

**ORDINANCE NO. 5013**

**AN ORDINANCE OF THE BAKERSFIELD CITY COUNCIL  
APPROVING AN AMENDMENT TO TITLE 17 OF THE BAKERSFIELD  
MUNICIPAL CODE TO CHANGE THE ZONE DISTRICT LOCATED  
LOCATED AT 5025 WIBLE ROAD (ZC NO. 20-0046).**

**WHEREAS**, McIntosh and Associates, representing Patterson Family Holdings LLC (property owner), filed an application with the City of Bakersfield Development Services Department requesting to change the zone district from PCD (Planned Commercial Development) zone district to a Revised PCD (Planned Commercial Development) zone district to change a condition of approval on 16.32 acres located 5025 Wible Road, known as the Bakersfield RV Resort, as shown in attached Exhibit "A" (Project); and

**WHEREAS**, the applicant is requesting a change to Condition of Approval Number 16 of Ordinance 4192 (ZC File No. 04-0220) that limits a recreational vehicle stay from fifteen (15) days separated by 30 days between stays, to six (6) months separated by 24 hours between stays; and

**WHEREAS**, the Planning Commission held a public hearing on May 7, 2020, and approved Resolution No. 23-20, which recommended that the City Council approve the Project with a 48 hour separation between stays; 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 Planning Commission's findings as contained in its Resolution No. 23-20 are hereby adopted.
2. The Project is exempt from the requirements of CEQA, in accordance with Section 15061(b) (3).
3. The Project is hereby approved and incorporating 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, subject to conditions of approval stated in Exhibit A, all of which are incorporated herein.



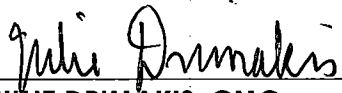
**SECTION 2.**

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 AUG 12 2020 by the following vote:

<p><u>AYES:</u></p> <p>NOES:</p> <p>ABSTAIN:</p> <p><u>ABSENT:</u></p>	<p>COUNCILMEMBER: <input checked="" type="checkbox"/> 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, <input checked="" type="checkbox"/> <del>PARLIER</del></p> <p>COUNCILMEMBER: <u>NONE</u></p> <p>COUNCILMEMBER: <u>NONE</u></p> <p>COUNCILMEMBER: <u>PARLIER</u></p>
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**JULIE DRIMAKIS, CMC**  
 CITY CLERK and Ex Officio Clerk  
 of the Council of the City of Bakersfield

APPROVED **AUG 12 2020**

  
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**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 Conditions of Approval
  - C Zone Change Map
  - B Legal Description



EXHIBIT A  
ZONE CHANGE NO. 20-0046  
CONDITIONS OF APPROVAL

PLANNING

1. The limit of one continuous stay shall be six (6) months for each recreational vehicle. Each stay must be separated by physically vacating the park for at least 48 hours. Business shall maintain such rental records for a minimum of two (2) years. These records must be made available to the City of Bakersfield upon request to verify compliance with this condition. All guests shall comply with resort rules.

*The above Condition No. 1 supersedes Condition No. 16 of Ordinance No. 4192.*

2. All other conditions of approved with related Zone Change No. 04-0220 (Ordinance No. 4192) remain in effect.

CITY ATTORNEY

3. 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.

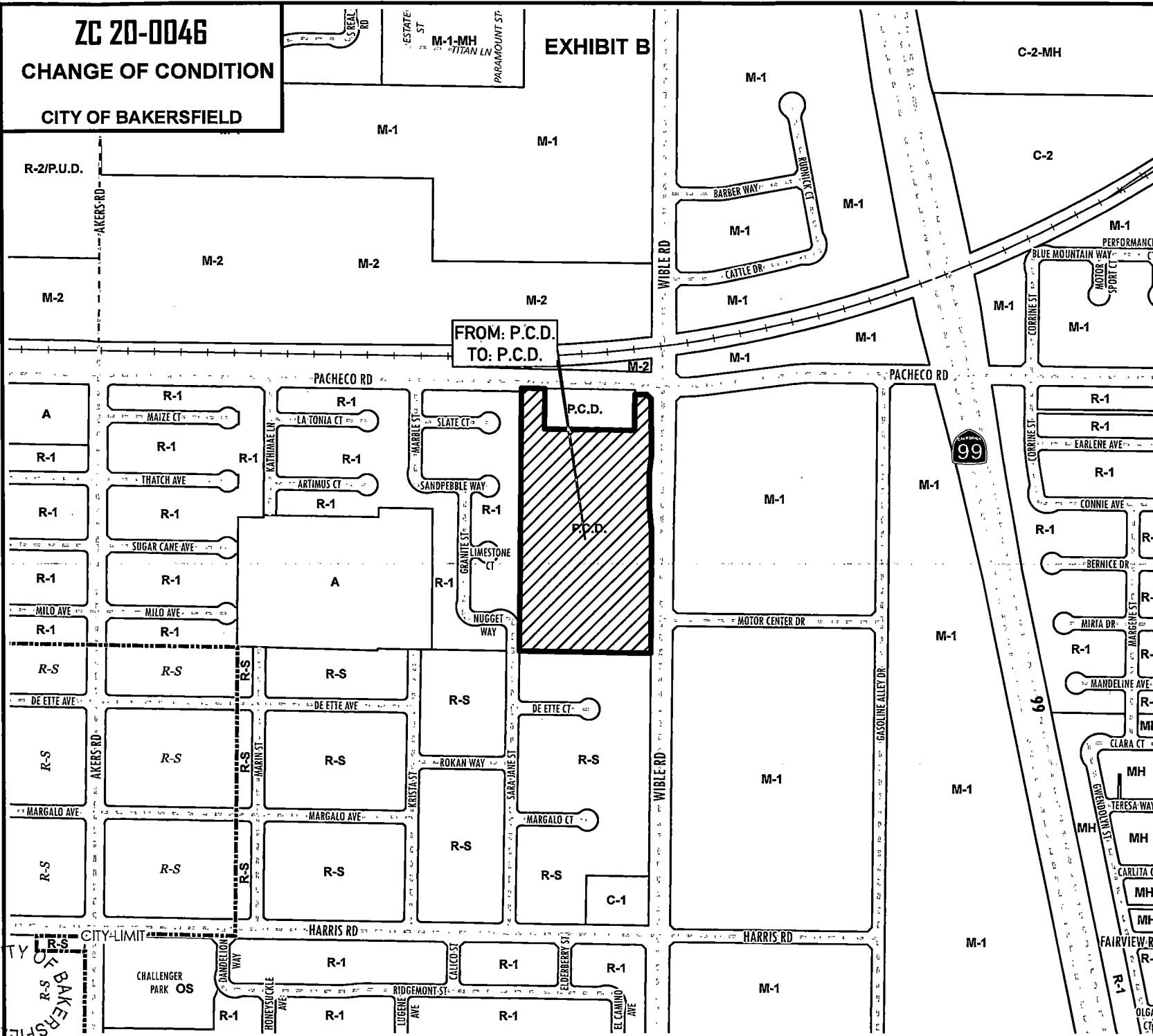
This indemnification condition does not prevent the Applicant from challenging any decision by the City related to this project and the obligations of this condition apply regardless of whether any other permits or entitlements are issued.

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 20-0046**  
**CHANGE OF CONDITION**  
**CITY OF BAKERSFIELD**

**EXHIBIT B**



**LEGEND**  
**(ZONE DISTRICTS)**

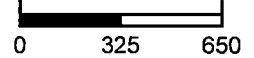
- R-1 One Family Dwelling  
6,000 sq.ft. min lot size
- R-1-4.5 One Family Dwelling  
4,500 sq.ft. min lot size
- E Estate  
10,000 sq.ft. min lot size
- R-5 Residential Suburban  
24,000 sq.ft./dwelling unit
- R-5-( ) Residential Suburban  
1, 2.5, 5 or 10 min lot size
- R-2 Limited Multiple Family 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 Wing Specific Plan



**BAKERSFIELD**



Feet



ORIGINAL

**EXHIBIT C**  
**ZONE CHANGE NO. 20-0046**  
**LEGAL DESCRIPTION**

All that certain real property in the County of Kern, State of California, described as follows:

THE EAST ½ OF LOTS 1 AND 2 IN SECTION 23, TOWNSHIP 30 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, AS SHOWN UPON THE KERN COUNTY SALES MAP NO. 1 OF LANDS OF J. B. HAGGIN, DATED MARCH 16, 1889 AND FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY ON MAY 3, 1889.

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

THE SOUTH 190.00 FEET OF THE NORTH 280.00 FEET OF THE WEST 421.00 FEET OF THE EAST 551.00 FEET OF THE NORTHEAST ¼ OF SAID SECTION 23, TOWNSHIP 30 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, COUNTY OF KERN, STATE OF CALIFORNIA, BEING A PORTION OF LOT 1 IN SAID SECTION 23, AS SHOWN UPON THE KERN COUNTY SALES MAP NO. 1 OF LANDS OF J. B. HAGGIN, MADE BY AND ACCORDING TO THE SURVEYS OF W. R. MACMURDO, COUNTY SURVEYOR OF KERN COUNTY, CALIFORNIA, DATED MARCH 16, 1889 AND FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY ON MAY 3, 1889.

ALSO EXCEPT ALL OIL, GAS AND OTHER MINERALS WITHIN OR UNDERLYING SAID LAND, OR THAT MAY BE PRODUCED AND SAVED THEREFROM PROVIDING THAT THE GRANTOR, HIS SUCCESSORS AND ASSIGNS SHALL NOT CONDUCT DRILLING OR OTHER OPERATIONS UPON THE SURFACE OF SAID LAND, BUT NOTHING HEREIN CONTAINED SHALL BE DEEMED TO PREVENT THE GRANTOR, HIS SUCCESSORS AND ASSIGNS FROM EXTRACTING OR CAPTURING SAID MINERALS BY DRILLING ON ADJACENT OR NEIGHBORING LANDS AND/OR FROM CONDUCTING SUB-SURFACE DRILLING OPERATIONS UNDER SAID LANDS AT A DEPTH OF 500 FEET BELOW THE SURFACE OF SAID LAND, SO AS NOT TO DISTURB THE SURFACE THEREOF OR ANY IMPROVEMENTS THEREON, AS RESERVED IN DEEDS BY MANUEL F. COSTA AND MARY ANN COSTA, HUSBAND AND WIFE, RECORDED NOVEMBER 21, 1962 IN BOOK 3548, PAGES 604 AND 609, OF OFFICIAL RECORDS.



*James K. Delwarter*  
3-24-20

CITY OF BAKERSFIELD  
ORIGINAL

**AFFIDAVIT OF POSTING DOCUMENTS**

STATE OF CALIFORNIA)  
 ) ss.  
 County of Kern )

JULIE DRIMAKIS, being duly sworn, deposes and says:

That she is the duly appointed, acting and qualified City Clerk of the City of Bakersfield;  
 and that on the 17<sup>th</sup> day of August, 2020 she posted on the Bulletin Board at City Hall, a  
 full, true and correct copy of the following: Ordinance No. 5013, passed by the  
 Bakersfield City Council at a meeting held on the 12<sup>th</sup> day of August, 2020 and entitled:

**AN ORDINANCE OF THE BAKERSFIELD CITY COUNCIL APPROVING AN AMENDMENT  
 TO TITLE 17 OF THE BAKERSFIELD MUNICIPAL CODE TO CHANGE THE ZONE DISTRICT  
 LOCATED AT 5025 WIBLE ROAD (ZC NO. 20-0046).**

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

By: *Kristin Muir*  
 DEPUTY City Clerk

