

ORDINANCE NO. 5160

**ORDINANCE AMENDING TITLE 17, CHAPTER 17.24 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 17.24 of the Bakersfield Municipal Code is hereby amended to read as follows:

Title 17 - Zoning

Chapter 17.24 – C-2 Regional Commercial Zone*

Sections:

- 17.24.020** Uses permitted.
- 17.24.040** Uses permitted only by conditional use permit.
- 17.24.070** Front yard.
- 17.24.080** Side yard.
- 17.24.090** Rear yard.
- 17.24.100** Minimum lot area.
- 17.24.110** Distance between buildings on the same lot.

* Prior history: Prior code §§ 17.27.010—17.27.080 and Ords. 2705, 2752, 2926, 3105 and 3174.

17.24.020 Uses permitted.

The following uses are permitted in the C-2 zone:

- A. Any use listed in the uses permitted section in the C-O and C-1 zones.
- B. Any of the following uses:
 - 1. Adult entertainment establishments as defined in Section 17.69.020 and subject to the regulations of Chapter 17.69 of this code.
 - 2. Apparel and accessory stores.
 - 3. Appliance store, including stoves, refrigerators, washers, dryers, and other electric or gas appliances, including repair.
 - 4. Automobile accessory or part stores, including stereo, phone, tire, upholstery and tune-up specialty shops but excluding heavy or major

mechanical work and all body or paint work, and where all work is conducted inside a building.

5. Automobile dealership, new and used.
6. Automobile rental agency, including limousine service.
7. Bowling center, billiards.
8. Brewery or distillery, small.
9. Camera and photographic supply.
10. Card room, bingo parlor.
11. Carpet and upholstery cleaners.
12. Carwash, detailing.
13. Computers and computer software store.
14. Department store.
15. Farmers market; provided it is conducted on a paved surface, shall not be operated more than two days per calendar week, has been certified by the Kern County Agricultural Commissioner, and that adequate parking is available through joint, shared or other arrangement as approved by the planning director pursuant to Chapter 17.58 of this code.
16. Food vending vehicle.
17. Floor covering store.
18. Funeral services, including a crematory provided it is incidental to the main use.
19. Furniture store, including rental.
20. Garage for public or commercial parking.
21. Gift, novelty and souvenir store.
22. Hardware store, including home building and garden supply.
23. Hobby, toy and game store.

24. Home furnishings, including kitchenware, glassware, lamps and lighting, and fireplace inserts.
25. Hospital, sanitarium.
26. Hotel, motel, including restaurants, bars and cocktail lounges, provided they are incidental to the main use.
27. Luggage and leather goods.
28. Military surplus store.
29. Motion picture theater and auditoriums, excluding drive-in.
30. Motorcycle dealership, new and used.
31. Musical instrument store.
32. Nurseries.
33. Paint, glass and wallpaper store.
34. Pool and spa sales, provided there is no outside storage of material.
35. Radio, television and other consumer electronics store, including repair.
36. Record, tape, disk and other pre-recorded music and video store.
37. Restaurant and related eating places, including drive-through services and on-site alcohol sales when served together with and incidental to the serving of food, or in a cocktail lounge or bar which is an accessory use to the restaurant, including entertainment.
38. School, elementary, junior high, and high;
39. Sewing, needlework and piece good store.
40. Skating rinks.
41. Sporting goods, including bicycles, camping equipment, firearms, skiing and golf.
42. Taxidermist.
43. Theater, cinema, excluding drive-in.
44. Trade, vocational or specialized school.

45. Used merchandise, including antiques, books, furniture, thrift shops, and pawnshops.
46. Variety store.
47. Video arcade.
48. Winery, boutique.

C. The 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.

17.24.040 Uses permitted only by conditional use permit.

A. The following uses are permitted in a C-2 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. Amusement parks, including miniature golf, water parks, batting cages and miniature car tracks;
3. Assisted living facility;
4. Automobile body and fender repair and painting;
5. Automobile machine shops;
6. Banquet venue;
7. Bars, cocktail lounges or other establishments selling alcoholic beverages for on-site consumption where said use is the primary business;
8. Boat and recreational vehicle dealership, new and used;
9. Bus, train and other transit stations;
10. Food and/or shelter service as defined in Section 17.04.285;
11. Golf driving ranges;
12. Helipad (in conjunction with a hospital);

13. Kennels;
14. Mobilehome or travel trailer park;
15. Mobilehome sales, new and used;
16. Movie theater serving alcohol;
17. Pest control services;
18. 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;
19. Religious institution;
20. Scientific research and testing services;
21. Swap meet, flea markets and auction yards;
22. Tool, equipment and utility trailer rental establishments;
23. Warehouses.

17.24.070 Front yard.

Front yard requirements in a C-2 zone shall be as follows:

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

17.24.080 Side yard.

Side yard requirements in a C-2 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.

17.24.090 Rear yard.

Rear yard requirements in a C-2 zone shall be as follows:

A. Where the lot abuts any R, E, 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.

17.24.100 Minimum lot area.

There shall be no minimum lot area in a C-2 zone.

17.24.110 Distance between buildings on the same lot.

There shall be no distance requirements between buildings on the same lot in a C-2 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. 5160, passed by the Bakersfield City Council at a meeting held on the 27th day of March 2024 and entitled:

ORDINANCE AMENDING TITLE 17, CHAPTER 17.24 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: Serraine Ryz
DEPUTY City Clerk