

ORDINANCE NO. **5012**

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 THE HOSKING AVENUE/WIBLE ROAD INTERSECTION (GPA/ZC NO. 19-0035).

WHEREAS, Porter & Associates, Inc. for Cindy Henson, filed an application with the City of Bakersfield Development Services Department requesting an amendment to the land use map designation of the Metropolitan Bakersfield General Plan from LMR (Low Medium Density Residential) to GC (General Commercial) on 10.7 acres and an amendment to Title 17 of the Bakersfield Municipal Code to change the Zone District from R-S (Residential Suburban) and R-1 (One Family Dwelling) to C-1 (Neighborhood Commercial) on 10.7 acres, located on the northeast corner of the Hosking Avenue/Wible Road intersection (the "Project"); and

WHEREAS, the Planning Commission held a public hearing on December 5, 2019, and approved Resolution No. 123-19, which denied the Project; and

WHEREAS, the Clerk of the City Council set Wednesday, July 15, 2020 at 5:15 p.m. in the Council Chambers of City Hall, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for a public hearing before the City Council to consider an appeal to the Planning Commission decision of December 5, 2019; and

WHEREAS, the City Council on July 15, 2020 upheld the appeal but approved the more restrictive C-1/PCD (Neighborhood Commercial/Planned Commercial Development zone; and

WHEREAS, the City Council has adopted a Mitigated Negative Declaration with mitigation measures for the Project; and

WHEREAS, the City Council considered all facts, testimony, and evidence concerning the Project, including the staff report, Mitigated Negative Declaration 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. 123-19 are hereby overturned.
3. The Project is subject to mitigation measures found within the adopted Mitigated Negative Declaration for the Project.



4. The Project is hereby approved 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 A and as specifically described in Exhibit B, 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.

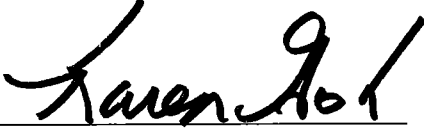
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I HEREBY CERTIFY that the foregoing Ordinance was passed and adopted by the Council of the City of Bakersfield at a regular meeting held on AUG 12 2020, by the following vote:

AYES:	COUNCILMEMBER: RIVERA, GONZALES, WEIR, SMITH, FREEMAN, SULLIVAN, PARLIER
NOES:	COUNCILMEMBER: <u>NONE</u>
ABSTAIN:	COUNCILMEMBER: <u>NONE</u>
ABSENT:	COUNCILMEMBER: <u>PARLIER</u>


Julie Drimakis

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

APPROVED AUG 12 2020


KAREN GOH
 MAYOR of the City of Bakersfield

APPROVED as to form:
VIRGINIA GENNARO
 City Attorney

By: 

VIRIDIANA GALLARDO-KING
 Deputy City Attorney



Exhibit A: Zone Change Map
Exhibit B: Legal Description

S:\Advance Planning\07_GPAs\01_Active\2020\Q3\19-0035\Res_Ord\02_CC\1st Reading\CC ZC Ordinance.docx



EXHIBIT "A"

ZONE CHANGE 19-0035
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 25, 30/27, M.D.B.M.

LEGAL DESCRIPTION

BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 30 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PROPOSED ZONE C-1 PARCEL

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 25, ALSO BEING THE CENTERLINE INTERSECTION OF WIBLE ROAD AND HOSKING AVENUE:

- THENCE (1) SOUTH 89°11'40" EAST ALONG THE SOUTH LINE OF SAID SECTION 25, ALSO BEING THE CENTERLINE OF SAID HOSKING AVENUE, A DISTANCE OF 659.99 FEET;
- THENCE (2) NORTH 00°36'25" EAST, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 26 OF SALES MAP OF LANDS OF J.B. HAGGIN FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY ON MAY 3, 1889, ALSO BEING THE SOUTHEAST CORNER OF THE REAL PROPERTY GRANTED TO OSCAR V. ARREDONDO IN GRANT DEED RECORDED MARCH 31, 2010 AS DOCUMENT NO. 0210042474 O.R.;
- THENCE (3) NORTH 22°59'50" WEST ALONG THE EAST LINE OF SAID GRANT DEED TO OSCAR ARREDONDO, A DISTANCE OF 1144.00 FEET TO A POINT WHICH IS 202 FEET EAST OF THE WEST LINE OF SAID SECTION 25;
- THENCE (4) NORTH 89°11'40" WEST, A DISTANCE OF 38.86 FEET TO THE EAST LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED TO LIGO B. SMITH AND WIFE RECORDED OCTOBER 30, 1943 IN BOOK 1150, PAGE 349 O.R.
- THENCE (5) SOUTH 03°23'46" WEST ALONG SAID EAST LINE, A DISTANCE OF 28.73 FEET;
- THENCE (6) NORTH 89°13'33" WEST, A DISTANCE OF 161.77 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 25, ALSO BEING THE CENTERLINE OF WIBLE ROAD;
- THENCE (7) SOUTH 00°36'02" WEST ALONG SAID WEST LINE OF SECTION 25 AND CENTERLINE OF WIBLE ROAD, A DISTANCE OF 1047.91 FEET TO THE **POINT OF BEGINNING.**

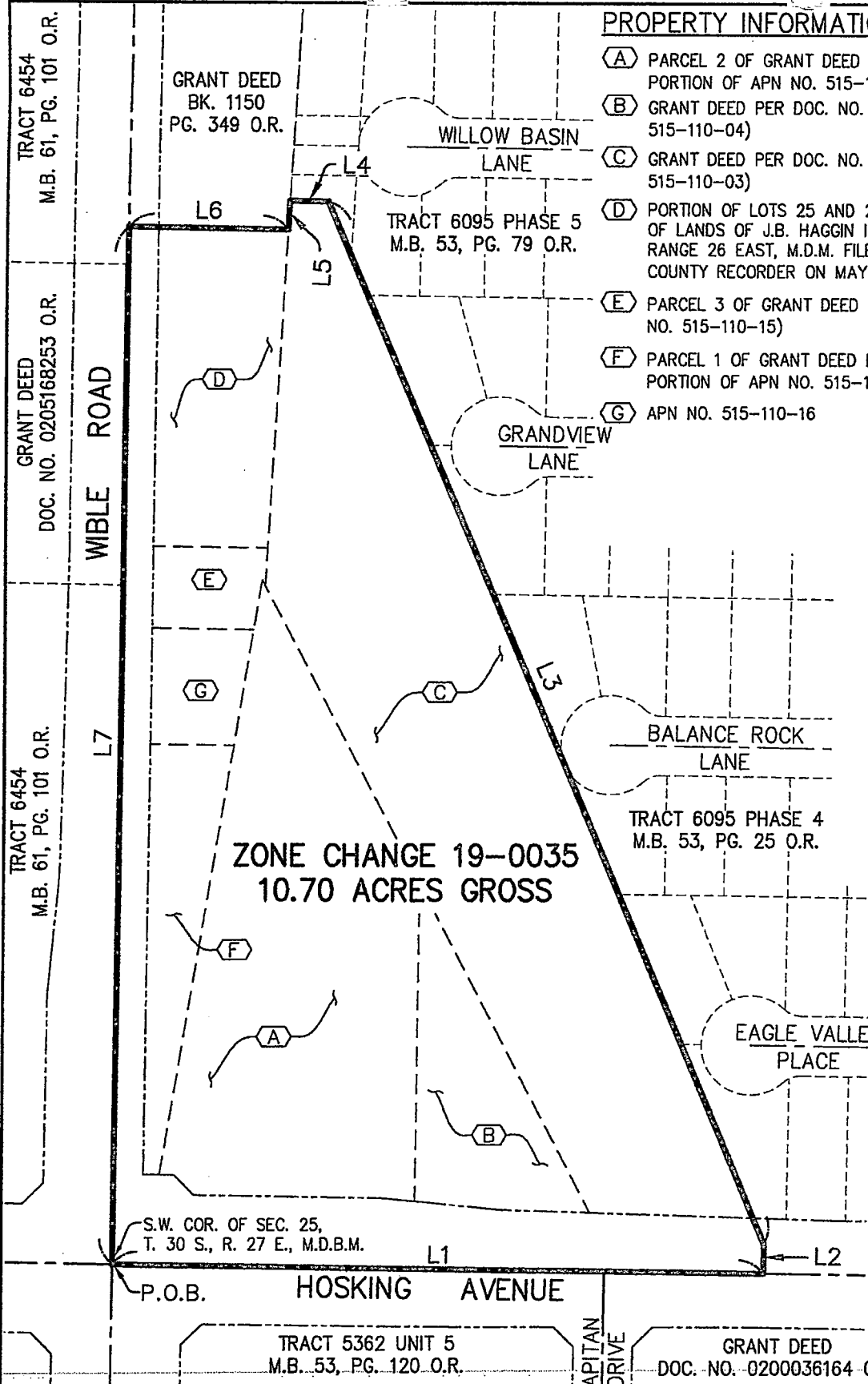
CONTAINING 10.70 ACRES GROSS, MORE OR LESS.



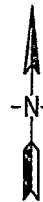
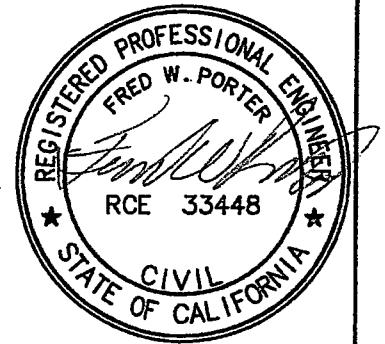
PROPERTY INFORMATION DATA TABLE

- (A) PARCEL 2 OF GRANT DEED PER DOC. NO. 203000029 O.R. (A PORTION OF APN NO. 515-110-05)
- (B) GRANT DEED PER DOC. NO. 0214161309 O.R. (APN NO. 515-110-04)
- (C) GRANT DEED PER DOC. NO. 0210042474 O.R. (APN NO. 515-110-03)
- (D) PORTION OF LOTS 25 AND 26 OF KERN COUNTY SALES MAP NO. OF LANDS OF J.B. HAGGIN IN SECTION 25, TOWNSHIP 30 SOUTH, RANGE 26 EAST, M.D.M. FILED IN THE OFFICE OF THE KERN COUNTY RECORDER ON MAY 3, 1889 (APN NO. 515-110-06)
- (E) PARCEL 3 OF GRANT DEED PER DOC. NO. 203000029 O.R. (APN NO. 515-110-15)
- (F) PARCEL 1 OF GRANT DEED PER DOC. NO. 203000029 O.R. (A PORTION OF APN NO. 515-110-05)
- (G) APN NO. 515-110-16

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°11'40"E	659.99'
L2	N00°36'25"E	30.00'
L3	N22°59'50"W	1144.00'
L4	N89°11'40"W	38.86'
L5	S03°23'46"W	28.73'
L6	N89°13'33"W	161.77'
L7	S00°36'02"W	1047.91'




ZONE CHANGE 19-0035
10.70 ACRES GROSS



NOT TO SCALE

J:\3043\GPA-ZC\dwg\3043_Zone Change.dwg 09/26/19 noteslinkard

SHEET 1 OF 1 SHEETS	DATE: 9/26/2019	EXHIBIT "B" ZONE CHANGE 19-0035 SW QUARTER OF SECTION 25, 30/27	 PORTER & ASSOCIATES, INC. ENGINEERING & SURVEYING 1200 21st St, Bakersfield, CA 93304 661.327.0362 FAX 661.327.1095
	JOB No. 3043		
	ENGINEER: FP2		
	DRAFTSMEN: LGH		

ORIGINAL

Proposed Zone Change Closure
Prepared By: LGH

Date: 9-26-2019
Job No. 3043

(A PORTION OF THE SOUTHWEST QUARTER OF SECTION 25, 30/27, M.D.B.M.)

North: 15243.3435' East: 5269.9336'

Segment #1 : Line

Course: S89°11'40"E Length: 659.99'
North: 15234.0646' East: 5929.8584'

Segment #2 : Line

Course: N00°36'25"E Length: 30.00'
North: 15264.0629' East: 5930.1762'

Segment #3 : Line

Course: N22°59'50"W Length: 1144.00'
North: 16317.1421' East: 5483.2309'

Segment #4 : Line

Course: N89°11'40"W Length: 38.86'
North: 16317.6885' East: 5444.3747'

Segment #5 : Line

Course: S03°23'46"W Length: 28.73'
North: 16289.0089' East: 5442.6728'

Segment #6 : Line

Course: N89°13'33"W Length: 161.77'
North: 16291.1946' East: 5280.9175'

Segment #7 : Line

Course: S00°36'02"W Length: 1047.91'
North: 15243.3422' East: 5269.9339'

Perimeter: 3111.27' Area: 466270.20 Sq. Ft.
10.70 Acres

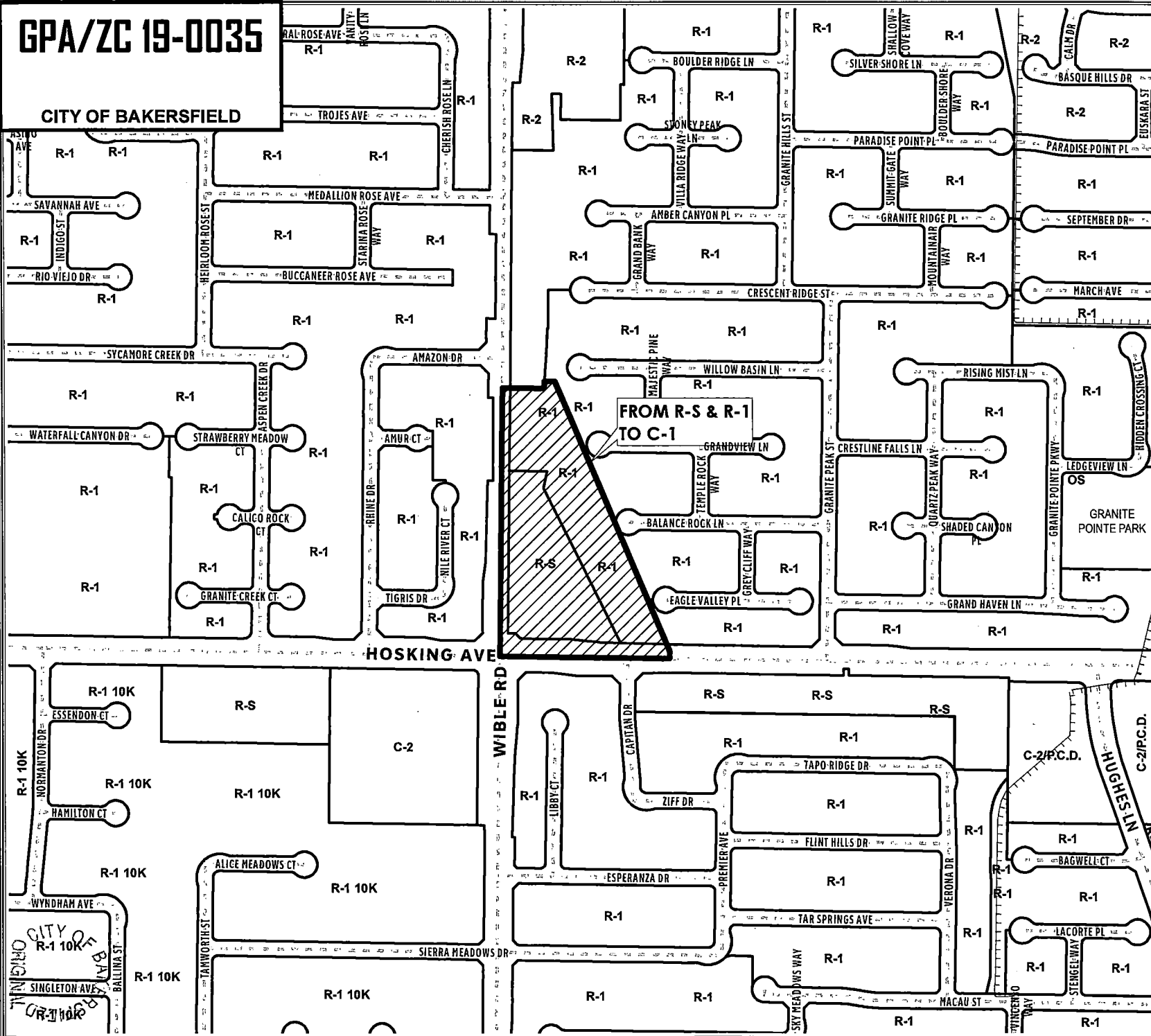
Error Closure: 0.0013 Course: S10°38'43"E
Error North: -0.00126 East: 0.00024

Precision 1: 2393276.92

CITY OF BAKERSFIELD
ORIGINAL

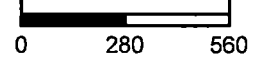
GPA/ZC 19-0035

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
- WN- West Wing Specific Plan



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 17th day of August, 2020 she posted on the Bulletin Board at City Hall, a
full, true and correct copy of the following: Ordinance No. 5012, passed by the
Bakersfield City Council at a meeting held on the 12th 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 THE NORTHEAST CORNER OF THE HOSKING AVENUE/WIBLE ROAD
INTERSECTION (GPA/ZC NO. 19-0035).**

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

By: *Kristin Muir*
DEPUTY City Clerk

