

ORDINANCE NO. 5173

**ORDINANCE AMENDING TITLE 17, CHAPTERS 17.61 AND 17.64 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 17.61 of the Bakersfield Municipal Code is hereby amended to read as follows:

**Title 17 - Zoning**

**Chapter 17.61 – Landscape Standards\***

**Section: 17.61.032 Additional requirements.**

\* Prior history: prior code Sections 17.61.010 through 17.61.040 and Ord. 3835.

**17.61.032 Additional requirements.**

In addition to the minimum standards contained in Section 17.61.030, the following shall apply to those specific geographic areas as identified below:

A. *Central City Area.* For the purposes of this subsection, Central City Area is identified as including all lands bounded by 23rd Street to the north, Truxtun Avenue to the south, M Street to the east, and G Street to the west.

1. Street tree species shall be consistent with the Central City Master Street Tree Plan as adopted by city council Resolution No. 195-92.

B. *Northeast Bakersfield.* For the purposes of this subsection, Northeast Bakersfield is identified as including all lands east of Fairfax Road (and any northern extension thereof) and north of the Union Pacific Railroad that parallels Edison Highway.

1. New landscape areas shall consist predominately of native California trees (e.g., oaks and sycamores), shrubs and groundcovers mixed with ornamental species. Planting shall occur in nonlinear clusters to resemble a natural appearance. Firescape species approved by the planning director shall be used along the perimeter of the project site adjacent to native or slope areas if outside the HD zone district.

2. Use of boulder clusters and other native rock combinations shall be installed with vegetation to resemble a natural distribution blending into the

surrounding native areas and/or street parkways that may contain similar design elements.

3. Along slopes, plantings shall be done with more dense and larger species of trees and shrubs closer to streets with a gradual reduction of plantings that are less dense with smaller species as you move further away from the streets to provide a natural transition between the streetscape and native areas.

4. Design content shall retain the natural flora and site character as much as possible with a subtle landscape transition between maintained and native areas.

5. Xeriscape and/or regional native plant selections shall be used to revegetate any disturbed areas outside the project area, unless city ordinances, resolutions, or conditions of approval state otherwise.

6. New landscape areas along slopes and slope easements may be required to be privately maintained as undeveloped areas of native landscaping, greenbelts, or open space, without fencing or other structures, as determined by the planning director, or as may be conditioned by the planning commission or city council.

7. These standards do not apply to residential projects that contain four units or less and that are not part of a larger multiple-unit subdivision with more than four lots.

## SECTION 2.

Title 17, Chapter 17.64 of the Bakersfield Municipal Code is hereby amended to read as follows:

### **Title 17 - Zoning**

#### **Chapter 17.64 – Modifications, Conditional Use Permits, Amendments and Appeals\***

##### **Section:**

##### **17.64.020 Authority of planning director.**

\* Prior history: Prior code §§ 17.60.010—17.60.140 and Ords. 2723, 2739, 2806, 2820, 2985, 3058, 3171, 3404, 3415, 3477 and 3609.

**17.64.020 Authority of planning director.**

The planning director shall have authority to grant director review and approval permits, subject to appeal to the planning commission under the provisions of this title, subject to the following:

- A. Modification or waiver of:
  - 1. Automobile parking space or loading requirements on private property, and
  - 2. The height, yard and lot area regulations on a lot or lots, including, but not limited to, modification of such regulations for some or all lots within a subdivision to facilitate zero-lot-line or other typical subdivision development, and
  - 3. Fence, wall and hedge regulations as may be necessary to secure an appropriate improvement on a lot, and
  - 4. Multi-unit residential objective site design standards as identified in Chapter 17.14 of this Title.
- B. Land use approvals as provided for within the various zone districts of this title.
- C. Wireless facilities right-of-way permits for wireless telecommunication facilities proposed to be located within the public right-of-way pursuant to Chapter 12.30 of this code.

**SECTION 3.**

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 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. 5173, passed by the Bakersfield City Council at a meeting held on the 27<sup>th</sup> day of March 2024 and entitled:

**ORDINANCE AMENDING TITLE 17, CHAPTERS 17.61 AND 17.64 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 Bezi  
DEPUTY City Clerk