

ORDINANCE NO. 5154

ORDINANCE REPEALING AND ENACTING VARIOUS SECTIONS OF TITLE 17, CHAPTER 17.10 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Title 17, Chapter 17.10 of the Bakersfield Municipal Code are hereby repealed and enacted to read as follows:

Title 17 – Zoning

Chapter 17.10 - Residential Zones

Sections:

- 17.10.010 Purpose and Intent of Residential Zones.**
- 17.10.020 Residential Land Use Regulations and Allowable Uses.**
- 17.10.025 Reserved.**
- 17.10.030 Residential Zone Development Standards.**
- 17.10.040 Other Applicable Standards and Regulations.**
- 17.10.050 Reserved.**
- 17.10.060 Reserved.**
- 17.10.070 Reserved.**
- 17.10.072 Reserved.**
- 17.10.075 Reserved.**
- 17.10.080 Reserved.**

SECTION 2.

Title 17, Chapter 17.10, Sections 17.10.010 and 17.10.020 of the Bakersfield Municipal Code are hereby repealed and enacted to read as follows:

17.10.010 Purpose and Intent of Residential Zones.

A. Purpose. The purpose of this Chapter is to describe the character and intent of the City's residential zones, describe allowed land uses and permit requirements in residential zones, identify any supplemental land use regulations applicable to residential zones, and establish development standards for the same.



B. Zoning Map. The boundaries, designations, and locations of the zones established by this Zoning Code shall be in compliance with Chapter 17.06 (Zones Established – Zoning Boundaries) and shown upon the map(s) entitled "Official Zoning Map" of the City of Bakersfield " and referred to in this Zoning Code as the Zoning Map. Any additional maps adopted shall also be a part of this Zoning Code by reference. This Zoning Code, together with the Zoning Map, is hereby adopted in compliance with current State planning, zoning, and development laws.

C. Zone Purpose Statements.

1. R-S (Residential Suburban) Zone. The purpose of the R-S Zone is to provide land areas for the use and occupancy of single-unit detached dwellings and accessory dwelling units. It is the intent of this zone to promote a range of single-unit product types on larger parcels, as well as provide for the allowance of animal keeping under specific guidelines and operating standards. The residential density range for this zone is 0 to 2 dwelling units per net acre.

2. R-1 (Single-Unit Dwelling) Zone. The purpose of the R-1 Zone is to provide land areas for the use and occupancy of single-unit detached dwellings and accessory dwelling units. It is the intent of this zone to protect and preserve existing neighborhoods and promote the future development of lower-density residential single-unit neighborhoods that provide a livable, walkable, and sustainable residential environment. The residential density range for this zone is 2.1 to 6 dwelling units per net acre.

3. R-2 (Small Lot Single-Unit Dwelling) Zone. The purpose of the R-2 Zone is to provide land areas for the use and occupancy of single-unit dwellings and accessory dwelling units and two-unit duplex dwellings. It is the intent of this zone to promote and encourage single-unit and two-unit neighborhoods that provide a livable, walkable and sustainable residential environment. The residential density range for this zone is 6.1 to 13 dwelling units per net acre.

4. R-3 (Medium Density Multi-Unit Dwelling) Zone. The purpose of the R-3 Zone is to provide land areas for the use and occupancy of accessory dwelling units, two-unit dwellings, medium-density single-unit dwellings and medium-density multi-unit dwellings. It is the intent of this zone to provide a livable, walkable and sustainable residential environment similar to that found in small-lot single-unit neighborhoods at densities that promotes medium-density duplexes, condominiums, townhomes and apartments. The residential density range for this zone is 13.1 to 20 dwelling units per net acre.

5. R-4 (High Density Multi-Unit Dwelling) Zone. The purpose of the R-4 Zone is to provide land areas for the use and occupancy of multi-story, multi-unit

dwelling (e.g., rowhouses, flats, condominiums, townhouses and apartments) at higher densities that include on-site recreational amenities. It is the intent of this zone to provide a livable, walkable, and sustainable residential environment that ensures compatibility with surrounding lower-density single-unit and multi-unit dwellings and neighborhood commerce. The residential density range for this zone is 20.1 to 30 dwelling units per net acre.

6. R-5 (Very High Density Multi-Unit Dwelling) Zone. The purpose of the R-5 Zone is to provide land areas for the use and occupancy of multi-unit dwellings (e.g., condominiums, townhouses, and apartments) at very-high densities in proximity to neighborhood commercial centers. It is the intent of this zone to provide a livable, walkable, and sustainable residential environment that encourages development types that use innovative site planning. The residential density range for this zone is 30.1 to 50 dwelling units per net acre.

7. R-6 (Urban Core) Zone. The purpose of the R-6 Zone is to provide land areas for the use and occupancy of multi-unit dwellings (e.g., condominiums, mid-rise, and high-rise apartments). It is the intent of this zone to encourage high-intensity and centralized urban development along major corridors, interchanges, transit hubs, and throughout downtown Bakersfield. Development within this zone should initiate a transition to a more dense, highly urban, walkable, and transit-oriented environment that serves as the link between residential development and adjacent employment centers. Projects in this zone should incorporate development standards to increase street activation, provide a variety of onsite recreational amenities for residents, and have direct access to employment centers. The minimum residential density for this zone is 50.1. There is no maximum residential density for this zone.

8. R-H (Residential Holding) Zone. The purpose of the R-H Zone to retain large undeveloped land areas for future urban development. Once development is proposed, a General Plan Amendment and change of zoning will be required for consistency with the proposed development. This will ensure that development progresses in an orderly and logical manner consistent with the city's growth policies. The R-H zone is considered agricultural in nature as it will allow both agricultural and petroleum resource uses to continue their operations until such time urbanization takes place.

17.10.020 Residential Land Use Regulations and Allowable Uses.

Residential Zones Allowed Uses and Permit Requirements. Table 17.10-1 states the uses allowed within each residential zone and any permits required to

establish the use, in compliance with Chapter 17.08 (General Regulations Including Site Plan Review).

Additional Regulations. Where the last column in Table 17.10-1 includes a chapter or section number, the regulations in the referenced chapter or section shall apply to the use. Provisions in other sections of this Zoning Code, Municipal Code, and State Law may also apply.

Definitions. See Chapter 17.04 (Definitions) for land use definitions and explanations.

Uses Not Listed. Uses not listed below may be reviewed by the Planning Director to determine if they are similar to those listed and appropriate in this zone and if so, what type of permit is required.

**Table 17.10-1
Residential Zones Allowed Uses and Permit Requirements**

Land Use	Permit Requirement by Zone								Additional Regulations
	R-S	R-1	R-2	R-3	R-4	R-5	R-6	RH	
Key: P = Allowed by Right; DRA = Director Review and Approval; (N) = Not Allowed CUP = Conditional Use Permit									
Agricultural and Resource Uses									
Accessory Agricultural Structures and Uses	N	N	N	N	N	N	N	P	
Agricultural and Horticulture	N	N	N	N	N	N	N	P	
Animal Raising and Breeding	P	N	N	N	N	N	N	P	17.10.040
Drilling for and Production of Petroleum	N	N	N	N	N	N	N	CUP	15.66
Recreation, Education, and Public Assembly Uses									
Educational Institutions									
<i>Elementary School</i>	N	P	P	P	P	P	P	N	
<i>Junior High School</i>	N	P	P	P	P	P	P	N	
<i>High School</i>	N	P	P	P	P	P	P	N	
<i>College or University</i>	N	N	N	N	N	N	N	N	
Religious Institution	CUP	CUP	CUP	CUP	N	N	N	CUP	17.04.498
Public and Quasi-Public Uses	DRA	CUP	CUP	CUP	CUP	CUP	CUP	CUP	17.10.040
Residential Uses									
Accessory Dwelling Unit (detached, attached, junior)	P	P	P	P	P	P	P	P	17.65
Accessory Structure	P	P	P	P	P	P	P	P	17.10.040
Child Day Care Home	P	P	P	P	P	P	P	P	17.04.165 Gov. Code Section 1597.30-1597.622
Community Care Facility, Large (six or more residents)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	17.04.154.50 Health and Safety Code Section 1502



**Table 17.10-1
Residential Zones Allowed Uses and Permit Requirements**

Key: P = Allowed by Right; DRA = Director Review and Approval; (N) = Not Allowed CUP = Conditional Use Permit									
Land Use	Permit Requirement by Zone								Additional Regulations
	R-S	R-1	R-2	R-3	R-4	R-5	R-6	RH	
Community Care Facility, Small (up to six residents)	P	P	P	P	P	P	P	P	17.04.154.50 Health and Safety Code Section 1502
Emergency Shelter	N	N	N	N	N	N	N	N	
Employee Housing, up to six residents	P	P	P	P	P	P	P	P	
Home Occupation	P	P	P	P	P	P	P	P	17.04.330 17.63
Housing, Employee, Agriculture	N	N	N	P	P	N	N	N	California Health and Safety Code 17021.5, 17021.6 and 17021.8
Low Barrier Navigation Center	N	N	N	N	N	N	N	N	Assembly Bill 101 (AB 101)
Mobile Home Park	N	N	CUP	CUP	N	N	N	N	
Multi-Unit Dwellings	N	N	P	P	P	P	P	N	17.14
Single-Room Occupancy Units	N	N	N	P	P	P	P	N	
Single-Unit Dwellings	P	P	P	P	N	N	N	P	
Supportive Housing	P	P	P	P	P	P	P	P	Gov. Code Section 65651
Transitional Housing	P	P	P	P	P	P	P	P	Gov. Code Section 65651
Retail, Service, and Office Uses									
Certified Farmer's Market	N	N	N	N	DRA	DRA	DRA	N	
Construction Trailer/ Temporary Contractor's Office	DRA	DRA	DRA	DRA	DRA	DRA	DRA	DRA	
Real Estate Tract Sales Office and Model Homes	DRA	P	P	P	P	P	P	N	17.10.040
Private Nurseries and Greenhouses	P	DRA	DRA	DRA	N	N	N	P	17.10.040
Stable, Commercial	CUP	N	N	N	N	N	N	N	
Utility, Transportation, and Communication Uses									
Domestic Water Wells (private)	P	P	P	P	P	P	P	P	
Public Utilities, Structures, and Services	DRA	N	N	N	N	N	N	N	

SECTION 3.

Title 17, Chapter 17.10, Section 17.10.025 of the Bakersfield Municipal Code is hereby repealed in its entirety:

17.10.025 Reserved.



SECTION 4.

Title 17, Chapter 17.10, Sections 17.10.030 and 17.10.040 of the Bakersfield Municipal Code are hereby repealed and enacted to read as follows:

17.10.030 Residential Zone Development Standards.

A. Table 17.10-2 Residential Zones Development Standards. The intent of Table 17.10-2 is to clearly and precisely establish the basic site and structure regulations that apply to all developments in each of the residential zones. The table also indicates where additional site and structure requirements, including, but not limited to, off-street parking, landscaping, signage, fences and obstructions, and performance standards, apply to mixed-use zones.

B. Density. Maximum density standards shall be consistent with this Title and the General Plan (or applicable Master Plan, Specific Plan, or Area Plan).

**Table 17.10-2
Residential Zones Development Standards**

Zone	Development Feature (minimum unless otherwise specified)									
	Parcel Area (min square feet or acres)	Parcel Area per Dwelling (min square feet)	Height (max. ft.)	Distance between Structures (min. ft.)			Setbacks (min. ft.) (to garage/living space/porch)			
				Between Dwelling Units	Between Dwelling/ Accessory Units	Between Accessory Units	Front (ft.)	Side (ft.)	Side-Corner (ft.)	Rear (ft.)
R-S	15,000 sf	15,000 sf	35	10	3	3	25 garage 20 living 15 porch	5	10	25
R-1	4,500 sf	4,500 sf	35	8	3	3	20 garage 15 living 12 porch	4	10	5
R-2	Single-Unit: 2,000 sf	Single-Unit: 2,000 sf	35	8	3	3	20 garage 12 living 9 porch	4	10	5
	Multi-Unit: 6,000 sf	Multi-Unit: 2,000 sf		10			15			
R-3	Single-Unit 2,000 sf	Single-Unit 2,000 sf	45	8	3	3	20 garage 9 living 6 porch	4	10	5
	Multi-Unit 6,000 sf	Multi-Unit 2,000 sf		10			15			
R-4	10,000 sf	N/A	65	8	3	3	10 living 5 porch	4	10	10/15
R-5	10,000 sf	N/A	80	8	3	3	10 living 5 porch	4	10	10/15
R-6	10,000 sf	N/A	120	8	3	3	5 living 0 Porch	0	0	0



**Table 17.10-2
Residential Zones Development Standards**

Zone	Development Feature (minimum unless otherwise specified)									
	Parcel Area (min square feet or acres)	Parcel Area per Dwelling (min square feet)	Height (max. ft.)	Distance between Structures (min. ft.)			Setbacks (min. ft.) (to garage/living space/porch)			
				Between Dwelling Units	Between Dwelling/ Accessory Units	Between Accessory Units	Front (ft.)	Side (ft.)	Side-Corner (ft.)	Rear (ft.)
R-H	20 ac	N/A	35	100	3	3	110	5	10	25
Other Applicable Regulations	17.10.040									
Additional Regulations										
Regulation				Section or Chapter						
Accessory Dwelling Units				Chapter 17.65						
Accessory Structures				Section 17.08.130						
Fences, Walls, and Hedges				Section 17.08.180						
Height of Buildings				Section 17.08.110						
Landscape Standards				Chapter 17.61						
Multi-Unit Dwelling Objective Design Standards				Chapter 17.14						
Off-Street Parking and Loading				Chapter 17.58						
Street Setback Exceptions				Section 17.08.125						
Yard Encroachments				Section 17.08.170						
Signs				Chapter 17.60						

17.10.040 Other Applicable Standards and Regulations.

A. General Applicable Standards for All Residential Zones.

Development Standards.

1. Non-Conforming Lots (Area and Frontage).

a. A lot with less area or frontage than what is required in this Title shall be permitted if the lot was legally created as a separate lot and recorded as such prior to this zoning ordinance being applicable to that lot.

2. Structure Separation.

a. The distance between a dwelling unit and accessory structure and between accessory structures can be a less than three feet, however, the buildings will be considered attached and subject to all regulations as they may pertain to dwelling units and accessory structures based on this combined area, and the regulations of the Building Code as adopted by the City.



B. R-S (Residential Suburban) Zone.

Additional Standards per the Allowable Uses in Table 17.10-1.

1. Animal Raising and Breeding. The following animals and numbers of animals are permitted:

a. Breeding, hatching, raising, and keeping of poultry, fowl, rabbits, chinchillas, Vietnamese pot-bellied pigs, fish, frogs, and bees for the domestic use of the resident/occupant of the lot.

b. Keeping of cattle, sheep, goats, horses, mules, and burros in a ratio not exceeding one adult animal of the foregoing for each one-quarter acre of fenced enclosure area dedicated for the habitation of said animals.

2. No fowl or animals, nor any pen, coop, stable, corral or other structure or enclosure housing livestock or poultry shall be kept or maintained within:

a. 50 feet of any dwelling unit or other structure used for human habitation;

b. 100 feet of the front lot line of the lot upon which such animal or structure is located;

c. 10 feet of the street side of a corner lot; or

d. 100 feet of any public park, school, hospital, or similar institution.

e. Raising, killing, or dressing of any such animals or poultry for commercial purposes is prohibited.

3. Temporary Animal Permits. The breeding and raising of animals in numbers greater than those allowed by Subsection (1) above, by minors in conjunction with a student-oriented fair project sponsored by a bona fide agricultural organization, shall be permitted upon submission of an application for a temporary animal permit to and approval by the planning director in accordance with the procedures set forth in this section.

a. Application. An application for a temporary animal permit shall include the following:

i. The name and address of the applicant;

ii. Name and age of minor raising the animal(s);

iii. The name(s) and address(es) of the property owner(s) or legal description of the subject property;

iv. Assessor's parcel number;

v. Name of the organization sponsoring the minor, including name, phone number, and acknowledgement from the sponsor that the minor is engaging in an activity under their program;

vi. A plot plan showing the location of proposed pens, coops or areas for the breeding and raising of animals in relation to existing residences and other buildings and structures within one hundred feet of pens, coops, or areas housing livestock.

b. *Conditions of Approval.* A Temporary Animal Permit shall be issued by the Planning Director under the following conditions:

i. The minor shall be sponsored by a bona fide organization such as, but not limited to, Future Farmers of America and 4-H Club.

ii. The increase in animal density shall not exceed the density allowed by more than 50 percent; provided, however, that at least two and no more than six additional animals shall be allowed.

iii. The Planning Director may permit the raising of one swine provided all other standards in this Chapter are satisfied.

iv. The written consent of the owners or occupants of all abutting property shall be obtained.

v. The applicant shall allow inspection of animal maintenance facilities by the City and any animal control agencies during the effective period of the permit upon request.

c. Each additional animal authorized by the Temporary Animal Permit over the allowable animal density specified in this Subsection of this Chapter shall be removed upon expiration of the permit.

d. Any permit issued pursuant to this section may be revoked or modified whenever the Planning Director has a reasonable suspicion that any person to whom such permit has been issued has violated any of the provisions of this chapter. Notification of such revocation or modification shall be served by certified mail upon the permit-holder and shall be effective upon mailing. Such revocation or modification may be appealed to the City

Council within 10 days of receipt of notification of such revocation or modification.

e. All Temporary Animal Permits shall be effective for a period not to exceed six months from the effective date of the permit. No more than one such permit shall be approved for any lot within a one-year period.

4. Private Nurseries and Greenhouses.

a. Salesrooms or other structures used for the sales of the products produced are prohibited.

C. R-1 (Single-Unit Dwelling) Zone.

Additional Standards per Allowable Uses in Table 17.10-1.

1. Accessory Structures.

a. Ramps, platforms, basins, pools, or other accessory structure used for the riding of skateboards, roller skates, rollerblades, bicycles, motorcycles, or similar devices, provided the structure does not exceed a vertical height (above or below grade) of four feet, or a horizontal area (one structure or total combined area if multiple structures) of 120 square feet. Such structures made nonconforming by this subsection shall be brought into conformance, obtain conditional use approval, or be removed as directed by the Code Enforcement Manager.

b. Accessory structures, including a private garage, shall not exceed 12 percent of the area of the lot.

2. Private Nurseries and Greenhouses.

a. Private greenhouses and horticultural collections, flower and vegetable gardens and fruit trees, shall not be used for commercial purposes.

3. Public and Quasi-Public Uses.

a. Parks with passive daytime recreation shall not include lighted fields for nighttime recreation and activities.

4. Real Estate Tract Sales Office and Model Homes.

a. Each subdivision tract is permitted a maximum of six model homes, one of which may include a sales tract office, for each home builder in the tract.



Additional model homes may be permitted subject to approval by the Planning Director.

b. Model homes may be constructed prior to recordation of a final map for the tract; however, no such home shall be offered for sale or rent, or be sold or rented, until the final map has been recorded pursuant to Title 16 of this code.

c. Sales offices shall only be used during the original sales of the lots and/or homes within the subdivision tract in which they are located.

d. A sales office shall be located in a model home; however, a separate temporary office which may include a commercial coach is permitted for a period not to exceed ninety days pending completion of construction of the model home.

e. Any sales office located in the garage portion of a model home shall be removed and converted to a garage prior to the building department releasing covenants restricting the model home's sale and issuing a certificate of occupancy.

f. The vehicle route leading to and in front of any sales office shall be paved from an existing improved public street prior to the public being invited to that office regarding sales of lots and/or homes in the tract.

Additional Development Standards per those in Table 17.10-2.

5. Front Setback.

a. If a garage or carport (attached or detached) opening faces a public street, the setback shall be a minimum of -20 feet.

b. If a garage or carport (attached or detached) opening is parallel to a public street, the setback shall be a minimum of 15 feet.

c. If a garage or carport (attached or detached) opening faces a private street, the setback shall be a minimum of 3 feet.

d. Front yard structural setbacks shall be a minimum of 15 feet to living space and 12 feet to architectural extensions, such as porches.

e. Where 50 percent or more of the front lot line is along a cul-de-sac or street knuckle curvature, the front yard setback line shall be a minimum of 15 feet in depth measured from the front lot line; and if a garage or carport

(attached or detached from the main structure) opening faces a public or private street, the setback shall be a minimum of 20 feet.

6. Side Setback.

a. If a garage or carport (attached or detached) opening faces a public street, the setback shall be a minimum of 20 feet.

b. If a garage or carport (attached or detached) opening faces a private street, the setback shall be a minimum of 3 feet.

7. Rear Setback.

a. If a garage or carport (attached or detached) opening faces a private alley, the setback shall be a minimum of 3 feet, provided the alley is a minimum width of 20 feet.

8. Minimum Lot Area.

a. When there is an alley at the rear of the lot, the minimum lot area may be measured to the center of the alley.

D. R-2 (Small-Lot Single-Unit Dwelling) Zone.

Additional Standards per the Allowable Uses in Table 17.10-1.

1. Accessory Structures.

a. Accessory structures on lots developed with one single-unit dwelling shall not exceed 12 percent of the area of the lot.

Additional Development Standards per those in Table 17.10-2.

2. Front Setback.

a. If a garage or carport (attached or detached) opening faces a public street, the setback shall be a minimum of 20 feet.

b. If a garage or carport (attached or detached) opening is parallel to a public or private street, the setback shall be a minimum of 15 feet.

c. If a garage or carport (attached or detached) opening faces a private street, the setback shall be a minimum of 3 feet.

d. Front yard structural setbacks shall be a minimum of 12 feet to living space and 9 feet to architectural extensions, such as porches.

3. Side Setback.

a. If a garage or carport (attached or detached) opening faces a public street, the setback shall be a minimum of 20 feet.

b. If a garage or carport (attached or detached) opening faces a private street, the setback shall be a minimum of 3 feet.

c. For multi-unit developments where the side setback separates a lot in an R-2 zone from an adjacent lot zoned R-1, MH, or a PUD development, the side yard shall not be less than 10 feet. For all other adjacent lots, the side yard shall not be less than 4 feet.

4. Rear Setback.

a. If a garage or carport (attached or detached) opening faces a public or private alley or garage court, the setback shall be a minimum of 3 feet, provided the alley or garage court is not less than 20 feet.

b. For multi-unit developments where the rear setback separates a lot in an R-2 zone from an adjacent lot zoned R-1, MH, or a PUD project consisting of single-unit dwellings, the rear yard shall not be less than 10 feet for the first story and 15 feet for the second and additional stories.

E. R-3 (Multi-Unit Dwelling) Zone.

Additional Development Standards per those in Table 17.10-2.

1. Front Setback.

a. For both single units and multi-unit residential development in the R-3 zone, no direct access shall be allowed from a garage or carport onto a public street. All parking shall access internal vehicular circulation and/or alleys to provide for site ingress/egress.

b. If a garage or carport (attached or detached) opening takes access to internal vehicular circulation and/or an alley providing site ingress/egress to a public street, the setback shall be a minimum of 3 feet.

c. All parking shall have a minimum 5-foot setback from public streets.

2. Side Setback.

a. No direct access shall be allowed from a garage and/or carport from a side yard onto a public street.

b. For multi-unit developments where the side setback separates a lot in an R-3 zone from an adjacent lot zoned R-S, R-1, MH, R-2, or a PUD project consisting of single-unit dwellings, the side yard shall not be less than 10 feet. For all other adjacent lots, the side yard shall not be less than 4 feet.

3. Rear Setback.

a. If a garage or carport (attached or detached) opening faces a public or private alley or garage court, the setback shall be a minimum of 3 feet, provided the alley or garage court is not less than 20 feet in width.

b. For multi-unit developments where the rear setback separates a lot in an R-3 zone from an adjacent lot zoned R-S, R-1, , MH, R-2, or a PUD project consisting of single-unit dwellings, the rear yard shall be not less than 10 feet for the first story and 15 feet for any second and additional stories.

4. Minimum Lot Area.

a. Where there is an alley to the rear of the lot, the minimum lot area may be measured to the center of said alley.

5. Separation of Uses.

a. Multi-unit residential developments where the rear or side property line separates a lot zoned R-1, MH, R-2, or PUD project consisting of single-unit dwellings shall include a solid masonry wall with a minimum height of six feet from highest grade.

b. If the masonry wall is located within the front setback, the maximum height of the wall shall not exceed four feet.

c. This requirement does not apply to any lot less than 10,000 square feet and, that is not part of, or adjacent to, multi-unit subdivisions or other multi-family projects that existed prior to the effective date of the ordinance codified in this section.

F. R-4 (High Density), R-5 (Very High Density Multi-Unit Dwelling), and R-6 (Urban Core) Zones.

Additional Standards per the Allowable Uses in Table 17.10-1.

1. Residential Facility for Court-Ordered Individuals.

a. Housing for court-ordered individuals is limited to juveniles or adults in custody or court-ordered living restrictions for violations of local, state, and federal law, including, but not limited to, halfway houses and detention centers.

Additional Development Standards per those in Table 17.10-2.

2. Front Setback.

a. No direct front yard access shall be allowed from a garage or carport onto a public street. All parking shall access internal vehicular circulation and/or alleys to provide for site ingress/egress.

b. All parking shall have a minimum 5-foot setback from public streets.

3. Side Setback.

a. No direct side yard access shall be allowed from a garage or carport onto a public street. All parking shall access internal vehicular circulation and/or alleys to provide for site ingress/egress.

4. Rear Setback.

a. For multi-unit developments where the rear setback separates a lot in an R-4 or R-5 zone from an adjacent lot zoned R-S, R-1, MH, R-2, or a PUD project consisting of single-unit dwellings, the rear yard shall be not less than 10 feet for the first story and 15 feet for any second and additional stories.

b. If a garage or carport (attached or detached) opening faces a public or private alley or garage court at the rear of the parcel, the setback shall be a minimum of 3 feet, provided the alley or garage court is not less than 20 feet in width.

5. Minimum Lot Area.

a. 10,000 square feet in the R-4, R-5, and R-6 zones. Where there is an alley to the rear of the lot, the minimum lot area may be measured to the center of said alley.

b. A lot may be less than the minimum provided the lot is as shown on a recorded subdivision map approved by the City prior to adoption of this ordinance.

6. Sound Attenuation Wall.

a. Multi-unit residential developments where the rear or side property line separates a lot zoned R-S, R-1, MH, R-2, or PUD project consisting of single-unit dwellings shall include a solid masonry wall with a minimum height of six feet from highest grade.

b. If the masonry wall is located within the front setback, the maximum height of the wall shall not exceed four feet.

c. This requirement does not apply to any lot less than 10,000 square feet and, that is not part of, or adjacent to, multi-unit subdivisions or other multi-unit projects that existed prior to the effective date of the ordinance codified in this section.

G. R-H (Residential Holding) Zone.

Additional Standards per the Allowable Uses in Table 17.10-1.

1. Accessory Agricultural Structures.

a. Accessory agricultural structures and uses, including farm buildings, housing for agricultural workers, garages and implement shelters, provided no livestock or any building or enclosure used in connection with livestock shall be located within 100 feet to the front lot line, nor nearer than 50 feet to any existing dwelling on any contiguous property, nor within than 100 feet to any public park, school, hospital, or similar institution.

2. Agricultural and Horticulture.

a. Allowable agricultural and horticulture include nurseries, greenhouses, orchards, aviaries or the raising of field crops, tree crops, berry or bush crops or vegetable or flower gardening on a commercial scale.

3. Animal Raising and Breeding.

a. The keeping of bovine animals, horses, mules, and sheep; provided that the number thereof shall not exceed a number per acre equal to four adult animals in any combination of the foregoing animals and their immature offspring.

b. Includes the breeding, hatching, and raising of poultry and fowl and breeding and raising of rabbits and other fur-bearing animals.

Additional Development Standards per those in Table 17.10-2.

4. Setback from the Centerline of Roadways.

a. All structures shall be located not less than 110 feet from the centerline of any existing or proposed public street or highway.

SECTION 5.

Title 17, Chapter 17.10, Sections 17.10.050, 17.10.060, 17.10.070, 17.10.072, 17.10.075 and 17.10.080 of the Bakersfield Municipal Code are hereby repealed in their entirety:

17.10.050 Reserved.

17.10.060 Reserved.

17.10.070 Reserved.

17.10.072 Reserved.

17.10.075 Reserved.

17.10.080 Reserved.

SECTION 6.

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: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

COUNCILMEMBER: ARIAS, GONZALES, WEIR, SMITH, FREEMAN, GRAY, KAUR
COUNCILMEMBER: _____
COUNCILMEMBER: _____
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

VGK/vlg

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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 15th day of April 2024 she posted on the Bulletin Board at City Hall, a full, true and correct copy of the following: Ordinance No. 5154, passed by the Bakersfield City Council at a meeting held on the 27th day of March 2024 and entitled:

ORDINANCE REPEALING AND ENACTING VARIOUS SECTIONS OF THE TITLE 17, CHAPTERS 17.10 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: *Ferraine Reza*
DEPUTY City Clerk

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CITY OF BAKERSFIELD
ORIGINAL