

**ORDINANCE AMENDING, ENACTING AND REPEALING  
VARIOUS SECTIONS OF TITLE 17, CHAPTER 17.04 OF THE  
BAKERSFIELD MUNICIPAL CODE RELATING TO ZONING.**

**BE IT ORDAINED** by the Council of the City of Bakersfield as follows:

**SECTION 1.**

Title 17, Chapter 17.04 of the Bakersfield Municipal Code is hereby amended, enacted and repealed to read as follows:

**Title 17 - Zoning**

**Chapter 17.04 – Definitions**

**Sections:**

- 17.04.032        **Acreage, gross.**
- 17.05.035        **Acreage, net.**
- 17.04.050        **Reserved.**
- 17.04.060        **Reserved.**
- 17.04.140        **Reserved.**
- 17.04.150        **Club, private.**
- 17.04.154.50     **Community care facility.**
- 17.04.170        **Dwelling, accessory unit (ADU).**
- 17.04.180        **Dwelling, accessory unit junior (JADU).**
- 17.04.190        **Dwelling, multi-unit.**
- 17.04.195        **Dwelling, single-room occupancy unit.**
- 17.04.200        **Dwelling, single-unit.**
- 17.04.210        **Reserved.**
- 17.04.235        **Emergency shelter**
- 17.04.240        **Family**
- 17.04.320        **Reserved.**
- 17.04.352        **Housing, employee, agriculture**
- 17.04.353        **Housing, employee**
- 17.04.354        **Housing, supportive.**
- 17.04.355        **Housing, transitional.**
- 17.04.460.50     **Low barrier navigation center.**
- 17.04.465.25     **Mixed-use.**
- 17.04.465.50     **Mixed-use, horizontal.**
- 17.04.465.75     **Mixed-use, vertical.**
- 17.04.494.25     **Places of assembly, commercial.**

- 17.04.494.50**     **Public and quasi-public uses.**
- 17.04.498**     **Religious institution.**
- 17.04.510**     **Reserved.**
- 17.05.515**     **Sanctuary.**
- 17.04.539**     **Reserved.**
- 17.04.602**     **Reserved.**
- 17.04.626**     **Reserved.**
- 17.04.650**     **Use, change of.**

## **SECTION 2.**

Title 17, Chapter 17.04, Section 17.04.032 of the Bakersfield Municipal Code are hereby enacted to read as follows:

### **17.04.032     Acreage, gross.**

“Acreage, gross” means the entirety of the legal lot.

## **SECTION 3.**

Title 17, Chapter 17.04, Section 17.04.035 of the Bakersfield Municipal Code is hereby repealed and enacted to read as follows:

### **17.04.035     Acreage, net.**

“Acreage, net” means the calculated area based on buildable area plus local street. Net Acreage does not include dedications of roadway for Freeways, Highways, Arterial and Collector streets, land dedicated for schools, parks, drainage basins, and any land area deemed unbuildable because of easements, such as underground pipelines or overhead powerlines.

## **SECTION 4.**

Title 17, Chapter 17.04, Sections 17.04.050, 17.04.060, 17.04.140 of the Bakersfield Municipal Code are hereby repealed in their entirety:

- 17.04.050**     **Reserved.**
- 17.04.060**     **Reserved.**
- 17.04.140**     **Reserved.**

## SECTION 5.

Title 17, Chapter 17.04, Section 17.04.150 of the Bakersfield Municipal Code is hereby amended to read as follows:

### **17.04.150 Club, private.**

“Club, private” is any organization, group or association supported by the members thereof, the primary purpose of which is to render a service or services to its members, their guests or the community, but shall not include any organization, group, or association, the chief activity of which is business or commerce as defined by Section 17.04.120 of this title.

## SECTION 6.

Title 17, Chapter 17.04, Section 17.04.154.50 of the Bakersfield Municipal Code is hereby enacted to read as follows:

### **17.04.154.50 Community care facility.**

“Community care facility” means any facility, place, or building that is maintained and operated to provide nonmedical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, and includes those facilities as defined in Health and Safety Code Section 1502 and relevant sections as may be amended from time to time.

## SECTION 7.

Title 17, Chapter 17.04, Sections 17.04.170, 17.04.180, 17.04.190 of the Bakersfield Municipal Code are hereby amended to read as follows:

### **17.04.170 Dwelling, accessory unit (ADU).**

“Dwelling, accessory unit” means an attached or detached dwelling unit that provides complete independent living facilities on the same parcel as a legal single-unit or multi-unit dwelling, including permanent provisions for living, sleeping, eating, cooking and sanitation. Accessory dwelling unit types include:

“Attached” means an accessory dwelling unit that is created in whole or in part from newly constructed space that is attached to an existing or proposed primary dwelling, such as through a shared wall, floor, or roofline.

“Detached” means an accessory dwelling unit that is created in whole or in part from newly constructed space that is detached or separated from the proposed or existing primary dwelling, including an existing stand-alone garage converted into an accessory dwelling unit. The detached accessory dwelling unit shall be located on the same parcel as the existing or proposed primary dwelling.

“Converted” means an entirely located within the existing or proposed primary dwelling or accessory structure, including but not limited to attached garages, storage areas, or similar uses; or an accessory structure including but not limited to studio, pool house, or other similar structure.

**17.04.180 Dwelling, accessory unit, junior (JADU).**

“Dwelling, accessory unit, junior (JADU)” means an accessory dwelling unit that is located within the living space of an existing or proposed primary single-unit dwelling, as defined in Section 17958.1 of the California Health and Safety Code, and which meets the following requirements:

1. Shall only be allowed on parcels zoned for single-unit residences and that include an existing or proposed single-unit dwelling.
2. Is entirely located within an existing or proposed primary single-unit dwelling.
3. Has independent exterior access from the primary dwelling.
4. Has sanitation facilities that are either shared with or separate from those of the primary dwelling.
5. Includes an efficiency kitchen, which includes a cooking facility with appliances, food preparation counter, and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

**17.04.190 Dwelling, multi-unit.**

“Dwelling, multi-unit” is a structure, or portion thereof, designed for or occupied by two or more families, each of which occupies a separate dwelling unit in which each family lives independently of one another.

**SECTION 8.**

Title 17, Chapter 17.04, Section 17.04.195 of the Bakersfield Municipal Code is hereby enacted to read as follows:

**17.04.195 Dwelling, single-room occupancy unit.**

“Dwelling, single-room occupancy unit” means any residential structure containing more than five units intended or designed to be used, rented, or hired out to be occupied for sleeping purposes, generally for one person per unit. Individual units typically share communal features, (e.g., kitchen, bathroom, entertainment area).

**SECTION 9.**

Title 17, Chapter 17.04, Section 17.04.200 of the Bakersfield Municipal Code is hereby amended to read as follows:

**17.04.200 Dwelling, single-unit.**

“Dwelling, single-unit” means a detached building containing only one kitchen, which building is designed and used exclusively for occupancy by one family.

**SECTION 10.**

Title 17, Chapter 17.04, Section 17.04.210 of the Bakersfield Municipal Code is hereby repealed in its entirety:

**17.04.210 Reserved.**

**SECTION 11.**

Title 17, Chapter 17.04, Section 17.04.235 of the Bakersfield Municipal Code is hereby enacted to read as follows:

**17.04.235 Emergency shelter.**

“Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to an occupancy of six months or less as defined in California Government Code Section 65582(d) and Health and Safety Code Section 50801(e).

**SECTION 12.**

Title 17, Chapter 17.04, Section 17.04.240 of the Bakersfield Municipal Code is hereby amended to read as follows:

**17.04.240 Family.**

“Family” means an individual or group of individuals, related or unrelated, living together as a single housekeeping unit, including necessary servants. A family does not include institutional group living situations such as a residential facility, rest home, dormitory, or similar use, nor does it include such commercial group living arrangements such as a motel, hotel, or similar use.

**SECTION 13.**

Title 17, Chapter 17.04, Section 17.04.285 of the Bakersfield Municipal Code are hereby amended to read as follows:

**17.04.285 Food and/or shelter service agency.**

“Food and/or shelter service agency” means any entity, whether or not for profit, not operated by the city, county, state, or federal government, and not deemed a “residential use of property” under state law applicable to charter cities, which regularly provides lodging and/or food services providing shelter, food and/or day care free, or intentionally below cost, two or more days per week to persons in need of such assistance. For purposes of this title, the term “food and/or shelter service agency” does not include any incorporated entity providing food or shelter during any duly proclaimed emergency.

**SECTION 14.**

Title 17, Chapter 17.04, Section 17.04.320 of the Bakersfield Municipal Code are hereby repealed in its entirety:

**17.04.320 Reserved.**

**SECTION 15.**

Title 17, Chapter 17.04, Sections 17.04.352, 17.04.353, 17.04.354, 17.04.355, 17.04.460.50, 17.04.465.25, 17.04.465.50, 17.04.465.75, 17.04.494.25 and 17.04.494.50 of the Bakersfield Municipal Code are hereby enacted to read as follows:

**17.04.352 Housing, employee, agriculture.**

“Housing, employee, agriculture” means housing provided for farmworkers. Housing consists of any living quarters or dwelling, boarding house, barracks, bunkhouse, mobile home, manufactured home, travel trailer, or other

accommodations maintained in one or more structures. Employee housing, agriculture, shall be in compliance with the California Health and Safety Code 17021.5, 17021.6 and 17021.8.

**17.04.353 Housing, employee.**

“Housing, employee” means housing provided for six or fewer employees and shall be deemed a single-unit dwelling. Residents of the employee housing must be employed by the owner of the home.

**17.04.354 Housing, supportive.**

“Housing, supportive” means housing with no limit on length of stay, that is occupied by the target population and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

**17.04.355 Housing, transitional.**

“Housing, transitional” means buildings configured as rental housing, but operating under program requirements that require the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months from the beginning of the assistance. Transitional housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

**17.04.460.50 Low barrier navigation center.**

“Low barrier navigation center” means a shelter focused on temporarily housing persons and connecting them with income opportunities, public benefits, and health services prior to moving to permanent housing, in compliance with Government Code Section 65660. Low barrier navigation centers must meet the diverse needs of the population by allowing and accommodating people with disabilities, pets and pet owners, partners, the storage of possessions, and for survivors of domestic violence. means a lot having frontage on two parallel or approximately parallel streets.

**17.04.465.25 Mixed-use.**

“Mixed-use” means a development consisting of one or more parcels developed as a cohesive development project and designed with a blend of uses (e.g.,

commercial retail, retail service, office, residential, civic, and institutional). The uses may be located vertically in the same structure (see "Mixed-Use, Vertical" or horizontally (see "Mixed-Use, Horizontal) in separate structures in compliance with the standards established by this Title.

**17.04.465.50 Mixed-use, horizontal.**

"Mixed-use, horizontal" means any mixed-use development that incorporates two or more different use categories alongside one another, either in one mixed-use structure, or as two or more separate structures on one parcel.

**17.04.465.75 Mixed-use, vertical.**

"Mixed-use, vertical" means any mixed-use development that incorporates two or more different use categories stacked in one multi-story mixed-use structure.

**17.04.494.25 Places of assembly, commercial.**

"Places of assembly, commercial" means a facility for public or private assembly and meetings, including civic and private auditoriums, banquet halls, community centers, conference and convention facilities; meeting halls for clubs, and other membership organizations.

**17.04.494.50 Public and quasi-public uses.**

"Public and quasi-public uses" means a facility for public or semipublic use such as civic buildings, community buildings and uses, and public utility uses including substations, governmental buildings, museums, art galleries, fire houses, post offices, police stations, libraries, parks, essential services, and similar uses, any of which may have additional requirements to use set forth herein.

**SECTION 16.**

Title 17, Chapter 17.04, Section 17.04.498 of the Bakersfield Municipal Code is hereby repealed and enacted to read as follows:

**17.04.498 Religious institution.**

"Religious institution" means a building, its accessory buildings and uses, where persons regularly assemble for worship, which is maintained and controlled by a religious body organized to sustain public worship. Includes Sunday school but excludes schools and other educational institutions.



## SECTION 17.

Title 17, Chapter 17.04, Section 17.04.510 of the Bakersfield Municipal Code is hereby repealed in its entirety:

**14.04.510    *Reserved.***

## SECTION 18.

Title 17, Chapter 17.04, Section 17.04.515 of the Bakersfield Municipal Code is hereby amended to read as follows:

**17.04.515    *Sanctuary.***

“Sanctuary” means a religious building or room in which general worship services are held as an element of a religious institution.

## SECTION 19.

Title 17, Chapter 17.04, Sections 17.04.539, 17.04.602 and 17.04.626 of the Bakersfield Municipal Code are hereby repealed in their entirety:

**14.04.539    *Reserved.***

**17.04.602    *Reserved.***

**17.04.626    *Reserved.***

## SECTION 20.

Title 17, Chapter 17.04, Section 17.04.650 of the Bakersfield Municipal Code is hereby amended to read as follows:

**17.04.650    *Use, change of.***

“Use, change of” means a change from one to another of the following categories:

1. Commercial/retail other than restaurant or convenience store;
2. Restaurant or convenience store;
3. Industrial;
4. Multi-unit residential;
5. Office, other than medical office;
6. Religious institution;

- 7. Hospital;
- 8. Medical office.
- 9. Changes from one use to another which is substantially dissimilar, as determined by the planning director.

**SECTION 21.**

This Ordinance shall be posted in accordance with the provisions of the Bakersfield Municipal Code and shall become effective thirty (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 thereof held on MAR 27 2024 by the following vote:

**AYES:** COUNCILMEMBER: ARIAS, GONZALES, ~~WEIR~~, SMITH, FREEMAN, GRAY, ~~KAUR~~  
 **NOES:** COUNCILMEMBER \_\_\_\_\_  
 **ABSTAIN:** COUNCILMEMBER \_\_\_\_\_  
 **ABSENT:** COUNCILMEMBER Weir, Kaur

*Julie Drimakis*

**JULIE DRIMAKIS, CPMC, MMC**  
 CITY CLERK and Ex Officio Clerk of the  
 Council of the City of Bakersfield

APPROVED: MAR 27 2024

By *Karen Goh*  
**KAREN GOH**  
 Mayor

APPROVED AS TO FORM:  
**VIRGINIA GENNARO, CITY ATTORNEY**

By *Viridiana Gallardo-King*  
**VIRIDIANA GALLARDO-KING**  
 Deputy City Attorney

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Ordinance Amending, Enacting and Repealing Various Sections of Chapter 17.04 Relating to Zoning



**AFFIDAVIT OF POSTING DOCUMENTS**

STATE OF CALIFORNIA)

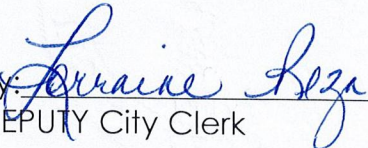
County of Kern )ss.

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 15<sup>th</sup> day of April 2024 she posted on the Bulletin Board at City Hall, a full, true and correct copy of the following: Ordinance No. 5151, passed by the Bakersfield City Council at a meeting held on the 27<sup>th</sup> day of March 2024 and entitled:

**ORDINANCE AMENDING, ENACTING AND REPEALING VARIOUS SECTIONS OF TITLE 17, CHAPTER 17.04 OF THE BAKERSFIELD MUNICIPAL CODE RELATING TO ZONING.**

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

By:   
DEPUTY City Clerk