KERN COUNTY PLANNING COMMISSION

Board of Supervisors

STAFF REPORT

Date: September 1, 2015

FILE: ZCC #184, Map #101
Ag Pres #9 - Excl
S.D.: #4 - Couch

TITLE: (a) Amendment of Zoning Map No. 101, Zone Change Case No. 184; (b) Alteration of the Boundaries of Agricultural Preserve No. 9 - Exclusion

PROPOSAL: (a) A change in zone classification from A (Exclusive Agriculture) to E (1/4) (Estate - 1/4 acre) or a more restrictive district; (b) Exclusion of approximately 14.07 acres from the boundaries of an Agricultural Preserve

APPLICANT: Kern Land Partners, LLC by McIntosh and Associates (PP15183)

PROJECT SIZE: 14.07 acres

LOCATION: Northwest corner of Hageman Road and Santa Fe Way, Bakersfield

GENERAL PLAN DESIGNATION: SR (Suburban Residential - Less Than or Equal to 4 Dwelling Units/Net Acre) (Western Rosedale Specific Plan)

SURROUNDING LAND USE/ZONING: North - Rosedale Union School District maintenance yard/A; East - Contractor's storage yard, water tank, and undeveloped land/M-1 PD (Light Industrial - Precise Development Combining); South - Single-family residences, office/warehouse, and undeveloped land/A, E (1/2) (Estate - 1/2 acre), and M-1 PD; West - Single-family tract residences/E (1/4)

PROJECT ANALYSIS: The project site is a 14.07-acre parcel located at the northwest corner of the Hageman Road and Santa Fe Way intersection in northwest Bakersfield. The site is zoned A (Exclusive Agriculture) and designated SR (Suburban Residential - Less Than or Equal to 4 Dwelling Units/Net Acre) by the Western Rosedale Specific Plan. The project site is currently undeveloped. Property to the north is developed with a school district maintenance facility. Property to the east, across Santa Fe Way and the Burlington Northern Santa Fe Railway, is developed with industrial uses. Properties to the south are a mixture of single-family residences, industrial uses, and undeveloped land. Property to the west is developed with single-family tract residences. Access to the site is provided by Santa Fe Way and Hageman Road, which are both identified as arterial alignments (major highway - 110-foot road right-of-way) by the Circulation Element of the Western Rosedale Specific Plan.

Proposed Project
The applicant is requesting approval of a change in zone classification from A to E (1/4) (Estate - 1/4 acre), and the exclusion of 14.07 acres from Agriculture Preserve No. 9. The applicant has stated the purpose of the request is to facilitate Vesting Tentative Tract Map (VTTM) 7289, a future land division action for development of single-family residential tract parcels.
Domestic water supply and sewage disposal for the future residential development is proposed by Vaughn Water Company and individual septic systems, respectively. However, Staff notes the project site is located within the boundaries of the County Service Area (CSA) 71, which was formed for the purpose of providing sewer service to the Rosedale area.

Under the provisions of the Western Rosedale Specific Plan, Policy Implementation Measure No. 15 of the Land Use Plan specifies, all new industrial, commercial, and residential development at a density greater than one dwelling unit per three gross acres within the CSA 71 is required to connect public sewer when the development is located within 1,000 feet of an available public sewer. If the project proponent is unable to obtain a “will serve” letter for sewage disposal, or is physically incapable of connecting to public sewer, the project proponent may seek an “exception” from your Board to the sewer service implementation policies of the Western Rosedale Specific Plan.

Staff has consulted with the Kern County Public Works Department and has been advised that sewer service to the development is presently located approximately 1,500 feet to the east. While sewer service may presently be some distance away, at such time in the future when the tract is actually developed it may not. Consequently, the usage of individual septic system may presently be envisioned, but the development must connect to public sewer unless an exception is granted by your Board. Therefore, should the zone change be approved, processing of the tract will include a standard condition which reaffirms the applicable sewage provisions for the Western Rosedale Specific Plan.

Existing Map Code Designation
The purpose of the Suburban Residential (SR) map code designation is to identify areas which are characterized by tract housing subdivisions, with sidewalks, gutter and curbs. Housing is usually newer, and has a maximum density of four dwellings per acre.

Proposed Zone District
The purpose of the Estate (E) District is to classify areas suitable for larger lot residential living environments with uses limited to those typical of and compatible with quiet residential neighborhoods. The minimum lot size in the E (1/4) District is one-quarter (1/4-) acre or 10,890 square feet (net).

The proposed E District is consistent with the purpose and intent of the SR map code designation. Additionally, approval of the zone change request will continue to satisfy the requirements of California Government Code Sections 65860 and 65862 which specify consistency be maintained between local Zoning Ordinances and the General and Specific Plans they implement.

Similar Requests
Staff notes since the adoption of the Western Rosedale Specific Plan in 1994, the following similar requests have been considered within the administrative boundaries of Zone Map 101:

- Specific Plan Amendment 56, Map 101 and Zone Change Case 143, Map 101 (approved April 5, 2008; Resolutions 2008-094 and 2008-095; Ordinance G-7214), which amended the Western Rosedale Specific Plan from Map Code RR (Rural Residential - Minimum 2.5 Gross Acres/Unit) to SR and a change in zone classification from A to E (1/4) on 19.55 acres, located on the southwest corner of Renfro Road and Hageman Road, approximately 0.75 mile to the west. Staff notes the request was to become effective upon recordation of a final subdivision map.
• **Zone Change Case 155, Map 101** (approved January 24, 2006; Resolution 2006-022; Ordinance G-7338), which authorized a change in zone classification from A to E (1) RS (Estate - 1 acre - Residential Suburban Combining) and an exclusion from Agriculture Preserve 9 on 64.71 acres, located on the southeast corner of Hageman Road and Nord Avenue, approximately 2.5 miles to the west. Staff notes the request was to become effective upon recording of a final subdivision map.

• **Specific Plan Amendment 55, Map 101 and Zone Change Case 141, Map 101** (approved March 15, 2005; Resolutions 2005-092 and 2005-108; Ordinance G-7212), which amended the Western Rosedale Specific Plan from Map Code ER (Estate Residential - Minimum 1 Net Acre/Unit) to UER (Urban Estate Residential – less than or equal to 2 dwelling units/net acre) and a change in zone classification from A to E (1/2) RS PE (Estate - 1/2 acre - Residential Suburban Combining - Petroleum Extraction Combining) on 18.2 acres, located on the southwest corner of Hageman Road and Wegis Avenue, approximately two miles to the west. Staff notes the request was to become effective upon recording of a final subdivision map.

**Notification and Request for Comments**

During the course of processing this request, Staff notified surrounding property owners within 1,000 feet of the project site, affected agencies, and County departments. As of this writing, six comment letters have been received. Copies of all correspondence received are attached for your Board’s reference.

• The Kern County Public Works Department/Building and Development – Development Division noted they have no comments at this time.

• The North of the River Recreation and Park District (NOR) submitted comments indicating the project will have an impact on park and recreation services upon the recording of Tract Map 7289. At the time of recording, the applicant will be required to: (1) pay the Quimby in-lieu fee; (2) join the NOR Park Maintenance District; and, (3) pay park development fees for each residential structure.

Staff notes that because a zone change cannot be conditioned, the above-mentioned requirements will be included as conditions of approval for VTTM 7289 should that request be approved.

• The California Department of Transportation (Caltrans) stated they do not have any objections; however, indicated that it is difficult to analyze the effects on traffic without knowing project specifics

Staff notes should the request be approved, Caltrans will be afforded the opportunity to review and comment on project specifics as part of the processing of VTTM 7289. Any recommendations by that agency can be considered as conditions of approval for the tract map at that time.

• The Department of Conservation/Division of Oil, Gas, and Geothermal Resources (DOGGR) noted the project site is located within the administrative boundaries of the Rosedale Oil Field. There are two plugged-and-abandoned wells situated within the boundaries of the property, however, no further surface plug testing will be required if project is completed (built out) prior to May 2017. Nonetheless, DOGGR stated that if
these or any abandoned or unrecorded wells are uncovered or damaged during excavation or grading activities, remedial plugging operations may be required.

Staff notes at this time no development is being considered. However, DOGGR will be afforded the same opportunity as other public agencies to review and comment on project specifics as part of the processing of VTTM 7289. At that time, any recommendations by DOGGR can be considered and incorporated as conditions of approval for the tract map.

- The Kern County Superintendent of Schools stated the proposed project will not impact public school facilities so long as statutory school facilities fees are collected.

Should the proposed project be approved, Staff notes the applicable statutory school fees are collected at the time of the building permit issuance for any development.

- The Kern County Public Works Department/Building and Development - Building Inspection and Flood, Drainage, Grading, CSA Unit stated they have no comments or recommendations at this time.

Environmental Review
Staff notes the project was advertised with an environmental review of “special situation” under Section 15183 of the California Environmental Quality Act (CEQA). However, in reviewing the proposal, Staff has further considered the applicable provisions of CEQA and the State CEQA Guidelines. Section 15182 of the Public Resources Code states that where a public agency has prepared an Environmental Impact Report (EIR) on a Specific Plan after January 1, 1980, no EIR or Negative Declaration need be prepared for a residential project undertaken pursuant to and in conformity to that Specific Plan if the project meets the requirements of this section. Residential projects covered by this section include but are not limited to land subdivisions, zoning changes, and residential planned unit developments. On September 12, 1994, your Board adopted the Western Rosedale Specific Plan and certified the Environmental Impact Report prepared for the Plan. The Plan was subsequently revised by your Board on December 11, 2007. This project does not propose any changes to the existing map code designations established by the Plan and is, in fact, intended to implement the previously adopted map code designation.

Planning Commission Hearing – July 9, 2015
This case was considered by the Planning Commission on its July 9, 2015, consent agenda. There being no one wishing to speak on the matter, the item remained on consent and the Planning Commission adopted Resolutions 79-15 and 80-15 by a vote of four to zero in favor, with Commissioner Babcock absent, recommending your Board approve the zone change as requested, but to become effective upon recordation of a final subdivision map; and approve the exclusion as requested.

Conclusion

Change in Zone Classification
The project site lies within the boundaries of the Western Rosedale Specific Plan. Land Use goals and policies within the Plan include the following:

- Provide a range of housing alternatives in the Western Rosedale Specific Plan area (page I-7)

- Promote diversity of land uses in the Plan area (page I-8).
• Plan for the development of a variety of residential types and densities within the Plan area (page I-19).

• The Plan shall maintain a variety of residential land uses in order to meet the diverse needs required for regional growth (page I-21).

Approval of the E (1/4) District would appear to be a logical means to implement the above-referenced provisions of the Western Rosedale Specific Plan. The requested E (1/4) District is consistent with the site’s SR map code designation and approval of the request would: (1) continue to satisfy the requirements of California Government Code Sections 65860 and 65862 which specify consistency be maintained between local Zoning Ordinances and the General and Specific Plans they implement; and (2) allow for the processing and consideration of a future land division action on the site.

However, Staff recommends the zone change become effective upon recordation of a final tract map to ensure the necessary infrastructure improvements are obtained in conjunction with the subdivision of the property.

Exclusion from Agricultural Preserve
The California State Legislature, in formulating the California Land Conservation Program, found that preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the State’s economic resources and is necessary not only to the maintenance of the agricultural economy of the State, but also for the assurance of adequate, healthful, and nutritious food for future residents of the State and the Nation. The program, referred to locally as the “Agricultural Preserve Program,” is enforced through the provisions of the Government Code of the State of California relating to the California Land Conservation Act (Williamson Act), as well as local ordinances, policies, and procedures which have been or may be adopted and/or modified from time to time. The California Land Conservation Act is permissive legislation, and the policies and procedures adopted by local entities may be more but not less restrictive than the State legislation. Although the Administrator of the Agricultural Preserve Program in Kern County is the Director of the Kern County Planning and Community Development Department, all policies and procedures for administering the Program are initiated, developed, and amended by your Board upon recommendation of the Planning Director. Should your Board approve the proposed request, exclusion of the project site from the boundaries of Agricultural Preserve 9 would be consistent with your Board’s policy of only allowing properties zoned A to be included within the administrative boundaries of an Agricultural Preserve.

Based on the foregoing evaluation, it is Staff’s opinion the request sufficiently demonstrates compliance with the necessary findings and, therefore, recommends your Board concur with the Planning Commission and approve the zone change as requested, to become effective upon recordation of a final subdivision map, and approve the exclusion as requested.

PUBLIC INQUIRY OR CORRESPONDENCE: Kern County Public Works Department/Building and Development - Development Division; Kern County Public Works Department/Building and Development - Building Inspection and Flood, Drainage, Grading, CSA Unit; Kern County Superintendent of Schools; North of the River Recreation and Park District (2); California Department of Transportation; Department of Conservation/Division of Oil, Gas, and Geothermal Resources
CEQA ACTION: Environmental Review: Special Situation, Section 15183 and 15182

PLANNING COMMISSION RECOMMENDATION: Adopt resolutions, recommended findings, and enact ordinance approving zone change as requested, to become effective upon recordation of a final subdivision map; approve exclusion as requested

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR ZONE CHANGE CASE:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This Board has found the project to be exempt from the requirement for preparation of environmental documents pursuant to Section 15182 of the State CEQA Guidelines.

(3) The requested actions initiate the implementation of a residential project consistent with the established development density pursuant to Section 15182 of State CEQA Guidelines.

(4) This Board has determined that pursuant to Public Resources Code Section 21166 and 21083.1, and Section 15183 of the State CEQA Guidelines, said project qualifies as a special situation and does not require preparation of further environmental documents under the requirements of the Environmental Quality Act of 1970.

County Staff has reviewed the Environmental Information Form submitted by the applicant, and it has been determined there are no project-specific significant effects for the Amendment of Zoning Map No. 101, Zone Change Case No. 184 project. Pursuant to the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of CEQA, Section 15183, after a review of the proposed project and in light of the evidence in the record, Staff has made the determination that the requested actions for the Amendment of Zoning Map No. 101, Zone Change Case No. 184 project do not require the preparation of subsequent environmental documentation based on the following:

- As a result of the requested actions, no substantial changes are proposed in the project that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.

- As a result of the requested actions, no substantial changes will occur with respect to the circumstances under which the project will be undertaken that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.

- There is no new information of substantial importance that was not known or could not have been known at the time the Western Rosedale Specific Plan Final Environmental Impact Report was certified, and no new significant effects as a result of the requested actions will occur that were not addressed in the Western Rosedale Specific Plan Final Environmental Impact Report.
• The requested actions initiate the implementation of a project addressed in the Western Rosedale Specific Plan and previously analyzed in the Western Rosedale Specific Plan Final Environmental Impact Report, and the requested actions are in substantial conformance with that plan.

• The requested actions do not require the preparation of subsequent environmental documentation as the conditions identified in Section 15162 do not occur.

(5) Approval of the proposed E (1/4) (Estate - 1/4 acre) District is consistent with the applicable provisions of the Western Rosedale Specific Plan and with previous zone change approvals in the area.

(6) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not be substantial and will not interfere with maintenance of a high-quality environment now or in the future.

(7) Approval of the proposed E (1/4) (Estate - 1/4 acre) District will allow for future implementation of development that is compatible with surrounding land uses.

(8) It is necessary to hold the requested zone district in suspense pending recordation of a final map subdivision to ensure that proper infrastructure improvements are constructed in conjunction with a division of the site.

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR EXCLUSION:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This Board has found the project to be exempt from the requirement for preparation of environmental documents pursuant to Section 15182 of the State CEQA Guidelines.

(3) The requested actions initiate the implementation of a residential project consistent with the established development density pursuant to Section 15182 of State CEQA Guidelines.

(4) This Board has determined that pursuant to Public Resources Code Section 21166 and 21083.3, and Section 15183 of the State CEQA Guidelines, said project qualifies as a special situation and does not require preparation of further environmental documents under the requirements of the Environmental Quality Act of 1970.

County Staff has reviewed the Environmental Information Form submitted by the applicant, and it has been determined there are no project-specific significant effects for the Alteration of the Boundaries of Agricultural Preserve No. 9 - Exclusion project. Pursuant to the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of CEQA, Section 15183, after a review of the proposed project and in light of the evidence in the record, Staff has made the determination that the requested actions for the Alteration of the Boundaries of Agricultural Preserve No. 9 - Exclusion project do not require the preparation of subsequent environmental documentation based on the following:

• As a result of the requested actions, no substantial changes are proposed in the project that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the
involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.

- As a result of the requested actions, no substantial changes will occur with respect to the circumstances under which the project will be undertaken that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.

- There is no new information of substantial importance that was not known or could not have been known at the time the Western Rosedale Specific Plan Final Environmental Impact Report was certified, and no new significant effects as a result of the requested actions will occur that were not addressed in the Western Rosedale Specific Plan Final Environmental Impact Report.

- The requested actions initiate the implementation of a project addressed in the Western Rosedale Specific Plan and previously analyzed in the Western Rosedale Specific Plan Final Environmental Impact Report, and the requested actions are in substantial conformance with that plan.

- The requested actions do not require the preparation of subsequent environmental documentation as the conditions identified in Section 15162 do not occur.

(5) Exclusion of the property from the boundary of Agricultural Preserve No. 9 is consistent with adopted Board policy that only properties zoned A (Exclusive Agriculture) should be included within the boundaries of an Agricultural Preserve.

(6) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not be substantial and will not interfere with maintenance of a high-quality environment now or in the future.

SFD:JD:sc

Attachments
ZCC 184, Map 101
Ag. Pres #9 - Excl.

Existing General Plan

WESTERN ROSEDALE
SPECIFIC PLAN DESIGNATIONS

RR Rural residential, minimum 2.5 gross acres/unit
UER Urban estate residential, minimum 1/2 acre/unit
SR Suburban residential, ≤ 4 d.u./net acre
GC General commercial
LI Light industrial
SI Service industrial
HI Heavy industrial
OS-P Parks and recreation facilities
R-IA Intensive agriculture, min. 20 acre parcel size

Kern Land Partners, LLC
by McIntosh & Associates
APN: 529-012-34
Section 14, T.29S., R.26E. MDBM

Kern County Planning & Community Development Department
09/01/2015
ZCC 184, Map 101
Ag. Pres #9 - Excl.
Assessor's Parcelization

Kern Land Partners, LLC
by McIntosh & Associates
APN: 529-012-34
Section 14, T.29S., R.26E., MDBM

Kern County Planning & Community Development Department
09/01/2015
Office Memorandum
KERN COUNTY

To: Planning Department
    John Dacey

From: Engineering, Surveying and Permit Services
       Floodplain Management Section
       Aaron Leicht, by Jason Scheer

Date: June 29, 2015
Phone: (661) 862-5083
Email: ScheerJ@co.kern.ca.us

Subject: Notice of Public Hearing — Planning Commission
         Zone Classification Change #184, Map #101
         Agricultural Preserve #9 Exclusion

From the information supplied with the Notice of Public Hearing, we have no comments or recommendations regarding the above project.
COUNTY OF KERN
DEVELOPMENT SERVICES AGENCY
ROADS DEPARTMENT
Office Memorandum

To: Lorelei Oviatt, Director
Planning and Community Development Department
Attn: John Dacey, Planner 2

From: Warren D. Maxwell, Transportation Development Engineer
Roads Department

Subject: 7-5.2 Zone Change Case #184, Map 101 (Northwest corner of Hageman Road and Santa Fe Way, Bakersfield)

June 17, 2015

This Department has reviewed the subject project and has no comment at this time. Comments will be provided during review of the subsequent land division.

Thank you for the opportunity to comment on this project, if you have any questions or comments please contact Bruce Gray of this Department.
July 24, 2015

John Dacey, Planner 2
Kern County Planning Department
2700 M Street, Suite 100
Bakersfield, CA 93301

RE: DEVELOPER FEES FOR: Zone Change Case No. 184, Map No. 101-14; Ag Pres No. 9 - Excl (Northwest corner of Hageman Road and Santa Fe Way)

Dear Mr. Dacey:

This office represents the Rosedale Union and Kern High School Districts with regard to the imposition of developer fees, and appreciate the opportunity to respond on behalf of these districts regarding the proposed project. This letter is limited to addressing the possible effects which the project might have on school facilities created by students attributable to the project. It is not intended to address other possible environmental concerns which might be identified by the district(s) after reviewing it.

Our office has determined the above-mentioned project proposing a change in zone classification from A (Exclusive Agriculture) to E (1/4) (Estate - 1/4 acre, and the exclusion of approximately 14.07-acres from the boundaries of an agricultural preserve will have no significant effects on these district's facilities so long as statutory school facilities fees, if any, are collected as required by law and that no further mitigation measures regarding school facilities are necessary.

Thank you for the opportunity to comment on the project. Should you have any questions, or if we can be of any further assistance in this matter, please contact me at 636-4599, or through e-mail at mabaker@kern.org.

Sincerely,

Christine Lizardi Frazier
County Superintendent of Schools

Mary L. Baker, Manager
School District Facility Services
June 19, 2015

Mr. John Dacey, Planner 2
Kern County Planning and
Community Development Department
2700 “M” Street, Suite 100
Bakersfield, California 93301

SUBJECT: Revised ZCC #184, Map #101; Ag Pres #9-Excl

Dear Mr. Dacey:

The referenced revision for exclusion of approximately 14.07 acres from the boundaries of an Agricultural Preserve at the northwest corner of Hageman Road and Santa Fe Way will not impact North of the River Recreation and Park District (NOR), as long as the conditions to pay Quimby and development fees and join the NOR Park Maintenance District stated in previous correspondence are applied.

Thank you for the opportunity to comment on this proposal.

Sincerely,

[Signature]

Steph Sanders, PLA, ASLA
Landscape Architect & Park Planner

SS:bc
June 15, 2015

Mr. John Dacey, Planner
Kern County Planning and Community Development Department
2700 "M" Street, Suite 100
Bakersfield, California 93301

SUBJECT: ZCC #184, Map #101

Dear Mr. Dacey:

North of the River Recreation and Park District (NOR) has no objection to the above referenced change in zone classification at the northwest corner of Hageman Road and Santa Fe Way. However, Quimby and development fees are required to assist in mitigating the impact to park and recreation services. Also, this development will be required to join the NOR Park Maintenance District.

The County’s conditions form is enclosed for your convenience.

Thank you for the opportunity to comment on this proposal.

Sincerely,

Steph Sanders, PLA, ASLA
Landscape Architect & Park Planner

SS:bc

Enclosure
NORTH OF THE RIVER RECREATION AND PARK DISTRICT
CONDITIONS OF APPROVAL

Condition for in-lieu fees only.

X Prior to recordation of a final map, the subdivider shall pay a Quimby fee based on a park land dedication requirement of 2.5 acres per 1000 population in accordance with Chapter 18.96 of the County of Kern Land Division Ordinance. If the number of dwelling units increases or decreases upon recordation of a final map(s), the park land requirement will change accordingly. Refer to County of Kern Land Division Ordinance 18.50.080, 18.96 and the Planning Information Sheet regarding calculation and payment of in-lieu fee. This subdivision is located within the boundaries of the North of the River Recreation and Park District. In accordance with Government Code Section 66020(d), you are hereby notified that the 90-day period in which you may protest the imposition of this fee has begun.

County of Kern Land Division Ordinance 18.50.080 & 18.96 requires the Planning Commission to determine if a subdivider is to dedicate park land, pay an in-lieu fee, reserve park land or a combination of these in order to satisfy the City's park land ordinance for North of the River Recreation and Park District. Staff is recommending this condition in accordance with County of Kern Land Division Ordinance 18.50.080 & 18.96.

Condition for dedication, payment of in-lieu fees, reservation and/or combination.

☐ Prior to recordation of a final map, the subdivider shall dedicate land with free and clear title to North of the River Recreation and Park District based on a park land dedication requirement of 2.5 acres per 1,000 population in accordance with Chapters 18.50.080 & 18.96 of the County of Kern Land Division Ordinance. If the number of dwelling units increases or decreases upon recordation of a final map(s), the park land requirement will change accordingly. Prior to recordation of a final map, the subdivider shall enter into an agreement with North of the River Recreation and Park District to implement and satisfy this condition. This subdivision is located within the boundaries of North of the River Recreation and Park District. In accordance with Government Code Section 66020(d), you are hereby notified that the 90-day period in which you may protest the imposition of the fee has begun.

- Subdivider shall dedicate ____ acres;

- and pay in-lieu fees on the remaining portion of the park land requirement. Refer to County of Kern Land Division Ordinance Chapters 18.50.080, 18.96 and Planning Information Sheet regarding calculation and payment of in-lieu fee.

- In addition to the dedication of land, the subdivider shall reserve ___________ acres of additional land within the boundaries of the tract for the park.

County of Kern Land Division Ordinance 18.50.080 & 18.96 requires the Planning Commission to determine if a subdivider is to dedicate park land, pay an in-lieu fee, reserve park land or a combination of these in order to satisfy the City's park land ordinance for North of the River Recreation and Park District. Staff is recommending this condition in accordance with County of Kern Land Division Ordinance Chapter 18.50.080 & 18.96.
NORTH OF THE RIVER RECREATION AND PARK DISTRICT
CONDITIONS OF APPROVAL (Continued)

☐ Prior to recordation of any final map, the subdivider shall record a covenant on the property disclosing the requirement to dedicate/reserve a public park pursuant to a park agreement with the North of the River Recreation and Park District. Covenant shall be reviewed for approval by the North of the River Recreation and Park District prior to recordation.

North of the River Recreation and Park District requested condition for orderly development.

Condition of requirement to join the North of the River Park Maintenance District.

X It is required that this development joins the North of the River Park Maintenance District. Monitoring of this condition will be assisted by North of the River Recreation and Park District (NOR). The developer is required to provide NOR with a listing of all parcels/lots and the number of residential units being created. A printed copy of the map shall also be submitted that shows all parcels/lots. A written request to join the maintenance district and waive Proposition 218 voting rights regarding the fee should also be submitted (NOR will provide a form to be completed and signed). These will be reviewed by NOR and, when determined acceptable for billing purposes, a certificate will be provided to the developer. The certificate will verify that the provisions of this condition have been met. This condition should be met before the tract is allowed to record and, preferably, concurrently with the application process. Prior to recordation of a final map, the subdivider shall provide the Planning Department written proof/verification from North of the River Recreation and Park District that said project is within the NOR Park Maintenance District.

North of the River Recreation and Park District requested condition for orderly development.

Condition of fee for park development and improvement.

X All residential development within the North of the River Recreation and Park District jurisdiction shall pay a park development fee to help provide park facilities within the District area. This is in accordance with Chapter 17.70 of the County of Kern Ordinance Code. Fees are paid directly to Kern County and set up as a separate account for NOR park development. All fees must be paid at the time of building permit issuance. Fees required shall be the applicable amount in effect at the time a building permit is obtained.

North of the River Recreation and Park District requested condition for orderly development.

X Subdivider shall be responsible for improving streets adjacent to the park site to County & Greater Bakersfield Metropolitan Plan standards.

Orderly development.

☐

North of the River Recreation and Park District
Conditions of Approval-County of Kern
June 15, 2015
June 18, 2015

Mr. John Dacey, Planner 2
Kern County Planning Department
2700 “M” Street, Suite 100
Bakersfield, CA 93301

Dear Mr. Dacey:

Thank you for the opportunity to review a Notice of Public Hearing for a proposed change in zone classification. The project proposes to change the zone classification from A (Exclusive Agriculture) to E (1/4) (Estate – ¼ Acre) on a 13.98 acre parcel. The project site is located on the north west corner of the Hageman Road/Santa Fe Way intersection, approximately 1 mile north of State Route (SR) 58 and 6 miles west of SR 99 just outside the city limits of Bakersfield in Kern County.

Caltrans has no objection with the proposed zone change application. However, Caltrans recommends that a Site Plan Review overlay or equivalent be imposed as a condition of approval (COA) for the zone change to allow for review of any proposed use on the site that is allowed by the proposed land use and zone district. Since no specific development has been indicated, Caltrans cannot evaluate the potential impacts to the State Highway System, specifically along State Routes 58 and 99. It is difficult to analyze the effects on traffic without knowing project specifics such as the size of the project, proposed access locations, etc. Once this information is provided, we will be able to complete our review and determine if a Traffic Impact Study (TIS) or other mitigations are required.

If you have any further questions, please contact me at (559) 445-5763.

Sincerely,

Sandra L. Scherr
Acting Chief, Planning South Branch

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"
June 15, 2015

John Dacey, Planner 2
Kern County Planning and Community Development Department
2700 M Street, Suite 100
Bakersfield, California 93301

Subject: ZCC 184, Zoning Map 101
APN 529-012-34; a portion of the SE/4 of Section 14, T.29S., R.26E.

Dear Mr. Dacey,

The Department of Conservation’s Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above referenced project. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. The Division offers the following comments for your consideration.

The project location is situated within the administrative boundaries of the Rosedale Oil Field. There are two plugged-and-abandoned wells situated within site boundaries. Please refer to the attached Location Map and Table 1.

The surface plugs of the two wells were successfully leak-tested by a Division engineer on May 29, 2013. No further surface plug leak-testing will be required if the project is completed (built out) prior to May 2017. If these or any other abandoned, unrecorded wells are uncovered or damaged during excavation or grading, remedial plugging operations may be required. This office must be contacted to obtain information on the requirements for and approval to perform remedial operations.

The Division recommends that no structure be built over or in proximity to an abandoned well location (see Proximity Diagram A). According to Section 3208.1 (a) of the Public Resources Code (PRC), the supervisor or district deputy may order the reabandonment of any previously abandoned well if the supervisor or district deputy has reason to question the integrity of the previous abandonment. The costs of well reabandonment operations, depending on the situations described in PRC 3208.1 (a) (1) (2) and (3) could be the responsibility of the owner or developer and can be significant. The Division should be consulted for an opinion regarding well reabandonment responsibility for the owner or developer.

The Department of Conservation’s mission is to balance today’s needs with tomorrow’s challenges and foster intelligent, sustainable, and efficient use of California’s energy, land, and mineral resources.
Location Map
ZCC No. 184, Map No. 101
In the SE/4 of Section 14, T.29S., R.26E.
Rosedale Oil Field
Source: Division Online Well Finder
June 2015     DLF
Table 1  
ZCC 184, Map 101  
Kern Land Partners, LLC Property  
In the SE/4 of Section 14, T.29S., R.26E.  
Rosedale Oil Field

<table>
<thead>
<tr>
<th>Operator of Record</th>
<th>API Number</th>
<th>Well</th>
<th>Well Status w/Year</th>
<th>Location in Feet</th>
<th>Elevation in Feet</th>
<th>Latitude NAD83</th>
<th>Longitude NAD83</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reserve Oil Company</td>
<td>029-16730</td>
<td>&quot;KCL G&quot; 5</td>
<td>P &amp; A 1960</td>
<td>Fr SE cor 358N, 990W</td>
<td>358 GL</td>
<td>35.399149</td>
<td>-119.148894</td>
</tr>
<tr>
<td>Chevron USA, Inc.</td>
<td>029-16729</td>
<td>&quot;KCL G&quot; 3</td>
<td>P &amp; A 1987</td>
<td>Fr SE cor 330S, 990W</td>
<td>368 KB</td>
<td>35.398920</td>
<td>-119.148869</td>
</tr>
</tbody>
</table>

The surface plug of each well was successfully leak-tested by a Division engineer on May 29, 2013 and found not leaking oil, water, or gas.

KEY
GL Ground Level
KB Kelly Bushing
"KCL G" Kern County Land Company G lease
P & A Plugged and Abandoned

Provided by the California DOGGR, Bakersfield  
June 2015 DLF
PROXIMITY DIAGRAM A

For Commercial, Industrial, and Residential Projects

Proximity, *at a minimum*, shall be defined as being within 10 feet from the property line and/or structure. The distance shall be measured from the center of the well, extending out to the sides of the building or structure. Two adjacent sides shall be not less than 10 feet, with the third side not less than 50 feet. The fourth side shall remain open to allow access to the well by a rig for workovers (if an active or idle well), abandonment, or reabandonment.

Example:

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Note: If the operator of an active or idle well believes that the distance from the structure to the well is unsafe to work over, the operator may request the Division to review the special circumstances; a Division engineer will contact both the developer and the operator in writing of the decision.

State of California DOGGR
BEFORE THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

APPLICATION FOR ZONE CHANGE CASE NO. 184, MAP NO. 101

Northwest corner of Hageman Road and Santa Fe Way, Bakersfield
Kern Land Partners, LLC by McIntosh and Associates (PP15183)

FINDINGS AND DETERMINATION

I, Lorelei H. Oviatt, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Louie, seconded by Ms. Garcia, was duly passed and adopted by said Planning Commission at an official meeting hereof this 9th day of July, 2015, by the following vote, to wit:

AYES: Garcia, Louie, Poole, Sprague

NOES: None

ABSTAINED: None

ABSENT: Babcock

SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

RESOLUTION

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65000, et seq. (known as the Planning and Zoning Law), the Kern County Board of Supervisors has adopted the Official Land Use and Zoning Ordinance for the County of Kern (Ordinance Code of Kern County, Chapter 19.02, et seq.), herein called the Zoning Ordinance; and
(b) The Zoning Ordinance establishes various classes of zones, prescribes land uses and regulations for the various zones, and adopts zoning maps for the purposes of dividing the County into zones and showing the zone boundaries; and

(c) The Zoning Ordinance regulates the use of buildings, structures, and land, as between agriculture, industry, business, residence, and other purposes, and other uses more specifically set forth in Section 65850 of said Government Code; and

(d) The Kern County Planning and Community Development Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section 7297.342 of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(e) Said parcel of real property is described as follows:

    APN: 529-012-34

    Section 14, T29S, R26E, MDB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Community Development Department); and

(f) Said application has been made pursuant to provisions of Chapter 19.112 of said Ordinance Code, and requests a zone change insofar as said requirements are applicable to the aforementioned parcel of real property, and more particularly a change in zone classification from A (Exclusive Agriculture) to E (1/4) (Estate - 1/4 acre) or a more restrictive district; and

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Additionally, the Planning and Community Development Department has investigated possible environmental impacts of the requested actions and found this project qualifies as a special situation and does not require preparation of

ZCC #184, Map #101
July 9, 2015
further environmental documents pursuant to the Public Resources Code Sections 21166 and 21083.3, and Sections 15183 and 15182 of the State CEQA Guidelines; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Community Development Department and all persons so desiring were duly heard; and

(k) During said hearing and prior to consideration of the merits of said matter, this Commission called for any objections to the dispensing with an environmental impact report; and

(l) This Commission has considered the recommendation of the Planning and Community Development Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) After careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be recommended for A P P R O VA L, as recommended by Staff, by the Board of Supervisors, for the reasons specified in this Resolution; and

(c) The findings of this Commission upon which its decision is based are as follows:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This Commission has found the project to be exempt from the requirement for preparation of environmental documents pursuant to Section 15182 of the State CEQA Guidelines.

(3) The requested actions initiate the implementation of a residential project consistent with the established development density pursuant to Section 15182 of State CEQA Guidelines.

(4) This Planning Commission has determined that pursuant to Public Resources Code Section 21166 and 21083.3, and Section 15183 of the State CEQA Guidelines, said project qualifies as a special situation and does not require preparation of further environmental documents under the requirements of the Environmental Quality Act of 1970.

County Staff has reviewed the Environmental Information Form submitted by the applicant, and it has been determined there are no project-specific significant effects for the Amendment of Zoning Map No. 101, Zone Change Case No. 184 project. Pursuant to the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of CEQA, Section 15183, after a review of the proposed project and in light of the evidence in the record, Staff has made the

ZCC #184, Map #101
July 9, 2015

Page 3
determination that the requested actions for the Amendment of Zoning Map No. 101, Zone Change Case No. 184 project do not require the preparation of subsequent environmental documentation based on the following:

- As a result of the requested actions, no substantial changes are proposed in the project that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.

- As a result of the requested actions, no substantial changes will occur with respect to the circumstances under which the project will be undertaken that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.

- There is no new information of substantial importance that was not known or could not have been known at the time the Western Rosedale Specific Plan Final Environmental Impact Report was certified, and no new significant effects as a result of the requested actions will occur that were not addressed in the Western Rosedale Specific Plan Final Environmental Impact Report.

- The requested actions initiate the implementation of a project addressed in the Western Rosedale Specific Plan and previously analyzed in the Western Rosedale Specific Plan Final Environmental Impact Report, and the requested actions are in substantial conformance with that plan.

- The requested actions do not require the preparation of subsequent environmental documentation as the conditions identified in Section 15162 do not occur.

(5) Approval of the proposed E (1/4) (Estate - 1/4 acre) District is consistent with the applicable provisions of the Western Rosedale Specific Plan and with previous zone change approvals in the area.

(6) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not be substantial and will not interfere with maintenance of a high-quality environment now or in the future.

(7) Approval of the proposed E (1/4) (Estate - 1/4 acre) District will allow for future implementation of development that is compatible with surrounding land uses.

(8) It is necessary to hold the requested zone district in suspense pending recordation of a final map subdivision to ensure that proper infrastructure improvements are constructed in conjunction with a division of the site; and

(d) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Kern Land Partners, LLC by McIntosh and Associates (PP15183) (agent) (1)
Kern Land Partners, LLC (applicant/owner) (1)
LiUNA/Arthur Izzo (1)
File (3)

ZCC #184, Map #101
July 9, 2015
BEFORE THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 80-15

APPLICATION FOR ALTERATION OF BOUNDARIES OF
AGRICULTURAL PRESERVE NO. 9 - EXCLUSION

Northwest corner of Hageman Road and Santa Fe Way, Bakersfield
Kern Land Partners, LLC by McIntosh and Associates (PP15183)

FINDINGS AND DETERMINATION

I, Lorelei H. Oviatt, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Louie, seconded by Ms. Garcia, was duly passed and adopted by said Planning Commission at an official meeting hereof this 9th day of July, 2015, by the following vote, to wit:

AYES: Garcia, Louie, Poole, Sprague

NOES: None

ABSTAINED: None

ABSENT: Babcock

[Signature]
SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

RESOLUTION

SECTION 1. WHEREAS:

(a) The Agricultural Preserve herein mentioned was established in the County of Kern pursuant to the California Land Conservation Act of 1965 and it has been proposed that the boundaries of said Agricultural Preserve be altered; and
(b) Pursuant to the Zoning Ordinance, Section 19.102.135, advisory actions shall be considered by the Planning Commission prior to consideration by the Board of Supervisors, following submission of an application containing the information specified in the applicable section of this title and a properly noticed public hearing; and

(c) The Kern County Planning and Community Development Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section 7297.342 of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(d) Said parcel of real property is described as follows:

   APN: 529-012-34

   Section 14, T29S, R26E, MDB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Community Development Department); and

(e) Said application has been made pursuant to provisions of Chapter 19.102 of said Ordinance Code, and requests that the boundaries of said Agricultural Preserve be altered as said requirements are applicable to the aforesaid parcel of real property, and more particularly exclusion of approximately 14.07 acres from the boundaries of an Agricultural Preserve; and

(f) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(g) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(h) Additionally, the Planning and Community Development Department has investigated possible environmental impacts of the requested actions and found this project qualifies as a special situation and does not require preparation of further environmental documents pursuant to the Public Resources Code Sections 21166 and 21083.3, and Sections 15183 and 15182 of the State CEQA Guidelines; and

Ag Pres #9 - Excl
July 9, 2015
(i) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Community Development Department and all persons so desiring were duly heard; and

(j) During said hearing and prior to consideration of the merits of said matter, this Commission called for any objections to the dispensing with an environmental impact report; and

(k) This Commission has considered the recommendation of the Planning and Community Development Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) After careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be recommended for APPROVAL, as recommended by Staff, by the Board of Supervisors, for the reasons specified in this Resolution; and

(c) The findings of this Commission upon which its decision is based are as follows:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This Commission has found the project to be exempt from the requirement for preparation of environmental documents pursuant to Section 15182 of the State CEQA Guidelines.

(3) The requested actions initiate the implementation of a residential project consistent with the established development density pursuant to Section 15182 of State CEQA Guidelines.

(4) This Planning Commission has determined that pursuant to Public Resources Code Section 21166 and 21083.3, and Section 15183 of the State CEQA Guidelines, said project qualifies as a special situation and does not require preparation of further environmental documents under the requirements of the Environmental Quality Act of 1970.

County Staff has reviewed the Environmental Information Form submitted by the applicant, and it has been determined there are no project-specific significant effects for the Amendment of Zoning Map No. 101, Zone Change Case No. 184 project. Pursuant to the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of CEQA, Section 15183, after a review of the proposed project and in light of the evidence in the record, Staff has made the determination that the requested actions for the Amendment of Zoning Map No. 101, Zone Change Case No. 184 project do not require the preparation of subsequent environmental documentation based on the following:

- As a result of the requested actions, no substantial changes are proposed in the project that will require major revisions to the Western Rosedale Specific Plan
Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.

- As a result of the requested actions, no substantial changes will occur with respect to the circumstances under which the project will be undertaken that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.

- There is no new information of substantial importance that was not known or could not have been known at the time the Western Rosedale Specific Plan Final Environmental Impact Report was certified, and no new significant effects as a result of the requested actions will occur that were not addressed in the Western Rosedale Specific Plan Final Environmental Impact Report.

- The requested actions initiate the implementation of a project addressed in the Western Rosedale Specific Plan and previously analyzed in the Western Rosedale Specific Plan Final Environmental Impact Report, and the requested actions are in substantial conformance with that plan.

- The requested actions do not require the preparation of subsequent environmental documentation as the conditions identified in Section 15162 do not occur.

(5) Exclusion of the property from the boundary of Agricultural Preserve No. 9 is consistent with adopted Board policy that only properties zoned A (Exclusive Agriculture) should be included within the boundaries of an Agricultural Preserve.

(6) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not be substantial and will not interfere with maintenance of a high-quality environment now or in the future; and

(d) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Kern Land Partners, LLC by McIntosh and Associates (PP15183) (agent) (1)
Kern Land Partners, LLC (applicant/owner) (1)
LiUNA/Arthur Izzo (1)
File (3)
CA-3. ZONE CHANGE CASE #184, MAP #101 AGRICULTURAL PRESERVE #9 - EXCLUSION- (a) A change in zone classification from A (Exclusive Agriculture) to E (1/4) (Estate - 1/4 acre) or a more restrictive district; (b) Exclusion of approximately 14.07 acres from the boundaries of an Agricultural Preserve - Northwest corner of Hageman Road and Santa Fe Way, Bakersfield - STAFF RECOMMENDATION: ADVISE PLANNING COMMISSION TO RECOMMEND THE BOARD OF SUPERVISORS APPROVE ZONE CHANGE AS REQUESTED, TO BECOME EFFECTIVE UPON RECORDATION OF A FINAL SUBDIVISION MAP; APPROVE EXCLUSION AS REQUESTED; ADOPT THE SUGGESTED FINDINGS AS SET FORTH IN THE DRAFT RESOLUTIONS - Environmental Review: Section 15183 (SD #4) - Kern Land Partners, LLC by McIntosh and Associates (PP15183) HEARING OPENED; THE APPLICANT WAS IN ATTENDANCE; THERE BEING NO ONE WISHING TO BE HEARD IN OPPOSITION, HEARING CLOSED; RECOMMENDED THE BOARD OF SUPERVISORS APPROVE ZONE CHANGE AS REQUESTED, TO BECOME EFFECTIVE UPON RECORDATION OF A FINAL SUBDIVISION MAP; APPROVE EXCLUSION AS REQUESTED; ADOPT THE SUGGESTED FINDINGS AS SET FORTH IN THE RESOLUTIONS

CA-4. CONDITIONAL USE PERMIT #55, MAP #123-1 - To allow a church (Section 19.16.030J) in an E (1/2) RS (Estate - 1/2 acre - Residential Suburban Combining) District - 3017 Belle Terrace, Bakersfield - STAFF RECOMMENDATION: APPROVE IN ACCORDANCE WITH THE RECOMMENDED CONDITIONS AND ADOPT THE SUGGESTED FINDINGS AS SET FORTH IN THE DRAFT RESOLUTION - Environmental Review: Section 15301 (SD #5) - Esteban Calderon by David Fuentes (PP15181) STAFF PRESENTATION GIVEN BY SCOTT F. DENNEY, AICP, PLANNING OPERATIONS DIVISION CHIEF. THE APPLICANT, ESTEBAN CALDERON, AND HIS REPRESENTATIVE, DAVID FUENTES, WERE IN ATTENDANCE. MR. FUENTES INFORMED THE COMMISSION THAT THE CHURCH SERVICES WOULD BE HELD ON MONDAYS, FRIDAYS, AND SATURDAYS AS WELL AS ONE SUNDAY PER MONTH. MR. FUENTES ALSO STATED THAT THE APPLICANT HAS ALREADY BUILT THE REQUIRED MASONRY WALL AND IS WILLING TO COMPLY WITH ALL CONDITIONS OF APPROVAL. THERE BEING NO ONE WISHING TO BE HEARD IN OPPOSITION, THE HEARING CLOSED. A MOTION WAS MADE BY COMMISSIONER LOUIE AND A SECOND BY COMMISSIONER POOLE APPROVING IN ACCORDANCE WITH THE RECOMMENDED CONDITIONS AND ADOPTED THE SUGGESTED FINDINGS AS SET FORTH IN THE RESOLUTION. THE MOTION CARRIED.

CA-5. CONDITIONAL USE PERMIT #22, MAP #124-20 - To allow a 65-foot-tall flag pole wireless communication tower with associated equipment shelter (Section 19.32.030.F) in a C-2 (General Commercial) District - 5350 South Union Avenue, Bakersfield - STAFF RECOMMENDATION: APPROVE IN ACCORDANCE WITH THE RECOMMENDED CONDITIONS AND ADOPT THE SUGGESTED FINDINGS AS SET FORTH IN THE DRAFT RESOLUTION - Environmental Review: Section 15303 (SD #5) - Veltson o/l SAC Wireless Consulting, LLC (PP15185) HEARING OPENED; THE APPLICANT WAS IN ATTENDANCE; THERE BEING NO ONE WISHING TO BE HEARD IN OPPOSITION, HEARING CLOSED; APPROVED IN ACCORDANCE WITH THE RECOMMENDED CONDITIONS AND ADOPTED THE SUGGESTED FINDINGS AS SET FORTH IN THE RESOLUTION.