

ORDINANCE NO. 5159

**ORDINANCE AMENDING TITLE 17, CHAPTER 17.22 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 17.22 of the Bakersfield Municipal Code is hereby amended to read as follows:

Title 17 - Zoning

Chapter 17.22 – C-1 Neighborhood Commercial Zone*

Sections:

17.22.020	Uses permitted.
17.22.040	Uses permitted only by conditional use permit.
17.22.070	Front yard.
17.22.080	Side yard.
17.22.090	Rear yard.
17.22.100	Minimum lot area.
17.22.110	Distance between buildings on the same lot.

* Prior history: prior code §§ 17.25.010—17.25.080 and Ords. 2704 and 2877.

17.22.020 Uses permitted.

The following uses are permitted in a C-1 zone:

- A. Any use listed in the uses permitted section in the C-O zone;
- B. Any one or more of the following uses:
 - 1. Apparel and accessory specialty shops, does not include large scale chain department stores;
 - 2. Automobile service stations, including convenience markets but excluding truck stops;
 - 3. Bakery, retail only;
 - 4. Book and stationery store;
 - 5. Candy, nut and confectionery store;

6. Christmas tree sales, limited between November 15th to December 26th each calendar year;
7. Cosmetic store;
8. Drugstore, pharmacy;
9. Fabric, yardage store;
10. Florist;
11. Fireworks ("safe and sane") sales, limited between July 1st and July 4th each calendar year;
12. Garment cleaning, pressing, alteration and repair;
13. Grocery stores, including meat, fish, fruit, vegetable, delicatessen and convenience stores;
14. Hair styling shop and beauty salon, including tanning salons;
15. Interior decorating, including drapery, curtain and upholstery sales;
16. Jewelry, watch, clocks, silverware, coins and gemstones including repair;
17. Laundromat;
18. Liquor store;
19. Locksmith;
20. Newspaper, magazine store;
21. Pet and pet supply store, including grooming services;
22. Photocopying and duplicating services;
23. Photographic shops and developing services;
24. Physical fitness facility;
25. Private service clubs, lodges;
26. Restaurants and related eating places, excluding on-site alcohol sales, entertainment or drive-through service;

27. Rest home, convalescent home, adult care facility, residential care facility as defined in California Health and Safety Code Section 1502;
28. Temporary promotional activity as defined in Section 17.04.610;
29. Tobacco store;
30. Video disk/tape rental;
31. Veterinary (small animal only), excluding kennel services;
32. Shopping centers.

C. Accessory buildings or structures necessary to such use located on the same lot or parcel of land.

D. Dwelling for use by caretaker or night security, or as accessory and incidental to the permitted use on the parcel.

E. Temporary offices, including portable, modular or prefabricated structures constructed in conformance with the building codes adopted by the city (Title 15 of this code) and not attached to permanent foundations may be allowed for a period not to exceed two years, plus one-year extension subject to the approval of the planning commission.

F. The specified store, shops or businesses in subsection B of this section shall be establishments selling new merchandise exclusively, except used merchandise clearly incidental to the regular business conducted on the premises, and shall be permitted only under the following conditions:

1. Such stores, shops or businesses, except automobile service stations and outdoor seating for restaurants, shall be conducted entirely within an enclosed building. No outside storage of materials is permitted.
2. Products made incidental to a permitted use shall be sold at retail on the premises.
3. All public entrances to such stores, shops or businesses shall be from the principal street upon which the property abuts or within one hundred feet thereof, except that a rear or side entrance from the building to a public parking area may be provided.
4. The accessory buildings or structures necessary to such use located on the same lot or parcel of land, including a storage garage for the exclusive use of the patrons and employees of the above stores or businesses.

17.22.040 Uses permitted only by conditional use permit.

A. The following uses are permitted in a C-1 zone only with the approval of a conditional use permit issued in accordance with the procedures provided in Chapter 17.64 of this code:

1. Adult day care;
2. Assisted living facility;
3. Automobile accessory or parts store, including stereo, phone, upholstery, and tires;
4. Automobile tuneup specialty shops providing electrical and carburetor tuneup services and related work, when not done as a part of, or incidental to, the operation of an automobile service station;
5. Banquet venue;
6. Carwashes, including detailing;
7. Food and/or shelter service as defined in Section 17.04.285;
8. Funeral services, including a crematory, provided it is incidental to the main use;
9. Hotels and motels;
10. Kennels;
11. Mobilehome or travel trailer parks;
12. Movie theaters serving alcohol;
13. Nurseries, lawn and garden supplies;
14. Recycling centers, as defined by Public Resources Code Section 14520, that are within a convenience zone, as defined by Public Resources Code Section 14509.4;
15. Religious institution;
16. School, elementary, junior high, and high;
17. Restaurant and related eating places with on-site alcohol sales, entertainment or drive-through services;

18. Scientific research and testing services;
19. Small appliance and electronic goods repair;
20. Theaters, cinemas;
21. Trade, vocational or specialized schools.

17.22.070 Front yard.

Front yard requirements in a C-1 zone shall be as follows:

A. All buildings shall be located a minimum of ten feet from the front property line.

17.22.080 Side yard.

Side yard requirements in a C-1 zone shall be as follows:

A. Where a lot abuts upon the side of a lot in any R zone, E zone, MH zone or PUD project of a residential nature, there shall be a side yard of not less than twenty feet.

B. On a corner lot, the side yard on the street side of the lot shall be not less than ten feet.

C. In all other cases, a side yard for a commercial building shall not be required.

17.22.090 Rear yard.

Rear yard requirements in a C-1 zone shall be as follows:

A. Where the lot abuts any R zone, E zone, MH zone, or PUD project of a residential nature, there shall be a rear yard of not less than twenty feet.

B. Where there is an alley at the rear of the lot, such rear yard may be measured to the center of the alley.

C. In all other cases, a rear yard shall not be required.

17.22.100 Minimum lot area.

There shall be no minimum lot area requirements in a C-1 zone.

17.22.110 Distance between buildings on the same lot.

There shall be no distance requirements between buildings on the same lot in a C-1 zone.

SECTION 2.

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



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. 5159, passed by the Bakersfield City Council at a meeting held on the 27th day of March 2024 and entitled:

ORDINANCE AMENDING TITLE 17, CHAPTER 17.22 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: *Lorraine Roza*
DEPUTY City Clerk