

**AGENDA**  
**MCFARLAND CITY COUNCIL**  
**MCFARLAND SUCCESSOR AGENCY**  
**MCFARLAND PUBLIC FINANCE AUTHORITY**  
**MCFARLAND IMPROVEMENT AUTHORITY**  
**MCFARLAND PARKING AUTHORITY**

**SPECIAL MEETING**  
**CITY COUNCIL CHAMBERS**  
**103 W. SHERWOOD AVE, MCFARLAND, CA**

**June 01, 2023**  
**5:00 PM**

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**In Person Meeting**

**How to submit public comments:**

The meetings of the City Council and all municipal entities, commissions, and boards (“the City”) are open to the public. At regularly scheduled meetings, members of the public may address the city on any item listed on the agenda, or on any non-listed matter over which the city has jurisdiction. At special or emergency meetings, members of the public may only address the city on items listed on the agenda. There is a time limitation of two minutes per person. For any item that is not on the agenda and within the jurisdiction or interest of the city, please come to the podium at this time. The Brown Act does not permit any action or discussion on items not listed on the agenda. If you wish to speak regarding a scheduled agenda item, please come to the podium when the item number and subject matter are announced, and the mayor opens Public Comment on the item. When recognized, please begin by providing your name and address for the record (optional). Anyone wishing to submit written information at the meeting needs to furnish ten (10) copies to the City Clerk in advance to allow for distribution to City Council, staff, and the media. Willful disruption of the meeting shall not be permitted. If the Mayor finds that there is in fact willful disruption of any City Council Meeting, he/she may order the disrupting parties out of the room and subsequently conduct the City’s business without them present.

**Americans with Disabilities Act:**

In compliance with the ADA, if you need special assistance to participate in a city meeting or other services offered by the City, please contact the City Clerk’s office, at (661) 792-3091 ext. 2135. Notification of at least 48 hours prior to the meeting, or time when services are needed, will assist the city staff in assuring those reasonable arrangements can be made to provide accessibility to the meeting or services.

**CALL TO ORDER:** Mayor Saul Ayon

**ROLL CALL:**

Mayor, Saul Ayon  
Vice Mayor, Ricardo Cano  
Council Member/Board Member, Amador Ayon  
Council Member/ Board Member, Anita Gonzalez  
Council Member/Board Member, Maria T. Pérez

**PUBLIC COMMENT:** The public may address the Council/Board Member on items which do not appear on the agenda. Council/Board Members may respond briefly to statements made or questions posed. They may ask a question for clarification; may refer the item to staff for further study or for placement on a future agenda. **Speakers are limited to two minutes for each person.** Please state your name and address for the record prior to making a presentation. Fifteen minutes total will be allowed for any one subject.

### **ADMINISTRATIVE AGENDA**

1. Report, Discuss, and Possible Approval of Resolution No. 2023-0069 and Temporary Use Permit (TUP) No. 2023-0003 requested by Clinica Serria Vista for a Re-Grand opening and a Covid -19 health and wellness event on Saturday June 3, 2023 at their location at 217 West Kern Avenue McFarland.

### **ADJOURNMENT**

This is to certify this agenda was posted at McFarland City Hall on May 31, 2023.

*Francisca Alvarado*

Francisca Alvarado, City Clerk

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Kenneth Williams, City Manager

Next Meeting: Regular City Council June 8, 2023.

The City of McFarland does not discriminate based on disability and complies with the provisions of the Americans with Disabilities Act (ADA). If you need special assistance to participate in this meeting, please contact the City Clerk's Office at (661) 792-3091 at least 48 hours prior to the meeting to make reasonable arrangements to ensure accessibility to this meeting.

All agenda item and/or supporting documentation is available for public review on the city website at [www.mcfarlandcity.org](http://www.mcfarlandcity.org) and the office of the City Clerk of the City of McFarland, at 401 W, Kern Ave. McFarland, CA 93250 during regular business hours of 8:00 am – 5:00 pm Monday through Friday, following the posting of the agenda. Any supporting documentation related to an agenda item for an open session of any regular meeting that is distributed after the agenda is posted and prior to the meeting will also be available for review at the same location and available at the meeting.

# CITY OF MCFARLAND

## STAFF REPORT

**TO:** Honorable Mayor and City Council

**FROM:** Paul Saldana, Community Development Director  
Brianahi De Leon, Senior City Planner

**DATE:** June 1, 2023

**SUBJECT:** Report, discussion, and Possible Adoption of a Resolution No. 2023-0069 to approve Temporary Use Permit 2023-0003.

### **SUMMARY:**

The Temporary Use Permit 2023-0003 is to allow for the Clinica Sierra Vista to host a Re-Opening and COVID-19 Health and Wellness Fair on June 3<sup>rd</sup>, 2023, along W. Kern Avenue across from their facility at 217 W. Kern Avenue. Assessor's Parcel Number (APN) is 200-180-16.

The proposed Temporary Use Permit is for Clinica Sierra Vista. The project site is located West of 2<sup>nd</sup> Street and along West Kern Avenue in front of the Clinica Sierra Vista facility. A letter was obtained from every property owner along West Kern Avenue between 3<sup>rd</sup> Street and 2<sup>nd</sup> Street. The property is designated as C-2 Commercial. Per Ordinance No. 0008-2022, an event is permitted in any zone upon the granting of a Temporary Use Permit. A portion of West Kern Avenue is being requested to be closed off for the event but will return to its regular function after the event timeframe. The Temporary Use Permit will only be good for the use of Saturday June 3, 2023. The hours of operation will be 8 AM to 5 PM. The event set-up will be at 8 AM, grand Re-Opening will be from 9:30 to 12 and the Health and Wellness Fair will be from 12 to 5 PM.

Clinica Sierra Vista is expecting to have 20 resource booths, food, and music.

This event is expected to bring together residents and community groups and therefore conditions will be added to the TUP to ensure safety and control of the event. Clinica Sierra Vista plans on having staff at the event. Refer to the attached map for the site plan of the temporary event and the conditions for what must be met for the TUP.

### **RECOMMENDATION:**

Staff recommends approval of Resolution No. 2023-0069 **APPROVING** the recordation of Temporary Use Permit 2023-0003.

### **ATTACHMENTS**

Attachment 1 – Event Site Plan

Attachment 2 – Resolution

Attachment 1



**RESOLUTION NO. 2023-0069-CC**  
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND**  
**RECOMMENDING APPROVAL OF THE RECORDATION OF TEMPORARY USE**  
**PERMIT 2023-0003.**

**WHEREAS**, Clinica Sierra Vista has filed an application for Temporary Use Permit to operate a proposed Re-Opening and COVID-19 Health and Wellness Fair; and

**WHEREAS**, the project location is generally located West of 2<sup>nd</sup> Street and North of W. Kern Ave. and East of 3<sup>rd</sup> Street referenced in exhibit A; and

**WHEREAS**, the project site is located on Assessor's Parcel Number 200-180-16; and

**WHEREAS**, letter was obtained from property owners, giving Clinica Sierra Vista permission to host the event along Kern Ave.; and

**WHEREAS**, it has been determined that Temporary Use Permit 2023-0003 is exempt from the California Environmental Quality Act (CEQA) per Section 15304(e) the Minor Alterations to the Land; and

**WHEREAS**, the City Council, through its clerk, did set Thursday, June 1<sup>st</sup>, 2023, at the hour of 5:00 p.m. in the Council Chambers located at 103 W. Sherwood Ave, McFarland California as the time and place for approval of the recordation of Resolution No. 2023-0069 and Temporary Use Permit 2023-0003; and

**WHEREAS**, the City Council considered all written and oral testimony on Temporary Use permit 2023-0003; and

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of McFarland that it hereby finds and determines as follows:

- 1) The foregoing recitals are true and correct.
- 2) The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304(e) the Minor Alterations to the Land.
  - a. The Temporary Use Permit granted shall be subject to conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the zone in which the subject property is located.
  - b. The granting of the Temporary Use Permit will not be detrimental to the public health, safety, convenience, and welfare or injurious to property improvements in the vicinity where the property is located.
  - c. The Temporary Use Permit does not allow the use of or activity which is not expressly authorized by the regulations governing the subject parcel. The proposed Re-Opening and COVID-19 Health and Wellness Fair is allowed if granted along with a business license, Temporary Use Permit, and any other conditions applied by the City of McFarland.

- 3) Temporary Use Permit 2023-0003 is consistent with the goals and policies of the City of McFarland General Plan and with the uses, density, and intensity standards of the General Plan land use designation.
- 4) Temporary Use Permit 2023-0003 is hereby approved, subject to the conditions in exhibit B.
- 5) Temporary Use Permit 2023-0003 will not be detrimental to the health, safety and welfare of the citizens of McFarland.
- 6) Any decision by the city Council shall be final unless within fifteen (15) days of the date of the decision unless the applicant or any other person appeals the City Council decision in the matter set forth in Section 17.148.100(b) of the McFarland Municipal Code.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of McFarland on the 1<sup>st</sup> day of June, 2023 by the following vote:

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

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

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

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

ATTEST:

\_\_\_\_\_  
Francisca Alvarado, City Clerk

CITY OF MCFARLAND:

\_\_\_\_\_  
Saul Ayon, Mayor

I, \_\_\_\_\_, City Clerk of the City of McFarland, California, DO HEREBY CERTIFY that the foregoing resolution is a true and accurate copy of the Resolution passed and adopted by the City Council of the City of McFarland on the date and by the vote indicated herein.

\_\_\_\_\_  
Francisca Alvarado, City Clerk

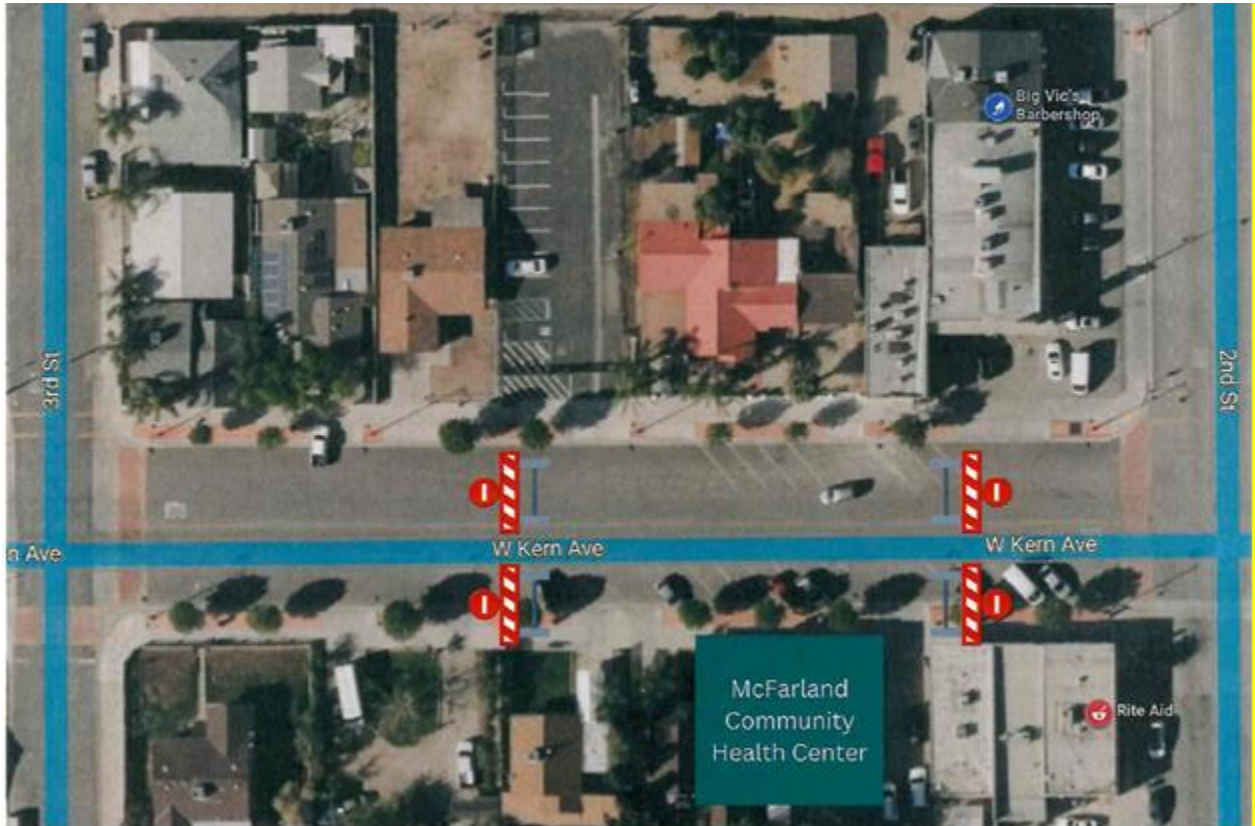
Exhibits:

- A. Vicinity Map
- B. Conditions of Approval

# ATTACHMENT A

## *Vicinity Map*

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## ATTACHMENT B

### *Conditions of approval*

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#### **PART A – PROJECT INFORMATION**

1. Assessor's Parcel Number      200-180-16
  
2. Job Address:                              217 W. Kern Avenue
  
3. Existing General Plan:              Commercial
  
4. Existing Zoning:                      C-2
  
5. Project Description:      Allow for the operation of Clinica Sierra Vista's Re-Opening and COVID-19 Health and Wellness Fair at the property located above.

#### **PART B – CONDITIONS OF APPROVAL**

The conditions of approval are based on adopted City plans and policies, those determined through site plan review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety and welfare of the community, and recommended conditions for development that are not essential to the health, safety and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Conditions of approval may be appealed within fifteen (15) calendar days from the date of the approval. However, conditions based on the City of McFarland Municipal Code are mandatory and may be modified by variance, provided findings pursuant to the McFarland Municipal Code Section 17.148 can be made. Should an appeal of a mandatory condition of approval be received, an application for a variance and the associated fee must be submitted for consideration.

#### **GENERAL CONDITIONS AND REQUIREMENTS**

- 1) No uses of land, buildings, or structures other than those specifically approved pursuant to this special permit or previously approved permits shall be submitted.

- 2) Prior to the start of operation, the applicant shall provide the City of McFarland with an approved Temporary Food Facility Permit from the Kern County Health Department.
- 3) Any proposed changes to the operation of the proposed business shall require review by the City of McFarland City Council.
- 4) Applicants shall be required to have trash cans throughout the site.
- 5) The site will return to its normal use after the event.
- 6) The hours of operation will be 8 AM to 5 PM. The event set-up will be at 8 AM, grand Re-Opening will be from 9:30 to 12 and the Health and Wellness Fair will be from 12 to 5 PM.
- 7) The event shall commence operations no sooner than Saturday June 3, 2023 and shall cease operations at 5 PM.
- 8) A public restroom shall be provided to the attendees and employees of the event.
- 9) Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises.
- 10) Use shall not create or cause vibration, odor, gas, fumes, toxic/hazardous materials, smoke, glare, or electrical interference or other hazards or nuisances.
- 11) No business license shall be issued until a Temporary Use Permit is obtained, pursuant to the municipal code.
- 12) A Temporary Use Permit is not transferable.
- 13) If the event is to be conducted on rental property, the property owner's written authorization for the proposed use shall be obtained prior to the submittal of the Temporary Use Permit.

- 14) Parking for event shall not cause traffic congestion along Kern Ave.
- 15) Security shall be on-site at all times of operation.
- 16) Any land that is utilized for the event shall be cleaned after event.
- 17) On-duty staff members from the Police Department must be used for security and closure.
- 18) Traffic control will be enforced to ensure traffic flow is consistent.
- 19) No permit for the vending or serving of alcohol was applied for therefore no alcohol shall be consumed, sold, or served on the premises.
- 20) Appropriate signage shall be installed to direct traffic.