

ORDINANCE NO. 5171

**ORDINANCE AMENDING TITLE 17, CHAPTER 17.58 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 17.58 of the Bakersfield Municipal Code is hereby amended to read as follows:

Title 17 - Zoning

Chapter 17.58 – Parking and Loading Standards

Sections:

17.58.050 General standards as to location and arrangement of parking.

17.58.055 Transit credit.

**17.58.070 Required parking on the same lot as the structure or use served—
Exceptions.**

17.58.110 Parking space requirements by land use.

Prior legislation: Ords. 4236, 4104, 3964, 3839, 3835, 3458, 3285, 2891, 2851, 2819, 2722; prior code §§ 17.56.010 through 17.56.030, 17.56.090, 17.56.100 and 17.58.010 through 17.58.080.

17.58.050 General standards as to location and arrangement of parking.

A. Every new off-street parking or loading space shall have adequate means of ingress from and egress to a street or alley that is designed and paved in accordance to adopted city standards. Every required off-street parking or loading space shall be independently accessible, except where tandem parking spaces are allowed. Access to off-street loading spaces shall be provided on private property.

B. The internal layout of off-street parking and loading spaces, driveways, aisles and maneuvering areas shall be clearly marked according to city standards.

C. Parking spaces for people with disabilities shall be provided and designed in accordance with Title 24 of the California Administrative Code and Americans with Disabilities Act (ADA) requirements. These parking stalls shall be allowed to be counted as part of the total number of parking spaces required for the use or building.

D. Off-street parking and loading facilities shall be arranged so as to prevent encroachments upon street rights-of-way, adjacent properties, and landscaping areas required pursuant to Chapter 17.61 of this code. In approving the design of said parking and loading facilities the approving authority shall consider the maneuvering, standing and storage of vehicles, and layout of the facilities, and may require the use of curbing, bumper or wheel guards, or other such devices as necessary to ensure compliance with this section.

E. Freight and merchandise loading docks or loading areas shall not be visible from any public street. Landscaped buffers and/or walls shall be used to screen these areas from public view.

F. For all multiple-unit projects, driveways shall not exceed a width of thirty feet (top-to-top) or the minimum width necessary for two-way travel as determined by the traffic engineer.

G. Driveways crossing sidewalks shall be arranged, to the extent practical, to minimize the width and frequency of curb cuts, and conflicts with pedestrian and transit movements as determined by the traffic engineer.

H. Every off-street parking or loading facility and access thereto shall be suitably graded, paved, drained, and maintained according to standards adopted by the city engineer. Whenever corrosive materials are loaded or unloaded, docks, driveways, off-street loading and parking areas shall be concrete or equivalent as required by the city engineer.

I. New off-street parking facilities, or additions or alterations to existing off-street parking facilities shall be subject to approval pursuant to Chapter 17.08 of this code.

J. No area credited as all or part of a required off-street parking space shall also be credited as all or part of a required off-street loading space, or used for off-street loading. No area credited as all or part of a required loading space shall also be credited as all or part of a required off-street parking space, or used for off-street parking.

K. In no event shall any parking required and provided pursuant to Section 17.58.010 through 17.58.110 be situated in such way that vehicles entering the parking area be allowed to back onto any street or thoroughfare in order to leave said property, except as follows.

1. This provision shall not apply to any single-unit residence in an area zoned residential.

2. On streets which have not been designated by the traffic authority as arterial or collector streets, the traffic authority is granted the power to permit backing onto such streets for multiple-unit projects containing four units or less on a site that is not part of a multiple-unit subdivision project where such backing will not adversely affect traffic, and the design, width and function of the driveway is similar to a single-unit residential driveway use.

L. Neither the area of a required side yard abutting a street nor the required front yard shall be used for off-street parking or drive aisles required by this code except as allowed in Section 17.58.050(M).

M. Notwithstanding the provisions of Section 17.58.110, the area of a required front yard or street side yard in an R-2, R-3, R-4, R-5, or R-6 zone may be encroached to the extent of four feet for off-street parking required by this chapter, subject to the following limitations and conditions:

1. The encroaching parking space must be an extension of and parallel to a row of parking containing two or more spaces;
2. The prohibition against backing onto streets contained in Section 17.58.050(K) shall apply;
3. On corner lots or lots at intersecting streets, no such encroachment is permitted in a sixty-foot corner cutoff area as measured along the intersecting street curb-lines as extended;
4. Any landscaping or walls required by subsection N of this section in the encroached area or the sixty-foot corner cutoff area must be approved by the city traffic engineer.

N. Where the parking area or lot, including driveways, drive aisles, delivery areas, and loading and unloading areas, is adjacent to property zoned residential, it shall be separated by a continuous solid wall of masonry construction a minimum height of six feet as measured from highest adjacent grade and by a continuous landscaped strip at least seven feet in width; however, this landscape strip shall not be required for projects containing four units or less in any R-2, R-3, or R-4 zone and not adjacent to any single-unit residential zone except to satisfy minimum shading requirements in Section 17.61.030(H). Additionally, where common, shared, or joint use of parking or drive aisles exist or will occur between residentially and/or commercially zoned properties and such is recorded according to Section 17.58.080, the wall and landscape separation shall not be required. Any wall located within or along the front yard setback shall not exceed a height of four feet.

O. All delivery, loading and solid waste operations shall be subject to the provisions of Section 17.08.140(G).

P. Within the "central district" and properties zoned C-B and C-C, any off-street freight loading area located within fifty feet of any residential zoned or developed property shall be completely enclosed within a building if such freight loading is used between the hours of 10:00 pm and 7:00 am.

17.58.055 Transit credit.

Except for the "central district," required parking may be reduced by ten percent if there exists a transit facility as defined in Section 17.04.624 within one thousand feet of the front or main customer door of the building that is linked with an improved and paved pedestrian way.

17.58.070 Required parking on the same lot as the structure or use served—Exceptions.

A. The nonresidential parking requirements of this Section may be satisfied by owning adjacent parking facilities or leasing the required parking spaces from properties adjacent to the subject property. If parking is proposed on an adjacent parcel, said parking must be considered readily accessible to the subject property as determined by the planning director. If off-street parking is proposed on an adjacent parcel, said parking shall conform to the requirements in Section 17.58.070(C), of this code.

B. Off-site parking for uses within the "central district" and properties zoned C-B and C-C shall be subject to the following exceptions and requirements:

1. Required off-street parking spaces for one-family or two-family dwellings in residential zones shall be located on the same lot as the dwellings served.

2. Required off-street parking spaces for all other dwellings shall be located on the same lot as the dwelling served, as an accessory use, or within a walking distance of five hundred feet, as either a permitted or a conditional use, depending upon the use provisions applicable to the zone in which such parking is located, and such parking shall be easily recognized for that project, such as but not limited to, signs, dedicated and improved pedestrian ways, and other identification as approved by the planning director. Required off-street parking spaces for projects designed for senior citizens or the handicapped shall be on site.

3. Required off-street parking spaces for all uses other than dwellings shall be located on the same lot as the use served, as an accessory use, or within a walking distance of one thousand feet, as either a permitted or a conditional

use, depending upon the use provisions applicable to the zone in which such parking is located, and such parking shall be easily recognized for that project, such as but not limited to, signs, dedicated and improved pedestrian ways, and other identification as approved by the planning director.

4. Walking distance for purposes of subsections (B)(2) and (B)(3) above shall mean the distance from the front or main customer door of the building to the nearest point of the off-street parking facility assigned to such structure or use or part thereof, along the shortest and most convenient improved pedestrian walkway open to the user or users of such off-street parking space.

5. Whenever the planning director determines that sufficient spaces are available in a public parking facility within one thousand feet of a new business, he or she may accept a contract pursuant to Section 17.58.070(C) for such spaces in satisfaction of the off-street parking requirements of this chapter.

C. In order to be credited toward the parking requirements of any development, use, or structure, any off-street parking space located on a lot other than the lot on which the structure or use to be served is located must meet the following criterion:

1. Assurances as to the availability of remote parking spaces must be provided. Such availability shall be assured either by ownership of both the lot containing the structure or use to be served and the lot containing the off-street parking space by at least one common owner, or by a lease or other instrument providing for the availability of the parking space for not less than the actual lifetime of the structure or until a change of use or modification to an existing use occurs. An attested copy of any such instrument shall be filed with the planning department prior to approval of any building permit application affected by this arrangement for provision of required off-street parking. In addition, in either case, a document in a form approved by the city attorney shall be executed by the parties concerned, and recorded in the office of the Kern county recorder, serving as a notice of the restrictions under this code applying both to the lot requiring and the lot containing the off-street parking space, by virtue of this arrangement for provision of required off-street parking. (Ord. 4521 § 10, 2008)

17.58.110 Parking space requirements by land use.

A. The minimum number of off-street parking spaces shall be provided and maintained for the following specified uses or facilities identified in the table in subsection E of this section. The number of off-street parking spaces shall not



exceed one hundred fifty percent of the minimum requirement (limit does not apply to residential uses).

B. Tandem parking will not be counted toward the requirement for legal off-street parking, except one tandem parking space will be permitted for a single-family dwelling, and for each unit of a multiple-family dwelling that contains four units or less on a site that is not part of a multiple-family subdivision project.

C. Motorcycle parking that is provided and clearly identified for such use may be counted as part of the total number of parking spaces required for a nonresidential use or building. However, this credit shall not exceed twenty-five spaces or five percent of the total parking required, whichever is less.

D. For uses not listed in the parking space requirements table, parking will be determined by the planning director based on the listed use(s) that most closely resembles the proposed use.

E. Parking space requirements by land use table:

PARKING SPACE REQUIREMENTS BY LAND USE

1.	One-family dwellings	2 spaces per dwelling unit
2.	Accessory dwelling unit (per Chapter 17.65)	Consistent with the provisions of Section 65852.2 and relevant sections of the California Government Code as amended from time to time.
3.	Multiple-family dwelling and condominium (efficiency, studio and 1-bedroom units)	1 space per unit, plus an additional 10% for guest parking on parcels containing 5 or more units. Moderate, low, and very low income projects with 5 or more units and being recorded as such by declaration or covenant that runs with the land, may reduce required parking by 25% (moderate, low and very low income is defined as being at or below 120% of the median income of Kern County as established by the state of California).
4.	Multiple-family dwelling and condominium (2 or more bedrooms)	2 spaces per unit, plus an additional 10% for guest parking on parcels containing 5 or more units. Moderate, low, and very low income projects with 5 or more units and being recorded as such by declaration or covenant that runs with the land, may reduce required parking by 25% (moderate, low and very low income is defined as being at or below 120% of the median



income of Kern County as established by the state of California).

5. Dwelling designed for senior citizens

(a recorded covenant is required limiting occupancy of at least 1 resident per unit by age as noted or is physically handicapped)

62 years and over: 1 space per 2 units

55 years and over: 1 space per unit

Plus an additional 10% for guest parking on parcels containing 5 or more units
6. General office

(i.e., real estate, finance companies, architects, engineers, attorneys, C.P.A. and other similar uses)

1 space per 250 square feet of gross floor area
7. Medical and dental office, including chiropractic office, specialized medical offices and other similar uses

1 space per 200 square feet of gross floor area
8. Physical and occupational therapy

1 space per 300 square feet of gross floor area
9. Medical laboratory such as diagnostic dental and x-ray laboratories and other similar uses

Surgery center and other out-patient facilities

1 space per 250 square feet of gross floor area
10. Office park or complex

(single and multiple tenant buildings with both general and medical office uses)

1 space per 200 square feet of gross floor area up to and including 15,000 square feet, plus an additional 1 space per 250 square feet of gross floor area in excess of 15,000 square feet
11. Neighborhood and regional shopping center

(freestanding satellite pads such as fast food restaurants or banks shall be computed separately unless satellite buildings contain 2 or more tenants)

1 space per 200 square feet of gross floor area up to and including 35,000 square feet, plus an additional 1 space per 250 square feet of gross floor area in excess of 35,000 square feet
12. General retail

(single tenant only; for multiple tenant buildings, refer to No. 11 above)

1 space per 300 square feet of gross floor area
13. Restaurant, including fast food restaurant

(Note: take-out restaurants where food is consumed off premises shall be parked in accordance with general retail in No. 12 above)

1 parking space per 75 square feet of gross floor area (no additional parking is required for outdoor seating)

If use has 1 or more drive-up windows with drive-in lanes 24 feet in length, credit for 1 parking space per window shall be given

If such lane exceeds 44 feet, 2 spaces per window shall be credited in computing parking requirements

Whenever the planning director determines that any restaurant with less than 3,000 square feet of gross floor area serves primarily those that may be conducting other business within the central district or properties zoned C-B or C-C, he/she may waive all or any portion of the parking requirements.

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| 14. | Night club, including live entertainment | 1 parking space per 50 square feet of gross floor area (no additional parking is required for outdoor seating) |
| | (Note: For breweries and wineries, including boutique wineries, parking for food service, retail sales, office, and warehousing/storage shall be computed separately by use) | Whenever the planning director determines that any night club with less than 3,000 square feet of gross floor area is open after 3:00 p.m. within the central district or properties zoned C-B or C-C, he/she may waive all or any portion of the parking requirements. |
| 15. | Convenience market with or without fueling services | 1 space per 200 square feet of gross floor area, minimum of 10 spaces required;

If use has 1 or more fuel pump islands, credit for 2 parking spaces per pump shall be given |
| 16. | Bank, savings and loan, credit union | 1 space per 300 square feet of gross floor area;

If use has 1 or more drive-up windows with drive-in lanes 24 feet in length, credit for 1 parking space per window shall be given;

If such lane exceeds 44 feet, 2 spaces per window shall be credited in computing parking requirements |
| 17. | Hotel, motel

(additional parking required for meeting rooms, restaurants, bars, and office space) | 1 space per sleeping unit |
| 18. | Furniture store

Plus office space for above | 1 space per 1,000 square feet of gross floor area

1 space per 300 square feet of gross floor area |
| 19. | Beauty salon and barbershop | 1 space per 150 square feet of gross floor area or 2 spaces per barber or styling chair, whichever is less |
| 20. | Veterinary hospital and clinic | 1 space per 500 square feet of gross floor area |
| 21. | Museum | 1 space per 500 square feet of gross floor area |

- Library
- Cultural center
22. Nursery sales 1 space per 4,000 square feet of inside or outside sales area
- Vehicle sales area
- Trailer and camper sales area
- Boat and farm machinery sales area
- (office, retail sales, service department, and repair area shall be computed separately by use)
23. Health club, such as aerobics and gymnastics studio, private gym, karate and judo club, and similar uses 1 space per 300 square feet of gross floor area
24. Bowling alley 4 spaces per alley
- (restaurants, video arcades, pro shops and other related uses shall be computed separately by use)
25. Billiards 2 spaces per table
- (restaurants, video arcades, pro shops and other related uses shall be computed separately by use)
26. Golf course 6 spaces per tee
- (restaurants, video arcades, pro shops and other related uses shall be computed separately by use)
27. Tennis, racquetball, and handball court 3 spaces per court
- (restaurants, video arcades, pro shops and other related uses shall be computed separately by use)
28. Stadium, sports arena, exhibition hall 1 space per 6 seats
- Where benches are provided, 18 inches of bench space shall be the equivalent of 1 seat; where no fixed seating is provided, 7 square feet of public assembly floor space shall be the equivalent of 1 seat

29. Park, outdoor recreational facility 1 space per 6 people that the facility is designed to accommodate
- or
- If seating is provided, 1 space per 4 seats, whichever is greater
30. Lodges, halls 1 space per 4 seats provided in accordance with applicable fire code occupancy standards
- Banquet rooms, including those associated with a restaurant
- Religious institution Where benches are provided, 18 inches of bench space shall be the equivalent of 1 seat; where no fixed seating is provided, 7 square feet of public assembly floor space shall be the equivalent of 1 seat
- Funeral home
- Mortuary
- Theater
- Auditorium, including school multi-purpose buildings and similar places of assembly
- (figure main public meeting areas only)
31. Hospital 3/4 space per bed
- Medical in-patient clinic and other overnight treatment facilities
- (additional parking required for administrative offices, out-patient clinic, testing, teaching, research and other similar activities)
32. Convalescent hospital and extended medical care facility 1/2 space per bed
- Nursing and convalescent home
- Homes for the aged
- Conjugate care and extended care facility
- Residential care or group home
- (additional parking required for administrative offices, testing, teaching, research and other similar activities)
33. Child or adult day care center 1 space per 6 clients plus 1 space per staff member of the largest shift, with drop-off and pick-up area approved by the traffic engineer

34. Family day care home 1 space per employee of the largest shift

(The residential driveway is acceptable if the parking space does not conflict with any child drop-off/pick-up area)
35. Elementary or middle school 1 space for each faculty member and employee (based on the maximum number of faculty and employees on site at any given time)

or

1 space per 4 seats in the primary public assembly area, whichever is greater
36. High school, trade, secondary and post secondary school 1 space for each faculty member and employee, and 1 space for every 4 students (based on the maximum number of faculty, employees and students on site at any given time)

or

1 space per 4 seats in the primary public assembly area, whichever is greater
37. Manufacturing, wholesale, service and automotive repair 1 space per 500 square feet of gross floor area

Plus office space for above 1 space per 300 square feet of gross floor area
38. Warehouse 1 space per 1,000 square feet of gross floor area up to and including 10,000 square feet, plus an additional 1 space per 3,000 square feet in excess of 10,000 square feet

Plus office space for above 1 space per 300 square feet of gross floor area
39. Self-service storage facility 2 spaces for the manager's living unit and 3 spaces with public access for the office (note: rows between storage buildings shall be at least 20 feet wide to allow for simultaneous vehicle parking and passage, and fire access)
40. Industrial office/warehouse complex 1 space per 400 square feet of gross floor area

(multi-tenant shell buildings in either an M-1 or M-2 zone containing a mix of office, commercial, industrial and storage uses)
41. Contractor's storage yard 1 space per company vehicle plus 1 space per 2 employees on the maximum working shift (a person stationed or working out of the storage or service yard)

Public buildings and grounds other than administrative offices

42. Electric distribution substation No parking required
- Electric transmission substation
- Gas regulator station
- Public utility/water well station
- Automated/computerized communications equipment buildings (where no permanent employees assigned)

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 2 7 2024 by the following vote:

<p><u>AYES:</u></p> <p>NOES:</p> <p>ABSTAIN:</p> <p><u>ABSENT:</u></p>	<p>COUNCILMEMBER: <u>ARIAS, GONZALES, WEIR, SMITH, FREEMAN, GRAY, KAUR</u></p> <p>COUNCILMEMBER _____</p> <p>COUNCILMEMBER _____</p> <p>COUNCILMEMBER <u>Weir, Kaur</u></p>
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Julie Drimakis
JULIE DRIMAKIS, CPMC, MMC
 CITY CLERK and Ex Officio Clerk of the
 Council of the City of Bakersfield

APPROVED: MAR 2 7 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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AFFIDAVIT OF POSTING DOCUMENTS

STATE OF CALIFORNIA)

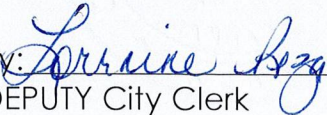
County of Kern)ss.

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. 5171, passed by the Bakersfield City Council at a meeting held on the 27th day of March 2024 and entitled:

ORDINANCE AMENDING TITLE 17, CHAPTER 17.58 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