SPECIAL MEETING
ARVIN PLANNING COMMISSION

THURSDAY FEBRUARY 21, 2019 6:00p.m.
CITY HALL COUNCIL CHAMBERS
200 CAMPUS DRIVE, ARVIN

CALL TO ORDER

VICE CHAIRPERSON ZAVALA

PLEDGE OF ALLEGIANCE

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ROLL CALL:  
Janett Zavala Vice Chairperson
Yesenia Martinez Planning Commissioner
Miguel Rivera Planning Commissioner
Gerardo Tinoco Planning Commissioner
Arturo Hinojosa Planning Commissioner

STAFF:  
Jake Raper City Planner
Shannon L. Chaffin City Attorney – Aleshire & Wynder
Cecilia Vela Secretary
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. The City may request speakers to designate a spokesperson to provide public input on behalf of a group, based on the number of people requesting to speak and the business of the City.

In accordance with the Brown Act, all matters to be acted on by the City must be posted at least 72 hours prior to the City meeting. In cases of an emergency, or when a subject matter needs immediate action or comes to the attention of the City subsequent to the agenda being posted, upon making certain findings, the City may act on an item that was not on the posted agenda.

AGENDA STAFF REPORTS AND HANDOUTS:
Staff reports and other disclosable public records related to open session agenda items are available at City Hall, 200 Campus Drive, Arvin, CA 93203 during regular business hours.

CONDUCT IN THE CITY COUNCIL CHAMBERS:
Rules of Decorum for the Public
Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, clapping, whistling, stamping of feet or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the City meeting infeasible. A member of the audience engaging in any such conduct shall, at the discretion of the presiding officer or a majority of the City, be subject to ejection from the meeting per Gov. Code Sect. 54954.3(c).

Removal from the Council Chambers
Any person who commits the following acts in respect to a meeting of the City shall be removed from the Council Chambers per Gov. Code Sect. 54954.3(c).

(a) Disorderly, contemptuous or insolent behavior toward the City or any member thereof, tending to interrupt the due and orderly course of said meeting;

(b) A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting;

(c) Disobedience of any lawful order of the Mayor, which shall include an order to be seated or to refrain from addressing the City; and

(d) Any other unlawful interference with the due and orderly course of said meeting.

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, (661) 854-3134. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.
1. Approval of Agenda As To Form.  Motion ______ Second _____ Vote ______
   Roll Call: PC Tinoco _____ PC Rivera _____ PC Martinez _____ PC Hinojosa _____ VC Zavala _____

2. PUBLIC COMMENTS
   This portion of the agenda is reserved for persons wishing to address the Planning Commission. At
   regularly scheduled meetings, members of the public may address the Planning Commission on any
   matter that is not listed for review on the agenda. At special or emergency meetings, members of the
   public may only address the Planning Commission on matters that are listed for review on the agenda.
   Individuals must give their name and limit their comments to two minutes. Issues raised during Public
   Comments are informational only and the Planning Commission cannot take action at this time. All
   comments shall be directed towards the Chairperson and not to individual Commissioners or staff.

3. CONSENT AGENDA ITEM(S)
   A. Approval of the Minutes of the Regular Meeting of January 15, 2019.
   Staff recommends approval of the Minutes of the Regular Meeting of January 15, 2019.
   Motion ______  Second ___________  Vote ________
   Roll Call: PC Tinoco _____ PC Rivera _____ PC Martinez _____ PC Hinojosa _____ VC Zavala _____

4. PUBLIC HEARING(S)
   A. A Public Hearing to Consider Approval of A Resolution of the Planning Commission
      of the City of Arvin Recommending the City Council Add Subsection Q of Section
      17.08.020 (Permitted Uses) of Chapter 17.08 (One-Family Dwelling Zone) of Title
      17 (Zoning), of the Arvin Municipal Code to Establish Standards and Criteria for
      Neighborhood Serving Commercial Uses in Conjunction with Existing and/or
      Proposed Single Family Residential Uses Including a Recommendation to Adopt an
      Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines,
      Section 15061(b)(3).
      Staff recommends the Planning Commission open the hearing; allow for public
      testimony; close the hearing; and approve the Resolution.
      Motion ________  Second __________  Vote ______
      Roll Call: PC Tinoco _____ PC Rivera _____ PC Martinez _____ PC Hinojosa _____ VC Zavala _____

5. ELECTION OF CHAIRPERSON

6. REPORTS FROM STAFF
7. PLANNING COMMISSIONER COMMENTS

8. ADJOURNMENT

I hereby certify, under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted on the City Hall Bulletin Board, not less than 24 hours prior to the meeting. Dated: February 20, 2019.

Cecilia Vela, Secretary
REGULAR MEETING MINUTES
ARVIN PLANNING COMMISSION

JANUARY 15, 2019

CALL TO ORDER @ 6:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL: PC Martinez absent; All others present. Chair seat is vacant.

1. Approval of Agenda As To Form.

Motion to approve the Agenda.
Motion PC Rivera Second PC Tinoco Vote 3-0

2. PUBLIC COMMENTS
This portion of the agenda is reserved for persons wishing to address the Planning Commission. At regularly scheduled meetings, members of the public may address the Planning Commission on any matter that is not listed for review on the agenda. At special or emergency meetings, members of the public may only address the Planning Commission on matters that are listed for review on the agenda. Individuals must give their name and limit their comments to two minutes. Issues raised during Public Comments are informational only and the Planning Commission cannot take action at this time. All comments shall be directed towards the Chairperson and not to individual Commissioners or staff.

NONE

3. CONSENT AGENDA ITEM(S)
A. Approval of the Minutes of the Regular Meeting of December 11, 2018.

Staff recommends approval of the Minutes of the Regular Meeting of December 11, 2018.

Motion to approve the Minutes of the Regular Meeting of December 11, 2018.
Motion PC Rivera Second PC Tinoco Vote 3-0

4. PUBLIC HEARING(S)
A. A Public Hearing to Consider Approval of A Resolution of the Planning Commission of the City of Arvin Recommending the City Council Adopt Text Amendment No. 2019-01 to Add Section 17.02.505 and Amend Section 17.02.185, Section 17.02.260, and Section 17.02.655 of Chapter 17.02 of Title 17; Amend Section 17.05.020, Section 17.05.030 and Sections 17.05.050 through 17.05.080 of Chapter 17.05 of Title 17; Amend Section 17.10.080 of Chapter 17.10 of Title 17; Amend Section 17.12.020, Section 17.12.025, and Section 17.12.070 of Chapter 17.12 of Title 17; Amend Section 17.14.020 and Section 17.14.070 of Chapter 17.14 of Title 17; Amend
Section 17.50.150 of Chapter 17.50 of Title 17; and Amend Section 17.60.010, Section 17.60.040, Section 17.60.050, and Section 17.60.060 of Chapter 17.60 of Title 17 of the Arvin Municipal Code; and Adopt an Exemption Pursuant to the California Environmental Quality Act.

Staff recommends the Planning Commission open the hearing; allow for public testimony; close the hearing; and approve the Resolution.

Hearing opened.
No public testimony.
Hearing closed.
Motion to approve the Resolution.
Motion PC Rivera Second PC Tinoco Vote 3-0
Resolution No. APC 2019-01

B. A Public Hearing to Consider Approval of A Resolution of the Planning Commission of the City of Arvin Recommending the City Council Amend the General Plan by Amending the Land Use Element Consistent with the 2013-2023 Housing Element Work Programs Including A Recommendation to Adopt an Exemption Pursuant to California Environmental Quality Act Guidelines Section 15061(B)(3).

Staff recommends the Planning Commission open the hearing; allow for public testimony; close the hearing; and approve the Resolution.

Hearing opened.
No public testimony.
Hearing closed.
Motion to approve the Resolution.
Motion PC Rivera Second PC Tinoco Vote 3-0
Resolution No. APC 2019-02

5. REPORTS FROM STAFF

6. PLANNING COMMISSIONER COMMENTS

7. ADJOURNED @ 6:20PM

Respectfully Submitted,

Cecilia Vela, Secretary
TO: Arvin City Planning Commission
FROM: Jake Raper, City Planner – Contract JAS Consultant
Jerry Breckinridge, City Manager
SUBJECT: Public Hearing – To Consider adoption of a Resolution Recommending the City Council Add Subsection Q of Section 17.08.020 (Permitted Uses) of Chapter 17.08 (One-Family Dwelling Zone) of Title 17 (Zoning), of the Arvin Municipal Code to establish standards and criteria for neighborhood serving commercial uses in conjunction with existing and/or proposed single family residential uses including a recommendation to adopt an Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3).

RECOMMENDATION

Approve a Resolution recommending the City Council Amend the Arvin Municipal Code, Title 17 Zoning, Chapter 17.08 R-1 One-Family Dwelling Zone, Section 17.08.020 Permitted Uses, Adding Subsection Q. Neighborhood Serving Commercial Uses within Single Family Residential Zones including a recommendation to adopt an Exemption Pursuant to the California Environmental Quality Act.

BACKGROUND

On September 19, 2017, the City Council adopted Resolution No. 2017-92 authorized the City Manager request to bring forward various code amendments to Title 17 Zoning; whenever the public necessity, convenience, general welfare, or good zoning practices justify such action. The proposed amendment to Chapter 17.08 proposes to permit neighborhood commercial serving uses within the R-1 zone district by right subject to specific development criteria and spatial separation of similar uses. It is proposed that the neighborhood commercial serving uses be either approved by Staff or Planning Commission under Section 17.60 Site Development Permits and subject to development improvements subject to 17.70 Site Development Improvements.

The purpose and goal of permitting neighborhood commercial serving uses in conjunction with single family development are:

1. To establish small scale mixed uses that are compatible to the neighborhood;
2. Restricted to corner lots;
3. Utilize existing city service capacity (i.e. sewer, water, roadway, fire);
4. Establish separation of neighborhood commercial uses by 1000 feet;
5. Encourage that the neighborhood commercial uses are within walking and biking distance of the existing residents (or are planned to have enough) to support non-residential uses;
6. City may permit non-listed neighborhood commercial uses by conditional use permit if they meet the goals, locational, dimensional and design standards of the zone; and
7. Require bicycle parking to be visible, accessible, easy to use, convenient, and plentiful. (Racks need to support the whole bike (not just one wheel) and enable the user to lock the frame and wheels of the bike with a cable or U-shaped lock.)

Public hearing notice was published on February 12, 2019 in accordance with Government Code.

ENVIRONMENTAL REVIEW:

Staff have performed a preliminary environmental assessment of this project and pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3) has determined with certainty that there is no possibility that the activities in question may have a significant effect on the environment because of the following reasons:

- This Ordinance establishes the opportunity for neighborhood serving commercial uses within residential neighborhoods; and
- This Ordinance will not have a significant effect or physical change to the environment, because it establishes standards and criteria and no physical projects are contemplated and are anticipated to be within the built environment.

EXHIBITS:

1. Resolution Recommending the City Council Add Subsection Q of Section 17.08.020 (Permitted Uses) of Chapter 17.08 (One-Family Dwelling Zone) of Title 17 (Zoning), of the Arvin Municipal Code to establish standards and criteria for neighborhood serving commercial uses in conjunction with existing and/or proposed single family residential uses including a recommendation to adopt an Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3).

2. Exhibit A – Ordinance No. 2019 – XX An Ordinance of the City Council of the City of Arvin, Adding Subsection Q of Section 17.08.020 (Permitted Uses) of Chapter 17.08 (One-Family Dwelling Zone) of Title 17 (Zoning), of the Arvin Municipal Code to establish standards and criteria for neighborhood serving commercial uses in conjunction with existing and/or proposed single family residential uses including a recommendation to adopt an Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3).

3. Public Hearing Notice
RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARVIN RECOMMENDING THE CITY COUNCIL ADD SUBSECTION Q OF SECTION 17.08.020 (PERMITTED USES) OF CHAPTER 17.08 (ONE-FAMILY DWELLING ZONE) OF TITLE 17 (ZONING), OF THE ARVIN MUNICIPAL CODE TO ESTABLISH STANDARDS AND CRITERIA FOR NEIGHBORHOOD SERVING COMMERCIAL USES IN CONJUNCTION WITH EXISTING AND/OR PROPOSED SINGLE FAMILY RESIDENTIAL USES INCLUDING A RECOMMENDATION TO ADOPT AN EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 15061(B)(3).

WHEREAS, On September 19, 2017, the City Council adopted Resolution No. 2017-92 authorizing the City Manager to bring forward various code amendments to Title 17 Zoning; whenever the public necessity, convenience, general welfare, or good zoning practices justify such action; and

WHEREAS, the Planning Commission on February 21, 2019, at a Special Planning Commission meeting, recommended the adoption of the proposed code amendments; and

WHEREAS, the Planning Commission recommends the City Council adopt an Exemption Pursuant to California Environmental Quality Act Guidelines Section 15061(b)(3).

NOW THEREFORE BE IT RESOLVED the Planning Commission of the City of Arvin hereby finds and adopts the following findings:

1. The recitals set forth above are true and correct and incorporated herein by this reference.
2. The Planning Commission duly noticed the public hearing date in accordance with local requirements and state requirements.
3. The Planning Commission conducted a public hearing on February 21, 2019, providing an opportunity for all interested persons to give testimony and the Planning Commission duly considered all relevant testimony.
4. The Planning Commission recommends adoption of the proposed ordinance amendments as shown on Exhibit A of this resolution, which are consistent with the General Plan.

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I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Arvin at a special meeting thereof held on the 21st day of February, 2019, by the following vote:

AYES: ________________________________

NOES: ________________________________

ABSTAIN: ________________________________

ABSENT: ________________________________

ATTEST:

CECILIA VELA, Secretary

ARVIN PLANNING COMMISSION

By: ________________________________
   JANETT ZAVALA, Vice Chairperson

APPROVED AS TO FORM:

By: ________________________________
   SHANNON L. CHAFFIN, General Counsel
   Aleshire & Wynder, LLP

I, ________________________________, Secretary of the Planning Commission of the City of Arvin, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Resolution passed and adopted by the Planning Commission of the City of Arvin on the date and by the vote indicated herein.
EXHIBIT A

ORDINANCE NO. 2019-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN, ADDING SUBSECTION Q OF SECTION 17.08.020 (PERMITTED USES) OF CHAPTER 17.08 (ONE-FAMILY DWELLING ZONE) OF TITLE 17 (ZONING), OF THE ARVIN MUNICIPAL CODE TO ESTABLISH STANDARDS AND CRITERIA FOR NEIGHBORHOOD SERVING COMMERCIAL USES IN CONJUNCTION WITH EXISTING AND/OR PROPOSED SINGLE FAMILY RESIDENTIAL USES INCLUDING A RECOMMENDATION TO ADOPT AN EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 15061(B)(3).

WHEREAS, the City Council desires to amend Title 17 of the Arvin Municipal Code desires to establish neighborhood commercial uses within single family residential neighborhoods to promote walkable neighborhoods; and

WHEREAS, on February 21, 2019, at after a duly noticed public hearing, the Planning Commission considered the Proposed Amendments, including presentations from City staff, oral testimony, and written testimony; and

WHEREAS, after the above-mentioned public hearing, the Planning Commission adopted Resolution No. 2019-XX, which recommended that the City Council adopt this Ordinance; and

WHEREAS, on __________, 2019, the City Council conducted a duly noticed public hearing regarding this Ordinance, where it received presentations from City staff, oral and written testimony from members of the public; and

WHEREAS, after the above-mentioned City Council public hearing, the City Council now desires to amend Title 17, “Zoning,” of the Arvin Municipal Code to permit neighborhood commercial servicing uses in single family residential zone by adding Subsection Q. Neighborhood Commercial Serving Uses of Section 17.08.020 Permitted Uses; and

NOW, THEREFORE, the City Council of the City of Arvin does hereby ordain as follows:

SECTION 1. The Recitals set forth above are true and correct and incorporated herein.

SECTION 2. The City Council finds and determines that the amendment and addition to Title 17, as contemplated by this Ordinance, constitute a project under the California Environmental Quality Act (“CEQA”). The City Council, based upon its own independent judgment and substantial evidence in the record of proceedings related to this project has determined, pursuant to CEQA Guidelines. This determination and recommendation is based upon the CEQA Guidelines, Section 15061(b)(3) the activity is covered under the General Rule that CEQA applies only to projects where it can be seen with certainty that there is no
possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA and is, therefore, exempt from CEQA, for the following reasons:

- This Ordinance relates to the establishment of criteria and standards for potential neighborhood commercial serving uses in single family residential zones;
- This Ordinance will not have a significant effect or physical change to the environment, because it relates to the creation of standards and criteria in evaluating future potential neighborhood commercial serving uses in single family residential zones which do not involve any commitment to a specific project which may result in a potentially significant physical impact upon the environment.

SECTION 3. Subsection Q of Section 17.08.020 (Permitted Uses) of Chapter 17.08 (One-Family Dwelling Zone) of Title 17 (Zoning), of The Arvin Municipal Code added to read in its entirety as follows:

Q. Neighborhood Serving Commercial Uses within Single Family Residential

Neighborhood Serving Commercial Uses are intended to introduce complimentary uses in conjunction with existing and/or proposed single family residential uses in locations where the neighborhood supports such a use and serves the neighborhood. The following standards are designed to allow Neighborhood Serving Commercial Uses to be integrated closely with existing and proposed single family residential uses on a small scale. Allowing neighborhood serving commercial uses to be integrated into neighborhoods at appropriate locations and at the same scale as the existing and proposed residential uses is intended to make more efficient use of existing infrastructure capacity and improve walking and biking accessibility to these services by nearby residents.

A. A neighborhood serving commercial use must implement and meet the following criteria: Support a compact walkable neighborhood with nearby services;
   1. Separation of neighborhood serving commercial uses by a minimum of 1,000 feet;
   2. Be a development of small scale neighborhood commercial uses to compliment neighborhoods and provide service destinations and jobs close to existing housing;
   3. Must be compatible with neighborhood commercial uses and existing and/or proposed residential development; and
   4. Utilize existing infrastructure and service capacity.

B. A neighborhood serving commercial use must implement and meet the following criteria;
   1. Support a compact walkable neighborhood with nearby services;
   2. Separation of neighborhood serving commercial uses by a minimum of 1,000 feet;
   3. Be a development of small scale neighborhood commercial uses to compliment neighborhoods and provide service destinations and jobs close to existing housing;
4. Must be compatible with neighborhood commercial uses and existing and/or proposed residential development; and
5. Utilize existing infrastructure and service capacity.

C. Uses Permitted: The following uses are permitted as a neighborhood serving commercial use subject to Chapter 17.60 Site Development Permit, implements and meet the criteria established above, subject to the implementation of the requirements of Chapter 17.70 Site Development Standards, and also meeting the standards as listed in this section:

1. Other neighborhood serving commercial not listed below may be permitted by Conditional Use Permit where it can be demonstrated that the proposed use meets the criteria identified above and all requirements of this section.
   a. Neighborhood Convenience Retail in conjunction with existing or proposed Single Family Residential uses as listed below:
   b. Food sales (i.e. groceries, bakeries, candy shops, delicatessens);
   c. Consumer Repair Services (i.e. watch, jewelry, musical instrument);
   d. General Retail Sales-Convenience; (i.e. convenience market (No off- or on-sale of alcoholic beverages), neighborhood takeout food preparation; and
   e. Live-work units.

D. Design Standards for Permitted Non-Residential Uses. Uses permitted above shall conform to the following design guidelines:

   1. Architectural Standards: All new development (residential and non-residential) shall be of a design that compliments residences and/or introduces and improves on the design located on the same block and shall follow these design standards:
      a. Building materials shall be of siding, brick, stone or other materials that are similar in composition and otherwise in common with other buildings located in the area.
      b. Colors shall compliment other buildings in the area.
      c. The primary entrance shall be from the front sidewalk, front corner entrances may satisfy this requirement. Secondary entrances may be allowed in the rear where there is rear parking.
      d. To support the privacy of existing residences, windows on the portion of a side wall directly opposite an existing residence shall be limited to obscure glass or similar material approved or windows that are above sightline in both buildings.
      e. New buildings shall be compatible with the existing residential uses on the block and must use at least three design elements found in other buildings within the neighborhood on facades facing public streets.

   2. Signage: Shall be of a scale and of materials that are compatible with the existing residential uses while allowing the business to be identified from the sidewalk and street.
      a. Maximum sign area allowed shall be the one half of the building width in square feet: building width/2 = X sq. ft
b. May not be translucent or lighted from within. They may be lighted with exterior lights during hours of operation.
c. Window signs may not be larger than 1 square foot.
d. Lighted window signs may only be lit during hours of operation.
e. Lighted signs may not flash, blink or otherwise move.

3. Exterior Lighting: Shall be compatible with residences located on the same block and:
   a. Exterior lighting must be hooded or shielded. There should be no disability glare and no direct light source should be visible from ground level or above across the source property line if it is adjacent to residential or vacant property.

C. Building, Lot, Location and other Standards: Uses permitted above shall conform to the following guidelines:
1. Location and Access:
   a. Permitted non-residential uses shall be located in a neighborhood where no similar services are provided within 1000 feet;
   b. Must be located on a corner lot of sufficient size to meet the requirements of Chapter 17.70 Site Development Standards;
   c. Must provide a minimum of 500 square feet of open space for the existing and/or proposed single family residential unit.
   d. Conditionally approved non-residential uses not listed in Sub-Subsection B above, must be found to be compatible with and to impose no adverse impact upon adjacent residential uses and meet all of the requirements of this Subsection.

2. Parking: The following vehicle parking standards shall be met:
   a. On-street parking may be credited toward the minimum parking requirements.
   b. All off-street parking must be provided in the rear or side yards and screened by an opaque wall or landscaping at least three (3) feet in height. No parking is allowed in the front or side yard setback.
   c. No commercial vehicle may be parked on the street or on the premises overnight except in an enclosed garage.

3. Bicycle Parking: Shall be provided near the front entrance and covered where possible.
   a. For each 400 square feet of neighborhood commercial use there shall be one bicycle space.
   b. Each bicycle parking space shall be sufficient to accommodate a bicycle at least six (6) feet in length and two (2) feet wide, and shall be provided with some form of stable frame permanently anchored to a foundation to which a bicycle frame and both wheels may be conveniently secured using a chain and padlock.

4. Other Standards
   a. Hours of Operation: shall be limited from 6 a.m. to 10 p.m.
   b. Outdoor Storage: No outdoor storage shall be permitted.
   c. Waste containers: All waste containers larger than allowed residential containers or numbering more than two per building shall be enclosed by a wall or opaque screening.
D. Setbacks, Height Requirements for New or Enlarged Buildings. The setback and height requirements for a new or redeveloped building shall be:

1. Yard Setback
   a. Shall meet the minimum yard setback as required in the R-1 Zone District;
   b. Outdoor seating may be located in the front, rear and side yard setback but must be screened from adjacent residential uses.

2. Building Height: Proposed new or enlarged building shall meet the following:
   a. When located between two existing buildings the maximum height measured at the highest point along a roof or highest ridge line of the proposed building may be no higher than five (5) feet above the average height of the adjacent buildings measured in a like manner.
   b. When located adjacent to an existing building and on a corner lot or next to a vacant lot the maximum height measured at the highest point along a roof or highest ridge line of the proposed building may be no higher than five (5) feet above the adjacent building or the average height of the adjacent building and the underlying zone measured in a like manner.
   c. When located on a corner lot and next to a vacant lot the maximum height measured at the highest point along a roof or highest ridge line of the proposed building may be no higher than five (5) feet above the average height of all buildings on the block measured in a like manner or of the underlying zone.

SECTION 4. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. This Ordinance shall take effect and be in full force and effect from and after thirty (30) calendar days after its final passage and adoption. Within fifteen (15) calendar days after its adoption, the Ordinance, or a summary of the Ordinance, shall be published once in a newspaper of general circulation.
I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council after waiving reading, except by Title, at a regular meeting thereof held on the _____ day of __________________ 2019, and adopted the Ordinance after the second reading at a regular meeting held on the ____ day of _______________ 2019, by the following roll call vote:

AYES: ________________________________

NOES: ________________________________

ABSTAIN: ________________________________

ABSENT: ________________________________

ATTEST

CECILIA VELA, City Clerk

CITY OF ARVIN

By: JOSE GURROLA, Mayor

APPROVED AS TO FORM:

By: SHANNON CHAFFIN, City Attorney
Aleshire & Wynder, LLP

I, ________________________________, City Clerk of the City of Arvin, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Ordinance passed and adopted by the City Council of the City of Arvin on the date and by the vote indicated herein.
NOTICE OF PUBLIC HEARING

Recommendation of Adoption Amendment to add Subsection Q to Section 17.08.020 (Permitted Uses) of Chapter 17.08 (One-Family Dwelling Zone) to Title 17 (Zoning) of the Arvin Municipal Code, Title 17 Zoning, and associated CEQA Finding

Notice is hereby given that the Planning Commission of the City of Arvin, California, will conduct a public hearing, at which time you may be present and be heard to consider the following:

- Adoption of a Resolution Recommending the City Council Amend the Arvin Municipal Code by adding Subsection Q to Section 17.08.020 (Permitted Uses) of Chapter 17.08 (One-Family Dwelling Zone) to Title 17 (Zoning), to establish standards and criteria for neighborhood serving commercial uses in conjunction with existing and/or proposed single family residential uses including a recommendation to adopt an Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3).

The purpose of the hearing is to consider recommendations to the City Council regarding a proposed ordinance amending AMC Chapter 17.08 to establish standards and development criteria where permitting neighborhood commercial serving uses within the single family residential neighborhoods. Among others, the proposed ordinance would establish small scale mixed uses that are compatible to the neighborhood; be restricted to corner lots; must utilize existing City service capacity (i.e. sewer, water, roadway, fire); establish separation of neighborhood commercial uses by 1000 feet; and encourage walking and biking from nearby existing residential uses. The updates to the ordinance will be city-wide, but as a practical matter will only apply to areas that are zoned single-family residential.

Additional information on the proposed project, including a copy of the proposed environmental findings as a hard copy or in electronic format, may be obtained from the City of Arvin, City Hall, 200 Campus Drive, Arvin, California, 93203, or the City’s website at www.arvin.org.

All persons interested in this topic who have questions, would like to provide feedback, or who have comments, are invited to attend. If you challenge the approval or denial of these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk, at or prior to, the public hearing. Address any communications or comments regarding the project to Cecilia Vela, City Clerk, at 200 Campus Drive, Arvin, CA 93203, (661) 854-3134, cvela@arvin.org.

Cecilia Vela, City Clerk
Published: February 12, 2019 Bakersfield Californian