

**CITY OF TAFT
PLANNING COMMISSION
MINUTES
JUNE 10, 2008**

The June 10, 2008, regular meeting of the Planning Commission of the City of Taft was opened by Chairman Jameson at [6:31:35 PM](#). The Pledge of Allegiance was led by Commissioner Thompson, followed by a moment of silence.

PRESENT: Chairman Barry Jameson, Vice Chairman Curtis Walchock.
Planning Commissioners Craig Laurin and Robert Thompson.
Planning Consultant Lawrence Tomasello, Assistant Planner Eddie Quintero, City Attorney Kathy Gibon and Acting Secretary (City Clerk) Louise Hudgens.

ABSENT: Shawn Sutherland

PUBLIC HEARING

1. **ZONE CHANGE 08-03 – A REVISION OF TITLE VI (PLANNING AND ZONING) OF THE TAFT MUNICIPAL CODE**
Applicant: City of Taft, Planning Department, 209 E. Kern St., Taft, CA 93268

City Attorney Kathy Gibson recused herself from this item and adjourned to the audience.

Planning Consultant Tomasello read the following **changes** and/or **additions** into the record:

1. 6.1.60 Conflicting Regulations: **“All Federally owned parcels affected by this Title are subject to applicable Federal laws, rules and policies. In the event a conflict exists between Federal laws, rules and policies and this Title, the BLM, in matters affecting mineral rights, will determine which shall prevail. Where federally owned mineral rights underlie a privately owned parcel, BLM, or its mineral lessee, has the right of entry and to use as much of the surface as is reasonably necessary to sustain operations. Federal mineral rights cannot be declared abandoned or “not likely to be developed” as is commonly done in the private sector. Upon receipt of a proposal affecting private surface overlying federal mineral estates, the local authority and/or any party proposing an action on such surface land is to contact the Bakersfield BLM office before proceeding. BLM should be contacted at the earliest date possible so that conflicts, if any, can be minimized. In some cases, access to BLM managed minerals can be ensured by the use of drilling islands described in Chapter 3 of this Title.”**
2. 6.1.70 Clarification of Ambiguities: the last sentence should read **“The Planning Director’s interpretation, which shall be documented along with an explanation of said interpretation, is subject to the appeal process as defined by Section 6.2.180 of this Title.”**
3. 6.1.90 Definitions: (add)
 - a. Yard or Garage sale: **“A yard or garage sale is a sale of chattel goods which is undertaken by the occupant of a single family residence where the yard or garage sale occurs, or combined residents of a multifamily complex where the yard or garage sale occurs, which is no longer than three (3) consecutive days in duration, or which occurs more than four (4) times a year.**
 - b. Kennel (Commercial): **“Any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling dogs or cats, except a facility operated by a humane society, or a governmental agency or its authorized agents, for the purpose of impounding or caring for animals.**

- c. **Kenel (Non-commercial):** “Any premises where five (5) or more dogs and/or cats over the age of four (4) months are kept or maintained for the use and enjoyment of the occupant for non-commercial purposes.
4. 6.2.60 Variance: change Subsection 5.1 to read “That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship, **excepting a financial hardship**, not otherwise share by others within the surrounding area or vicinity.”
5. Table 3.A Uses Permitted within Community Facilities District: **Medical Marijuana Dispensaries (Ord. 731-07) as a prohibited use.**
6. Table 4.1 Uses Permitted within Residential Districts:
 - a. **Yard or garage sale to Section A for R-S, R-1, and R-2 as a permitted use and as a prohibited use in the R-3 zone district.**
 - b. **Medical Marijuana Dispensaries (Ord. 731-07) as a prohibited use.**
7. Table 5.A Uses Permitted within Commercial Districts: **Medical Marijuana Dispensaries (Ord. 731-07) as a prohibited use.**
8. Table 6.A Uses Permitted within Industrial Districts: **Medical Marijuana Dispensaries (Ord. 731-07) as a prohibited use.**
9. Table 7.A Uses Permitted with Agricultural Districts: **Medical Marijuana Dispensaries (Ord. 731-07) as a prohibited use.**
10. Section 6.10.40 Circulation, Transportation, and Trails Facilities:
 - a. Subsection 2.1: Street lights shall be installed along the right-of-way of all newly constructed or extended streets within the city, unless this requirement is ~~specifically waived by the Public Works Director and City Engineer~~ **exempted by City ordinance, resolution, or construction standards.**
 - b. Subsection 3.a: Private streets, **in accordance with the City’s Construction Standards**, may be permitted when the Public Works Director and City Engineer determine:
 - c. Subsection 3.d: Concrete rolled curbs may be permitted in place of standard curbs on private streets ~~and drives~~ upon the determination by the Public Works Director and City Engineer **that the concrete rolled curbs are in accordance with the specifications of the City’s Construction Standards;** That the streets are adequate to handle drainage; and that an adequate maintenance program is provided for in the covenants, conditions and restrictions and/or some other maintenance mechanism approved by the ~~Public Works Director and City Engineer~~ **City Attorney.** ~~is utilized~~
 - d. Subsection 4.a: Sidewalks shall be constructed in conjunction with public and private streets unless they are determined by the Planning Commission to be unnecessary considering the rural nature of the development and/or pedestrian circulation needs. **If, however, the Planning Commission determines that sidewalks are not necessary, adequate right-of-way shall be provided for potential future need of such sidewalks.** Sidewalk construction shall be in accordance with the City’s Construction Standards.

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11. Section 6.10.70 Dedication Requirements:
Subsection 2: All streets, highways, alleys, ways, easements, rights-of-way, and parcels of land which are shown on the final tract map, parcel map, or development plan, and which are intended for public use shall be offered for dedication for public use by appropriate certificate ~~unless required otherwise by the Public Works Director and City Engineer.~~
12. Section 6.10.150 Manufactured Housing:
Subsection 5.b: Roofing material customarily utilized in the construction of a conventional singly family dwelling, such as, but not limited to: wood shingles, tiles, ~~crushed rock~~, asphalt, or composition shingles is required.
13. Section 6.10.190 Off-Site Improvements:
The City ~~may~~ **shall** require, as a condition of approval, the dedication of improvements such as rights-of-way, easements, and the construction of reasonable off-site improvements, **when required any City ordinance, resolution, or standards**, in conjunction with the parcel(s) being developed or created.
14. Section 6.11.220 Service Stations:
 - a. Subsection 3.h. Access and Circulation: **Each separate service station shall have not ~~no~~ more than one (1) driveway with a maximum width of 35 feet ~~shall be permitted~~ on an one (1) street frontage and shall be located as follows.....**
 - b. Subsection 3.k. Telephones: At least one (1) public telephone ~~shall~~ **should** be provided at each service station in a location that is easily visible from public right-of-way.
15. Subsection 6.14.20 Administration:
Subsection 9.a: Signs or sign structures having any animated, moving or rotating parts, except for signs or sign structures which have historical marketing significance unique to a profession, rather than an individual business, such as barber poles, including signs that have alternating messages that change more than ~~once an hour~~ **every five minutes.**
16. Section 6.14.120 Violations:
Subsection 4: **Any sign placed in a public right-of-way shall be removed by the City, public utility companies, or any other public agency in whose right-of-way signs, temporary or permanent, are placed. Said signs may be claimed at the City's Public Works Department following a period of 30 days from the date of said sign removal.**
17. Section 6.9.40 Drilling by Conditional Use Permit: No well for use as an injection well and no well for the exploration, development, and production of oil, gas, or other hydrocarbon substances may be drilled, and no related accessory or ancillary equipment, structure, or facilities thereto, of oil, gas, or other hydrocarbon substances may be drilled or installed in any zone district other than the A, NR, and I **zone districts or in a DI zone district where the DI zone District is combined with an application for a tentative tract map upon which tentative tract map conditions of approval relating to the screening and landscaping of the DI zone district is approved by the City Council;** or within an ~~A, NR, or I zone district~~, a PE overlay zone district in accordance with the provisions of Section 9.20 of this chapter,

Tomasello explained that he had inadvertently omitted a "Natural Resources Zone" section in the ordinance and suggested using the existing "Natural Resources Zone" and making the following three (3) changes:

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1. 6.18.3d change to :subject to Chapter 9 of this Title”
2. Regarding Building height: residential buildings a maximum height of 35 feet. Any taller would require a Conditional Use Permit. Where drilling takes place, derricks are exempt from the height limitations.
3. Lot area, width, and frontage. Reduce from 100’ on cul-d-sacs and knuckle lots to 50’, and leave 150’ for all other lots.

The duly noticed Public Hearing was opened to receive testimony from proponents and opponents.

[6:51:20 PM](#) Kristine Boyer, Crimson Resource Management, explained why she had been so insistent on making sure that the wording was right regarding Drilling Islands. She explained that Taft had used the Kern County Oil & Gas Codes, and that one line had been deleted which meant that their right to drill unrestricted in a DI zone was negated. She explained that Kern County does not require a CUP to drill in a DI zone. Taft’s proposed code would require that they had to apply for a CUP. Boyer stated that a DI zone protects their right to drill and had been insistent on protecting oil company(s) rights.

Mr. Tomasello clarified that when there is a Tentative Tract Map and a DI is on it, the Conditions of Approval will be set on the map and it will be up to the developer and the oil company(s) to provide for landscaping and access to the DI.

[6:56:26 PM](#) Kathleen Walls, Occidental of Elk Hills, submitted a letter to the Commission. Mr. Tomasello responded to the concerns in the letter and stated that one concern would be addressed in the General Plan and that the other concerns were already addressed in either the proposed ordinance or in the subdivision codes.

There were no other proponents and opponents and the Public Hearing was closed.

Motion: Moved by Thompson, seconded by Walchock, to approve and adopt Resolution 2008-08 entitled A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TAFT RECOMMENDING TO THE CITY COUNCIL DELETION OF TITLE VI (PLANNING AND ZONING) OF THE TAFT MUNICIPAL CODE IN ITS ENTIRETY AND APPROVING THE REVISED TITLE VI (ZONE CHANGE NO. 08-03) RELATED TO PLANNING AND ZONING RELATED MATTERS, amended to include changes and additions.

AYES: Thompson, Walchock, Laurin, Jameson

CA Gibson returned to the dais.

CITIZEN REQUESTS/PUBLIC COMMENTS

There were none.

APPROVAL OF MINUTES [7:11:06 PM](#)

May 13, 2008 Regular Meeting

Motion: Moved by Laurin, seconded by Thompson and approved unanimously, to approve the minutes of May13, 2008.

MANAGEMENT REPORT [7:11:38 PM](#)

Mr. Tomasello indicated that there had not been a Planning Commission report at Council meetings for some time and that someone should be there to give one. Commissioners concurred that the Council agendas should only request a Commission report for the second meeting of the month.

PLANNING DIRECTOR STATEMENT - None.

CITY ATTORNEY STATEMENT - None.

COMMISSIONER COMMENTS [7:20:44 PM](#)

The meeting recessed to allow time for Commissioner Walchock to set up to give a Power Point presentation of the American Planning Association Conference he attended in Las Vegas. However, the projector failed, and Walchock decided not to proceed until another meeting.

Chairman Jameson commended staff for the Arbor Day event and reported that a tree (donated by GEO) had been planted, Parkview students participated, a representative from the Sierra Club had given a demonstration, and Pizza was served in Veteran's Park afterward for all participants.

ADJOURNMENT

Motion: Moved by Laurin, seconded by Walchock and approved unanimously, to adjourn at [7:25:45 PM](#).

Louise Hudgens, Acting Secretary

Barry Jameson, Chairman