

ORDINANCE NO. 5175

AN ORDINANCE AMENDING AND ENACTING VARIOUS SECTIONS OF TITLE 17, CHAPTERS 17.10, 17.58 AND 17.64 OF THE BAKERSFIELD MUNICIPAL CODE BY RELATING TO ZONING.

BE IT ORDAINED by the Council of the City of Bakersfield as follows:

SECTION 1.

Chapter 17.10, Section 17.10.030 of the Bakersfield Municipal Code is hereby enacted to read as follows:

17.10.030 Residential Zone Development Standards.

A. Residential Zone 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).

C. Parking. Minimum parking standards are not required for:

(1) Single-family residential development;

(2) Deed-restricted affordable housing projects;

(3) All residential development in the Central District and Old Town Kern;

(4) Multi-family residential development with 19 or less dwelling units. Setbacks to garages, carports and/or parking lots as a potential feature of development are addressed herein.

Pursuant to Government Code Section 65863.2(f) and relevant sections of the California Government Code as amended from time to time, this section shall not reduce, eliminate, or preclude the enforcement of any requirement imposed on a new multifamily residential to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with

disabilities that would have otherwise applied to the development if this section did not apply.

**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	35	10	3	3	25 garage 20 living 15 porch	5	10	25
R-1	4,500	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	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	4/10	10	10/15
R-3	Single-Unit 2,000 sf	Single-Unit 2,000	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	4/10	10	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
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									

Ordinance Amending and Enacting Various Sections of Chapters 17.10, 17.58 and 17.64 of the Bakersfield Municipal Code Relating to Zoning



SECTION 2.

Chapter 17.58 of the Bakersfield Municipal Code is hereby enacted to read as follows:

Chapter 17.58 - Parking And Loading Standards

Sections:

- 17.58.010 Purpose.
- 17.58.015 Residential parking requirements
- 17.58.020 Facilities required.
- 17.58.030 Minimum dimensions for required parking and freight loading spaces.
- 17.58.040 Rules for calculating required parking and freight loading areas.
- 17.58.050 General standards as to location and arrangement of parking.
- 17.58.055 Transit credit.
- 17.58.060 Parking lots.
- 17.58.070 Required parking on the same lot as the structure or use served—
Exceptions.
- 17.58.080 Shared use of required parking.
- 17.58.090 Reduction of parking where area requirements are satisfied.
- 17.58.100 On-street parking credit.
- 17.58.110 Parking space requirements by land use.
- 17.58.120 Parking space requirements within the “central district,” and “Old Town Kern”.
- 17.58.130 Freight loading space requirements.

SECTION 3.

Chapter 17.58, Section 17.58.015 of the Bakersfield Municipal Code is hereby enacted to read as follows:

17.58.015 Residential parking requirements.

- A. Minimum parking standards are not required for:
- (1) Single-family residential development;
 - (2) Deed-restricted affordable housing projects;
 - (3) All residential development in the Central District and Old Town Kern;

(4) Multi-family residential development with 19 or less dwelling units. Setbacks to garages, carports and/or parking lots as a potential feature of development are addressed herein.

Pursuant to Government Code Section 65863.2(f) and relevant sections of the California Government Code as amended from time to time, this section shall not reduce, eliminate, or preclude the enforcement of any requirement imposed on a new multifamily residential to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities that would have otherwise applied to the development if this section did not apply.

SECTION 4.

Chapter 17.58, Sections 17.58.110 and 17.58.120 of the Bakersfield Municipal Code are hereby amended to read as follows:

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	No minimum required.
2.	Accessory dwelling unit (per Chapter 17.65)	No minimum required.
3.	Multiple-family dwelling and condominium (19 units or less)	No minimum required.
4.	Multiple-family dwelling and condominium (20 units or more)	<p>0.25 spaces per unit.</p> <p>Moderate, low, and very low income projects and being recorded as such by declaration or covenant that runs with the land, have no minimum requirement.</p> <p>Exception: Based on the facts and circumstances, a developer of multiple-family dwelling of 20 units or more can request a zoning modification to waive or reduce parking requirements from the advisory board and ultimately to the City Council, subject to an appeal. Zoning modification requests are reviewed on a case-by-case basis.</p>
5.	<p>General office</p> <p>(i.e., real estate, finance companies, architects, engineers, attorneys, C.P.A. and other similar uses)</p>	1 space per 250 square feet of gross floor area
6.	Medical and dental office, including chiropractic office, specialized medical offices and other similar uses	1 space per 200 square feet of gross floor area
7.	Physical and occupational therapy	1 space per 300 square feet of gross floor area
8.	<p>Medical laboratory such as diagnostic dental and x-ray laboratories and other similar uses</p> <p>Surgery center and other out-patient facilities</p>	1 space per 250 square feet of gross floor area
9.	<p>Office park or complex</p> <p>(single and multiple tenant buildings with both general and medical office uses)</p>	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

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| 10. | 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 |
| 11. | General retail

(single tenant only; for multiple tenant buildings, refer to No. 11 above) | 1 space per 300 square feet of gross floor area |
| 12. | 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. |
| 13. | Night club, including live entertainment

(Note: For breweries and wineries, including boutique wineries, parking for food service, retail sales, office, and warehousing/storage shall be computed separately by use) | 1 parking space per 50 square feet of gross floor area (no additional parking is required for outdoor seating)

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. |
| 14. | 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 |
| 15. | 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
16.	Hotel, motel (additional parking required for meeting rooms, restaurants, bars, and office space)	1 space per sleeping unit
17.	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
18.	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
19.	Veterinary hospital and clinic	1 space per 500 square feet of gross floor area
20.	Museum Library Cultural center	1 space per 500 square feet of gross floor area
21.	Nursery sales 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)	1 space per 4,000 square feet of inside or outside sales area
22.	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
23.	Bowling alley (restaurants, video arcades, pro shops and other related uses shall be computed separately by use)	4 spaces per alley
24.	Billiards (restaurants, video arcades, pro shops and other related uses shall be computed separately by use)	2 spaces per table
25.	Golf course	6 spaces per tee

- (restaurants, video arcades, pro shops and other related uses shall be computed separately by use)
26. Tennis, racquetball, and handball court 3 spaces per court
- (restaurants, video arcades, pro shops and other related uses shall be computed separately by use)
27. 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
28. 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
29. 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)
30. 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)

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| 31. | <p>Convalescent hospital and extended medical care facility</p> <p>Nursing and convalescent home</p> <p>Homes for the aged</p> <p>Conjugate care and extended care facility</p> <p>Residential care or group home</p> <p>(additional parking required for administrative offices, testing, teaching, research and other similar activities)</p> | <p>1/2 space per bed</p> |
| 32. | <p>Child or adult day care center</p> | <p>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</p> |
| 33. | <p>Family day care home</p> <p>(The residential driveway is acceptable if the parking space does not conflict with any child drop-off/pick-up area)</p> | <p>1 space per employee of the largest shift</p> |
| 34. | <p>Elementary or middle school</p> | <p>1 space for each faculty member and employee (based on the maximum number of faculty and employees on site at any given time)</p> <p style="text-align: center;">or</p> <p>1 space per 4 seats in the primary public assembly area, whichever is greater</p> |
| 35. | <p>High school, trade, secondary and post secondary school</p> | <p>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)</p> <p style="text-align: center;">or</p> <p>1 space per 4 seats in the primary public assembly area, whichever is greater</p> |
| 36. | <p>Manufacturing, wholesale, service and automotive repair</p> <p>Plus office space for above</p> | <p>1 space per 500 square feet of gross floor area</p> <p>1 space per 300 square feet of gross floor area</p> |
| 37. | <p>Warehouse</p> | <p>1 space per 1,000 square feet of gross floor area up to and including 10,000 square feet, plus an additional 1</p> |

		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
38.	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)
39.	Industrial office/warehouse complex (multi-tenant shell buildings in either an M-1 or M-2 zone containing a mix of office, commercial, industrial and storage uses)	1 space per 400 square feet of gross floor area
40.	Contractor's storage yard Public buildings and grounds other than administrative offices	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)
41.	Electric distribution substation Electric transmission substation Gas regulator station Public utility/water well station Automated/computerized communications equipment buildings (where no permanent employees assigned)	No parking required

17.58.120 Parking space requirements within the "central district" and "Old Town Kern".

The following supplemental off-street parking standards shall be applicable within the "central district" as defined in Chapter 17.04 of this code, and "Old Town Kern" as defined in Chapter 10.08 of this code:

A. Minimum parking standards are not required for all residential development in the Central District and Old Town Kern.

B. Pursuant to Government Code Section 65863.2(f) and relevant sections of the California Government Code as amended from time to time, this section shall not reduce, eliminate, or preclude the enforcement of any requirement imposed on a new multifamily residential to provide electric vehicle supply equipment



installed parking spaces or parking spaces that are accessible to persons with disabilities that would have otherwise applied to the development if this section did not apply.

C. Any change of use of an existing building in the "central district" shall not be subject to additional off-street parking requirements set forth in this chapter, provided there is no expansion of the square footage of the building.

D. If not specifically addressed within these supplemental standards, the parking and loading standards of this chapter shall apply.

SECTION 5.

Chapter 17.64, Sections 17.64.020 and 17.64.030 of the Bakersfield Municipal Code are hereby amended to read as follows:

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 for office, commercial, and industrial uses, 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.

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.

17.64.030 Authority of planning commission.

Ordinance Amending and Enacting Various Sections of Chapters 17.10, 17.58 and 17.64 of the Bakersfield Municipal Code Relating to Zoning

The planning commission, as the advisory agency, shall have the sole authority to grant modifications of automobile parking space requirements on private property for multi-family development, and of minimum lot size standards on a lot or lots within a subdivision in the course of approval or conditional approval of any tentative map. The hearing on any such modification shall be consolidated with the hearing on the tentative map, shall be noticed with the notice of hearing on such map, and the commission shall not approve such modification unless it makes the findings specified in Section 16.28.170(O). Appeal of the commission decision on such modification shall be governed by the provisions of Chapter 16.52 of this code.

SECTION 6.

This Ordinance shall be posted in accordance with 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 APR 10 2024 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

COUNCILMEMBER: ARIAS, GONZALES, WEIR, SMITH, FREEMAN, GRAY, KAUR
COUNCILMEMBER Weir, Freeman, Gray
COUNCILMEMBER _____
COUNCILMEMBER _____

Julie Drimakis

JULIE DRIMAKIS, CPMC, MMC
CITY CLERK and Ex Officio Clerk of the
Council of the City of Bakersfield

APPROVED: APR 10 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. 5175, passed by the Bakersfield City Council at a meeting held on the 27th day of March 2024 and entitled:

ORDINANCE AMENDING, AND ENACTING VARIOUS SECTIONS OF TITLE 17, CHAPTERS 17.10, 17.58 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: *Serraine Lopez*
DEPUTY City Clerk