

CITY OF TAFT PLANNING COMMISSION
AMENDED AGENDA TO FIX ITEM #2
REGULAR MEETING AGENDA
WEDNESDAY, JUNE 22, 2016
CITY HALL COUNCIL CHAMBERS
209 E. KERN ST., TAFT, CA 93268

AS A COURTESY TO ALL - PLEASE TURN OFF CELL PHONES

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda are made available for public inspection in the lobby at Taft City Hall, 209 E. Kern Street, Taft, CA during normal business hours (SB 343).

REGULAR MEETING

6:00 P.M.

Pledge of Allegiance
Invocation

Roll Call: Chairman Orrin
 Vice Chair Jones
 Commissioner Leikam
 Commissioner Livingston
 Commissioner Thompson

1. CITIZEN REQUESTS/PUBLIC COMMENTS

THIS IS THE TIME AND PLACE FOR THE GENERAL PUBLIC TO ADDRESS THE COMMISSION ON MATTERS WITHIN ITS JURISDICTION. STATE LAW PROHIBITS THE COMMISSION FROM ADDRESSING ANY ISSUE NOT PREVIOUSLY INCLUDED ON THE AGENDA. COMMISSION MAY RECEIVE COMMENT AND SET THE MATTER FOR A SUBSEQUENT MEETING. PLEASE LIMIT COMMENTS TO FIVE MINUTES.

2. MINUTES

May 18, 2016 Regular
June 09, 2016 Special

Recommendation – Approve as submitted.

3. PUBLIC HEARING – CONDITIONAL USE PERMIT NO. 2016-13

Recommendation – Motion to adopt a Resolution approving Conditional Use Permit No. 2016-13 to permit the acquisition of a Type 41 ABC License for the sale of beer and wine for consumption on the premises, within an existing commercial building, located on a 0.48 acre lot, within the General Commercial (GC) Zone District located at 1008 Kern Street (APN 032-520-19).

4. PUBLIC HEARING – TEMPORARY LAND USE PERMIT NO. 2016-14

Recommendation – Motion to adopt a Resolution approving the establishment of a temporary 15-foot by 60-foot outdoor fruit and vegetable stand, to operate only on Fridays, Saturdays and Sundays, occupying a maximum of 9 parking spaces, within an existing private parking lot adjacent and to the west of La Villa Market, located on a 0.36 acre lot, in the Downtown Commercial (DC) Zone District located at 623 Center Street (APN 031-200-01).

5. PLANNING DIRECTOR REPORT

6. CITY ATTORNEY STATEMENTS

7. COMMISSIONER COMMENTS

8. IDENTIFICATION OF REPRESENTATIVE TO THE CITY COUNCIL

ADJOURNMENT

**AMERICANS WITH DISABILITIES ACT
(Government Code Section 54943.2)**

The City of Taft City Council Chamber is accessible to persons with disabilities. Disabled individuals who need special assistance (including transportation) to attend or participate in a meeting of the Taft City Planning Commission may request assistance at the Office of the City Clerk, City of Taft, 209 E. Kern Street, Taft, California or by calling (661) 763-1222. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.

AFFIDAVIT OF POSTING

I, Brenda Johns, declare as follows:

That I am the Recording Secretary for the City of Taft; that an agenda was posted on a public information bulletin board located near the door of the Civic Center Council Chamber on June 20, 2016, pursuant to 1987 Brown Act Requirements.

I declare under penalty of perjury that the foregoing is true and correct.
Executed June 20, 2016, at Taft, California.

Date/Time _____ Signature _____

**CITY OF TAFT PLANNING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, MAY 18, 2016**

REGULAR MEETING

6:00 P.M.

The May 18, 2016 regular meeting of the Planning Commission of the City of Taft, held in the City of Taft Council Chamber, 209 E. Kern Street, Taft CA 93268, was opened by Chairman Orrin at [6:02:39 PM](#) The Pledge of Allegiance was led by Vice Chair Shannon Jones, followed by an invocation given by Heather Mueller of the St. Andrews Episcopal Church.

PRESENT: Chairman Ron Orrin and Vice Chair Shannon Jones
Commissioners Jerry Livingston and Robert Thompson
Planning and Community Development Director Mark Staples
City Attorney Jason Epperson and Recording Secretary Brenda Johns

ABSENT: Commissioner Robert Leikam

1. CITIZEN REQUESTS/PUBLIC COMMENTS

There were none.

2. MINUTES

April 20, 2016 Regular

Motion: Moved by Thompson seconded by Jones to approve Minutes as submitted.

AYES: Orrin, Jones, Livingston, Thompson
PASSED: 4-0 Voice vote
ABSENT: Leikam

3. PUBLIC HEARING – CONDITIONAL USE PERMIT NO. 2016-07

Planning Director Staples presented his staff report and recommendation.

Orrin asked the Applicant Debbie Perry if this would be her first business venture.

Applicant Debbie Perry answered it would be.

Orrin asked Director Staples if alcohol would be permitted outside of the restaurant.

Staples stated it would not be permitted. He noted outdoor enclosed areas would be a specific area for Alcoholic Beverage Control (ABC).

Orrin asked if there would be a change in occupancy for the restaurant.

Staples stated there would not be a change in occupancy.

Applicant Debbie Perry noted the layout would remain the same and the only addition to the site plan was a kegerator and soda machine.

The Public Hearing was opened at [6:15:17 PM](#) to receive testimony from proponents and opponents. Seeing none the public hearing was closed.

Motion:

Moved by Jones seconded by Thompson to adopt a Resolution entitled **CONDITIONAL USE PERMIT NO. 2016-07 TO PERMIT DEBBIE PERRY TO ACQUIRE A TYPE 41 ABC LICENSE FOR THE SALE OF BEER AND WINE FOR CONSUMPTION ON THE PREMISES, WITHIN A UNIT OF AN EXISTING COMMERCIAL BUILDING (ROOTS EATERY), LOCATED ON A 0.29 ACRE LOT, WITHIN THE MIXED USE (MU) ZONE DISTRICT LOCATED AT 149 KERN STREET (APN 031-450-38).** (Resolution No. 2016-05)

AYES: Orrin, Jones, Livingston, Thompson
PASSED: 4-0
ABSENT: Leikam

4. PUBLIC HEARING – ZONING ORDINANCE AMENDMENT NO. 2016-09

Planning Director Staples presented his staff report and recommendation.

Livingston stated typically only a number of revisions are allowed to the General Plan (GP) he asked if this revision would create an issue.

Staples replied this revision had a 120 day deadline and the GP had a whole year. He noted this revision would be incorporated into the GP for consistency.

Orrin referred to the Urban Area Plan Map and asked Staples if someone was outside of the red line (urban area) but inside the yellow limit (sphere of influence) would they come to Taft City Hall for permitting.

Staples noted they would need to be inside the green line (Taft City Limits) for permitting in the City of Taft. He further explained page five of eight of the resolution, amendment procedures sub section A.

Livingston feels the most important thing to do is have really good findings with GP amendments.

Staples agreed with Livingston, he continued to review the Urban Growth Boundary (UGB) Map with the Commissioners and the GP amendment process.

The Public Hearing was opened at [6:42:30 PM](#) to receive testimony from proponents and opponents. Seeing none the public hearing was closed.

Motion:

Moved by Livingston seconded by Thompson to adopt a Resolution recommending approval to the City Council of **ZONING ORDINANCE AMENDMENT NO. 2016-09, AN AMENDMENT OF TITLE 6 OF THE TAFT MUNICIPAL CODE, THE TAFT ZONING ORDINANCE, ADDING A CHAPTER REGARDING AN URBAN GROWTH BOUNDARY (UGB).** (Resolution No. 2016-06)

AYES: Orrin, Jones, Livingston, Thompson
PASSED: 4-0

ABSENT: Leikam

5. PUBLIC HEARING – ZONING ORDINANCE AMENDMENT NO. 2016-10

Planning Director Staples presented his staff report and recommendation.

Jones asked if the two amendments can be together even though they are in two different sections.

Staples answered yes, the resolution is formatted into separate sections when you have similar topics affecting multiple sections of the Municipal Code.

Livingston noted there is already a state mandated process for determining water availability for projects; he asked if the amendment is increasing the process.

Staples noted the process is similar, but with the amendment the process will go before Planning Commission instead of a condition later.

Livingston asked how Section 6.17.20 number three applied to residential developments.

Staples noted further requirements for residential can be found in the subdivision code.

The Public Hearing was opened at [6:52:42 PM](#) to receive testimony from proponents and opponents. Seeing none the public hearing was closed.

Motion: Moved by Thompson seconded by Livingston to adopt a Resolution approving to the City Council of **ZONING ORDINANCE AMENDMENT NO. 2016-10, AN AMENDMENT OF THE TAFT MUNICIPAL CODE BY ADDING A CHAPTER TO TITLE 6, THE TAFT ZONING ORDINANCE, AND ADDING A SECTION TO CHAPTER 3 OF TITLE 10, THE TAFT SUBDIVISION ORDINANCE, REGARDING WATER SUPPLY REQUIREMENTS FOR NEW DEVELOPMENTS AND SUBDIVISIONS.**
(Resolution No. 2016-07)

AYES: Orrin, Jones, Livingston, Thompson
PASSED: 4-0
ABSENT: Leikam

6. CONSIDERATION OF HOLDING A SPECIAL PLANNING COMMISSION MEETING

Planning Director Staples recommended holding a Special Meeting on June 9, 2016 to review and approve the design plans for the Taft Transit Center.

The Commission agreed unanimously to meet June 9, 2016 for a Special Meeting.

Motion: Moved by Thompson seconded by Jones to hold a Special Planning Commission meeting on Thursday, June 9, 2016.

AYES: Orrin, Jones, Livingston, Thompson
PASSED: 4-0
ABSENT: Leikam

7. PLANNING DIRECTOR REPORT

Staples reported:

- He would be on jury duty starting May 19, 2016.
- City Council extended the contract to the architecture firm designing the transit center.
- He has received a few submissions for the Citywide New Logo Contest.

8. CITY ATTORNEY STATEMENTS

No Statement.

9. COMMISSIONER COMMENTS

Jones shared:

- The last fund the fireworks event will be held on June 3, 2016.
- The date is secured for the fourth of July firework show for July 2, 2016
- Coffee with the Cop will be held May 24th, 2016 at Black Gold.

Orrin noted:

- Concern for the recent break-ins and vandalism occurring on Center Street, he asked everyone to be diligent and report any suspicious activity.
- Asked staff to look into the definition of sales on used goods.

10. IDENTIFICATION OF REPRESENTATIVE TO THE CITY COUNCIL

Commissioner Jones was selected to be the representative to the City Council on June 7, 2016 meeting.

ADJOURNMENT

With no further business to conduct it was moved by Livingston seconded by Thompson and approved unanimously, to adjourn the meeting at [7:20:17 PM](#).

Brenda Johns, Recording Secretary

Ron Orrin, Chairman

**CITY OF TAFT PLANNING COMMISSION
SPECIAL MEETING MINUTES
THURSDAY JUNE 9, 2016**

SPECIAL MEETING

5:00 P.M.

The June 9, 2016 special meeting of the Planning Commission of the City of Taft, held in the City of Taft Council Chamber, 209 E. Kern Street, Taft CA 93268, was opened by Chairman Orrin at [5:04PM](#) The Pledge of Allegiance was led by Commissioner Robert Thompson followed by an invocation given by Chairman Orrin.

PRESENT: Chairman Ron Orrin and Vice Chair Shannon Jones
Commissioners, Bob Leikam, Jerry Livingston and Robert Thompson
Planning and Community Development Director Mark Staples
Recording Secretary Brenda Johns

1. CITIZEN REQUESTS/PUBLIC COMMENTS

There were none.

2. PUBLIC HEARING – CONDITIONAL USE PERMIT NO. 2016-11, MINOR VARIANCE NO. 2016-12

Planning Director Staples presented his staff report and recommendation.

Jones believes it is a good idea to have the Transit Center Building closest to the Oilworker Monument.

Staples introduced Architect Tom Preston of Radian Design Group.

Preston shared the design group is in the process of putting together a color and material palate.

Staples and Preston noted the project has evolved over time.

Preston noted the design firm is looking for materials that are lower maintenance, energy efficient and have a higher durability. He noted they would be putting together a cost association for a Nano wall or roll up door which will go in the event center.

Orrin asked if the roof would be a stand seams type roof. He also asked what the maximum occupancy load would be for the event center.

Preston answered it would be a stand seams roof.

Staples stated the maximum occupancy for the event center is 90 with approximately 2,000 square feet of outdoor assembly space.

Jones inquired as to whether the plan included tables and chairs for the event center.

Staples noted the design would accommodate tables and chairs as well as storage for them.

Livingston asked if the parking lot would be large enough to handle a regional bus.

Staples does not envision the City's buses getting any larger than 23 feet but if there is need for anything larger they would be able to pull up to the front of the building.

Jones asked if the monument would be accessible from the parking lot.

Staples noted there would be several paths of access to the monument from the building.

Orrin thinks it would be a good idea to fence off the whole building especially the breezeway. He if the building would exceed the lot area.

Staples responded at the moment the building does sit on a property line as designed, but what will be done is an engineer will write up a vacation of the east and west property line that is there and then new property lines will be put between the four different sites.

Orrin asked if the design included solar.

Staples stated the building would be solar ready.

The Public Hearing was opened at [5:33PM](#) to receive testimony from proponents and opponents. Seeing none the public hearing was closed.

Motion: Moved by Thompson, seconded by Livingston to a adopt **A RESOLUTION RECOMMENDING APPROVAL TO THE CITY COUNCIL OF CONDITIONAL USE PERMIT NO. 2016-11 AND MINOR VARIANCE NO. 2016-12 TO CONSTRUCT AN APPROXIMATE 3,977 SQUARE FOOT TAFT TRANSIT CENTER, CONSISTING OF AN APPROXIMATE 1,486 SQUARE FOOT TAFT AREA TRANSIT OFFICE AND AN APPROXIMATE 2,491 SQUARE FOOT MEETING FACILITY (1,862 SQUARE FEET OF ASSEMBLY AREA); WITH AN 8% MINOR PARKING VARIANCE, LOCATED ON A 0.66 ACRE PORTION OF TWO LOTS TOTALING 2.96 ACRES, IN THE MIXED USE (MU) ZONE DISTRICT LOCATED ON THE NORTH SIDE OF SUPPLY ROW, APPROXIMATELY 150 FEET EAST OF 6TH STREET (APNS 032-110-70 AND -71). (Resolution No. 2016-08).**

AYES: Orrin, Jones, Livingston, Leikam, Thompson
NOES: None
PASSED: 5-0

3. COMMISSIONER COMMENTS

None.

ADJOURNMENT

With no further business to conduct it was moved by Jones, seconded by Thompson and approved unanimously, to adjourn the meeting at [6:01PM](#).



City of Taft Planning Commission Staff Report

Agenda Item: #3

DATE: June 22, 2016
TO: Chairman Orrin and Members of the Planning Commission
FROM: Mark Staples, Director
Planning and Development Services
SUBJECT: Conditional Use Permit No. 2016-13 – Tonny’s Burger (Maria’s Place)

RECOMMENDATION: Adopt a Resolution approving Conditional Use Permit No. 2016-13 to permit the acquisition of a Type 41 ABC License for the sale of beer and wine for consumption on the premises, within an existing commercial building, located on a 0.48 acre lot, within the General Commercial (GC) Zone District located at 1008 Kern Street.

LOCATION: 1008 Kern Street (APN 032-520-19)

PROPERTY OWNER: Bear Valley Plaza, LLC
629 Camino De Los Mares
San Clemente, CA 92673
APPLICANT: Maria Acevedo
Maria’s Place
1008 Kern Street
Taft, CA 93268

PROJECT DATA:
1. General Plan: Commercial
2. Zoning: General Commercial (GC)
3. Access/Circulation: Kern Street and 10th Street

PROJECT ANALYSIS:

The applicant, Maria Acevedo of Maria’s Place, is requesting approval of Conditional Use Permit No. 2016-13 to be permitted to acquire a Type 41 ABC License for the sale of beer and wine for consumption on the premises, within an existing commercial business Maria’s Place (formerly Super Tom’s and Tonny’s Burger), on a 0.48 acre lot, within the General Commercial (GC) Zone District located at 1008 Kern Street. The commercial building is located within the Taft Hills Plaza shopping center. The existing surrounding land uses include Albertson’s and Fosters Donuts commercial uses to the west and north, True Value hardware store to the east across 10th Street and Auto Zone auto parts store to the south.

Maria’s Place is a sit-down and drive-thru restaurant that serves Mexican and American food. The commercial unit has been operating at 1008 Kern Street since January 2016; and was previously occupied by Tonny’s Burger and Super Toms. The proposed Type 41 ABC License is the license type that limits alcohol sales at restaurants to beer and wine only. The sale of alcohol is limited to consumption on-site within the restaurant only, with off-site retail sales prohibited. Alcohol may only be served in the approximate 889 square foot interior dining area of the 1,988 square foot building.

As with prior approvals for Type 41 licenses to Route 33 Sandwich Shop and Roots Eatery, Maria’s Place is located within an over concentrated area (census tract) of on-sale alcohol licenses. Almost all of Taft’s

commercial areas along Kern Street/Highway 33 and Center Street are within Census Tract 0035.00, which is authorized for five (5) on-sale licenses. Census Tract 0035.00 currently has 18 off-sale licenses approved and issued to a variety of restaurant locations, the American Legion and Moose Lodge. A city or county can approve additional licenses above the authorized amount at their discretion. However, cities and counties should take into consideration alcohol and alcohol sales related crimes within their jurisdiction and if additional licenses in an area will contribute to additional crime in the area or create a public nuisance.

The application is a new Type 41 License for the Taft and Census Tract 0035.0 area. Maria Acevedo of Maria's Place submitted their application on May 26, 2016. As the central part of Taft is over concentrated with off-sale ABC licenses, staff met with the Police Chief to determine if allowing alcohol sales at this restaurant location would impact the area, due to nearby schools. As Maria's Place currently is and will continue to be a full service sit down restaurant and the proposed alcohol sales would be limited to patrons that dine within the restaurant building that is monitored by management and restaurant staff, it is not anticipated that allowing an additional on-sale license in the area will significantly impact the City of Taft with regard to additional crime or creating a public nuisance.

Therefore, staff recommends that the Planning Commission adopt a resolution approving Conditional Use Permit No. 2016-13 to permit Maria Acevedo to acquire a Type 41 ABC License for the sale of beer and wine for consumption on the premises of Maria's Place at 1008 Kern Street.

CEQA:

The project is exempt from the requirements of the California Environmental Quality Act (CEQA) as set forth in Section 15301 of the CEQA Guidelines (Existing Facilities).

ATTACHMENTS:

1. Resolution
2. Vicinity Map
3. Applicant Letter
4. Floor Plan

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TAFT APPROVING CONDITIONAL USE PERMIT NO. 2016-2016-13 TO PERMIT THE ACQUISITION OF A TYPE 41 ABC LICENSE FOR THE SALE OF BEER AND WINE FOR CONSUMPTION ON THE PREMISES, WITHIN AN EXISTING COMMERCIAL BUILDING, LOCATED ON A 0.48 ACRE LOT, WITHIN THE GENERAL COMMERCIAL (GC) ZONE DISTRICT LOCATED AT 1008 KERN STREET

WHEREAS, the applicant, Maria Acevedo, has proposed a Conditional Use Permit to acquire a Type 41 ABC License for the sale of beer and wine for consumption on the premises within an existing building (Maria's Place/Tonny's Burger), on a 0.48 acre lot, within the General Commercial (GC) Zone District located at 1008 Kern Street (APN 032-520-19) in the City of Taft, County of Kern; and

WHEREAS, notice of a public hearing was published, posted, and mailed to surrounding property owners to consider the proposed project in accordance with City's Zoning Ordinance and applicable laws; and

WHEREAS, the Planning Commission studied and considered the written findings for approval of Conditional Use Permit No. 2016-13, City Staff's written and oral reports, and all public testimony before making a decision on this request, and

WHEREAS, the laws and regulations relating to the preparation and adoption of environmental documents, as set forth in the State Guidelines Implementing the California Environmental Quality Act have been adhered to; and

WHEREAS, the Planning Commission has fully considered this request and the potential environmental effects.

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY FIND, DETERMINE, RESOLVE, AND RECOMMEND AS FOLLOWS:

SECTION 1. The Planning Commission hereby makes the following findings:

1. The proposed use is conditionally permitted within the General Commercial (GC) zone district pursuant to the provisions of this section, complies with all applicable provisions of the Zoning Ordinance, is consistent with the goals, policies, and objectives of the General Plan, and is consistent with the applicable development policies and standards of the City; and
2. The proposed use would not impair the integrity and character of the General Commercial (GC) zone district; and
3. The site is suitable for the type and intensity of the proposed use; and

4. There are adequate provisions for public utilities and services to ensure the public health and safety; and
5. The proposed use will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties and improvements in the vicinity; and
6. The proposed amendment is exempt from the California Environmental Quality Act pursuant to Section 15301 of the CEQA Guidelines (Existing Facilities).

SECTION 2. The Planning Commission hereby approves Conditional Use Permit No. 2016-13 with the conditions of approval set forth in this resolution as follows:

General Conditions

1. The applicant and property owner (“Applicant”), solely at its cost and expense, shall defend, indemnify and hold harmless the City of Taft (hereinafter referred to as “City”), its agents, legislative bodies, officers and employees regarding any legal or administrative action, claim or proceeding concerning approval of Conditional Use Permit No. 2016-13, and/or related actions including, without limitation, actions taken or not taken with respect to the California Environmental Quality Act (hereinafter referred to as “CEQA”); or, at its election and in the alternative, shall relinquish such approval. Applicant shall assume the defense of the City in any such legal or administrative action, claim or proceeding with legal counsel paid for in the entirety by the applicant, but subject to the City's reasonable approvals. The Applicant shall also reimburse the City, its agents, legislative bodies, officers and employees for any judgments, amounts paid in settlements, court costs and attorneys' fees which the City, its agents, legislative bodies, officers and employees may be required to pay or otherwise pay as a result of such action, claim, or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve the applicant’s obligations under these conditions of approval.
2. The safety and security of the site shall satisfy and be in compliance with all applicable Local, County, State, Special District, and Federal regulations, California Building Code, and California Occupational Safety and Health Association (CAL/OSHA).
3. The applicant shall comply with all provisions of the City’s Zoning Ordinance, Construction Standard Details, the latest adopted Building Code, Mechanical Code, Plumbing Code, Electrical Code, Fire Code, and all other applicable codes, ordinances, regulations, and development standards in effect at the time of issuance of relative permits. Identification of specific sections of any of the aforementioned City documents does not negate the applicant’s responsibility to conform to unmentioned sections of the City’s Zoning Ordinance, Subdivision & Engineering Design Manual, California Building Code, and all other applicable ordinances, resolutions, standards, and requirements of the City.

5. The Applicant shall pay all applicable development and processing fees adopted by the City in effect at the time of issuance of any permits.

Planning Department

1. Conditional Use Permit No. 2016-13 is approved for the acquisition of a Type 41 Alcoholic Beverage Control for the sale of beer and wine only, only for consumption on the premises, and only within the 889 square foot interior dining area, with off-sale of alcohol prohibited.
2. The applicant shall furnish the City a copy of the ABC license and a copy of the conditions placed on the license by the Department of Alcoholic Beverage Control.
3. The applicant shall comply with all restrictions placed upon the license issued by the State of California Department of Alcoholic Beverage Control.
4. A modification of this approved Conditional Use Permit shall be applied for and obtained if the applicant proposes to change its type of liquor license, proposes to modify any of its current conditions of approval, or there is a substantial change in the mode or character of operations of the establishment.
5. Exterior lighting in the parking area shall be designated to provide adequate lighting for patrons, while not unreasonably disturbing surrounding properties. No light shall be directed or spill over into adjacent residentially used properties.
6. In the event City staff determines that security problems exist on the site, the conditions of this permit may be amended, under the provisions of the Zoning Ordinance, to require additional security.
7. The establishment shall have a public telephone listing.
8. It shall be the responsibility of the applicant/licensee to provide all employees that sell or serve alcoholic beverages with the knowledge and skill that will enable them to comply with their responsibilities under State law. This includes, but is not limited to the following:
 - State laws relating to alcoholic beverages, particularly ABC and penal provisions concerning sales to minors and intoxicated persons, driving under the influence, hours of legal operations, and penalties for violations of these laws.
 - The potential legal liabilities of owners and employees of businesses dispensing alcoholic beverages to patrons who may subsequently injure, kill, or harm themselves or innocent victims as a result of the excessive consumption of alcoholic beverages.

- Alcohol as a drug and its effects on the body and behavior, including the operation of motor vehicle.
 - Methods for dealing with intoxicated customers and recognizing underage customers.
9. Litter and trash receptacles shall be located at convenient locations inside and outside the establishment, and operators of such establishments shall remove trash and debris in a manner to eliminate a health problem. There shall be no dumping of trash and/or glass bottles outside the establishment between the hours of 10:00 p.m. and 7:00 a.m.
 10. The Planning Commission has the right to hold a public hearing to revoke or modify any Conditional Use Permit if harm or retail-related problems are demonstrated to occur as a result of criminal or anti-social behavior, including but not limited to the congregation of minors, violence, public drunkenness, vandalism, solicitation and/or litter.
 11. This Conditional Use Permit shall become null and void unless exercised within one (1) year of the date of final approval. An extension of time may be granted by the Planning Commission if a written request for extension is submitted to the Planning Department a minimum of ninety (90) days prior to such expiration date.
 12. The sale of alcoholic beverages for consumption off the premises shall be prohibited and there shall be appropriate posting of signs both inside and outside the licensed premises stating that drinking of alcoholic beverages on the premises is prohibited by law.

PASSED AND ADOPTED on this 22nd day of June, 2016.

ATTEST

Brenda Johns, Recording Secretary

Ron Orrin, Chairman

CERTIFICATION

I, Brenda Johns, hereby certify that the foregoing resolution was passed and adopted by the Planning Commission of the City of Taft at a regularly scheduled meeting held on the 22nd day of June, 2016, by the following vote:

AYES:

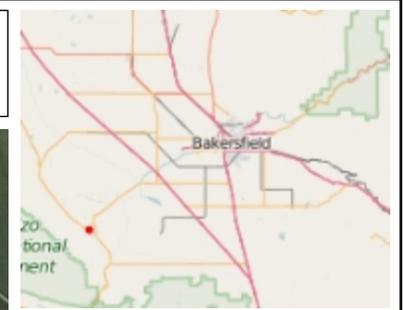
NOES:

ABSENT:

ABSTENTIONS:

Brenda Johns, Recording Secretary

Conditional Use Permit No. 2016-13



Legend

Roads

- Freeway
- Highway
- Major
- Minor
- Local
- Ramp
- Unpaved

Restrictions

- DIAG PARK
- HANDICAP
- NO PARKING
- NO STOPPING

Functional_Classification

- Parcels
- Lakes & Ponds
- Water Course
- Canals
- County Parks
- Bakersfield Parks
- Golf Courses

1: 2,257

0.1 0 0.04 0.1 Miles

This map is a user generated static output from an Internet mapping site and is for general reference only. The County of Kern assumes no liability for damages, incurred by the user of this information, which occur directly or indirectly as a result of errors, omissions or discrepancies in the information.

Notes
APN 032-520-19

May 24, 2016

To Whom It May Concern:

Regarding: Conditional use permit
 1008 Kern St. Taft, CA 93268
 Maria's Place Mexican and American Food

I would like to request approval for my business due to the fact that I am applying for an ABC permit and our approval is necessary.

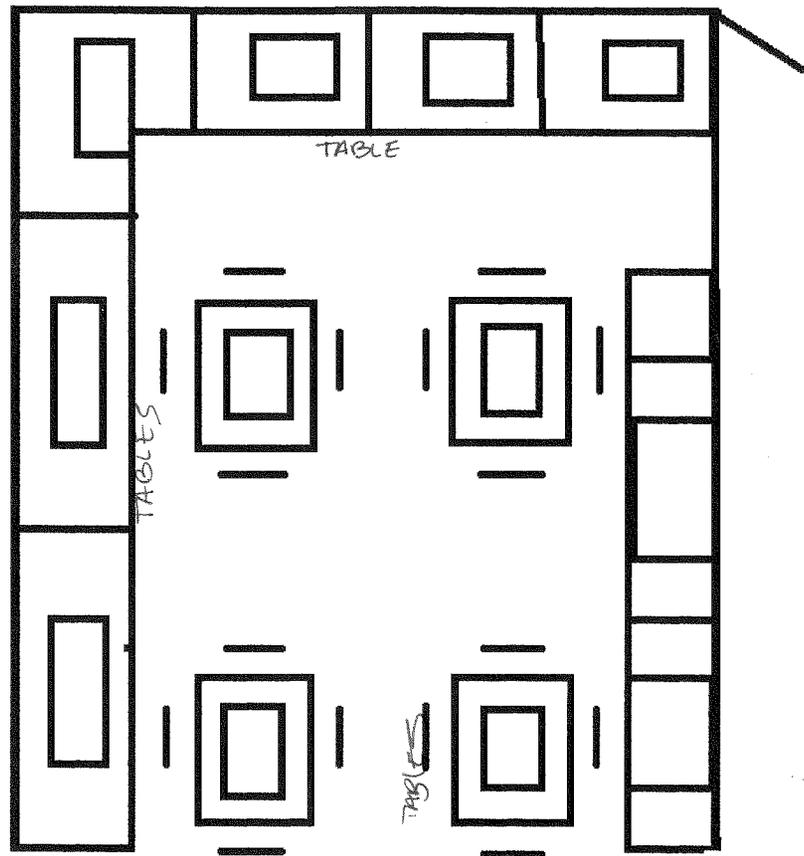
I have experience in the restaurant business in Taft and recently I have obtained this location that I have taken time to clean and prepare to provide the service of restaurant, however I have noticed that in order to make my business grow and successful the need for an ABC license is a must given the fact that people always come in and ask form light alcoholic beverages for their enjoyment and by me not providing them I am in disadvantage compared to other businesses that provide alcoholic beverages while people enjoy sitting down to eat and spend time with friends and family.

I appreciate your kind attention to this request and hope to hear from you soon with an approval as we all together want to see Taft growing in business and making our community feel they don't have to travel to other cities for their needs of eating out.

Respectfully submitted,

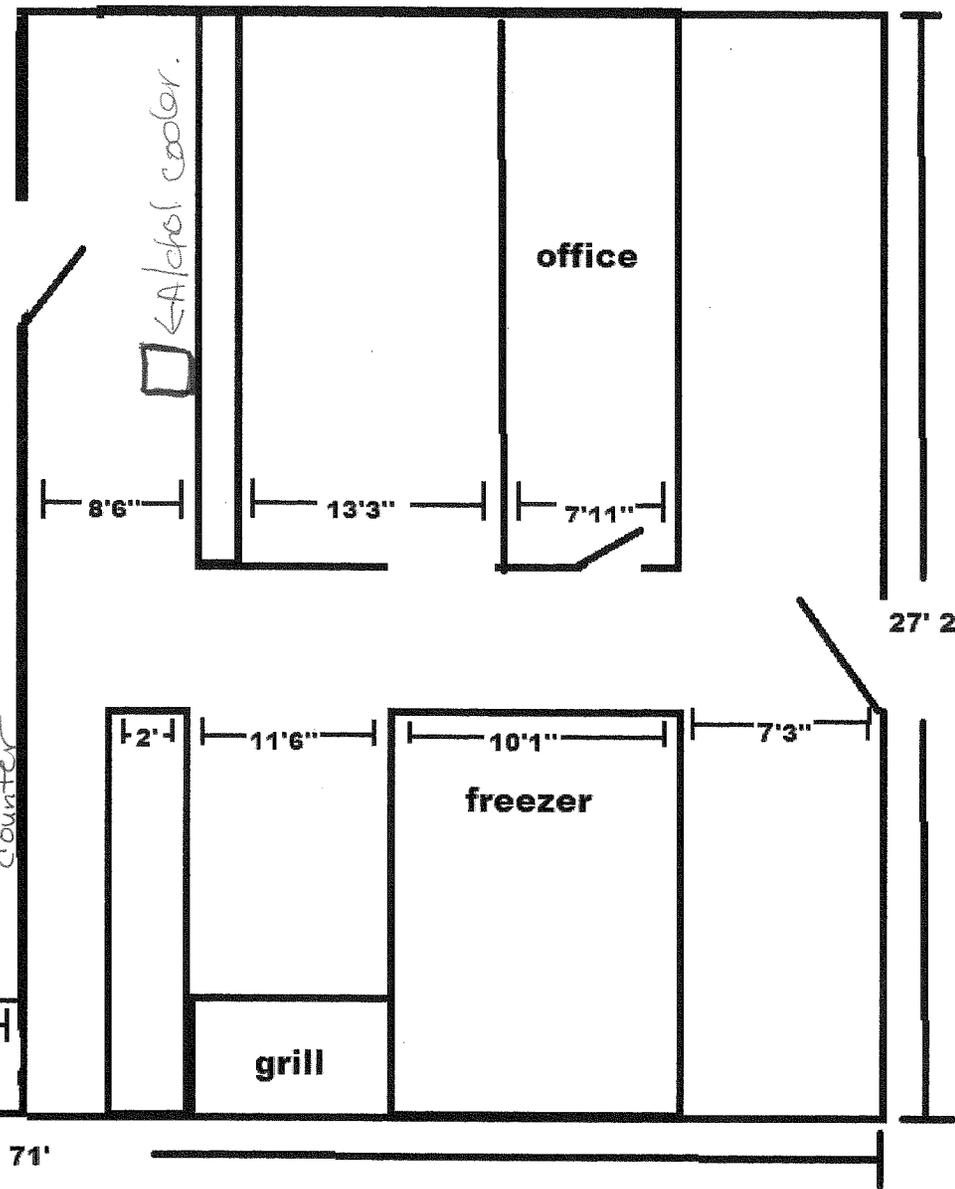
Maria Acevedo
Owner

Entrance



Exit

counter



71'

MARIA'S PLACE	



City of Taft Planning Commission Staff Report

Agenda Item: #4

DATE: June 22, 2016
TO: Chairman Orrin and Members of the Planning Commission
FROM: Mark Staples, Director
Planning and Development Services
SUBJECT: Temporary Land Use Permit No. 2016-14 – La Villa Market, 623 Center Street

RECOMMENDATION: Adopt a Resolution approving the establishment of a temporary 15-foot by 60-foot outdoor fruit and vegetable stand, to operate only on Fridays, Saturdays and Sundays, occupying a maximum of 9 parking spaces, within an existing private parking lot adjacent and to the west of La Villa Market, located on a 0.36 acre lot, in the Downtown Commercial (DC) Zone District located at 623 Center Street (APN 031-200-01).

LOCATION: 623 Center Street (APN 031-200-01)

PROPERTY OWNER: Mi Casita Restaurant
611 “A” Street
Taft, CA 93268
APPLICANT: La Villa Market
Manuel Rubio
630 Center Street
Taft, CA 93268

PROJECT DATA:

1. General Plan: Mixed Use
2. Zoning: Downtown Commercial (DC)
3. Access/Circulation: Center Street and 7th Street

PROJECT ANALYSIS:

The applicant, Manuel Rubio of La Villa Market, is proposing to establish a temporary 15-foot by 60-foot outdoor fruit and vegetable stand, to operate on Fridays, Saturdays, and Sundays, occupying a maximum of 9 parking spaces, within an existing private parking lot adjacent and to the west of La Villa Market, located on a 0.36 acre lot, within the Downtown Commercial (DC) Zone District at 623 Center Street.

The project site is currently a 42 space private parking lot for the La Villa Market. The property is surrounded by a vacant commercial lot to the south across the alley, a commercial building occupied by a church to the west; retail commercial and restaurants uses to the east; and a public parking lot to the north across Center Street.

The proposed fruit and vegetable stand structure will be set up against the exterior wall of La Villa Market. The temporary structure will be approximately eight feet wide by 60 feet long (8’ x 60’) with a seven foot wide area beyond the stand for customers. The overall parking area that will be covered by the stand and customer area will be nine (9) parking spaces and one drive aisle, the equivalent of approximately 27 feet by 81 feet. The parking lot will have 33 parking spaces remaining for customers of both the La Villa Market and the stand. As this is a Temporary Land Use Permit review, the stand will be operational only on Fridays, Saturdays, and Sundays from 7:00am to 5:00pm. When not in operation the stand will not store fruits,

vegetables, or any other product for the La Villa Market. The project has been conditioned to require the stand, parking lot, and adjacent alley, to remain free of clutter, debris and trash during operation, and that the area at other times of the week shall be completely clear of fruits, vegetables, boxes, and shall is prohibited to be used as storage for the La Villa Market. The project has also been conditioned that the outdoor storage or display of any products on the sidewalk is prohibited as well.

The Taft Zoning Ordinance Chapter 14, Table 14.A, lists the General Retail use standard of 1 parking space per 250 square feet of gross floor area, which requires 25 parking spaces for the La Villa Market (6,250 square foot building, retail and storage). The 15’ by 60’ temporary stand area at 900 square feet requires an additional 4 parking spaces. The remaining 33 spaces on the private parking lot will accommodate the 29 parking spaces required.

With any outdoor use, keeping work areas, storage areas, and parking areas in a neat, clean, debris and trash free is necessary to reduce nuisance issues. As the La Villa Market receives a lot of fruit, vegetable, and other market products, the proper disposal of boxes, spoiled produce, and other products is required. The project has been conditioned that the La Villa Market properly breakdown and dispose of shipping boxes and containers and that any boxes, containers, garbage or trash outside of the provided bins will be declared a nuisance. If any of the added conditions of approval are not adhered to, it will be considered a nuisance and a violation of the conditions of approval, which are grounds for potentially revoking the approval of the Temporary Land Use Permit. It is the responsibility of the property owner and operators of La Villa Market to properly maintain their building, parking lot, and adjacent alleyway.

Below is a table that details how the proposed project complies with the Downtown Commercial (DC) Zone District.

Downtown Commercial (DC) Zone Development Standard Compliance

Development Standard	Required	Provided
Minimum Parcel Size	12,500 s.f. (0.27 acres)	15,625 s.f. (0.36 acres)*
Minimum Site Width	65 feet	125 feet
Minimum Site Depth	100 feet	125 feet
Minimum Setback:		
Front	0 feet	0 feet
Side	0 feet	0 and 75 feet
Rear	0 feet	0 feet
Maximum Building Height	50 feet	23 feet
Maximum Floor Area Ratio (FAR)	0.85 FAR (13,281 s.f./0.30 ac)*	6,250 s.f./0.14 acres – 0.4 FAR
Parking: Restaurant	1 space per 250 s.f. of retail area	6,250 s.f./250 = 25 spaces
Total	1 space/250 s.f. retail stand area 29 spaces	900 s.f./250 = 3.6 spaces 33 spaces

CEQA:

The project is exempt from the requirements of the California Environmental Quality Act (CEQA) as set forth in Section 15303 of the CEQA Guidelines (New Construction or Conversion of Small Structures).

ATTACHMENTS:

1. Resolution
2. Vicinity Map
3. Site Plan

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TAFT APPROVING TEMPORARY LAND USE PERMIT NO. 2016-14 FOR THE ESTABLISHMENT OF A TEMPORARY 15-FOOT BY 60-FOOT OUTDOOR FRUIT AND VEGETABLE STAND, TO OPERATE ONLY ON FRIDAYS, SATURDAYS AND SUNDAYS, OCCUPYING A MAXIMUM OF 9 PARKING SPACES, WITHIN AN EXISTING PRIVATE PARKING LOT ADJACENT AND TO THE WEST OF LA VILLA MARKET, LOCATED ON A 0.36 ACRE LOT, IN THE DOWNTOWN COMMERCIAL (DC) ZONE DISTRICT LOCATED AT 623 CENTER STREET

WHEREAS, the applicant, Manuel Rubio of La Villa Market, is proposing to establish a temporary 15-foot by 60-foot outdoor fruit and vegetable stand, to operate on Fridays, Saturdays, and Sundays, occupying a maximum of 9 parking spaces, within an existing private parking lot adjacent and to the west of La Villa Market, located on a 0.36 acre lot, within the Downtown Commercial (DC) Zone District at 623 Center Street (APN 031-200-01) in the City of Taft, County of Kern; and

WHEREAS, notice of a public hearing was published, posted, and mailed to surrounding property owners to consider the proposed project in accordance with City's Zoning Ordinance and applicable laws; and

WHEREAS, the Planning Commission studied and considered the written findings for approval of Temporary Land Use Permit No. 2016-14, City Staff's written and oral reports, and all public testimony before making a decision on this request, and

WHEREAS, the laws and regulations relating to the preparation and adoption of environmental documents, as set forth in the State Guidelines Implementing the California Environmental Quality Act have been adhered to; and

WHEREAS, the Planning Commission has fully considered this request and the potential environmental effects.

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY FIND, DETERMINE, RESOLVE, AND RECOMMEND AS FOLLOWS:

SECTION 1. The Planning Commission hereby makes the following Temporary Land Use Permit findings:

1. The proposed use is permitted within the Mixed Use (MU) zone district pursuant to the provisions of this section, complies with all applicable provisions of the Zoning Ordinance, is consistent with the goals, policies, and objectives of the General Plan, and is consistent with the applicable development policies and standards of the City; and

2. The proposed use would not impair the integrity and character of the Mixed Use (MU) zone district; and
3. The site is suitable for the type and intensity of the proposed use; and
4. There are adequate provisions for public utilities and services to ensure the public health and safety; and
5. The proposed use will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties and improvements in the vicinity; and
6. The proposed amendment is exempt from the California Environmental Quality Act pursuant to Section 15303 of the CEQA Guidelines (New Construction or Conversion of Small Structures).

SECTION 2. The Planning Commission hereby approves Temporary Land Use Permit No. 2016-14 with the conditions of approval set forth in this resolution as follows:

General Conditions

1. The applicant and property owner (“Applicant”), solely at its cost and expense, shall defend, indemnify and hold harmless the City of Taft (hereinafter referred to as “City”), its agents, legislative bodies, officers and employees regarding any legal or administrative action, claim or proceeding concerning approval of Temporary Land Use Permit No. 2016-14 and Tentative Parcel map, and/or related actions including, without limitation, actions taken or not taken with respect to the California Environmental Quality Act (hereinafter referred to as “CEQA”); or, at its election and in the alternative, shall relinquish such approval. Applicant shall assume the defense of the City in any such legal or administrative action, claim or proceeding with legal counsel paid for in the entirety by the applicant, but subject to the City's reasonable approvals. The Applicant shall also reimburse the City, its agents, legislative bodies, officers and employees for any judgments, amounts paid in settlements, court costs and attorneys' fees which the City, its agents, legislative bodies, officers and employees may be required to pay or otherwise pay as a result of such action, claim, or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve the applicant’s obligations under these conditions of approval.
2. The applicant, or general contractor, shall submit a list of all contractors and/or subcontractors performing work on this project to the City’s Finance Department and such contractors and subcontractors shall obtain valid business licenses to do business and/or work in the City prior to the commencement of work.
3. The safety and security of the site shall satisfy and be in compliance with all applicable Local, County, State, Special District, and Federal regulations, California Building Code,

and California Occupational Safety and Health Association (CAL/OSHA).

4. The applicant shall comply with all provisions of the City's Zoning Ordinance, Construction Standard Details, the latest adopted Building Code, Mechanical Code, Plumbing Code, Electrical Code, Fire Code, and all other applicable codes, ordinances, regulations, and development standards in effect at the time of issuance of relative permits. Identification of specific sections of any of the aforementioned City documents does not negate the applicant's responsibility to conform to unmentioned sections of the City's Zoning Ordinance, Subdivision & Engineering Design Manual, California Building Code, and all other applicable ordinances, resolutions, standards, and requirements of the City.
5. The Applicant shall pay all applicable development and processing fees adopted by the City in effect at the time of issuance of any permits.

Taft Police Department

1. Prior to Certificate of Occupancy and operation of the temporary fruit and vegetable stand, the applicant shall be subject to inspection by the Taft Police Department.
2. Prior to Taft Police Department's approval for Certificate of Occupancy and start of operations, the applicant shall receive approval and final inspection from the Kern County Department of Environmental Health.

Building Department

1. The Applicant shall submit two sets of plans along with applicable calculations and reports that comply with the current California Building Code, Green Code, Mechanical Code, Plumbing Code, Electrical Code, Fire Code, and all other applicable codes, ordinances, regulations and development standards in effect at the time of issuance of relative permits.
2. All improvements shall comply with American with Disabilities Act standards and regulations (ADA).
3. Contractors and subcontractors shall obtain a business license from the City's Finance Department prior to beginning any work.
4. Building addresses shall be permanently displayed in a manner easily visible and legible from the street, consistent with Building and Fire Department requirements.

Kern Fire Department

3. Fire protection shall be provided per Kern County Fire Department standards for a commercial building. A Certificate of Approval shall be obtained by the Applicant from

the Kern County Fire Department prior to the issuance of a Certificate of Occupancy.

4. The applicant shall provide proper fire suppression equipment and adequate emergency ingress/egress to all the proposed buildings, per Kern County Fire Department requirements.

Planning Department

1. The Applicant is approved for a Temporary Land Use Permit and shall develop the property, with (1) 15-foot by 60-foot temporary fruit and vegetable stand, and (2) with the stand covered by a 7-foot to 10-foot tall pre-fabricated structure, consistent with the approved plans on file with the Planning Department.
2. The Applicant is only approved to operate the temporary fruit and vegetable stand on Fridays, Saturdays, and Sundays from 7:00am to 5:00pm.
3. The temporary stand shall **not** (1) be sub-leased to outside vendors, (2) be used as outdoor storage for La Villa Market when not in use, (3) provide any form of dining area for customers.
4. The pre-fabricated cover structure shall be painted a neutral color similar to existing building colors for the La Villa Market.
5. The temporary fruit and vegetable stand and customer area shall occupy no more than nine (9) parking spaces, and part of a drive aisles, as indicated on the approved plans.
6. The Applicant shall maintain the entire project site, parking lots, streets, and alleyways, in graffiti-free, weed-free, completely clear of fruits, vegetables, boxes, safe, clean, and orderly manner at all times.
7. The Applicant and La Villa Market shall not display or store any product on the sidewalk along Center Street.
8. The Applicant and La Villa Market shall properly dispose of fruits, vegetables, cardboard boxes, and other trash and debris, and shall ensure that all are inside the provide containers from Westside Waste Management. Any items found outside of the provided containers may be cited by Taft Code Enforcement as a nuisance.
9. The Applicant shall submit a Sign Plan Review application, with three (3) copies of site plans, structural, and electrical plans to the Planning Department for review and approval prior to issuance of a business license or erecting any signage on site.
10. If the conditions listed above are not adhered to or the temporary land use results in a nuisance, this Temporary Land Use Permit may be subject to revocation per Section 6.2.200 of the Taft Zoning Ordinance.

11. Temporary Land Use Permit No. 2016-14 shall be reviewed by the Planning Commission approximately twelve (12) months after commencement of operations. The purpose of the review by the Commission is to determine how the temporary use relates with the adjacent parking lot and commercial properties and review any potential nuisances that may have occurred during the first year of operations.
12. Should the operations approved by Temporary Land Use Permit No. 2016-14 cease for six (6) months or more, this approval shall be null and void. A continuation of use, once null and void, would require a new Temporary Land Use Permit application and review by the Planning Commission.
13. This approval for Temporary Land Use Permit No. 2016-14 and a Tentative Parcel Map shall expire twelve (12) months after the date of approval, per the Taft Zoning Ordinance.
14. A revision or modification to this approved Temporary Land Use Permit may be requested by the applicant. The applicant shall submit a Revised Temporary Land Use Permit application to the Planning Director indicating the reasons for the change and supporting information. The revision or modification shall be subject to review and approval by the Planning Commission.

PASSED AND ADOPTED on this 22nd day of June, 2016.

ATTEST

Brenda Johns, Deputy City Clerk

Ron Orrin, Chairman

CERTIFICATION

I, Brenda Johns, hereby certify that the foregoing resolution was passed and adopted by the Planning Commission of the City of Taft at a regularly scheduled meeting held on the 22nd day of June, 2016, by the following vote:

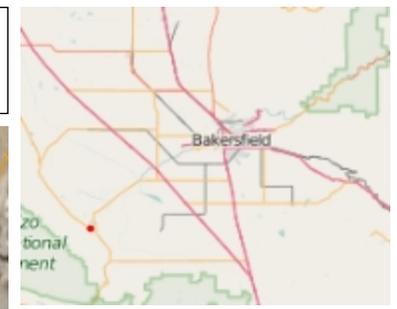
AYES:

NOES:

ABSENT:

ABSTENTIONS:

Brenda Johns, Deputy City Clerk



Legend

Roads

- Freeway
- Highway
- Major
- Minor
- Local
- Ramp
- Unpaved

Restrictions

- DIAG PARK
- HANDICAP
- NO PARKING
- NO STOPPING

Functional_Classification

- Parcels
- Lakes & Ponds
- Water Course
- Canals
- County Parks
- Bakersfield Parks
- Golf Courses

1: 1,128



0.0 0 0.02 0.0 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

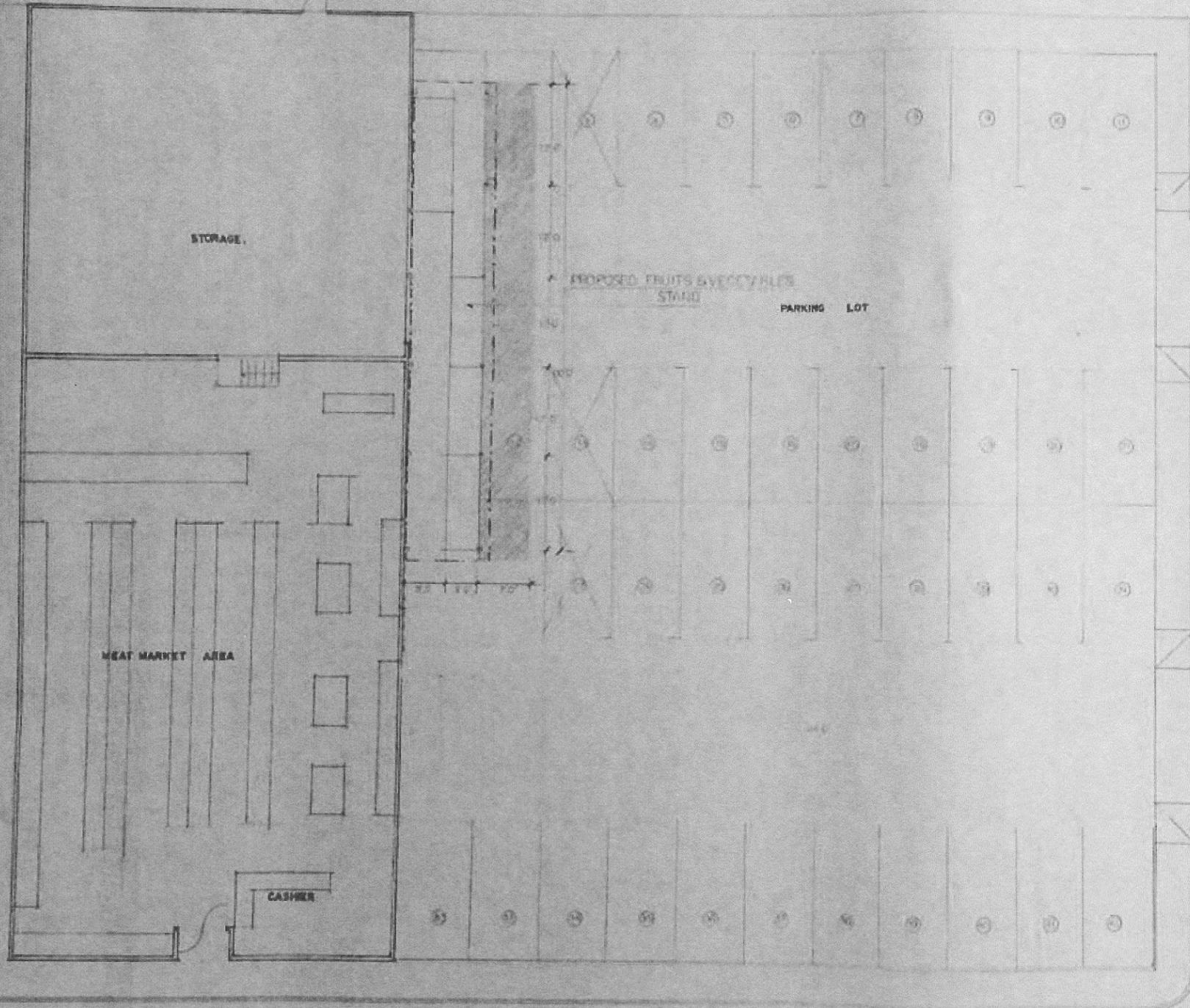
This map is a user generated static output from an Internet mapping site and is for general reference only. The County of Kern assumes no liability for damages, incurred by the user of this information, which occur directly or indirectly as a result of errors, omissions or discrepancies in the information.

Notes

APN 031-200-01

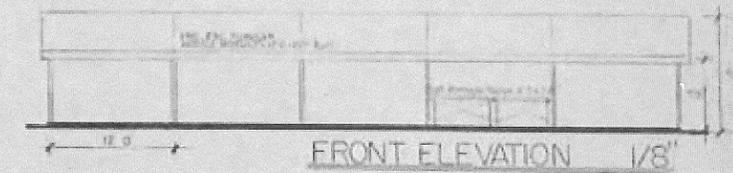
RECEIVED
APR 21 2018
CITY OF TAFT

alley



SCOPE OF WORK:

- PROVIDE 6' HIGH OF TRAVEL PROTECTED FOR YEARS
- PROVIDE 3 REMOVABLE STANDS (EQUIPPED TO SHOW PRODUCE TABLES)
- NO ELECTRICAL, MECHANICAL, OR PLUMBING
- NO STRUCTURAL, & SCHEDULE ONLY FROM 7:00 AM - 5:00 PM



FRONT ELEVATION 1/8"



SIDE ELEVATION 1/8"

CENTER ST

FLOOR & SITE PLAN 1/8"

MOBILE FRUIT & VEGETABLES STAND
AT LA VILLA MEAT MARKET

DDG DESIGN GROUP
Drawn:
David Salgado (660) 978-9979
E-MAIL:
dgsal@ddg21.com

RECEIVED
APR 23 2018
CITY OF TAFT

this sheet
FLOOR & SITE PLAN

revision:

A1
Owner:
Manual Rabble
Address:
CENTER ST
City:
Taft, Ca 93269