroachment Permit for work within state right-of-way, SWPPP if required under NPDES General Permit, Dust Control Plan if required by the air district, other permits as required by authorities having jurisdiction.
22. Previous site plan review notes, corrections, and comments are incorporated into this approval, and are provided as an attachment herein. Some of those same comments are provided herein for emphasis of the requirements.
23. No dedications exist for the portion of Monroe Avenue in the public right-of-way. The applicant must provide a 30' irrevocable offer of dedication consistent with the circulation element and Arvin development standards for local roads.
24. Public sidewalk is shown outside of the public right-of-way (assuming a 30 foot dedication per the above condition). The property owner must provide a permanent public access easement for a minimum width of 5 feet for the portion of sidewalk located to the west of the ROW line along Monroe Street.
25. Bear Mountain Boulevard (CA-223) is the right-of-way of Caltrans for a full width of 110 feet; generally up to the existing building. It shall be understood that any sidewalk and or street improvements along Bear Mountain Boulevard may require an encroachment permit with Caltrans. The procurement of such a permit shall be the sole responsibility of the property owner and it's contractors, and shall not be the responsibility of the City of Arvin.
26. Site plan review provides broad overview for compliance with ADA parking requirements. However, detailed review for ADA compliance including the location of ADA parking stalls and path of travel to the building will be done by the City plan checker through the building permit process.
27. Any and all signs are subject to a separate permitting process. Site plans should show the general location and arrangement of signs.
28. City of Arvin will not review the site for compliance with requirements from the Kern

County Fire Department either insider or outside of the building. It shall be the responsibility of the applicant to submit plans for approval directly from the KCFD. Any subsequent submittal of this site plan to the City shall assume that such coordination occurred.

29. Provide a parking table and calculations showing building sizes. A rough measurement on this sheet shows approximately 7,425 of gross floor area which equates to 29.7 stalls to be rounded up to 30 required stalls. A total of 37 stalls are proposed. Per ADA regulations, the requirement of a minimum of two ADA parking stalls appears to have been met. Indicate this information in the parking table.
30. Landscaping: The site visually appears to exceed the 10% requirement for landscaping. New trees must be installed in empty tree wells along Bear Mountain Boulevard. The applicant must submit a landscaping and irrigation plan showing species and shrub types, ground cover, irrigation piping, controllers, etc. Include water calculations and a table showing the percentage of landscaping based on net buildable area behind the sidewalks. Additionally, trees adjacent to residential lots shall be a maximum of 30 feet apart. Please add one additional tree along the western property line shared with single family homes along Walnut Street. It shall be the applicant's responsibility to obtain any necessary approvals from and to coordinate the design with the Arvin Community Services District that may have water usage requirements that must be met
31. Existing utilities: upon resubmittal, plans must show approximate locations of laterals for water, sanitary sewer, and gas (if present) connections. Show the location of water meter(s) and gas meter(s) as well. All such utilities must be located underground.
32. Drainage: Existing site has allowed the flow of storm roof runoff directly onto sidewalks which then flow to streets. Please note that the City is making efforts to reduce the amount of runoff onto city streets and sidewalks from private and public developments. The city requires that all runoff from roofs shall be collected by gutters or by other means and directed to low impact design elements such as planter boxes, swales, underground detention structures, or landscaped areas. Likewise, all parking lot drainage shall be shown to flow to bioswales or other means of preventing impervious runoff from draining within the public right-of-way. Upon resubmittal, please indicate grading and drainage patterns as well as means of addressing this requirement. Show details on bioswales including typical sections and collection devices or indicate if curb cuts will be used to allow water to flow into them.
33. Exterior lighting: The site plan should include the locations of existing or proposed exterior lights along with pictures or cut sheets of each. Note that lights must be shielded to limit glare beyond the property. The code requirement for the use of passive energy shall be waived, but is allowable if the applicant prefers. Provide a lighted address panel that is viewable from Bear Mountain Boulevard as required by the Arvin Municipal Code.
34. All rooftop mechanical equipment, including air conditioners and swamp coolers, must be screened from view of Monroe Street and Bear Mountain Boulevard. This should be indicated on the resubmitted site plans as well as on the plans submitted to the building department.

35. Provide details for the trash enclosure which must be aesthetically pleasing, appropriately secured on all four sides as well as built to prevent unwanted access from the top with either a trellis or other acceptable device.
36. No waivers or relief can be given with regard to compliance with the floodplain requirements as imposed on the city by FEMA, a federal agency. The subject site is located in an “AO” flood zone with a Base Flood Elevation of 1 foot. Elevation certificates must be filed with the Building Department for the current or modified conditions, and the applicant must provide appropriate cost estimates and building appraisals to be used for a “Substantial Improvement Determination”. Review AMC section 15.32, applicable sections of the California Building Code, online FEMA and CA Department of Water Resources information, and notes on the attached site plan for more information.
37. The applicant shall sign the Applicant’s Acknowledgement, below, and return it to the Community Development Department within 30 days of the decision of approval of the use permit becoming final.

All discretionary condition of approval will ultimately be deemed mandatory unless timely appealed in writing to the City Clerk.

APPLICANT’S ACKNOWLEDGMENT

I have read, understand, and accept the conditions of approval set forth herein above in this resolution of approval for Site Development Permit 2020-SDP115Monroestreet.

Date

Ted Moore on behalf of Arvin OZ, LLC.

NOTICE OF PUBLIC HEARING

Site Development Plan No. 2020-115Monroe, and Related CEQA Determination for an Urgent Care Medical Facility located at 115 Monroe Street, Arvin CA.

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 Site Development Plan No. 2020-115Monroe for an Urgent Care Medical Facility located at 115 Monroe Street, Arvin, CA, including the adoption of an exemption pursuant California Environmental Quality Act Guidelines Sections 15061(b)(3) and 15301 (Existing Facilities).

Arvin Planning Commission Public Hearing Information

Date: October 20, 2020

Time: 6:00 PM

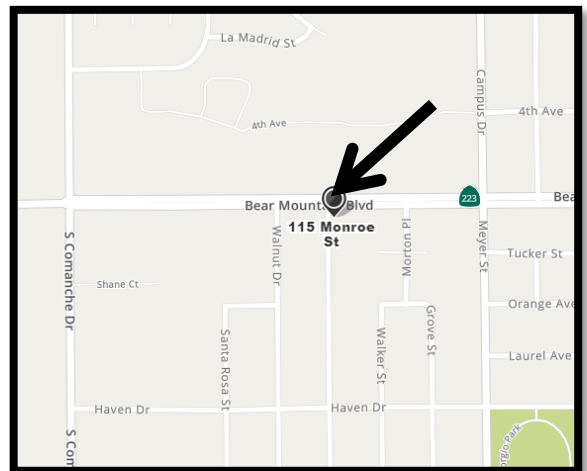
Place: City of Arvin Council Chambers (by telephone or video streaming)
200 Campus Drive, Arvin, CA 93203

Call In Number: 1-669-900-9128; **Meeting ID** 814 7122 3031#

Join on-line: <https://us02web.zoom.us/j/81471223031>

COVID-19 NOTE: These meetings will 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 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 approval of a Site Development Plan (SDP) (collectively “entitlements”) and associated environmental determination under the California Environmental Quality Act (CEQA). The entitlements would allow for an Urgent Medical Care Facility to operate at the site within the existing building located at 115 Monroe Street. The existing building area is approximately 4,008 square feet; the facility includes a pharmacy of approximately 700 square feet.



Applicant:	Arvin OZ, LLC, Ted Moore
Project Address:	115 Monroe Street, Arvin CA, 93203
Project Location:	115 is located at the southwest corner of Bear Mountain Blvd. and Monroe Street.
Assessor Parcel No.	191-070-19, consisting of 1 acre.
Zoning:	C-2 Commercial Zone
General Plan Land Use Designation	General Commercial

The City has performed a preliminary assessment of this project and, pursuant to the California Environmental Quality Act (CEQA) Guidelines. This project is subject to a Class 1 (Existing Facilities) categorical exemption pursuant to CEQA Guidelines section 15301, as it consists of the operation, repair, permitting and licensing of an existing private structure and any appurtenant structures, involving negligible or no expansion of use beyond that existing at the time of the City's determination. The project will use existing facilities and will be subject to the restrictions of the Arvin Municipal Code for site development review. Further, none of the exceptions to categorical exemptions set forth in CEQA Guidelines, section 15300.2, apply to this project.

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.

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.

Cecilia Vela, City Clerk
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