



MCFARLAND PLANNING COMMISSION

Regular Meeting Notice and Agenda

Council Chambers
103 W. Sherwood Ave, Mcfarland, CA
Website: <https://www.mcfarlandcity.org/>

Wednesday, November 6, 2024
6:00 PM

Commissioner, **Jose "Jay" Hernandez**
Commissioner, **Jose Hernandez, Jr.**
Commissioner, **Juan Munguia**
Commissioner, **Victor Oropeza**
Commissioner, **Jim White**

HOW TO SUBMIT PUBLIC COMMENTS: The meetings of the Planning Commission 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 Chairman 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 Planning Commission, staff, and the media. Willful disruption of the meeting shall not be permitted. If the Chairman finds that there is in fact willful disruption of any Planning Commission Meeting, he/she may order the disrupting parties out of the room and subsequently conduct the Commission's business without them present.

PUBLIC ACCOMMODATIONS: 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.

INTERPRETATION: If you need an interpretation of your communications to the City Council from Spanish into English, please contact the City Clerk Department at 661-792-3091 ext 2135 or via email at cityclerk@mcfarlandcity.org. Subject to availability, notifying at least 48 hours before will usually enable the City to make arrangements.

CALL TO ORDER: Jose “Jay” Hernandez

ROLL CALL:

Commissioner, Jose Hernandez Jr.
Commissioner, Jose “Jay” Hernandez
Commissioner, Juan Munguia
Commissioner, Victor Oropeza
Commissioner, Jim White

PLEDGE OF ALLEGIANCE:

INVOCATION:

PRESENTATIONS

1. Robert's Rules of Order Workshop
2. Form 700 Workshop

PUBLIC COMMENT: 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. Commissioners 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.

CONSENT AGENDA: The Consent Agenda consists of items that in staff’s opinion are routine and non-controversial. These items are approved in one motion unless the Planning Commission removes a particular item.

PUBLIC HEARINGS

3. Pre-Zoning Ordinance (126-2024), and CEQA Exemption

DEPARTMENT REQUESTS (NON-PUBLIC HEARING ITEMS)

COMMISSIONER COMMENTS:

On their own initiative, commission members may make an announcement or a report on their own activities. they may ask a question for clarification, make referral to staff, or take action to have staff place a matter of business on a future agenda (government code section 54954.2(a)).

ADJOURNMENT

This is to certify this agenda was posted at McFarland City Hall on November 5, 2024.

Erika De La Cruz

Erika De La Cruz, City Clerk

The Next Regular Planning Commission Meeting: December 4, 2024

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. Special meeting needs hour change

All agenda item and/or supporting documentation is available for public review on the city website at 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.

A top-down view of a wooden desk. In the top left is a small potted plant with bright green grass-like leaves. To its right is a white computer keyboard. In the bottom right is a white cup of dark coffee on a saucer. Below the coffee is a black spiral-bound notebook with a white lined page. A black pen lies on the desk near the notebook. Two black binder clips are on the desk near the keyboard. The title 'The Essentials of Robert's Rules' is centered in white text, underlined with a white brushstroke.

The Essentials of Robert's Rules

By: Erika De La Cruz

Overview of Robert's Rules of Order

- Definition: Robert's Rules of Order is a widely accepted manual of parliamentary procedure that provides guidelines for conducting meetings and making decisions in an orderly and democratic manner.
- Key Benefit: Ensures orderly conduct, fairness, and clarity in decision-making.



Core Principles



- One main issue at a time
- Equal rights for all members
- Majority Rules, but minority voices are heard
- Importance of a quorum- Since there are 5 planning commissioners there must be at least 3 members present at each meeting.

Cheat sheet on how to motion during the meeting

ROBERTS RULES CHEAT SHEET

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn"	No	Yes	No	No	Majority
Recess	"I move that we recess until..."	No	Yes	No	Yes	Majority
Complain about noise, room temp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of something	"I move that we table it"	No	Yes	No	No	Majority
End debate	"I move the previous question"	No	Yes	No	No	2/3
Postpone consideration of something	"I move we postpone this matter until..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by..."	No	Yes	Yes	Yes	Majority
Introduce business (a primary motion)	"I move that..."	No	Yes	Yes	Yes	Majority

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Ask for vote by actual count to verify voice vote	"I call for a division of the house"	Must be done before new motion	No	No	No	None unless someone objects
Object to considering some undiplomatic or improper matter	"I object to consideration of this question"	Yes	No	No	No	2/3
Take up matter previously tabled	"I move we take from the table..."	Yes	Yes	No	No	Majority
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..."	Yes	Yes	Only if original motion was debatable	No	Majority
Consider something out of its scheduled order	"I move we suspend the rules and consider..."	No	Yes	No	No	2/3
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).

The process of amending

1. To insert or to add (a word, consecutive words or a paragraph).

a) Phrasing:

- i. "I move to amend the motion by inserting the word 'consecutive' before the word 'terms.'"
- ii. "I move to amend by adding the words 'at a cost not to exceed \$100.'"
- iii. "I move to amend by adding the following paragraph ..."

2. To strike out (a word, consecutive words or a paragraph).

a) Phrasing:

- i. "I move to amend by striking out the word 'every.'"
- ii. "I move to amend by striking out the third paragraph."

3. To strike out and insert (words) or to substitute (paragraph or entire main motion).

a) Phrasing:

- i. "I move to amend by striking out the word 'monthly' and insert the word 'annually.'"
- ii. "I move to amend by substituting for the pending main motion the following ..."

Thank you!



The Importance of Form 700: Financial Transparency in Government



Introduction to Form 700

What is Form 700?

- The Statement of Economic Interests required for public officials.
- A key part of California's Political Reform Act to ensure transparency.
- PURPOSE: Preventing conflicts of interest by disclosing personal financial interests.

Who is Required to File Form 700?

Public Officials: Includes elected officials, candidates, and high-level staff.

Board and Commission Members:
Especially in positions of influence or with financial oversight.

Importance of Financial Disclosure

- **Transparency:** Allows the public to see if an official's financial interests could influence their decisions.
- **Accountability:** Helps maintain public trust by ensuring that officials' decisions are free from personal bias.
- **Conflict of Interest Prevention:** Helps identify and avoid situations where private interests could conflict with public duty.



What Information is Disclosed on Form 700?

- **Income:** Sources of income above a certain threshold, including gifts and loans.
- **Investments:** Ownership interests in businesses, stocks, and real estate.
- **Real Property:** Real estate interests that may relate to their jurisdiction.
- **Gifts and Loans:** Anything valued over \$50 from sources that could be impacted by the official's decisions.

CONSEQUENCES OF NON-COMPLIANCE

- **Legal Consequences:** Fines and penalties for failing to disclose or late filing. A \$10 Fee will be added each day that it is not completed.
- **Ethical Implications:** Damages public trust and reflects poorly on the agency or individual.
- **Operational Impact:** Can lead to audits, investigations, or administrative delays



Key Deadlines for Filing



- Initial Filing: Required upon assuming office or position.
- Annual Filing: Due by **April 1st**
- Leaving Office Filing: **Due within 30 days** of leaving a position.

Thank you



City of McFarland

Planning Commission Meeting

STAFF REPORT

Agenda Item No. 3.
Section: PUBLIC HEARINGS
Meeting Date: November 6,
2024

TO: Chairman & Members of the Planning Commission

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

SUBJECT: Pre-Zoning Ordinance (126-2024), and CEQA Exemption

SUMMARY:

The City of McFarland received an application from David M. Snell requesting the proceedings of a proposed Annexation 20. City staff submitted the application to LAFCo, Kern Local Agency Formation Commission, where they made a recommendation to staff to expand the radius. If approved, the parcels to the East of the original application would be covered by City on all 3 sides and therefore, the recommendation by LAFCO was to also reach out to assessor's parcels 060-090-26, 060-090-27, and 060-090-16. These three (3) parcels will add 57.75 acres to the annexation. Additionally, the three parcels are required to be included in the Pre-Zoning map. The Pre-Zoning of these additional parcels will incorporate Residential (R-1, R-2, and R-4) which is consistent with the existing City of McFarland General Plan. Two of the three additional parcels already receive City water utilities and therefore, no increase in City water utilities is foreseen. Staff reviewed the additional parcels through environmental and found that per Section 15319, Annexations of Existing Facilities and Lots for Exempt Facilities, they were exempt and no further environmental analysis is required.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the State Guidelines Section 15319, the lead agency determined that it fell under Annexations of Existing Facilities and Lots for Exempt Facilities and no further environmental analysis is required. This CEQA exemption is to be approved alongside the Pre-Zoning (Ordinance No. 00016-2024) and approve the initiation of proceedings for the additional parcels to be added to Annexation 19.

FINDINGS

Applicant's request for an amendment to the Pre-Zoning Map is per LAFCo, Kern Local Agency Formation Commission's recommendation.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

City staff recommends the Planning Commission to consider and adopt the resolution recommending City Council approve amending the Pre-Zoning and CEQA Exemption proceedings for the Annexation 20.

ATTACHMENTS:

1. PC Resolution 2024-03
2. Ordinance 17-2024
3. Attachment A - Ordinance

RESOLUTION NO. 2024-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
MCFARLAND RECOMMENDING CITY COUNCIL APPROVE
AMENDING THE OFFICIAL PRE-ZONING MAP FOR ASSESSOR'S
PARCELS 060-090-26, 060-090-27, AND 060-090-16.**

WHEREAS, David M. Snell filed an application proposing to amend the City of McFarland zoning map and City limits; and

WHEREAS, on February 20, 2024, Planning Commission approved a Pre-Zoning Map with approximately 174.70 acres; and

WHEREAS, LAFCO, Kern Local Agency Formation Commission, approved the proposal with the condition that the applicant also add the three (3) properties on the corner of Garzoli Avenue and Hanawalt Avenue; and

WHEREAS, the project is a request to amend the Pre-Zoning Map to reflect the additional properties that LAFCO conditioned; and

WHEREAS, the Pre-Zoning will incorporate Residential (R-1, R-2, and R-4); and

WHEREAS, the project sites are located on Assessor's Parcel Number's 060-090-26, 060-090-27, and 060-090-16, as depicted in Exhibit "A"; and

WHEREAS, the additional three (3) parcels will mean an additional 57.75 acres brought into the City limits; and

WHEREAS, the Pre-Zoning Map is consistent with the City of McFarland General Plan; and

WHEREAS, the City of McFarland Zoning Map is hereby amended as reflected in Exhibit "A" and attached hereto and by this reference made a part hereof; and

WHEREAS, this proposal for annexation is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 of the Government Code 56700 and it is requested that the proceedings be authorized for annexation in accordance therewith; and

WHEREAS, the owners of the affected territory desire to receive municipal services from the City and the City desires to receive tax revenues for the benefits given and to be given to the territory proposed to be annexed; and

WHEREAS, pursuant to Section 56653, the City of McFarland will provide the adequate public utilities and services to serve the annexation area; and

WHEREAS, majority of the parcels are already connected to the City water utilities;

and

WHEREAS, a plan has been made for providing municipal services within the affected territory of the proposed annexation in accordance with the provisions of Section 56653 of the Government Code and that said plan is consistent with the City's General Plan; and

WHEREAS, the annexed territory is consistent with the City of McFarland's current sphere of Influence and General Plan; and

WHEREAS, said applications have been made in the form and manner prescribed by Title 17 Zoning of the McFarland Municipal Code; and

WHEREAS, Pursuant to the California Environmental Quality Act (CEQA), the State Guidelines Section 15319, the lead agency determined that it fell under Annexations of Existing Facilities and Lots for Exempt Facilities and no further environmental analysis is required; and

WHEREAS, the applicant is proposing to amend the City of McFarland zoning map by pre-zoning approximately 39.8 acres generally bound by the West of the City's limit, South of Perkins Avenue, East of Stradley Avenue, and North of Sherwood Avenue. The Pre-Zoning will incorporate Residential (R-2 and R-4), and Mixed-Use (CRMU); and

WHEREAS, the Planning Commission, through its clerk, did set Wednesday November 6, 2024, at the hour of 6:00 p.m. in the Council Chambers located at 103 W. Sherwood Avenue, McFarland California as the time and place for the Planning Commission of the City of McFarland to consider the approval of the recommendation for the City Council to adopt the CEQA Exemption and Pre-Zoning; and

WHEREAS, a Notice of Public Hearing was given in a manner provided in Title 17 of the McFarland Municipal Code and said public hearing was duly and timely conducted, during which the proposal was explained by a representative of the Planning Department and all person's desiring were duly heard; and

WHEREAS, the Planning Commission considered both written and oral testimony on the prepared CEQA Exemption and Pre-Zoning; 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) All provisions of CEQA, the State Guidelines have been followed. Staff determined that the exemption adequately addressed that there are no environmental impacts on the Project.
- 3) That pursuant to the State CEQA Guidelines the project will not result in new impacts.
- 4) The public necessity, general welfare, and good planning practices justify the Project.

- 5) The project is compatible with the land use designations and development of surrounding properties and is internally consistent with the McFarland General Plan.
- 6) Any decision by the Planning Commission shall be final unless within fifteen (15) days of the date of the decision unless the applicant or any other person appeals the Planning Commission decision in the matter set forth in Section 17.148.100(b) of the McFarland Municipal Code.

I hereby certify that the foregoing is a full, true and correct copy of the resolution of the City Council of the City of McFarland at a meeting held on Wednesday, November 6th, 2024, moved by _____ and seconded by _____ duly adopted and passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

BY ORDER OF THE CITY COUNCIL OF THE CITY OF MCFARLAND.

Attest:

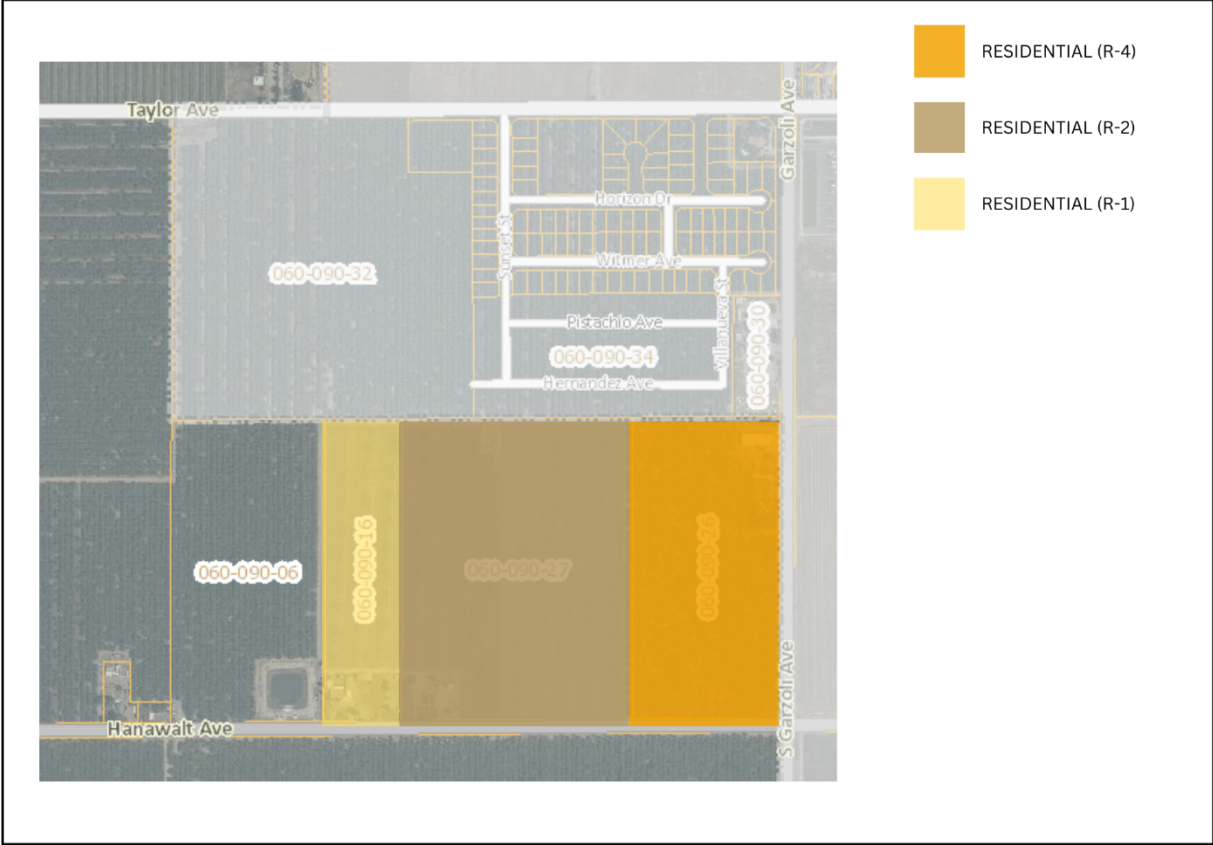
Approved:

Erika De La Cruz
City Clerk

Marco Martinez
Chairman

EXHIBIT A
Pre-Zoning Map

PRE-ZONING MAP



ORDINANCE NO. 17-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND AMENDING THE OFFICIAL ZONING MAP FOR ASSESSOR'S PARCELS 060-090-26, 060-090-27, AND 060-090-16.

Section 1. Recitals

Whereas, David M. Snell filed an application proposing to amend the City of McFarland zoning map and city limits; and

Whereas, on February 22, 2024, City Council approved a Pre-Zoning Map with approximately 174.70 acres; and

WHEREAS, LAFCO, Kern Local Agency Formation Commission, gave the City direction to also reach out to the additional three (3) properties between Garzoli Avenue and Hanawalt Avenue and if consented, to add them to the Annexation 20 application; and

WHEREAS, the Pre-Zoning will incorporate Residential (R-1, R-2 and R-4); and

WHEREAS, the Pre-Zoning Map will include Assessor's Parcels 060-090-26, 060-090-27, and 060-090-16; and

WHEREAS, the additional three (3) parcels will mean an additional 57.75 acres brought into the City limits; and

WHEREAS, the Pre-Zoning Map is consistent with the City of McFarland General Plan; and

WHEREAS, the City of McFarland Zoning Map is hereby amended as reflected in Exhibit "A" and attached hereto and by this reference made a part hereof; and

WHEREAS, it has been determined that the remaining portion is exempt from the California Quality Act (CEQA) per Section 15319, Annexations of Existing Facilities and Lots for Exempt Facilities and no further environmental analysis is required

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MCFARLAND DOES ORDAIN
AS FOLLOWS:**

Section 2. The Recitals set forth above are true and correct and incorporated herein.

Section 3. The Pre-Zoning of Assessor's Parcels 060-090-26, 060-090-27, and 060-090-16 are approved in accordance with the map shown in Attachment A.

Section 4. Notice. The City clerk shall certify to the passage and adoption of this ordinance and shall cause this Ordinance to be posted within 15 days after its passage, in accordance with Section 36933 of the Government Code.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or word of this Ordinance is, for any reason, deemed or held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or preempted by legislative enactment, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of McFarland hereby declares that it would have adopted this Ordinance and each section, subsection,

sentence, clause, phrase, or word thereof, regardless of the fact that any one or more sections, subsections, clauses, phrases, or word might subsequently be declared invalid or unconstitutional or preempted by subsequent legislation.

Section 6. Effective Date. This Ordinance shall take effect thirty days after its adoption pursuant to California Government Code section 36937.

Section 7. Certification; Publication. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

INTRODUCED, at a Regular meeting of the City Council of the City of McFarland, California on 11/13/2024, by the following vote:

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of McFarland on by the following vote:

	Aye	Nae	Abstain	Absent
Saul Ayon				
Ricardo Cano				
Amador Ayon				
Anita Gonzalez				
María T. Pérez				

CITY OF MCFARLAND

Saul Ayon, Mayor

I hereby certify that the foregoing Ordinance was duly and regularly adopted by the City Council of the City of McFarland by a Regular meeting thereof held on November 13, 2024.

ATTEST:

Erika De La Cruz, City Clerk

APPROVED AS TO FORM:

Nathan Hodges, City Attorney

Exhibit A

Pre-Zoning Map

PRE-ZONING MAP

