

ORDINANCE NO. 5033

**AN ORDINANCE OF THE BAKERSFIELD CITY COUNCIL
APPROVING AN AMENDMENT TO TITLE 17 OF THE BAKERSFIELD
MUNICIPAL CODE TO CHANGE THE ZONE DISTRICT LOCATED
ON THE NORTHEAST CORNER OF ARROW STREET AND
NORTH SILLECT AVENUE. (ZC NO. 20-0118).**

WHEREAS, McIntosh and Associates for Sill Properties, filed an application with the City of Bakersfield Development Services Department requesting to change the zone district from an R-1 (One-Family Dwelling) zone to an M-1 (Light Manufacturing) zone, on 8.06 acres located northeast corner of Arrow Street and North Sillect Avenue, as shown in attached Exhibit "B" (the "Project"); and

WHEREAS, the Planning Commission held a public hearing on September 17, 2020, and approved Resolution No. 47-20, which recommended that the City Council approve the Project; and

WHEREAS, the provisions of CEQA, the State CEQA Guidelines, and the City of Bakersfield CEQA Implementation Procedures have been followed; and

WHEREAS, the City Council considered all facts, testimony, and evidence concerning the Project, including the staff report, and the Planning Commission's deliberation, and action; and

WHEREAS, the Project is consistent with the *Metropolitan Bakersfield General Plan*.

SECTION 1.

NOW, THEREFORE, BE IT ORDAINED by the Bakersfield City Council as follows:

1. The above recitals, incorporated herein, are true and correct.
2. The Planning Commission's findings as contained in its Resolution No. 47-20 are hereby adopted.
3. Pursuant to State CEQA Guidelines Section 15061(b) (3), *Review for Exemption*, the Project is exempt from the requirements of CEQA.
4. The Project is hereby approved and incorporating condition of approval stated in Exhibit A, and the change into the official zoning map as described in Bakersfield Municipal Code Section 17.06.020 located on the map as shown in Exhibit B and as specifically described in Exhibit C, all of which are incorporated herein.

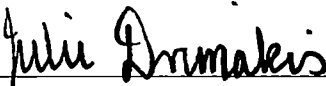
SECTION 2.

This ordinance must be posted in accordance with the Bakersfield Municipal Code and will become effective not less than 30 days from and after the date of its passage.

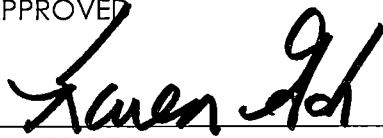
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I HEREBY CERTIFY that the foregoing Ordinance was passed and adopted by the Council of the City of Bakersfield at a regular meeting held on NOV 04 2020 by the following vote:

<u>AYES:</u>	COUNCILMEMBER: RIVERA , <input checked="" type="checkbox"/> GONZALES, <input checked="" type="checkbox"/> WEIR, <input checked="" type="checkbox"/> SMITH, <input checked="" type="checkbox"/> FREEMAN, <input checked="" type="checkbox"/> SULLIVAN, PARLIER
<u>NOES:</u>	COUNCILMEMBER: <u>NONE</u>
<u>ABSTAIN:</u>	COUNCILMEMBER: <u>NONE</u>
<u>ABSENT:</u>	COUNCILMEMBER: <u>RIVERA, PARLIER</u>




JULIE DRIMAKIS, CMC
CITY-CLERK and Ex Officio Clerk of the
Council of the City of Bakersfield

NOV 04 2020
APPROVED 

KAREN GOH
MAYOR of the City of Bakersfield

APPROVED as to form:
VIRGINIA GENNARO
City Attorney

By: 

VIRIDIANA GALLARDO-KING
Deputy City Attorney

- Exhibits: A Condition of Approval
 B Zone Change Map
 C Legal Description



EXHIBIT A
ZONE CHANGE NO. 20-0118
CONDITION OF APPROVAL

1. In consideration by the City of Bakersfield for land use entitlements, including but not limited to related environmental approvals related to or arising from this project, the applicant, and/or property owner and/or subdivider ("Applicant" herein) agrees to indemnify, defend, and hold harmless the City of Bakersfield, its officers, agents, employees, departments, commissioners and boards ("City" herein) against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, in any way arising from, the terms and provisions of this application, including without limitation any CEQA approval or any related development approvals or conditions whether imposed by the City, or not, except for CITY's sole active negligence or willful misconduct.

This indemnification condition does not prevent the Applicant from challenging any decision by the City related to this project and the obligations of this condition apply regardless of whether any other permits or entitlements are issued.

The City will promptly notify Applicant of any such claim, action or proceeding, falling under this condition within thirty (30) days of actually receiving such claim. The City, in its sole discretion, shall be allowed to choose the attorney or outside law firm to defend the City at the sole cost and expense of the Applicant and the City is not obligated to use any law firm or attorney chosen by another entity or party.

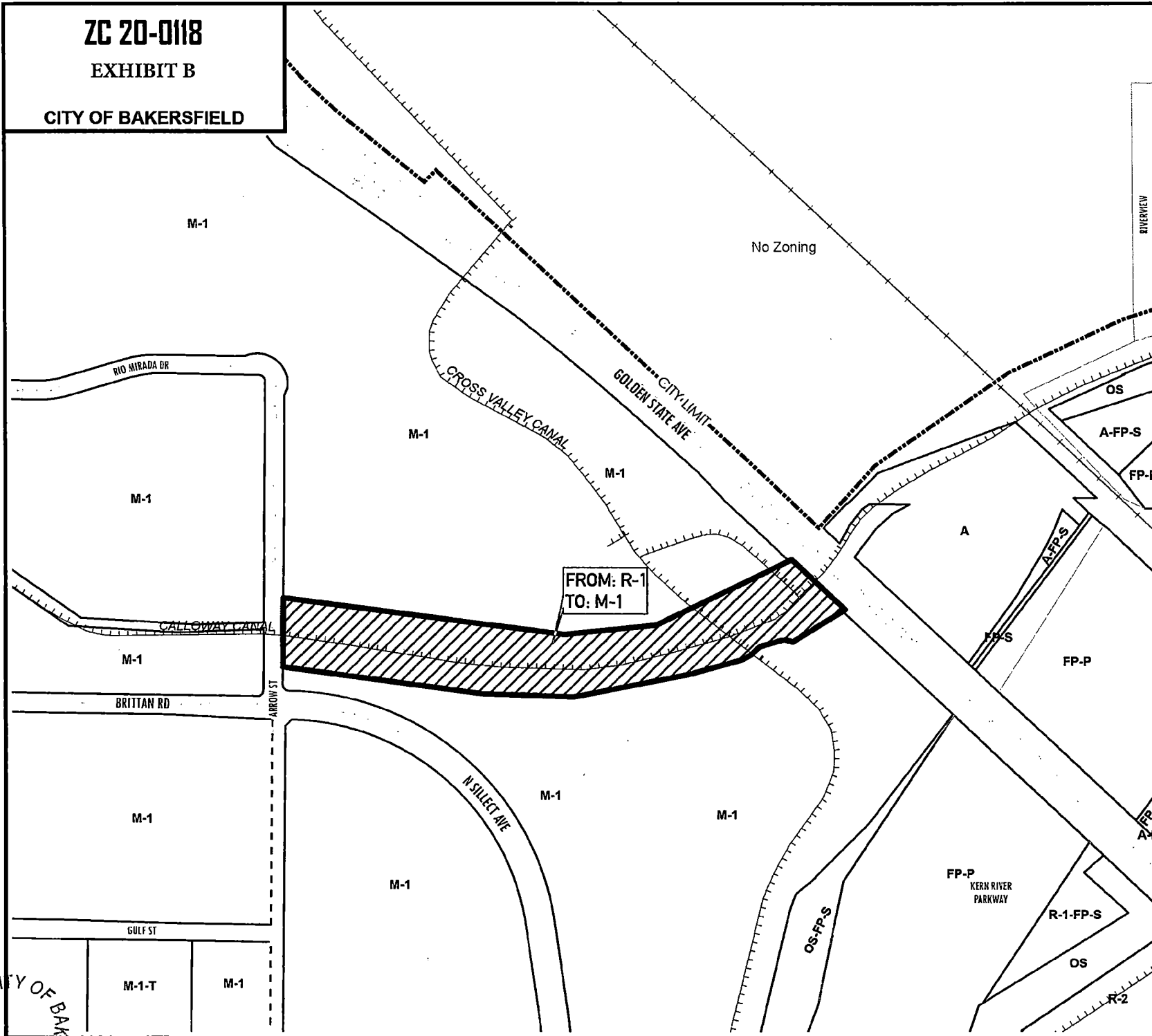
ZC 20-0118

EXHIBIT B

CITY OF BAKERSFIELD

LEGEND (ZONE DISTRICTS)

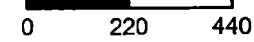
- R-1 One Family Dwelling
6,000 sq.ft. min lot size
- R-1-4.5 One Family Dwelling
4,500 sq.ft. min lot size
- E Estate
10,000 sq.ft. min lot size
- R-S Residential Suburban
24,000 sq.ft./dwelling unit
- R-S-1 Residential Suburban
1, 2.5, 5 or 10 min lot size
- R-2 Limited Multiple Family Dwelling
4,500 sq.ft. min lot size (single family)
6,000 sq.ft. min lot size (multifamily)
2,500 sq.ft. lot area/dwelling unit
- R-3 Multiple Family Dwelling
6,000 sq.ft. min lot size
1,250 sq.ft. lot area/dwelling unit
- R-4 High Density Multiple Family Dwelling
6,000 sq.ft. min lot size
600 sq.ft. lot area/dwelling unit
- R-H Residential Holding
20 acre min lot size
- A Agriculture
6,000 sq.ft. min lot size
- A-20A Agriculture
20 acre min lot size
- PUD Planned Unit Development
- TT Travel Trailer Park
- MH Mobilehome
- C-O Professional and Administrative Office
- C-1 Neighborhood Commercial
- C-2 Regional Commercial
- C-C Commercial Center
- C-B Central Business
- PCD Planned Commercial Development
- M-1 Light Manufacturing
- M-2 General Manufacturing
- M-3 Heavy Industrial
- P Automobile Parking
- RE Recreation
- Ch Church Overlay
- OS Open Space
- HOSP Hospital Overlay
- AD Architectural Design Overlay
- FP-P Floodplain Primary
- FP-S Floodplain Secondary
- AA Airport Approach
- DI Drilling Island
- PE Petroleum Extraction Combining
- SC Senior Citizen Overlay
- HD Hillside Development Combining
- WM- West Ming Specific Plan



BAKERSFIELD



Feet



ORIGINAL
CITY OF BAKERSFIELD

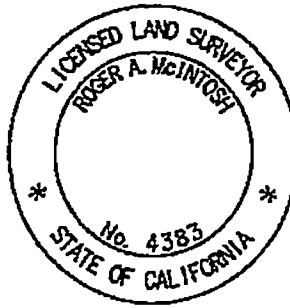
EXHIBIT C
ZONE CHANGE # 20-0118

**ZONE CHANGE
LEGAL DESCRIPTION**

PARCEL 2 OF PARCEL MAP NO. 6539 RECORDED MAY 7, 1982 IN PARCEL MAP BOOK 27 AT PAGES 199 AND 200 IN THE OFFICE OF THE KERN COUNTY RECORDER LOCATED IN THE NORTH HALF OF SECTION 24, TOWNSHIP 29 SOUTH, RANGE 27 EAST, MOUNT DIABLO MERIDIAN IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA.

CONTAINING 8.06 ACRES, MORE OR LESS

**McINTOSH
& ASSOCIATES**
661-834-4814 • 661-834-0972
2001 Wheelan Court • Bakersfield, CA 93309



Roger A. McIntosh
5-20-20

