

ORDINANCE NO. 80

"AN ORDINANCE OF THE CITY OF RIDGECREST, CALIFORNIA, ESTABLISHING LAND USE DISTRICTS OR ZONES, A ZONE PLAN DESIGNATING BOUNDARIES AND ADOPTING REGULATIONS CONTROLLING THE USES OF LAND, THE DENSITY OF POPULATION, THE LOCATIONS, AND USES OF ALL STRUCTURES, THE AREAS AND DIMENSIONS OF SITES AND THE EXTERNAL APPEARANCES OF CERTAIN USES AND STRUCTURES; REQUIRING THE PROVISION OF OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE REGULATIONS AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF; AND PROVIDING FOR THE AMENDMENT OF THE DISTRICT BOUNDARIES AND REGULATIONS"

Council & Commission

Desk Copy

(White
Shacklett)

CITY OF RIDGECREST

KERN COUNTY, CALIFORNIA



Zoning Ordinance No. 80

Adopted February 1, 1968

Effective March 2, 1968

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ORDINANCE No. 80

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST, CALIFORNIA, ESTABLISHING LAND USE DISTRICTS OR ZONES, A ZONE PLAN DESIGNATING BOUNDARIES AND ADOPTING REGULATIONS CONTROLLING THE USES OF LAND, THE DENSITY OF POPULATION, THE LOCATIONS, AND USES OF ALL STRUCTURES, THE AREAS AND DIMENSIONS OF SITES AND THE EXTERNAL APPEARANCE OF CERTAIN USES AND STRUCTURES; REQUIRING THE PROVISION OF OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE REGULATIONS AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF; AND PROVIDING FOR THE AMENDMENT OF THE DISTRICT BOUNDARIES AND REGULATIONS.

ARTICLE 1 GENERAL

SECTION 101 ADOPTION

There is hereby adopted, as provided herein, a Zoning Ordinance for the City of Ridgecrest, State of California.

SECTION 102 PURPOSES AND OBJECTIVES OF THE ORDINANCE

- A. The zoning ordinance is adopted to preserve, protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare. More specifically, the ordinance is adopted to achieve the following objectives:
1. To provide a specific plan so as to achieve progressively the general arrangement of land uses depicted in the General Plan.
 2. To foster a wholesome, serviceable and attractive living environment, the beneficial development of areas which exhibit conflicting patterns of use, and the stability of existing land uses which conform with objectives and policies of the General Plan.
 3. To prevent excessive population densities and overcrowding of land with structures.
 4. To promote a safe, effective traffic circulation system, the provision of adequate off-street parking and truck loading facilities, and the appropriate location of community facilities.
 5. To protect and promote appropriately located commercial and industrial activities, in order to preserve and strengthen the City's economic base, protect and enhance real property values and the City's natural assets.
 6. To ensure unimpeded development of such new urban expansion that is logical, desirable and in conformance with objectives and policies of the General Plan.

SECTION 103 SHORT TITLE

This ordinance shall be known as the "Zoning Ordinance."

SECTION 104 COMPONENTS OF THE ZONING ORDINANCE

The zoning ordinance shall consist of a zone plan designating certain districts and a set of regulations controlling the uses of land, the density of population, the uses and locations of structures, the height and bulk of structures, the open spaces about structures, the appearance of certain uses and structures, the areas and dimensions of site, and requiring the provision of off-street parking and off-street loading facilities.

SECTION 105 INTERPRETATION

In their interpretation and application, the provisions of this ordinance are held to be minimum requirements except where they are expressly stated to be otherwise. No provision of this ordinance is intended to abrogate, repeal, annul, impair or interfere with any existing ordi-

nance of the City of Ridgecrest, except as specifically repealed herein, or deed restriction, covenant, easement, or other agreement between parties, provided that where this ordinance imposes greater restrictions or regulations than are imposed or required by an existing ordinance, deed restriction, covenant, easement, or agreement between parties, this ordinance shall control.

SECTION 106 APPLICATION

This ordinance shall apply to all property whether owned by private persons, firms, corporations or organizations; by the United States of America or any of its agencies; by the State of California or any of its agencies or political subdivisions; by any county or city, including the City of Ridgecrest or any of its agencies; or by any authority or district organized under the laws of the State of California, all subject to the following exceptions:

- A. Public streets and alleys.
- B. Underground utility lines and facilities.
- C. Underground communication lines.
- D. Overhead communication lines.
- E. Overhead electric distribution and transmission facilities.
- F. Railroad rights-of-way, as defined in Article 21.

SECTION 107 CONSTRUCTION AND DEFINITIONS

The definitions of words used in this ordinance, and the construction of the words and provisions thereof, shall be as set forth in Article 21.

ARTICLE 2 ESTABLISHMENT AND DESIGNATION OF DISTRICTS

SECTION 201 DISTRICTS

The districts established by the zoning ordinance are hereby designated as follows:

- RSC RECREATION, SCHOOL AND CONSERVATION DISTRICT
UR URBAN RESERVE DISTRICT
R ONE-FAMILY RESIDENTIAL DISTRICTS
R-1-40 40,000 square feet minimum site area
R-1-10 10,000 square feet minimum site area
R-1-6 6,000 square feet minimum site area
RM MULTI-FAMILY RESIDENTIAL DISTRICTS
RM-3 3,000 square feet minimum site area per dwelling unit
RM-1 1,000 square feet minimum site area per dwelling unit
RT RESIDENTIAL TRAILER DISTRICT
PO PROFESSIONAL OFFICE DISTRICT
C COMMERCIAL DISTRICTS
CN Neighborhood Commercial District
CG General Commercial District
CS Service Commercial District
CH Highway Commercial District
M INDUSTRIAL DISTRICTS
ML Light Industrial District
MH Heavy Industrial District

SECTION 202 DISTRICT BOUNDARIES

Whenever any uncertainty exists as to the boundary of a district as shown on the zone plan, the following regulation shall control:

- A. Where a boundary line is indicated as following a street, alley, railroad right-of-way, drainage channel or other watercourse, the centerline of such street, alley, railroad right-of-way, drainage channel or other watercourse shall be considered to be the boundary line.
- B. Where a boundary line is indicated as following a lot line or property line, it shall be construed as following such lot line or property ownership line.
- C. Where a boundary line is not indicated as following a street or alley and does not follow or coincide approximately with a lot line or property ownership line, the boundary line shall be determined by the use of the scale designated on the zone plan.
- D. Where further uncertainty exists, the City Planning Commission, upon written application or on its own motion, shall determine the location of the

boundary in question, giving due consideration to the location indicated on the zone plan and the objectives of the zoning ordinance and the purposes set forth in the district regulations.

SECTION 203 EFFECT OF DISTRICT REGULATIONS

Except as otherwise provided in this ordinance:

- A. No structure or part thereof shall be erected, altered, added to or enlarged, nor shall any site or structure be used, designated or intended to be used for any purpose, or in any manner other than is included among the uses hereinafter listed as permitted or conditional in the district in which such structure, land or premises is located.
- B. No structure or part thereof shall be erected, nor shall any existing structure be altered, enlarged or rebuilt or moved into any district, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, site area and building location regulations hereinafter designated for the district in which such structure or open space is located.
- C. No yard or other open space provided about any structure for the purpose of complying with provisions of this ordinance shall be considered as providing a yard or open space for any other structure, and no yard or other open space on one site shall be considered as providing a yard or open space for a structure on any other site.
- D. Two or more abutting lots may be combined and used as though a single site. Such combination of lots shall be deemed to be a single site for all purposes of this ordinance, provided, however, that there shall not exist on any part thereof any structure or improvement which depends for compliance with this ordinance upon the same being treated as a single site.
- E. A lot, or lots, may be divided into parts, provided that each part is equal to or exceeds the minimum lot area requirements of this ordinance, and so long as such parts are used as though separate lots they shall be deemed to be separate lots under all provisions of this ordinance.
- F. No deed or conveyance of any portion of a site shall be made which reduces the site area, yards, off-street parking spaces or other minimum requirements of this ordinance, without the prospective grantor and grantee first recording, in the Office of the Kern County Recorder, a covenant for the benefit of the City of Ridgecrest agreeing that such site shall continue to be maintained, operated and used as though a single site so long as any part thereof depends on the other for compliance with the provisions of this ordinance.

SECTION 204 CHANGES OF DISTRICT BOUNDARIES OR REGULATIONS BECAUSE OF ANNEXATION OR RIGHT-OF-WAY ABANDONMENT

- A. All territory annexed to the City which was previously classified by the County of Kern in a particular zoning district may be retained by the city, as classified, if such classification is also provided for by this ordinance.
- B. All territory which is annexed to the City which was not previously classified by the County of Kern in a zoning district also provided by this ordinance shall be classified in the UR District; or
- C. Where property to be annexed to the City was classified previously by the city under pre-zoning provisions of State Law and this ordinance such pre-zoning classification shall become effective at the same time that the annexation becomes effective.
- D. All territory which becomes unzoned through abandonment of a public street, alley or railroad right-of-way shall immediately become classified the same as the property adjoining the street, alley or railroad right-of-way.

ARTICLE 3 ZONE PLAN

SECTION 301 ADOPTION OF THE ZONE PLAN

In order that comprehensive zoning regulations may be applied uniformly to all incorporated territory with the

adoption of this ordinance, Map No. 301 is hereto attached and made a part of this ordinance by reference with the same force and effect as if the boundaries, together with any notations, references and information shown on said map were specifically set out and described in this ordinance. The following map is hereby adopted and made a part of this ordinance:

(a) Map No. 301, dated February 1, 1968.

This map, together with such additional maps as may be adopted in accordance with the provisions of this article and this ordinance shall be known as the Zone Plan of the City of Ridgecrest.

SECTION 302 DIVISION OF THE ZONE PLAN

For purpose of convenience and identification, the zone plan may be divided into parts and subparts, which may be separately shown or employed for purposes of amending the zone plan or any official reference thereto.

SECTION 303 AMENDMENTS TO THE ZONE PLAN

Amendments to the zone plan shall be adopted in the manner provided for changing district boundaries as prescribed in Section 1902 and Sections 1904 through 1909 of this ordinance. Said ordinance shall be recognized by the addition to this article of the ordinance section adopting said map and the filing of said map, properly attested, in the office of the Ridgecrest City Planning Commission. Amendments to the zone plan shall be identified by a number corresponding to the number of the ordinance section of this article adopting the zone plan amendment. Zone plan amendments shall commence with No. 302.

SECTION 304 PREZONING OF UNINCORPORATED TERRITORY

The City may prezone unincorporated territory adjoining the City for the purposes of determining the zoning that will apply to such property in the event of subsequent annexation to the City. The method of accomplishing such pre zoning shall be the same as that for the zoning of property within the City as provided by this ordinance.

ARTICLE 4 RSC RECREATION, SCHOOL AND CONSERVATION DISTRICT

SECTION 401 RSC - PURPOSE AND APPLICATION

This district is intended primarily for application to those areas of the City where it is necessary and desirable to provide permanent open spaces which are necessary to safeguard the health, safety and welfare of the people, and to provide spaces for the location and preservation of public school and recreation sites.

SECTION 402 RSC - PERMITTED USES

- A. Recreation areas, parks, playgrounds; elementary, junior high and high schools, and colleges.
- B. Flood control channels; water pumping stations and reservoirs; irrigation ditches and canals and ditch and canal rights-of-way; settling and water conservation recharging basins; parkways.
- C. Incidental and accessory structures and uses located on the same site as a permitted use.
- D. Signs, subject to the provisions of Section 409 of this article.

SECTION 403 RSC - CONDITIONAL USES - COMMISSION APPROVAL

None

SECTION 404 RSC - SITE AREA

No limitation.

SECTION 405 RSC - COVERAGE

No limitation.

SECTION 406 RSC - FENCES, WALLS AND HEDGES

No limitation.

SECTION 407 RSC - YARD REQUIREMENTS

No limitation.

SECTION 408 RSC - DISTANCES BETWEEN STRUCTURES

No limitation.

SECTION 409 RSC - SIGNS

No outdoor advertising structure or sign of any character shall be permitted except the following:

- A. Name plates or signs, not directly illuminated, pertaining to a permitted use conducted on the site.
- B. One non-illuminated sign, not exceeding thirty-two (32) square feet in area, pertaining to the sale, lease, rental or display of a structure or land.
- C. Warning and trespass signs indicating the existence of a hazard or regulation of trespass.

SECTION 410 RSC - OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES

Off-street parking facilities and off-street loading facilities shall be provided on the site for each use as prescribed in Article 12.

SECTION 411 RSC - SITE PLAN REVIEW

No permitted use shall be erected on any lot or site in this district until a site plan shall have been submitted to and approved by the Planning Commission pursuant to the provisions of Article 16.

SECTION 412 RSC - GENERAL PROVISIONS AND EXCEPTIONS

All uses shall be subject to the general provisions and exceptions prescribed in Article 14.

ARTICLE 5 UR URBAN RESERVE DISTRICT

SECTION 501 UR - PURPOSES AND APPLICATION

- A. This district is intended primarily for application to areas within urban use limits of the General Plan and which are designated by the General Plan to be held in reserve for future urban expansion or which are in the vicinity of areas so designated. Such areas are generally characterized by predominantly open uses of land or agricultural uses which, because of the lack of any clear trends for conversion to urban use, cannot be specifically zoned for urban use prior to the City's approval of definite proposals for urban development.
- B. The application of this district will avoid problems associated with specific zoning of lands too far in advance of probable development, preserve the availability of lands required for future urban expansion, expedite the limited conversion of such lands to urban use through the granting of a use permit without requiring change of zone procedure prior to actual development, and assist in the prevention of premature development of land where the full range of municipal-type services is not available.
- C. The rezoning of land within the UR District to other appropriate district classifications would be undertaken at such time as evidence of substantial development is available through urban uses developed under the provisions of Sections 502 and 503 of this article.

SECTION 502 UR - PERMITTED USES

- A. A one-family dwelling in areas designated by the General Plan as residential reserve, provided that the site meets the requirements of that one-family residential district, either R-1-6, R-1-10 or R-1-40, which is designated by the Planning Commission to

be most appropriate for the area involved under the provisions of Section 504.

- B. Grazing and the raising of field crops, fruit and nut trees, vines, vegetables, horticultural specialties, livestock and poultry.
- C. Flood control channels; water pumping stations and reservoirs; irrigation ditches and canals and ditch and canal rights-of-way; settling and water conservation recharging basins; parkways.
- D. Signs, in accordance with the provisions of Section 506.
- E. Incidental and accessory structures and uses located on the same site as a permitted use.

SECTION 503 UR - CONDITIONAL USES - COMMISSION APPROVAL

The following uses may be permitted in accordance with the procedures prescribed in Article 15 and Section 504 A of this article.

- A. Any use listed as either a permitted use or conditional use in the RSC, RM-3, PO, CN, CH, ML, or MH Districts.
- B. Any use listed as a conditional use in the R Districts.

SECTION 504 UR - REQUIRED CONDITIONS

- A. Whenever a new use, as listed under Section 502, is to be established in the Urban Reserve District, the Planning Commission shall designate a zoning district classification for such use, and such use shall be subject to comply with all regulations of the zoning district so designated as if the use was actually proposed within such district. Such action by the Planning Commission shall be permissive for uses listed under Section 503.
- B. No conditional use shall be permitted and no process, equipment or materials shall be used which are found by the Planning Commission to be objectionable to persons living or working in the vicinity or injurious to property, crops, livestock or poultry in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried wastes, noise, vibration, illumination, glare or unsightliness or to involve any hazard of fire or explosion.

SECTION 505 UR-DISTANCES BETWEEN STRUCTURES

The minimum distance between a structure used for human habitation and a structure housing livestock or poultry shall be forty (40) feet. The minimum distance between a structure used for human habitation and another structure shall be ten (10) feet.

SECTION 506 UR - SIGNS

Signs for uses listed under Section 503 shall be subject to approval of the conditional use permit. Signs for uses listed under Section 502 shall be permitted only as follows:

- A. Name plates or signs, not directly illuminated, with an aggregate area of not more than forty (40) square feet pertaining to a permitted use.
- B. One non-illuminated sign, not exceeding six (6) square feet in area, pertaining to the sale, lease, rental or display of a structure or land.
- C. One identification sign, not exceeding forty (40) square feet in area, pertaining to a conditional use conducted on the site, not directly illuminated.

SECTION 507 UR - OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES

Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Article 12.

SECTION 508 UR - GENERAL PROVISIONS AND EXCEPTIONS

All uses shall be subject to the general provisions and exceptions prescribed in Article 14.

ARTICLE 6 R ONE-FAMILY RESIDENTIAL DISTRICTS

SECTION 601 R - PURPOSES AND APPLICATION

To provide living areas within the City where development is limited to low density concentrations of one-

family dwellings where regulations are designed to accomplish the following: To promote and encourage a suitable environment for family life; to provide space for community facilities needed to complement urban residential areas and for institutions which require a residential environment; to minimize traffic congestion and to avoid the overloading of utilities and public facilities designed to service only one-family residential uses in accord with density standards of the General Plan; and to combine certain of the advantages of urban and rural location by permitting limited numbers of animals and fowl to be kept for pleasure or hobbies, free from activities of a commercial nature.

SECTION 602 R - PERMITTED USES

- A. One-family dwellings.
- B. Raising of fruit and nut trees, vines, vegetables and horticultural specialties on a non-commercial basis.
- C. Breeding, hatching, raising and fattening of birds, rabbits, chinchillas, hamsters and other small animals and fowl, and the keeping of livestock, on a site within an R-1-40 district and on a non-commercial basis.
- D. Accessory structures and uses located on the same site with a permitted use.

SECTION 603 R - CONDITIONAL USES — COMMISION APPROVAL

The following conditional uses may be permitted in accordance with the provisions of Article 15.

- A. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools; private non-profit schools and colleges; churches, parsonages and other religious institutions.
- B. Public and private charitable institutions, hospitals, sanitariums, rest homes and nursing homes, not including hospitals, sanitariums, rest homes or nursing homes for mental or drug addict or liquor addict cases.
- C. Public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities; public playgrounds, parks and community centers.
- D. Guest houses.
- E. Electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and/or elevated pressure tanks.
- F. Enclosed temporary construction materials storage yards required in connection with the development of a subdivision, and temporary subdivision sales offices and signs and model home display areas.
- G. Home occupations, in accordance with regulations prescribed in Article 13.
- H. Accessory structures and uses located on the same site with a conditional use.

SECTION 604 R - FENCES, WALLS AND HEDGES

- Fences, walls and hedges shall be permitted as follows:
- A. Along side and rear yard property lines, not exceeding seven (7) feet in height.
 - B. Fences or walls not exceeding three (3) feet in height may be erected within the required front yard.
 - C. A fence or wall, not exceeding seven (7) feet in height, may be erected in any portion of the street side yard of a corner lot.

SECTION 605 R - SITE AREA

The minimum site area shall be as follows:

District	Permitted or Conditional Use
R-1-6	6,000 square feet
R-1-10	10,000 square feet
R-1-40	40,000 square feet

SECTION 606 R - FRONTAGE, WIDTH AND DEPTH OF SITE

- A. Each site shall have not less than sixty (60) feet of

frontage on a public street, except that those sites which front on a cul-de-sac or loop-out street may have a frontage of not less than forty (40) feet provided that the width of the site as measured along the front yard setback line is at least sixty (60) feet.

- B. The minimum width of each site shall be as follows:

District	Interior Lot	Corner Lot
R-1-6	60 feet	65 feet
R-1-10	70 feet	70 feet
R-1-40	150 feet	150 feet

- C. The minimum depth of each site shall be as follows:

District	Interior Lot	Corner Lot
R-1-6	95 feet	80 feet
R-1-10	100 feet	90 feet
R-1-40	200 feet	200 feet

SECTION 607 R - ONE DWELLING UNIT PER SITE

Not more than one dwelling unit shall be allowed on each site.

SECTION 608 R - COVERAGE

The maximum site area covered by structures shall be sixty per cent (60%).

SECTION 609 R - YARD REQUIREMENTS

- A. Front Yard: The minimum front yard shall be as follows, provided that the distance from the centerline of a public street to the rear of the required front yard shall not be less than fifty-five (55) feet in the R-1-10 and R-1-40 districts nor less than fifty (50) feet in the R-1-6 district:

District	Minimum Front Yard
R-1-6	20 feet
R-1-10	25 feet
R-1-40	25 feet

On a site situated between sites improved with buildings where said buildings are set back less than the minimum distance required by this section, the minimum front yard shall be the average depth of the front yards on the improved sites immediately adjoining the side lines of the site.

- B. Rear Yard: The minimum rear yard shall be ten (10) feet. Accessory structures and garden structures may be located in any portion of a required rear yard which is not within a utility easement.
- C. Side Yards: The minimum side yard shall be five (5) feet, subject to the following conditions and exceptions:
 1. Where an interior lot is less than fifty (50) feet in width, each side yard shall be a minimum of ten per cent (10%) of the width of the lot, or three (3) feet, whichever is more.
 2. On a reversed corner lot, the side yard adjoining the street shall be not less than one-half (1/2) the required front yard on the adjoining key lot.
 3. Accessory structures under five (5) feet in height may be located in any portion of a required side yard.
 4. Where construction involves more than one story, the side yard shall be increased by five (5) feet for each additional story, provided however that the side yard on the street side of a corner lot, that is not a reversed corner lot, need not be greater than five (5) feet.

SECTION 610 R - DISTANCES BETWEEN STRUCTURES

The minimum distance between a one-family residence and another building shall be ten (10) feet.

SECTION 611 R - SIGNS

No outdoor advertising structure or sign of any character shall be permitted except the following:

- A. Name plates, not exceeding four (4) square feet in area, containing the name or names of the occupants of the premises.
- B. One non-illuminated sign, not exceeding eight (8) square feet in area, pertaining to the sale, lease, rental or display of a structure or land.

- C. One identification sign, not exceeding twenty (20) square feet in area, located flat against a wall and not projecting above the cornice or roof line of a conditional use.
- D. Non-illuminated directional signs, not exceeding six (6) square feet in area, located on the premises of a parking lot.

SECTION 612 R - OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES

Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Article 12.

SECTION 613 R - GENERAL PROVISIONS AND EXCEPTIONS

All uses shall be subject to the general provisions and exceptions prescribed in Article 14.

ARTICLE 7 RM MULTI - FAMILY RESIDENTIAL DISTRICTS

SECTION 701 RM - PURPOSES AND APPLICATION

The RM Multi-Family Residential Districts are intended primarily to provide for the development of multi-family residential structures at densities consistent with the location and character of the area as follows:

- A. The RM-3 District is intended primarily for application to areas adjacent to or in the immediate vicinity of an R-1-10 District and within older residential areas of the community where vacant property has been by-passed because of excessive size or irregular shape.
- B. The RM-1 District is intended primarily for application to areas adjacent to an R-1-6 District or in the immediate vicinity of commercial districts where it is desirable to encourage the private renewal of lands through new investment in accordance with objectives of the General Plan.

SECTION 702 RM - PERMITTED USES

- A. One-family, two-family and three-family dwellings.
- B. Multi-family dwellings.
- C. Raising of fruit and nut trees, vegetables and horticultural specialties on a non-commercial basis.
- D. Accessory structures located on the same site with a permitted use.

SECTION 703 RM - CONDITIONAL USES — COMMISSION APPROVAL

The following uses may be permitted in accordance with the procedures prescribed in Article 15.

- A. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools; private non-profit schools and colleges; churches, parsonages and other religious institutions.
- B. Public and private charitable institutions, hospitals, sanitariums, not including hospitals, sanitariums, rest homes or nursing homes for mental or drug addict or liquor addict cases.
- C. Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities; public playgrounds, parks and community centers.
- D. Electrical transmission and distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and/or elevated pressure tanks.
- E. Home occupations and trailer parks in accordance with the regulations prescribed in Article 13.
- F. Enclosed temporary construction materials storage yards required in connection with the development of a subdivision, and temporary subdivision sales offices and signs and model home display areas.
- G. Rest homes and nursing homes; boarding or rooming houses.

- H. Accessory structures and uses located on the same site as a conditional use.

SECTION 704 RM - FENCES, WALLS AND HEDGES

Fences, walls and hedges shall be permitted in accordance with the provisions set forth for R Districts in Article 6.

SECTION 705 RM - SITE AREA

The minimum site area shall be as follows:

District	Permitted or Conditional Use
RM-3	6,000 square feet
RM-1	6,000 square feet

SECTION 706 RM - SITE AREA PER DWELLING UNIT

The minimum site area per dwelling unit shall be as follows:

District	Permitted or Conditional Use
RM-3	3,000 square feet per dwelling unit
RM-1	1,000 square feet per dwelling unit

SECTION 707 RM - FRONTAGE, WIDTH AND DEPTH OF SITE

- A. Each site shall have not less than fifty (50) feet of frontage on a public street, except that those sites which front on a cul-de-sac or loop-out street may have a frontage of not less than forty (40) feet provided that the width of the site as measured along the front yard setback line is at least fifty (50) feet.
- B. The minimum width of each site shall be as follows:

District	Interior Lot	Corner Lot
RM-3	50 feet	50 feet
RM-1	50 feet	50 feet

- C. The minimum depth of each site shall be as follows:

District	Interior Lot	Corner Lot
RM-3	100 feet	100 feet
RM-1	100 feet	80 feet

SECTION 708 RM - COVERAGE

The maximum site area covered by structures shall be as follows:

District	Coverage
RM-3	60%
RM-1	70%

SECTION 709 RM - YARD REQUIREMENTS

- A. Front Yard: The minimum front yard shall be as follows, provided that the distance from the center line of a public street to the rear of the required front yard shall not be less than fifty (50) feet in the RM-3 District nor less than forty (40) feet in the RM-1 District:

District	Minimum Front Yard
RM-3	20 feet
RM-1	10 feet

- B. Rear Yard: The minimum rear yard shall be ten (10) feet. Accessory structures and garden structures may be located in any portion of a required rear yard which is not within a utility easement.

- C. Side Yards: The minimum side yard shall be five (5) feet, subject to the same conditions and exceptions as specified for R Districts in Article 6, and further provided that a side yard providing principal access to a dwelling unit shall be not less than ten (10) feet.

SECTION 710 RM - DISTANCES BETWEEN STRUCTURES

The minimum distance between a dwelling unit and another building shall be ten (10) feet.

SECTION 711 RM - SIGNS

No outdoor advertising structure or sign of any character shall be permitted except the following:

- A. Name plates, not exceeding four (4) square feet in area, containing the name or names of the occupants of the premises.
- B. One non-illuminated sign, not exceeding sixteen (16) square feet in area, pertaining to the sale, lease, rental or display of a structure or land.
- C. One identification sign, not exceeding thirty (30) square feet in area, and not projecting above the cornice or roof line of an RM permitted use or a conditional use.
- D. Non-illuminated directional signs, not exceeding six (6) square feet in area, located on the premises of a parking lot.

SECTION 712 RM - OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES

Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Article 12.

SECTION 713 RM - SITE PLAN REVIEW

No multi-family use may be established on any lot or site in this district until a site plan shall have been submitted and approved pursuant to the provisions of Article 16.

SECTION 714 RM - GENERAL PROVISIONS AND EXCEPTIONS

All uses shall be subject to the general provisions and exceptions prescribed in Article 14.

ARTICLE 8 RT RESIDENTIAL TRAILER DISTRICT

SECTION 801 RT - PURPOSE AND OBJECTIVE

This district is intended for exclusive application to subdivisions provided for the accommodation of mobile homes in lieu of houses as dwellings.

SECTION 802 RT - PERMITTED USES

- A. Single - family trailers or mobile homes classed as "independent" trailers or mobile homes under provisions of the California Health and Safety Code.
- B. Any use permitted within the R Districts, Article 6.

SECTION 803 RT - CONDITIONAL USES — COMMISSION APPROVAL

Any use listed as a conditional use within the R Districts, Article 6, and home occupations and trailer parks in accordance with the regulations prescribed in Article 13.

SECTION 804 RT - FENCES, WALLS AND HEDGES

Fences, walls and hedges shall be permitted in accordance with provisions set forth for R Districts, Article 6.

SECTION 805 RT - SITE AREA

The minimum site area shall be 6,000 square feet for a permitted use or a conditional use.

SECTION 806 RT - FRONTAGE, WIDTH AND DEPTH OF SITE

The minimum frontage, width and depth of site shall be as provided for the R-1-6 District, Article 6.

SECTION 807 RT - ONE DWELLING UNIT PER SITE

Not more than one dwelling unit, either in the form of a house or trailer, shall be allowed on each site.

SECTION 808 RT - COVERAGE

The maximum site area covered by structures shall be sixty per cent (60%).

SECTION 809 RT - YARD REQUIREMENTS

Front yard, rear yard and side yard requirements shall be as provided for R Districts, Article 6.

SECTION 810 RT - DISTANCES BETWEEN STRUCTURES

The minimum distance between a one-family house or trailer and another building or trailer shall be ten (10) feet.

SECTION 811 RT - SIGNS

Signs shall be permitted as provided for R Districts, Article 6.

SECTION 812 RT - OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES

Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Article 12.

SECTION 813 RT - GENERAL PROVISIONS AND EXCEPTIONS

All uses shall be subject to the general provisions and exceptions prescribed in Article 14.

ARTICLE 9 PO PROFESSIONAL OFFICE DISTRICT

SECTION 901 PO - PURPOSES AND OBJECTIVES

The PO Professional Office is intended to provide opportunities for the location of professional offices in close relationship to one another outside of commercial districts; to provide adequate space to meet the needs of such offices for off-street parking and loading space; to protect offices from noise, disturbances, traffic hazards and other objectionable influences which would adversely affect professional practices being carried on; and to encourage the full development of properties which lie between residential and non-residential districts and which cannot be included practically within residential districts as provided by this ordinance.

SECTION 902 PO - PERMITTED USES

- A. Offices which deal primarily in professional services, in which goods, wares, merchandise are not commercially created, sold or exchanged, including medical offices, engineering, architectural, planning and landscape consulting, law, accounting, bookkeeping, and brokerage offices.
- B. Prescription pharmacies in connection with medical office building, medical clinic or hospital.
- C. Medical and dental laboratories and clinics.
- D. Signs, subject to the provisions of Section 910 of this article.
- E. Public and private charitable institutions, hospitals (excluding animal hospitals) and sanitariums, but not including hospitals, sanitariums, rest homes or nursing homes for mental or drug addict or liquor addict cases.
- F. Accessory structures and uses located on the same site as a permitted use.

SECTION 903 PO - CONDITIONAL USES — COMMISSION APPROVAL

The following conditional uses may be permitted in accordance with the provisions of Article 15.

- A. Churches, parsonages and other religious institutions.
- B. Public parks; public and parochial elementary schools.
- C. Public uses of a cultural type including libraries, museums, art galleries and other similar structures and facilities.
- D. Any use permitted in the R and RM Districts.
- E. Mortuaries.
- F. Electrical transmission and distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and/or elevated pressure tanks.
- G. Accessory structures and uses located on the same site as a conditional use.

SECTION 904 PO - FENCES, WALLS AND HEDGES

Fences, walls and hedges shall be permitted in accordance with provisions set forth for R Districts in Article 6.

SECTION 905 PO - SITE AREA

The minimum site area per multi-family dwelling unit shall be one thousand (1,000) square feet. The minimum site area for all permitted and conditional uses shall be six thousand (6,000) square feet.

SECTION 906 PO - FRONTAGE, WIDTH AND DEPTH OF SITE

Each site shall have not less than sixty (60) feet of frontage on a public street, except that those sites which front on a cul-de-sac or loop-out street may have a frontage of not less than forty (40) feet provided that the width of the site as measured along the front yard setback line is at least fifty (50) feet.

The minimum width of each site shall be as follows:

Interior Lot 60 feet	Corner Lot 65 feet
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The minimum depth of each site shall be as follows:

Interior Lot 100 feet	Corner Lot 80 feet
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SECTION 907 PO - COVERAGE

The maximum site area covered by structures shall be sixty-five per cent (65%) of the total area of the site.

SECTION 908 PO - YARD REQUIREMENTS

- A. Front Yard: The minimum front yard shall be fifteen (15) feet.
- B. Rear Yard: The minimum rear yard shall be ten (10) feet. Accessory structures and garden structures may be located in any portion of a required rear yard which is not within a utility easement.
- C. Side Yard: The minimum side yard shall be five (5) feet, subject to the same conditions and exceptions as specified for R Districts in Article 6, and further provided that a side yard providing access to more than one dwelling unit shall be not less than ten (10) feet.

SECTION 909 PO - DISTANCE BETWEEN STRUCTURES

The minimum distance between a permitted or conditional use and another building on the same site shall be ten (10) feet.

SECTION 910 PO - SIGNS

No outdoor advertising structure or sign of any character shall be permitted except the following:

- A. Name plates, not exceeding four (4) square feet in area, containing the name or names of the occupants of the premises.
- B. One non-illuminated sign, not exceeding sixteen (16) square feet in area, pertaining to the sale, lease, rental or display of a structure or land.
- C. One identification sign, not exceeding forty (40) square feet in area, and not projecting above the cornice or roof line of a permitted use or a conditional use.
- D. Non-illuminated directional signs, not exceeding six (6) square feet in area, located on the premises of a parking lot.

SECTION 911 PO - OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES

Off-street parking facilities and off-street loading facilities shall be provided on the site for each use as prescribed in Article 12.

SECTION 912 PO - SITE PLAN REVIEW

No permitted use shall be erected on any lot or site in this district until a site plan shall have been submitted to and approved by the Planning Commission, pursuant to provisions of Article 16.

SECTION 913 PO - GENERAL PROVISIONS AND EXCEPTIONS

All uses shall be subject to the general provisions and exceptions prescribed in Article 14.

ARTICLE 10 C COMMERCIAL DISTRICTS

SECTION 1001 C - PURPOSES AND OBJECTIVES

The several classes of commercial districts included in this ordinance are designed to provide the opportunity for the various types of retail stores, offices, service establishments and wholesale businesses to concentrate for the convenience of the public; to be established in such relationships to each other as to be mutually beneficial; and to be located and grouped on sites that are in logical proximity to the respective geographical areas and respective categories of patrons which they serve.

SECTION 1002 CN - NEIGHBORHOOD COMMERCIAL DISTRICT

1002 A. CN - Application

The Neighborhood Commercial District is intended primarily for the provision of retail and personal service facilities to satisfy the convenience - goods needs of the consumer relatively close to his place of residence.

1002 B. CN - Permitted Uses

- 1. Commercial Offices
- 2. Professional Offices
- 3. Retail stores and service establishments which supply commodities or provide services primarily to meet the convenience needs of residents of one or more residential neighborhoods, including:

- Bakery goods stores
- Banks, including drive-in banks
- Barber shops and beauty shops
- Cafeterias
- Candy and confectionery stores
- Christmas tree sales lots
- Cleaning agencies (pick up and delivery only)
- Clinics (medical)
- Dairy products sales stores
- Drug stores
- Electrical appliance repair shops
- Food stores, delicatessens, super markets
- Food lockers (no slaughtering - handling of dressed meats only)
- Garden supply stores and nurseries
- Ice dispensers (coin operated)
- Hobby supply stores
- Liquor stores
- Locksmiths
- Newsstands and magazine stores
- Pressing, altering and repairing of wearing apparel
- Private clubs and lodges
- Restaurants, tea rooms and cafes, excluding the sale of alcoholic beverages, and also excluding drive-in restaurants
- Self-service laundry and dry cleaning establishments
- Shoe repair shops
- Soda fountains
- Tobacco stores
- Variety stores
- Other uses which are added to this list by the City Planning Commission according to the procedures prescribed in Section 1401.
- 4. Service stations (gasoline), excluding automotive repair services not included in the definition of "Service Station" as provided by this ordinance.
- 5. Electric transmission and distribution substations, gas regulator stations, communications

- equipment buildings, public service pumping stations and/or elevated pressure tanks.
6. Signs, in accordance with the provisions of Section 1014 of this article.
 7. Incidental and accessory structures and uses on the same site as a permitted use.

1002 C. CN - CONDITIONAL USES — COMMISSION APPROVAL

The following conditional uses may be permitted in accordance with the provisions of Article 15.

1. City, county, state or federal administrative offices, libraries, police and fire stations.
2. Churches and other religious institutions.
3. Restaurants and cafes serving alcoholic beverages.
4. Bowling alleys.
5. One-family dwellings over or to the rear of a permitted use, provided that such dwellings are for the exclusive use of the person or persons owning or operating the commercial use on the same site, and further provided that each site so used shall be subject to the use, site area, coverage and yard requirements of the RM-1 District.
6. Outdoor advertising structures.
7. Incidental and accessory structures and uses located on the same site as a conditional use.

SECTION 1003 CG—GENERAL COMMERCIAL DISTRICT

1003 A. CG - APPLICATION

The General Commercial District is intended primarily to serve as the central trading district of the city. This district permits the accommodation and enhancement of several existing dominant functions within the central business district of the city. The CG District is the permanent shopping goods center of the community, retailing goods of an essentially durable nature to meet the occasional needs of the customer.

1003 B. CG - PERMITTED USES

1. Any use permitted in the CN District
2. Retail stores and service establishments which supply commodities or provide service primarily to meet the needs of residents of the community including:

Addressograph services
 Apparel stores
 Art and antique stores
 Art and craft schools and colleges
 Art galleries
 Art supply stores
 Auction rooms
 Automobile, motorcycle and boat sales rooms and service incidental thereto, including used cars where incidental to new car sales
 Automobile supply stores
 Bars, cocktail lounges and night clubs
 Bicycle shops
 Billiard and pool halls
 Blueprint and photocopy shops
 Book stores and rental libraries
 Bowling alleys
 Bus depots and transit stations
 Business, professional and trade schools and colleges
 Camera shops, photographic supplies and photography studios
 Card rooms
 Catering shops
 Clothing and costume rental establishments
 Communications equipment buildings
 Dance halls
 Department stores
 Dry goods stores
 Employment agencies
 Fire and police stations
 Florists
 Furniture stores
 Garden shops
 Gift, novelty or souvenir shops

Gunsmith shops
 Gymnasiums
 Hardware stores
 Health food stores
 Home furnishings
 Hotels, motels and apartment hotels
 Interior decorating shops
 Jewelry stores, including clock and watch repairing
 Leather goods and luggage stores
 Lending agencies
 Libraries
 Massage and physical culture studios
 Medical and orthopedic appliance stores
 Meeting halls
 Messenger offices
 Millinery shops
 Music and dance studios
 Office and business machine stores
 Paint and wallpaper stores
 Parcel delivery services
 Pawn shops
 Pet and bird stores
 Post offices
 Printing shops
 Private clubs and lodges
 Public and private charitable institutions
 Radio and television broadcasting studios
 Radio and television stores and repair shops
 Reading rooms
 Restaurants, including drive-in restaurants, cafes, and outdoor cafes
 Scientific instrument stores
 Secretarial services
 Shoe stores
 Sporting goods stores, including incidental boat sales
 Sports arenas within buildings
 Stamp and coin stores
 Stationery stores
 Storage garages
 Tailor and dressmaking shops
 Telegraph offices
 Theaters and auditoriums
 Toy stores
 Travel bureaus
 Upholstery shops
 Wedding chapels

Other uses which are added to this list by the City Planning Commission in accordance with the procedure prescribed in Section 1401.

3. Apartments over a permitted use.
4. Service stations (gasoline), excluding automotive repair services not included in the definition of "Service Station" as provided by this ordinance.
5. Electrical distribution substations, gas regulator stations and utility pumping stations.
6. Signs, in accordance with the provisions of Section 1014 of this article.
7. Incidental and accessory structures and uses located on the same site as a permitted use.

1003 D. CG - CONDITIONAL USES — COMMISSION APPROVAL

The following conditional uses may be permitted in accordance with the provisions of Article 15.

1. City, county, state or federal administrative offices; libraries, police and fire stations.
2. Churches and other religious institutions.
3. Farm equipment sales and service.
4. One-family dwellings over or to the rear of a permitted use, provided that such dwellings are for the exclusive use of the person or persons owning or operating the commercial use on the same site, and further provided that each site so used shall be subject to the use, site area, coverage and yard requirements of the RM-1 District.
5. Outdoor advertising structures.
6. Incidental and accessory structures and uses located on the same site as a conditional use.

SECTION 1004 CS - SERVICE COMMERCIAL DISTRICT

1004 A. CS - APPLICATION

The Service Commercial District is intended primarily for establishments engaged in servicing equipment, materials and products, but which do not require the manufacturing, assembling, packaging or processing of articles or merchandise for distribution and retail sale. Land requirements for most commercial service uses generally dictates its application along major streets of the city which generally lie close to general commercial, highway commercial and industrial districts.

1004 B. CS - PERMITTED USES

1. Commercial service establishments including:

Addressograph services
Automobile body and fender repair
Automobile repairing, overhauling, rebuilding and painting
Automobile sales and service
Automobile supply stores
Automobile and tractor parts and equipment stores
Automobile upholstery and top shops
Automobile washing including the use of mechanical conveyors, blowers and steam cleaning
Bakeries, retail and wholesale
Bicycle shops
Blacksmith shops
Blueprint and photocopy shops
Boat sales and service
Book binding
Bottling works
Building materials yards
Bus depots and transit stations (including repair or storage)
Business, professional and trade schools and colleges
Cabinet shops
Carpenter's shops
Catering shops
Christmas tree sales lots
Cleaning, pressing and dyeing establishments (using non-inflammable and non-explosive cleaning fluid)
Cold storage plants
Columbariums and crematoriums
Communications equipment buildings
Contractors' storage yards
Dairy products plants
Diaper supply services
Electrical repair shops
Equipment rental yards
Exterminators
Farm equipment sales and service
Feed and seed stores
Freight forwarding terminals
Furniture warehouses and van services
Glass shops
Gunsmith shops
Heating and ventilating or air-conditioning shops, including incidental sheet metal
Household and office equipment and machinery repair shops
Household repair shops
Ice storage or sale houses
Kennels located not closer than 500 feet to an R, RM, PO, RT, CN or CG District
Laboratories
Laundries
Linen supply services
Locksmiths
Lumber yards, not including planing mills or saw mills, bulk sand, gravel or cement
Machinery sales and rentals
Mattress repair shops
Mortuaries
Motorcycle sales and services
Musical instrument repair shops
Nurseries and garden supply stores
Packing and crating
Parcel delivery services
Photographic and blueprint processing and printing
Picture framing shops

Plumbing and sheet metal shops
Poultry and rabbit butcher shops for retail sales on the premises (including live storage), not closer than five hundred (500) feet to an R, RM, PO or RT District
Pressing establishments
Printing, lithographing and engraving
Public utility service yards
Radio and television broadcasting studios
Radio and television repair shops
Railroad rights-of-way and freight and passenger stations
Refrigeration equipment sales and service
Repair garages
Restaurants, including drive-in restaurants
Rug and carpet cleaning and dyeing
Safe and vault repairing
Self-service laundry and dry cleaning establishments
Service stations (gasoline), including dispensing of diesel fuel and complete truck service
Sheet metal shops
Shoe repair shops
Sign painting shops
Small animal boarding located not closer than five hundred (500) feet to an R, RM, PO, RT, CN, or CG District
Small animal hospitals or clinics and veterinarians' offices including short-term boarding of animals and incidental care such as bathing and trimming, provided that all operations are conducted entirely within a completely enclosed structure which complies with specifications of soundproof construction which shall be prescribed by the Building Official
Stone and monument yards or mills
Storage garages
Storage yards for commercial vehicles
Taxidermists
Tire sales, retreading and recapping
Tool or cutlery sharpening or grinding
Trailer sales and service and rentals
Trucking terminals
Typewriter repair shops
Upholstery shops
Used car sales
Warehouses except for the storage of fuel or flammable liquids and explosives
Welding and blacksmithing shops, excepting drop hammer
Wholesale establishments
Other uses which are added to this list by the City Planning Commission in accordance with the procedures prescribed in Section 1401.

2. Offices and retail stores incidental to and on the same site with a service commercial establishment prescribed in paragraph 1 of this section.
3. Signs, in accordance with the provisions of Section 1014 of this article.
4. Electrical transmission and distribution substations, gas regulator stations, public service pumping stations and elevated pressure tanks.
5. Incidental and accessory uses and structures located on the same site as a permitted use.

1004 C. CS - CONDITIONAL USES - COMMISSION APPROVAL

The following conditional uses may be permitted in accordance with the provisions of Article 15.

1. Public buildings and grounds.
2. Churches and other religious uses.
3. All uses permitted in the ML, Light Industrial District.
4. Outdoor advertising structures.
5. Incidental and accessory structures and uses located on the same site as a conditional use.

SECTION 1005 CH - HIGHWAY COMMERCIAL DISTRICT

1005 A. CH - APPLICATION

The Highway Commercial District is intended primarily

ily for application to areas along major highway entrances to the City in accord with policies of the General Plan where controlled access to the highway is afforded for the convenience of patrons traveling the highway by the provision of frontage roads, interchanges and channelized intersections.

1005 B. CH - PERMITTED USES

1. Establishments which provide services or supply commodities primarily for the convenience of patrons traveling on state highways and major road entrances to the City including:

Automobile sales and service
 Automobile supply stores
 Bars, cocktail lounges or nightclubs
 Bowling alleys
 Bus depots and transit stations
 Hotels and motels
 Public utility structures, service and facilities, including electrical distribution substations, pole yards, communication equipment buildings, gas regulator stations, public service pumping stations
 Private clubs and lodges
 Repair garages
 Restaurants, including drive-in restaurants
 Service stations (gasoline)
 Soda fountains
 Trailer sales, service and rentals
 Used car sales

Other uses which are added to this list by the City Planning Commission in accordance with the procedure prescribed in Section 1401.

2. Offices and retail stores incidental to and on the same site with a highway commercial establishment prescribed in paragraph 1 of this section.
3. Signs, in accordance with the provisions of Section 1013 of this article.
4. Incidental and accessory structures and uses located on the same site as a permitted use.

1005 C. CH - CONDITIONAL USES — COMMISSION APPROVAL

The following conditional uses may be permitted in accordance with the provisions of Article 15.

1. Churches and other religious institutions.
2. Drive-in theaters; golf driving ranges; pony riding rings; race tracks; riding stables; skating rinks; sports arenas and sports stadiums, and other similar commercial recreation facilities.
3. Public buildings and grounds.
4. Trailer parks or courts, subject to the provisions of Article 13.
5. Outdoor advertising structures.
6. Incidental and accessory structures and uses located on the same site as a conditional use.

SECTION 1006 C - REQUIRED CONDITIONS

- A. In a CN or CG District, all businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and off-street loading areas, gasoline service stations, nurseries, garden shops, Christmas tree sales lots, bus depots and transit stations, electric distribution substation, and used car sales incidental to new car sales.
- B. In a CN District all products produced on the site of any permitted use shall be sold primarily at retail on the site where produced.
- C. No use shall be permitted and no process, equipment or materials shall be used which are found by the Planning Commission to be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination, glare or unsightliness or to involve any hazard of fire or explosion.

SECTION 1007 C — SITE AREA

No limitation.

SECTION 1008 C - FRONTAGE, WIDTH AND DEPTH OF SITE

No limitation.

SECTION 1009 C - COVERAGE

No limitation.

SECTION 1010 C - YARD REQUIREMENTS

- A. The minimum front yard shall be as follows:

District	Minimum	Minimum on site abutting on property in a RSC, UR, R, RM, PO or RT District and fronting on the same street
CN	15 feet	15 feet
CG	0 feet	10 feet
CS	0 feet	10 feet
CH	15 feet	10 feet

- B. Except as specified in paragraphs 1 and 2 hereunder, no side yards or rear yards shall be required.

1. In any commercial district, the minimum side yard abutting a RSC, UR, R, RM, PO or RT District shall be ten (10) feet.
2. In any commercial district, the minimum rear yard abutting a RSC, UR, R, RM, PO or RT District shall be ten (10) feet.

SECTION 1011 C - DISTANCES BETWEEN STRUCTURES

The minimum distance between a dwelling unit and another structure shall be ten (10) feet.

SECTION 1012 C - OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES

Off-street parking facilities and off-street loading facilities shall be provided on the site for each use as prescribed in Article 12.

SECTION 1013 C - SIGNS AND OUTDOOR ADVERTISING STRUCTURES

- A. Signs pertaining to a use conducted on the site with the following aggregate area:

District	Maximum permitted aggregate area per use
CN	300 square feet
CG	300 square feet
CS	350 square feet
CH	350 square feet

- B. Outdoor Advertising Structures:

District	Maximum permitted aggregate area per site
CN	none permitted
CG	none permitted
CS	800 square feet
CH	800 square feet

- C. Directional signs for off-street parking and off-street loading facilities, not exceeding six (6) square feet for each sign.
- D. One sign pertaining to the sale, lease, rental or display of a structure or land not exceeding forty (40) square feet.
- E. No sign other than a sign required by law shall project more than twelve (12) inches into a public right-of-way. No outdoor advertising structure shall project into a public right-of-way.
- F. No sign or outdoor advertising structure permitted by this section shall be placed within thirty (30) feet of a street intersection (intersecting curb lines) unless placed on a pole at least twelve (12) feet above the ground or, in the case of a sign, unless placed so that the top of the sign is at a maximum height of three (3) feet above ground.
- G. No outdoor advertising structure permitted in accordance with paragraph B of this section may be placed directly across the street from property situated in a RSC, UR, R, RM, PO or RT District.

H. No red, green or amber lights or illuminated signs may be placed in such position that they could reasonably be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.

SECTION 1014 C - SITE PLAN REVIEW

Except for one-family dwellings and accessory structures and uses related to one-family dwellings, no permitted use shall be erected on any lot or site in this district until a site plan shall have been submitted to and approved by the Planning Commission pursuant to the provisions of Article 16.

SECTION 1015 C - GENERAL PROVISIONS AND EXCEPTIONS

All uses shall be subject to the general provisions and exceptions prescribed in Article 14.

ARTICLE 11 M INDUSTRIAL DISTRICTS

SECTION 1101 M - PURPOSES AND OBJECTIVES

The M Industrial Districts are included in the zoning ordinance to achieve the following purposes: To reserve appropriately located areas for various types of industrial plants and related activities; to protect areas appropriate for industrial use from intrusion by residences and other inharmonious uses; to protect residential and commercial properties and to protect nuisance-free non-hazardous industrial uses from noise, odor, dust, dirt, smoke, vibration, heat, glare, fire, explosion, noxious fumes, radiation and other hazardous and objectionable influences incidental to certain industrial uses; to provide opportunities for certain types of industrial plants to concentrate in mutually beneficial relationships to each other; to provide adequate space to meet the needs of modern industrial development; including off-street parking and truck loading areas, and to provide industrial employment opportunities for residents of the city.

SECTION 1102 ML - LIGHT INDUSTRIAL DISTRICT

1102 A. ML - APPLICATION

This district is intended primarily for application to those urban areas of the City which are designated for limited industrial use in the General Plan.

1102 B. ML - PERMITTED USES

1. All uses permitted in the CS, Service Commercial district.
2. Light industrial and related uses including:
 - (a) Assembly of small electric appliances such as lighting fixtures, irons, fans, toasters and electric toys, refrigerators, washing machines, dryers, dishwashers and similar home appliances.
 - (b) Assembly of small electrical equipment such as home motion picture equipment, phonographs and radio and television receivers, but not including electrical machinery.
 - (c) Manufacture of scientific, medical, dental and drafting instruments, orthopedic and medical appliances, cameras and photographic equipment except film, electronic equipment, musical instruments, precision instruments, optical goods, watches and clocks.
 - (d) Manufacture of ceramic products, such as pottery, figurines and small glazed tile.
 - (e) Manufacturing, assembling, compounding, packaging and processing of cosmetics, drugs, pharmaceuticals, toilet soap (not including refining or rendering of fats or oils) and toiletries.
 - (f) Manufacture and assembly of electrical supplies such as coils, condensers, crystal holders, insulation, lamps, switches and wire and cable assembly.
 - (g) Manufacture of cutlery, hardware, hand tools and furniture, die and pattern making; metal stamping and extrusion of small products

such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils.

- (h) Manufacturing, assembling, compounding, packaging and processing of articles or merchandise from the following previously prepared materials: asbestos, bone, canvas, cellophane, cellulose, cloth, cork, feathers, felt, fibre and synthetic fibre, fur, glass, hair, horn, leather, paint (not employing a boiling process), paper, plastics, precious or semi-precious metals or stones, rubber and synthetic rubber, shell, straw, textiles, tobacco and wood.
 - (i) Manufacturing, assembling, compounding, processing, packaging or treatment of such products as bakery goods, candy, dairy products, food products including fruits and vegetables, but not including fish and meat products, pickles, sauerkraut, vinegar or yeast, or refining or rendering of fats and oils.
 - (j) Blacksmith shops; boat building; electric motor rebuilding; machine shops; paint shops.
 - (k) Manufacture and maintenance of electric and neon signs, billboards and commercial advertising structures.
 - (l) Public utility and public service structures and facilities such as communications equipment buildings, electric distribution substations, electric transmission substations, gas regulator stations, public service pumping stations, public utility service yards, railroad rights-of-way and stations, reservoirs and storage tanks.
 - (m) Lumber yards, including planing mills; mattress manufacture; storage yards for commercial vehicles or feed; flour, feed and grain mills; grain elevators; and
 - (n) Other uses which are added to this list by the Planning Commission in accordance with the procedure prescribed in Section 1401.
3. Food lockers.
 4. Restaurants, including drive-in restaurants.
 5. Gasoline service stations, including dispensing of diesel fuel and complete truck service.
 6. Offices, retail stores and watchman's living quarters incidental to and on the same site with an industrial use.
 7. Signs and outdoor advertising structures, in accordance with the provisions of Section 1104 of this article.
 8. Incidental and accessory structures and uses located on the same site as a permitted use.

1102 C. ML - CONDITIONAL USES - COMMISSION APPROVAL

The following conditional uses may be permitted in accordance with the provisions of Article 15.

1. Any of the uses listed in Section 1103 B, provided that, on the basis of the use permit application and the evidence submitted, the City Planning Commission makes the following findings in addition to the findings prescribed in Article 15:
 - (a) That consideration of all the determinable characteristics of the use which is the subject of the application indicates that the use has the same essential characteristics as the uses listed in Section 1102 B with respect to methods of operation, type of process, materials, equipment, structures, storage and appearances.
 - (b) If the use involves nuisance of hazardous characteristics, that the application include sufficient evidence to indicate that special devices, construction or site design are planned to eliminate the nuisance or hazardous characteristics normally attendant to operation of the use.
 - (c) That the use reasonably can be expected to conform with the required conditions prescribed for the ML District in Section 1106.
2. Public buildings and grounds.

SECTION 1103 MH - HEAVY INDUSTRIAL DISTRICT

1103 A. MH - APPLICATION

This district is intended for application to those urban

areas of the City which are designated for general industrial use in the General Plan.

1103 B. MH - PERMITTED USES

1. All uses permitted in the ML District.
2. Heavy industrial and related uses including:

Aircraft and aircraft accessories and parts manufacture
Automobile, truck and trailer accessories and parts manufacture
Automobile, truck and trailer assembly
Bag cleaning
Battery manufacture
Boiler works
Box factories and cooperage
Breweries, distilleries and wineries
Building materials manufacture and assembly including composition wallboards, partitions, panels and prefabricated structures
Business machine manufacture including accounting machines, calculators, card-counting equipment and typewriters
Can and metal container manufacture
Candle manufacture, not including rendering
Carpet and rug manufacture
Cement products manufacture provided no hazard of fire or explosion is created, including adhesives, bleaching products, bluing, calcimine, dyestuffs (except aniline dyes), essential oils, soda and soda compounds and vegetable gelatin, glue and size
Concrete and concrete products manufacture
Cotton ginning, cotton wadding, cotton seed processing and linter manufacture
Clay products manufacture including brick, fire brick, tile and pipe
Fire arms and manufacture
Food products manufacture including such processing as cooking, dehydrating, roasting, refining, pasteurization and extracting involved in the preparation of such products as casein, cereal, chocolate and cocoa products, cider and vinegar, coffee, fruits and vegetables, glucose, milk and dairy products, molasses and syrups, oleomargarine, pickles, sauerkraut, sugar, vegetable oils and yeast
Glass and glass products manufacture
Graphite and graphite products manufacture
Ink manufacture
Insecticides, fungicides, disinfectants and similar agricultural, industrial and household chemical compounds manufacture
Jute, hemp, sisal and oakum products manufacture
Leather and fur finishing and dyeing, not including tanning and curing
Machinery manufacture including heavy electrical, agricultural, construction and mining machinery and light machinery and equipment such as air conditioning, commercial motion picture equipment, dishwashers, dryers, furnaces, heaters, refrigerators, stoves and washing machines
Machine tools manufacture including metal lathes, metal presses, metal stamping machines and woodworking machines
Meat products processing and packaging, not including slaughtering and glue and size manufacture
Metal alloys and foil manufacture including solder, pewter, brass, bronze and tin, lead and gold foil
Metal casting and foundries not including magnesium foundries
Motor and generator manufacture and testing
Paper products manufacture including shipping containers, pump goods, carbon paper and coated paper stencils
Paraffin products manufacture
Plastic manufacture
Porcelain products manufacture including bathroom and kitchen fixtures and equipment
Precious metals reduction, smelting and refining
Rock, sand and gravel yards

Rubber products manufacture including tires and tubes

Sand blasting

Shoe polish manufacture

Steel products manufacture and assembly including steel cabinets and lockers, doors, fencing and furniture

Steam electric generating stations

Stone products manufacture and stone processing including abrasives, asbestos, stone screening and sand and lime products

Storage, sorting, collecting or baling of iron, junk, paper, rags, or scraps

Structural steel products manufacture including bars, girders, rail and wire rope

Textile bleaching

Wire and cable manufacturing

Wood and lumber processing and woodworking including planing mills and saw mills, excelsior, plywood, veneer and wood-preserving treatment

Other uses which are added to this list by the City Planning Commission in accordance with the procedure prescribed in Section 1401

3. Incidental and accessory structures and uses located on the same site as a conditional use.

1103 C. MH - CONDITIONAL USES - COMMISSION APPROVAL

The following conditional uses may be permitted in accordance with the provisions of Article 15.

1. The following uses and other uses which involve nuisances, dangers or fire or explosion or other hazards to health and safety, provided that the City Planning Commission shall make a specific finding that the use can be expected to conform with each of the required conditions prescribed for an MH District in Section 1106. The Commission may require submission of reports by technical consultants or other evidence in addition to the data prescribed in Article 15.

Airports and heliports

Asphalt and asphalt products manufacture

Cement, lime, gypsum and plaster of paris manufacture

Charcoal, lampblack and fuel briquettes manufacture

Chemical products manufacture including acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, cleaning and polishing preparation, creosote, exterminating agents, hydrogen and oxygen, industrial alcohol, nitrating of cotton or other materials, nitrates of an explosive nature, potash, pyroxilin, rayon yarn, and carbolic, hydrochloric, picric and sulphuric acids

Coal, coke and tar products manufacture

Drop forges

Dumps and slag piles

Explosives manufacture and storage

Fertilizer manufacture

Film manufacture

Fireworks manufacture and storage

Fish products processing and packaging

Garbage dumps

Gas manufacture or storage

Gas and oil wells

Gelatin, glue and size manufacture from animal or fish refuse

Incineration or reduction of garbage, offal and dead animals

Junk yards

Lard manufacture

Linoleum and oil cloth manufacture

Magnesium foundries

Manure, peat and topsoil processing and storage

Metal and metal ores reduction, refining, smelting and alloying

Motor vehicles wrecking yards

Paint manufacture including enamel, lacquer, shellac, turpentine and varnish

Paper mills

Petroleum and petroleum products refining and

- storage
 - Rifle ranges
 - Rolling mills
 - Rubber manufacture or processing including natural or synthetic rubber and gutta-percha
 - Soap manufacture including fat rendering
 - Steam plants
 - Stock yards, stock feeding yards and slaughter houses
 - Stone quarries, gravel pits, mines and stone mills
 - Storage of inflammable liquids
 - Storage of used building materials
 - Tallow manufacture
 - Tanneries and curing and storage of rawhides
 - Wood and bones distillation
 - Wood pulp and fiber reduction and processing
2. Public buildings and grounds.
 3. Incidental and accessory structures and uses located on the same site as a conditional use.

SECTION 1104 M - SIGNS AND OUTDOOR ADVERTISING STRUCTURES

Signs and outdoor advertising structures shall be permitted as follows:

- A. Signs pertaining to a use conducted on the site with a maximum area of 350 square feet.
- B. Directional signs for off-street parking and loading facilities.
- C. Signs pertaining to the sale, lease, rental or display of a structure or land.
- D. No sign or outdoor advertising structure which is located directly across a street from property situated in any RSC, UR, R, RM, PO or RT District, may exceed one hundred (100) square feet in aggregate area, nor shall it be directly illuminated, glaring or flashing.
- E. No red, green or amber lights or illuminated signs may be placed in such position that they could reasonably be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.

SECTION 1105 M - SCREENING AND LANDSCAPING: FENCES, WALLS AND HEDGES

- A. Where a site adjoins a UR, RSC, R, RM, PO or RT District, a solid ornamental wall or screen fence, seven (7) feet in height or such other height or type of screening device as may be required by the Planning Commission, shall be located on the property line common to such districts, except in a required front yard.
- B. A use not conducted entirely within a completely enclosed structure, on a site across a street from a UR, RSC, R, RM, PO or RT District, shall be screened by a solid wall or screen fence, not less than seven (7) feet in height, if found by the City Planning Commission to be unsightly.

SECTION 1106 M - REQUIRED CONDITIONS

- A. All open and unlandscaped portions of any lot shall be maintained in good condition free from trash and debris.

SECTION 1107 M - SITE AREA

No limitation.

SECTION 1108 M - YARD REQUIREMENTS

- A. Front Yard: No limitation.
- B. Rear Yard and Side Yards: Except as provided in paragraphs 1 and 2 hereunder, no rear yard or side yards shall be required:
 1. The minimum rear yard abutting a UR, RSC, R, RM, PO or RT District shall be fifteen (15) feet.
 2. The minimum side yard abutting a UR, RSC, R, RM, PO or RT District shall be fifteen (15) feet.

SECTION 1109 M - OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES

Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in

Article 12.

SECTION 1110 M - SITE PLAN REVIEW

No use shall be erected on any lot or site in this district until the site plan shall have been submitted to and approved by the Planning Commission in accordance with the provisions of Article 16.

SECTION 1111 M - GENERAL PROVISIONS AND EXCEPTIONS

All uses shall be subject to the general provisions and exceptions as prescribed in Article 14.

ARTICLE 12 OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES

SECTION 1201 PURPOSES AND APPLICATION

In order to alleviate progressively or to prevent traffic congestion and shortage of curb spaces off-street parking and off-street loading facilities shall be provided incidental to new land uses and major alterations and enlargements of existing land uses. The number of parking spaces and the number of loading berths prescribed in this article or to be prescribed by the City Planning Commission shall be in proportion to the need for such facilities created by the particular type of land use. Off-street parking and loading areas are to be laid out in a manner which will ensure their usefulness, protect the public safety and, where appropriate, insulate surrounding land uses from their impact.

Provisions of this article are also intended to deal with major problems, conditions and needs which are apparent in attempting to provide sufficient off-street parking facilities in areas of intense commercial development, including: the difficulty in assembling land by private means; the often excessive time required in assembling land by private means; the varying financial capabilities and traffic generating characteristics among the various types of commercial enterprise; the importance of avoiding the development of a fragmented pattern of a commercial area as a whole; the importance of prescribing regulations which will not discourage inadvertently private investment within the community while alleviating or preventing traffic congestion; and the importance of achieving a reasonable distribution of burden among private interests and the public at large consistent with their individual and collective responsibilities to provide off-street parking facilities.

SECTION 1202 OFF - STREET PARKING FACILITIES REQUIRED

- A. A parking space shall be an area for the parking of a motor vehicle, plus those additional areas and facilities required to provide for the safe ingress and egress from said space. The area set aside to meet these provisions must be usable and accessible for the type of off-street parking need which must be satisfied.
- B. In any residential district, all motor vehicles incapable of movement under their own power, other than in cases of emergency, shall be stored in an entirely enclosed space, garage or carport.
- C. Except as provided in Section 1209 of this article, at the time of initial occupancy of a site or of construction of a building or of a major alteration or enlargement of a site or building, there shall be provided off-street parking facilities for automobiles in accordance with the requirements of this section and other applicable provisions of Article 12.
- D. **PARKING SPACE SCHEDULE**
 1. Residential Uses:
 - a. One-family, two-family, three-family and multiple family dwellings — two (2) spaces for each dwelling unit.
 - b. Private clubs, fraternity houses, sorority houses, and lodges — one (1) space for each two (2) beds.
 - c. Hotels and motels — one (1) space for each bedroom.

- d. Lodging and rooming houses — one (1) space for each bed.
2. Commercial and Industrial Uses:
- Banks and business offices (not including public administrative offices) — one (1) space for each three hundred (300) square feet of floor area.
 - Retail stores, food — one (1) space for each one hundred thirty-five (135) square feet of floor area.
 - Retail stores, except food, and personal service establishments — one (1) space for each three hundred (300) square feet of floor area.
 - Commercial service establishments, repair shops and wholesale establishments, and retail stores which handle only bulky merchandise such as furniture, household appliances, motor vehicles, farm implements and machinery — one (1) space for each four hundred (400) square feet of floor area.
 - Open commercial and industrial uses conducted primarily outside of buildings — one and one-half (1-1/2) spaces for each employee of the maximum working shift. Each application to be judged considering the total yard area.
 - Manufacturing plants and other industrial uses — one and one-half (1-1/2) spaces for each employee of the maximum working shift.
3. Utility Uses:
- Electrical distribution substations, electric transmission substations, gas regulator stations, public utility pumping stations, reservoirs, water or gas storage tank farms, sewage treatment plants and other public utility buildings and uses — one (1) space for each employee of the maximum working shift, plus one (1) space for each company vehicle using the site. Where such facility is unmanned, no spaces need be provided.
 - Company vehicle using the site. Where such facility is unmanned, no spaces need be provided.
4. Health Uses:
- Medical and dental offices or clinics — three (3) spaces for each doctor, dentist or practitioner, plus one (1) space for each employee.
 - Rest homes, nursing homes, convalescent homes, homes for the aged, charitable and religious institutions providing sleeping accommodations — one (1) space for each two (2) beds.
 - Hospitals — one (1) space for each two (2) beds.
5. Places of Assembly:
- Cafe, restaurant or other establishments for the sale and consumption on the premises of food and beverages — one (1) space for each three (3) seats.
 - Drive-in restaurants — one (1) space for each three (3) seats, plus the number of additional spaces prescribed by the Planning Commission.
 - Auditoriums (except school auditoriums), churches, mortuaries, sports arenas and stadiums — one (1) space for each three (3) seats.
 - Theaters — one (1) space for each four (4) seats.
 - Bowling alleys — four (4) spaces for each alley, plus one (1) space for each three (3) seats devoted to restaurant and/or cocktail lounge.
 - Dance halls, private clubs and lodges — one (1) space for each fifty (50) square feet of floor area used for seating if seats are not fixed, or one (1) space for each four (4) seats.
 - Other places of assembly without fixed seats — one (1) space for each fifty (50) square feet of floor area used for assembly.
6. Educational Uses:
- Public and parochial elementary and junior high schools — one (1) space for each employee including teachers, administrators, and custodians, plus sufficient space for safe and convenient bus loading and unloading of students.
 - High schools — one (1) space for each employee including teachers, administrators and custodians, plus one (1) space for each fifteen (15) students enrolled, plus sufficient space for safe and convenient bus loading and unloading of students.
 - Colleges — one (1) space for each employee including teachers, administrators and custodians, plus one (1) space for each five (5) students enrolled.
 - Nursery schools — one (1) space for each employee.
 - Business, professional and trade schools and colleges; art, craft, music and dancing schools — one (1) space for each employee including teachers and administrators, plus one (1) space for each adult student.
7. Public Uses:
- City, county, special district, state and federal administrative offices — one (1) space for each employee plus one (1) space for each five hundred (500) square feet of net floor area.
 - Public buildings and grounds other than administrative offices and educational uses — one (1) space for each employee of the maximum working shift, plus the number of additional spaces prescribed by the Planning Commission.
8. Transportation Terminals and Facilities: Airports, heliports, bus depots, railroad stations and yards, truck terminals — one (1) space for each employee of the maximum working shift, plus the number of additional spaces prescribed by the Planning Commission.
9. Employees Within a Structure or on a Premise: In each instance a minimum of one (1) parking space will be required for each employee or official of the maximum working shift.
10. Miscellaneous Uses: For a use not specified in the above parking space schedule, the same number of parking spaces shall be provided, as determined by the Planning Commission, as are required for the most similar specified use.
- E. UNITS OF MEASUREMENT
- For the purposes of these standards, "net floor area" shall mean that floor area used, or intended to be used, for service to the public as customers, patrons, clients or patients, or as tenants, including areas occupied by fixtures and equipment used for the display or sale of merchandise. It shall not include areas used principally for non-public purposes such as storage, incidental repair, preparation or processing or packaging of merchandise, for show windows, for offices incidental to the management or maintenance of stores or buildings for toilet or rest rooms, for utilities, for hallways or corridors only intended for pedestrian access, or for dressing rooms, fitting or alteration rooms.
 - In indoor or outdoor places of assembly in which patrons or spectators occupy benches, pews or other similar seating facilities, each twenty-four (24) inches of such seating facility shall be counted as one (1) seat for the purpose of determining requirements for off-street parking facilities.
 - If, in the application of the requirements of this section, a fractional number is obtained, one (1) parking space shall be provided for a fraction of one-half (1/2) or more, and no parking space shall be required for a fraction of less than one-half (1/2).
- F. CHANGE IN USE—ADDITIONS AND ENLARGEMENTS
Whenever there is a change in use, or increase in floor area, or other unit of measurement specified herein and such change, increase, or other unit of measurement is such that it creates a need for an increase in the number of off-street parking spaces, as specified by the provisions of these standards, by ten per cent (10%) or more, such increase in off-street parking facilities shall be provided on the basis of the increased requirements of the new use, or on the basis of the total increase in floor area, or in other

units of measurement; provided, however, that in case a change in use creates a need for an increase of two (2) or less off-street parking spaces, no additional parking facilities shall be required. The effects of additions, enlargements and changes in use subsequent to the adoption of these standards shall be cumulative in regard to off-street parking requirements.

G. REMODELING

No additional off-street parking facilities shall be required solely because of the remodeling of an existing use or building, unless there is a change in use or increase in floor area or other unit of measurement as the result of such remodeling for which additional facilities are required in accordance with the provisions of paragraph F of this section.

H. MIXED USES

In the case of mixed uses, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use except as herein specified for joint use.

I. JOINT USE

The Planning Commission may, upon written application by the owner or lessee of any property, authorize the joint use of parking facilities by the following uses or activities under the conditions specified herein.

1. Up to seventy-five per cent (75%) of the parking facilities required by this article for a use considered to be primarily a daytime use may be provided by the parking facilities of a use considered to be primarily a nighttime use, and up to seventy-five per cent (75%) of the parking facilities required by this article for a use considered to be primarily a nighttime use may be provided by the parking facilities of a use considered to be primarily a daytime use, provided that such parking area shall meet the conditions set forth in paragraph 4 below.
2. Up to one hundred per cent (100%) of the parking facilities required by these standards for a church or for an auditorium incidental to a public or parochial school may be provided by parking facilities of a use considered to be primarily a daytime use, provided such parking area shall meet the conditions set forth in paragraph 4 below.
3. The following uses are typical daytime uses: banks, business offices, retail stores, personal service shops, clothing or shoe repair or service shops, manufacturing or wholesale buildings and similar uses.
The following uses are typical nighttime uses: dance halls, theaters, bars, auditoriums other than those incidental to a public or parochial school or churches, and similar uses.

4. The following are conditions required for joint use:
 - a. The building or use for which application is being made for authority to utilize the existing off-street parking facilities provided by another building or use, shall be located within one hundred and fifty (150) feet of such parking facility.
 - b. The applicant shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use of off-street parking facilities is proposed.
 - c. If the building, structure or improvement requiring parking space is in one ownership and the required parking space provided in another ownership, partially or wholly, there shall be a recording in the office of the County Recorder of a covenant by such owner or owners for the benefit of the City, in the form approved by the City, that such owner or owners will continue to maintain such parking space so long as said building, structure or improvement is maintained by said owner within said City. The covenant herein required shall stipulate that the title to and right to use the parcel or parcels upon which the parking space is to be provided will be subservient to the title to the prem-

ises upon which the building is to be erected and that said parcel or parcels are not and will not be made subject to any other covenant or contract for use without prior written consent of the City.

J. COMMON PARKING FACILITIES

Common parking facilities may be provided in lieu of the individual requirements contained herein, but such facilities shall be approved by the Planning Commission as to size, shape and relationship to sites to be served, provided the total of such off-street parking spaces, when used together, shall not be less than the sum of the various uses computed separately taking into consideration allowable reductions for joint use as set forth in paragraph F of these standards. When any such common facility is to occupy a site of five thousand (5,000) square feet or more, then the parking requirements as specified herein for each of two (2) or more participating buildings or uses may be reduced by not more than fifteen per cent (15%) of the total area of the common facilities required upon approval of development plans by the Planning Commission.

SECTION 1203 STANDARDS FOR OFF-STREET PARKING FACILITIES

Off-street parking facilities shall conform to the following standards:

- A. All parking areas shall have adequate ingress and egress to and from a street or alley. Sufficient room for turning and maneuvering vehicles shall be provided on the site. Bumper rails or other barriers shall be provided where needed for safety or to protect property, as determined by the Planning Commission.
- B. Entrances and exits to parking lots and other parking facilities shall be provided only at locations approved by the Planning Commission.
- C. Each parking space shall be not less than twenty (20) feet in length and nine (9) feet in width, exclusive of aisles and access drives.
- D. If the parking area is illuminated, lighting shall be deflected away from abutting residential sites so as not to cause annoying glare.
- E. In a commercial area where a parking area is located across a street or alley from a residential area, a non-transparent screen fence or wall not less than six (6) feet in height shall be located adjoining the street or alley and permanently maintained.
- F. No commercial repair work or servicing of vehicles shall be conducted on a parking area.
- G. The parking area, aisles and access drives shall be paved so as to provide a durable, dustless surface and shall be so graded and drained as to dispose of surface water, with the design and specifications of such work subject to the approval of the City Engineer.
- H. The requirements of this section shall apply to all uses for which a site plan must be approved by the Planning Commission in accordance with the provisions of Article 16.

SECTION 1204 OFF-STREET LOADING FACILITIES REQUIRED

In any district, in connection with every building or part thereof hereafter erected and having a gross floor area of five thousand (5,000) square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution by vehicles of materials or merchandise, there shall be provided and maintained, on the same parcel with such building, at least one (1) off-street loading space, plus one (1) additional off-street loading space for each twenty thousand (20,000) square feet or major fraction thereof of gross floor area.

No off-street loading space may be required where buildings can be served by a public alley of twenty (20) feet or more in width.

SECTION 1205 STANDARDS FOR OFF-STREET LOADING FACILITIES

Off-street loading facilities provided in compliance with Section 1204 shall conform with the following standards:

- A. Each loading berth shall be not less than thirty-five (35) feet in length and twelve (12) feet in width and shall have an overhead clearance of not less than fourteen (14) feet.
- B. Sufficient room for the turning and maneuvering of vehicles shall be provided on the site.
- C. Entrances and exits shall be provided at locations approved by the Planning Commission.
- D. The loading area, access drives and aisles shall be paved so as to provide a durable, dustless surface and shall be so graded and drained as to dispose of surface water, with the design and specifications of such work subject to approval of the City Engineer.
- E. Bumper rails or other barriers shall be provided where needed for safety or to protect property, as determined by the City Engineer.
- F. If the loading area is illuminated, lighting shall be deflected away from abutting properties so as not to cause annoying glare to such properties.
- G. A loading area shall not be located in a required front yard, and shall be screened from adjoining sites by a wall or screen fence not less than eight (8) feet in height. A loading area may be located in a required side or rear yard.
- H. No commercial repair work or servicing of vehicles shall be conducted in an off-street loading area.

SECTION 1206 LOCATION OF OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES

Off-street parking and off-street loading facilities prescribed in Section 1202 and Section 1204 shall be located on the same site with the use for which the berths are required or on an adjoining site, except that in the CG District, off-street parking facilities prescribed in Section 1202 may be located within 300 feet of the use for which the spaces are required, measured by the shortest route of pedestrian access.

SECTION 1207 EXISTING USES

No existing use of land or structure shall be deemed to be a non-conforming use solely because of the lack of off-street parking facilities of off-street loading facilities prescribed in this article, provided that facilities being used for off-street parking and off-street loading at the time of the adoption of this ordinance shall not be reduced in capacity to less than the number of spaces or berths or reduced to less than the minimum standards prescribed in this article. Where an existing use is expanded, the parking requirements of this article shall apply only to the addition.

SECTION 1208 REDUCTION OF OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES

No off-street parking facility or off-street loading facility provided for a use of land or structure in compliance with this article shall be reduced in capacity or in area without sufficient additional capacity or additional area being provided to comply with the regulations of this article.

SECTION 1209 EXCEPTIONS TO OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS

- A. None of the provisions of this ordinance which require the provisions of off-street parking and off-street loading spaces in connection with the use of property for commercial or industrial purposes shall apply to any parcel of property which is located within any vehicle parking district hereafter formed and existing under the provisions of any parking district act approved by the City Council and where parking and loading facilities provided by such district are determined by the City Council to be adequate to serve the district.
- B. Where land is classified in a CG District, one-half (1/2) of the requirements of this article pertaining to

off-street parking as prescribed in Section 1202 may be waived.

ARTICLE 13 HOME OCCUPATIONS AND TRAILER PARKS

SECTION 1301 HOME OCCUPATIONS

Home occupations shall comply with the following regulations:

- A. There shall be no stock-in-trade other than products manufactured on the premises.
- B. A home occupation shall be conducted within a dwelling by an inhabitant thereof and shall be clearly incidental to the use of the structure as a dwelling.
- C. A home occupation shall not be conducted in an accessory structure and there shall be no storage of equipment or supplies in an accessory structure or outside the dwelling.
- D. A home occupation shall not involve the use of any material or mechanical equipment not recognized as being part of normal household or hobby uses.
- E. There shall be no external alteration of appearances of the dwelling in which a home occupation is conducted.
- F. The existence of a home occupation shall not be apparent beyond the boundaries of the site except for a non-illuminated name plate, not to exceed six (6) square feet in area.
- G. No one other than a resident of the dwelling shall be employed in the conduct of a home occupation.
- H. A home occupation shall not create any radio or television interference or noise audible beyond the boundaries of the site.
- I. Not more than one (1) truck of not more than three-quarters (3/4) ton capacity and no semi-trailers incidental to a home occupation shall be kept on the site.
- J. A home occupation shall not create pedestrian, automobile or truck traffic significantly in excess of the normal amount generated by permitted uses in the district.

SECTION 1302 TRAILER PARKS

Trailer parks shall comply with the following regulations:

- A. A trailer park shall have a minimum site area of two (2) acres and shall have not less than two thousand five hundred (2,500) square feet of area for each trailer space located on the site.
- B. A trailer park shall provide one or more recreation spaces, each not less than five thousand (5,000) square feet in area, developed for use by children and adults. The aggregate area shall be not less than two hundred (200) square feet for each trailer space.
- C. No trailer space or dwelling unit shall be located in a front, side or rear yard required of the zoning district within which it may be located.
- D. No accessory structure other than a carport, garden structure, storage building, sun or wind shelter shall be erected within a trailer space for the use of the occupants of an individual trailer.
- E. The minimum distance between a trailer and another trailer shall be ten (10) feet. The minimum distance between an accessory structure on one site and a trailer on an adjacent site shall be ten (10) feet.
- F. Not less than five (5) feet of yard adjoining a property line of a trailer park shall be landscaped and permanently maintained. The Planning Commission shall require additional landscaping and fences or walls where necessary to ensure privacy, protect adjoining property, insulate against wind, noise or glare, or screen unsightliness.
- G. Not less than two (2) off-street parking spaces shall be provided for each trailer space. All areas used for automobile circulation or parking shall be improved as prescribed in Section 1203.
- H. Trailer parks shall be located on or have direct access to a street shown on the City's Select System of Streets, except that trailer parks may have indirect access to a street shown on the Select System of Streets from another street where access to such other street is provided not less than three hundred (300) feet, nor more than six hundred and sixty (660) feet, from the intersection of such street and the Select System street.

ARTICLE 14 GENERAL PROVISIONS AND EXCEPTIONS

SECTION 1401 ADDITION OF PERMITTED USES

Upon application or on its own initiative, the Planning Commission may add a use to the list of permitted uses prescribed in Article 4-11, if the Commission makes the following findings:

- A. That the addition of the use to the list of permitted uses will be in accordance with the purposes of the district in which the use is proposed.
- B. That the use has the same basic characteristics as the uses permitted in the district.
- C. That the use reasonably can be expected to conform with the required conditions prescribed for the district.
- D. That the use will not be detrimental to the public health, safety or welfare.
- E. That the use will not create more vehicular traffic than the volume normally created by any of the uses permitted in the district.
- F. That the use will not adversely affect the character of any district in which it is proposed to be permitted.
- G. That the use will not create more odor, dust, dirt, smoke, noise, vibration, illumination, glare, unsightliness or any other objectionable influence than the amount normally created by any of the other uses permitted in the district.
- H. That the use will not create any greater hazard of fire or explosion than the hazards normally created by any of the uses permitted in the districts.

When a use has been added to a list of permitted uses in accordance with the procedure prescribed in this section, the use shall be deemed to be listed as a permitted use in the appropriate section and shall be added to the text of that section of this ordinance when it is next published, with a notation of the date when the use was added to the list.

SECTION 1402 COVERAGE - MEASUREMENT

The per cent of the site area covered by structures shall be measured by dividing the number of square feet of horizontal area covered by structures, open or enclosed, by the total horizontal area within the property lines of the site.

SECTION 1403 YARD REQUIREMENTS-MEASUREMENT

Required yards shall be measured as the minimum horizontal distance from the property line of the site or street line to a line parallel thereto on the site; provided that where a precise street plan has been adopted by the City Council, required front yards shall be measured from the plan line, and no provision of this ordinance shall be construed to permit a structure or use to extend beyond such line; and provided further that where a site abuts on a street having only a portion of its required width dedicated or reserved for street purposes, required front yards shall be measured from a line representing the boundary of the additional width required for street purposes abutting the site.

SECTION 1404 YARD REQUIREMENTS-EXCEPTIONS

Architectural features including sills, chimneys, cornices, and eaves may extend into a required side yard or a space between structures not more than twenty-four (24) inches and may extend into a required front or rear yard not more than six (6) feet. No building or projection thereof may extend into a public easement.

Open, unenclosed, uncovered metal fire escapes and depressed ramps or stairways may project into any required yard or space between buildings not more than four (4) feet.

Fences, walls, hedges, walks, driveways and retaining walls may occupy any required yard or other open spaces, subject to the limitations prescribed in the district regulations, and except that the provisions of this ordinance shall not apply to a fence or wall necessary for public safety or as required by any law or regulation of the State of California or an agency thereof.

SECTION 1405 THROUGH LOTS

A front yard shall be provided on each frontage of a through lot, except where a waiver-of-access to one of the frontages applies.

SECTION 1406 MAINTENANCE OF LANDSCAPED AREAS

A landscaped area provided in compliance with the regulations prescribed in this ordinance or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be replaced as needed to screen or ornament the site. Landscaped areas shall be watered, weeded, pruned, fertilized, sprayed or otherwise maintained to assure compliance with the regulations requiring landscaped areas.

SECTION 1407 USE OF NON-CONFORMING SITES

Except as otherwise provided in this section, a site having an area, frontage, width or depth less than the minimum prescribed for the district in which the site is located, which is shown on a duly approved and recorded subdivision map, or for which a deed or valid contract of sale was of record prior to the adoption of this ordinance, and which had a legal area, frontage, width and depth at the time that the subdivision map, deed or contract of sale was recorded, may be used for any permitted use listed for the district in which the site is located, but shall be subject to all other regulations for such district.

SECTION 1408 NON-CONFORMING USES AND STRUCTURES

1408 A. PURPOSES

A non-conforming use is a use of a structure or land which was lawfully established and maintained prior to the adoption of this ordinance but which, under this ordinance, does not conform with the use regulations for the district in which it is located. This section is intended to limit the number and extent of non-conforming uses by prohibiting their enlargement and their re-establishment after abandonment and by prohibiting the alteration of the structures they occupy and their restoration after destruction.

A non-conforming structure is a structure which was lawfully erected prior to the adoption of this ordinance but which, under this ordinance, does not conform with the standards of coverage, yard spaces, height of structures or distance between structures prescribed in the regulations for the district in which the structure is located. While permitting the use and maintenance of non-conforming structures, this section is intended to limit the number and extent of non-conforming structures by prohibiting their being moved, altered or enlarged so as to increase the discrepancy between existing conditions and the standards prescribed in this ordinance and by prohibiting their restoration after destruction.

1408 B. CONTINUATION AND MAINTENANCE

A use lawfully occupying a structure or a site on the effective date of this ordinance or of amendments thereto which does not conform with the use regulations for the district in which the use is located shall be deemed to be a non-conforming use and may be continued, as provided in this section.

A structure lawfully occupying a site on the effective date of this ordinance or of amendments thereto which does not conform with the standards of coverage, front yard, side yards, rear yard, or distances between structures prescribed in the regulations for the district in which the structure is located shall be deemed to be a non-conforming structure and may be used and maintained as provided in this section.

Routine maintenance and repairs may be performed on a structure or site, the use of which is non-conforming, and on a non-conforming structure.

1408 C. ALTERATIONS AND ADDITIONS TO NON-CONFORMING USES

No structure, the use of which is non-conforming, shall be moved, altered or enlarged unless required by law or unless the moving, alteration or enlargement will result in the elimination of the non-conforming use.

No structure partially occupied by a non-conforming use shall be moved, altered or enlarged in such a way as to permit the enlargement of the space occupied by the non-conforming use.

1408 D. ALTERATIONS AND ADDITIONS TO NON-CONFORMING STRUCTURES

No non-conforming structure shall be moved, altered, enlarged or reconstructed so as to increase the discrepancy between existing conditions and the standards of coverage, front yard, side yards, rear yard, height of structures or distances between structures prescribed in the regulations for the district in which the structure is located.

1408 E. CHANGE OF USE

Except as otherwise prescribed in this section, the non-conforming use of a structure or site may be changed to another non-conforming use provided that the change of use is approved by the Planning Commission in accordance with the following procedure:

1. Application for a change of use shall be made to the Commission on a form prescribed by the Commission which shall include the following data:
 - (a) Name and address of the applicant.
 - (b) Statement that the applicant is the owner of the property or is the authorized agent of the owner.
 - (c) Address and legal description of the property.
 - (d) Statement of the precise nature of the existing or pre-existing non-conforming use and the proposed non-conforming use and any other data pertinent to the findings prerequisite to the granting of an application prescribed in paragraph 3 of this section.

The application shall be filed with the Secretary of the Planning Commission. The Secretary shall give notice to the applicant of the time when the application will be considered, and may give notice of the time to any other interested party. Such consideration shall be made within 60 days of the date when the application was filed.

2. The Planning Commission may hold a public hearing on an application for a change of use. Notice of the hearing shall be given in the manner prescribed by Section 1504 of this ordinance.
3. The Planning Commission may grant an application for a change of use if, on the basis of the application and the evidence submitted, the Commission makes the following findings:
 - (a) That the proposed use is classified in a more restricted category than the existing or pre-existing use by the district regulations of this ordinance. The classification of a non-conforming use shall be determined on the basis of the district in which it is first permitted, provided that a conditional use shall be deemed to be in a less restrictive category than a permitted use in the same district.
 - (b) That the proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
4. The Planning Commission may grant an application for a change of use for a limited time period or subject to such conditions as the Commission may prescribe. The Commission may deny an application for a change of use.
5. An action of the Planning Commission granting an application for a change of non-conforming use shall become null and void one hundred eighty (180) days following the date of action unless, prior to the expiration of one hundred eighty (180) days, a building permit is issued by the Building Official and construction is commenced and dili-

gently pursued toward completion on the site which was the subject of the application. The action of the Commission may be extended for an additional one hundred eighty (180) days if, before the expiration of the original application, an application to continue the action in effect is made to the Commission. The Commission may grant or deny an application to continue its action in effect.

6. An action of the Planning Commission granting an application for a change of non-conforming use subject to a condition or conditions may be revoked by the Commission if the condition or conditions are not complied with within one (1) year after the date of approval or extension.
7. Following the date of denial of an application for a change of non-conforming use or revocation of an action of the Planning Commission granting an application, no application for the same or substantially the same structure or on the same or substantially the same site shall be filed within six (6) months of denial of the application or revocation of the action of the Commission.
8. Appeal to the City Council shall be in accordance with Article 18, Section 1808.

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1408 F. ABANDONMENT OF NON-CONFORMING USE

Whenever a non-conforming use had been abandoned, discontinued for a continuous period of twelve (12) months, or changed to a conforming use, the non-conforming use shall not be re-established, and the use of the structure or site thereafter shall be in conformity with the regulations for the district in which it is located.

1408 G. RESTORATION OF DAMAGED STRUCTURE

Whenever a non-conforming use or a non-conforming structure shall be destroyed by fire or other calamity, or by an act of God or by the public enemy to the extent of less than seventy-five per cent (75%), the structure may be restored and the non-conforming use may be resumed, provided that restoration is started within one (1) year and diligently pursued to completion. The extent of damage to any structure shall be determined by the Building Official.

Whenever a non-conforming use or a non-conforming structure shall be destroyed by fire or other calamity, or by an act of God or by the public enemy to the extent of seventy-five per cent (75%) or more, or shall be voluntarily razed or shall be required by law to be razed, the structure shall not be restored except in full conformity with the regulations for the district in which it is located, and the non-conforming use shall not be resumed.

1408 H. ELIMINATION OF NON-CONFORMING USES

1. The following non-conforming uses and structures shall be discontinued and completely removed or altered and converted to a conforming status within five (5) years after the effective date of this ordinance:
 - (a) A non-conforming use which does not occupy a structure except for mobile homes which shall be eliminated upon change of ownership of the site.
 - (b) A non-conforming use occupying a structure having an assessed valuation of less than one hundred dollars (\$100).
 - (c) A non-conforming outdoor advertising structure.
2. Uses permitted only in a C or MDistrict which are located in an R, RM or RT District shall be completely removed or altered and converted to a conforming status in accordance with the following schedule:

Type of Construction Period of Amortization
(Uniform Building Code,
current adopted edition)

Type I and II	40 years
Type III and IV	30 years
Type V	25 years

The period of amortization shall begin on the date the use first became non-conforming on or after

the effective date of this ordinance. The time schedule is deemed to provide for the amortization of the effected uses.

When said non-conforming use is removed, at or before the end of the amortization period, every future use shall be in conformity with the provisions of this ordinance. Repairs necessary to maintain a non-conforming use shall not be construed as lengthening the amortization period set forth by this section.

3. Fences, walls and hedges which do not conform to the provisions of this ordinance governing the erection of fences, walls and hedges in relation to street intersections shall, within three (3) years after the effective date of this ordinance, be removed or made to conform.

1408 I. TIME WHEN USE OR STRUCTURE BECOMES NON-CONFORMING

Whenever a use or structure becomes non-conforming because of a change of zoning district boundaries or a change of regulations for the district in which the site is located, the period of time prescribed in this section for the elimination of the use shall be computed from the effective date of the change of district or regulations, and the Building Official shall carry out the provisions of Section 1408 J. in respect thereto.

1408 J. RECORDS AND NOTIFICATION OF NON-CONFORMING STATUS OF A BUILDING, STRUCTURE OR USE

Within ninety (90) days after the effective date of this ordinance, and amendments thereto, the Building Official shall compile a list of all structures or uses which shall have become non-conforming by the adoption of this ordinance, under the provisions of Section 1408 H, together with a description of their locations and the names and addresses of all persons whose names appear on the latest adopted tax roll of Kern County as owning such non-conforming structures or uses, which list shall be recorded in the office of the County Recorder with copies placed on file with each title company operating within Kern County.

Within one hundred twenty (120) days after the effective date of this ordinance, the Building Official shall notify, in writing, the owners of all non-conforming structures or uses of the non-conforming status of their property and the date when such structure or use shall be removed or made conforming by said owners, if such removal or conformance is required by the provisions of this ordinance. An excerpt of this ordinance will be attached to said notice which excerpt shall include all of the provisions of Section 1408 of this article.

ARTICLE 15 PERMITS FOR CONDITIONAL USES

SECTION 1501 PURPOSES

In certain districts, conditional uses are permitted subject to the granting of a use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the district use regulations of this ordinance the flexibility necessary to achieve the objectives of this ordinance, the Planning Commission is empowered to grant and to deny applications for use permits and to impose reasonable conditions upon the granting of use permits, subject to review by the City Council.

SECTION 1502 POWERS OF CITY PLANNING COMMISSION

The Planning Commission may grant use permits for such conditional uses in such districts as are prescribed in the district regulations of this ordinance in accordance with the procedure prescribed in this article.

SECTION 1503 APPLICATION AND FEE

Application for a use permit shall be made to the Secre-

tary of the Planning Commission on a form prescribed by the Commission which shall include the following data:

- A. Name and address of applicant.
- B. Statement that the applicant is the owner of the property or is the authorized agent of the owner or the plaintiff in an action of eminent domain to acquire the property involved.
- C. Address and legal description of the property.
- D. Statement setting forth the precise circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right, together with any other data pertinent to the findings prerequisite to the granting of a use permit.
- E. A drawing of the site and the surrounding area for a distance of at least three hundred (300) feet from each boundary of the site showing the existing locations of streets and property lines and a list of the names and last known addresses of the recorded legal owners, as shown on the Kern County Assessor's records, of all properties shown on the drawing. County Assessor's maps may be used for this purpose.
- F. Preliminary floor plans and front, side and rear elevations of proposed structures, if available.
- G. Eight (8) prints of a site plan, drawn to scale, which shall indicate clearly and with full dimensions the following information:
 1. Lot or site dimensions.
 2. All buildings and structures: location, size, height, proposed use.
 3. Yards and space between buildings.
 4. Walls and fences: location, height and materials.
 5. Off-street parking and off-street loading: location, number of spaces and dimensions of parking and loading areas, internal circulation pattern.
 6. Access — pedestrian, vehicular, service: points of ingress and egress, internal circulation.
 7. Signs: location, size, height and type of illumination, if any, including hooding devices.
 8. Lighting: location and general nature, hooding devices.
 9. Street dedications and improvements.
 10. Landscaping: location and type.
 11. Such other data as may be required by the Planning Commission to make the required findings.
- H. The site plan shall be so prepared by the applicant to enable the Planning Commission to find that:
 1. All applicable provisions of this ordinance are complied with.
 2. The following are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected and there will be no adverse effect on surrounding property:
 - (a) Facilities and improvements
 - (b) Vehicular ingress, egress and internal circulation
 - (c) Setbacks
 - (d) Height of buildings
 - (e) Location of service
 - (f) Walls
 - (g) Landscaping
 - (h) Drainage of site
 3. Proposed lighting is so arranged as to deflect the light away from adjoining properties.
 4. Proposed signs will not, by size, location, color or lighting, interfere with traffic or limit visibility.

In making the above findings, the Planning Commission shall determine that approvals will be consistent with established legislative policies relating to traffic safety, street dedications and street improvements.

The application shall be accompanied by a fee set by resolution of the City Council sufficient to cover the cost of handling the application as prescribed in this article.

SECTION 1504 PUBLIC HEARING - NOTICE

The Planning Commission shall hold a public hearing on each application for a conditional use permit. Such hearing shall be held within sixty (60) days of the date when the application was filed.

Notice of the public hearing shall be given by the Secretary of the Planning Commission not less than ten (10) days nor more than twenty (20) days prior to the date of the hearing by mailing, postage prepaid, a notice of the time and place of the hearing to all persons whose names appear on the latest adopted tax roll of Kern County as owning property within three hundred (300) feet of the boundaries of the areas occupied or to be occupied by the use which is the subject of the hearing.

SECTION 1505 PUBLIC HEARING - PROCEDURE

At the public hearing, the Planning Commission shall review the application and the statement and drawings submitted therewith and shall receive pertinent evidence and testimony concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 1507.

SECTION 1506 INVESTIGATION, REPORT AND NOTICE

The City Administrator shall make an investigation of the application as to its compliance with Section 1503 and shall prepare a report thereon which shall be submitted to the Planning Commission. Such report shall include a recommendation as to the action to be taken by the Commission and a statement supporting such recommendation. The Secretary of the Planning Commission shall give written notice to the applicant of the time when the application will be considered by the Planning Commission.

SECTION 1507 ACTION BY THE PLANNING COMMISSION

The Planning Commission may approve an application for a conditional use permit as the use permit was applied for or in modified form if, on the basis of the application and the evidence submitted, the Commission makes all of the following findings:

- A. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.
 - B. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.
 - C. That the proposed location of the use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to or inharmonious with properties or improvements in the vicinity.
 - D. That the proposed use will comply with each of the applicable provisions of this ordinance.
- A use permit may be revocable, may be approved for a limited time period, or may be approved subject to such conditions as the Commission may prescribe.

The Commission may deny an application for a use permit.

Within five (5) days following a decision by the Planning Commission, the Secretary of the Commission shall transmit to the City Clerk the use permit application, the scale drawings of the site and the surrounding area and all other data filed therewith, the minutes of the public hearing, staff report, the findings of the Commission and its decision on the application.

SECTION 1508 CONDITIONS OF APPROVAL

In approving a conditional use permit, the Planning Commission shall, in its resolution, state that conditions of approval are necessary to protect the public health, safety and general welfare. Such conditions may include:

- A. Special yards, spaces and buffers.
- B. Fences and walls.
- C. Surfacing of parking areas and provision for surface water drainage subject to City specifications.
- D. Requiring street dedications and improvements subject to the provisions of Section 1603, including service roads or alleys when practical.
- E. Regulation of points of vehicular ingress and egress.

- F. Regulation of signs.
- G. Requiring maintenance of the grounds.
- H. Requiring landscaping and maintenance thereof.
- I. Regulation of noise, vibration, odors and other similar characteristics.
- J. Regulation of time for certain activities to be conducted on the site.
- K. Time period within which the proposed use shall be developed.
- L. A bond or deposit of money for the completion of street improvements and other facilities or removal of such use within a specified period of time, to assure faithful performance on the part of the applicant; and
- M. Such other conditions as will make possible the development of the City in an orderly and efficient manner, in conforming with the intent and purposes set forth in this ordinance.

SECTION 1509 REVIEW BY CITY COUNCIL

At any regular City Council meeting held within not more than thirty (30) days after a decision on a use permit application by the Planning Commission, the City Council shall review the decision. The City Council may affirm, reverse or modify a decision of the Planning Commission, provided that if a decision denying a use permit is reversed or a decision granting a use permit is modified, the Council shall, on the basis of the record transmitted and such additional evidence as may be submitted, make the findings prerequisite to the granting of a use permit prescribed in Section 1507. The City Council may refer the application back to the Planning Commission when new evidence is presented.

A use permit shall become effective three (3) working days following the date on which the use permit is granted by the City Council.

The approved site plan with any conditions shown thereon or attached thereto, shall be dated and signed by the City Clerk. One (1) copy of the said site plan and conditions shall be mailed to the applicant.

SECTION 1510 BUILDING PERMIT

Before a building permit shall be issued for any building or structure proposed as part of the approved conditional use permit application, the Building Official shall determine that the proposed building location, facilities and improvements are in conformity with the site plan and conditions approved by the City Council. For this purpose, the applicant shall stake the property lines. Before a building may be occupied, the Building Official shall certify to the Planning Commission that the site has been developed in conformity with the site plan and conditions approved by the City Council.

SECTION 1511 LAPSE OF USE PERMIT

A use permit shall lapse and shall become void one (1) year following the date on which the use permit became effective unless by conditions of the use permit a lesser or greater time is prescribed in accordance with Section 1512, or unless prior to the expiration of one (1) year, a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site which was the subject of the use permit application. A use permit may be renewed for an additional period of one (1) year or for a lesser or greater period as prescribed in Section 1512, provided that, prior to the expiration of the time period granted, an application for renewal of the use permit is filed with the Planning Commission. The Commission may grant or deny an application for renewal of a use permit.

The City Council shall review the decision of the Commission in accordance with the procedure prescribed in Section 1509.

SECTION 1512 TIME LIMIT FOR DEVELOPMENT

The City Council may establish a lesser or greater time limit than that provided by Section 1511 within which the

subject property and use or any stage or phase thereof shall be commenced and completed. The time limits set by the City Council shall be reasonable, based on the size, nature and complexity of the proposed development. Said time limit may be extended by the City Council for good cause, such as proof of an unusual hardship not of the applicant's own making.

SECTION 1513 PRE-EXISTING CONDITIONAL USES AND USE PERMITS

A conforming conditional use established prior to enactment of this ordinance shall be permitted to continue.

A conditional use permit granted under the provisions of the Kern County Zoning Ordinance and supplementary provisions thereto prior to the enactment of this Ordinance shall, upon the annexation of the property affected to the City, become null and void at the end of one (1) year following the date of its original approval or extension thereof granted by the County prior to the annexation.

Alteration or expansion of a conditional use established prior to enactment of this ordinance shall be permitted upon the granting of a use permit; provided that a use permit shall not be required for accessory structures and uses located on the same site as a pre-existing conditional use.

A use permit shall be required for the reconstruction of a structure housing a conditional use established prior to enactment of this ordinance if the structure is destroyed by fire or other calamity or by act of God or by the public enemy to the extent of seventy-five per cent (75%) or more. The extent of damage or partial destruction shall be determined by the Building Official.

SECTION 1514 REVOCATION

Upon violation of any applicable provisions of this ordinance, or, failure to comply with the conditions of approval, a use permit shall be suspended automatically. Notice of such suspension shall be sent immediately by the Building Official to the person or persons responsible for non-compliance and to the City Council. Within thirty (30) days of the suspension, the City Council shall consider the suspension. If not satisfied that the regulation, general provision, condition or conditions are being complied with, the City Council may revoke the use permit or take such action as may be necessary to ensure compliance with the regulation, general provision, condition or conditions. The City Clerk shall notify the applicant in writing of the City Council decision.

SECTION 1515 NOTATION ON ZONING MAP

A use permit shall be indicated on the Zone Plan by a number located on the site of the conditional use (e.g., C.U. #5).

SECTION 1516 NEW APPLICATION

Following the denial of a use permit application or the revocation of a use permit, no application for a use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one (1) year from the date of denial or revocation of the use permit.

SECTION 1517 USE PERMIT TO RUN WITH THE LAND

A use permit granted pursuant to the provisions of this article shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the use permit application.

ARTICLE 16 SITE PLAN REVIEW

SECTION 1601 PURPOSES AND APPLICATION

The purpose of the site plan is to enable the Planning Commission to make a finding that the proposed development is in conformity with the intent and provisions of this ordinance and to guide the Building Department in the issuance of building permits. The provisions of this article shall apply to permitted uses within

the UR, RM, PO, C and MDistricts, but excluding single-family residences.

SECTION 1602 SITE PLAN

- A. The applicant shall submit eight (8) prints of the site plan to the Planning Commission. The site plan shall be drawn to scale and shall indicate clearly and with full dimensions the information required under Section 1503 G for the filing of a conditional use permit application.
- B. Within sixty (60) days after submission of the site plan, the Planning Commission shall approve, approve with such conditions as prescribed in Section 1508 as are deemed necessary to protect the public health, safety and general welfare, or disapprove the site plan. In approving the site plan, the Planning Commission shall make the findings prescribed under Section 1503 H.
- C. The applicant shall be notified of the action taken by the Planning Commission.
- D. Revisions by the applicant to an approved site plan shall be made pursuant to the procedure set forth in Paragraphs A, B and C of this section.

SECTION 1603 STREET DEDICATIONS AND IMPROVEMENTS

Because of changes that may occur in the local neighborhood due to increases in vehicular traffic generated by facilities requiring a site plan review, the following dedications and improvements may be deemed necessary by the Planning Commission and may be required by the Commission as a condition or conditions to the approval of any site plan:

- A. Developments bordering or traversed by an existing street
If the development borders or is traversed by an existing street, the applicant may be required to:
 1. Dedicate all necessary rights-of-way to widen a bordering minor or collector street to the extent of one-half (1/2) the ultimate width established by the City as the standard for such minor or collector street.
 2. Dedicate all necessary rights-of-way to widen a traversing minor or collector street to its ultimate width established by the City as the standard for such minor or collector street.
 3. Dedicate all necessary rights-of-way to widen a bordering or traversing major street to the standards of width required for a collector street under Paragraphs 1 and 2 above.
 4. Set back all facilities the required distances from ultimate property lines along a major street as shown on any master, official or precise plan of streets and highways.
 5. Install curbs, gutters, sidewalks, street signs, street lights and street trees along one side of a bordering or along both sides of a traversing minor, collector or major street.
 6. Install utilities and drainage facilities to the full extent of the service requirements generated by the development.
 7. Grade and improve bordering minor or collector streets from curb to the center line of the ultimate right-of-way.
 8. Grade and improve traversing minor or collector streets from curb to curb.
 9. Grade and improve the parking lane and one traffic lane adjacent to the development along a bordering major street.
 10. Grade and improve both parking lanes and the two outside traffic lanes of a traversing major street.
- B. Except as provided in Section 1603 C, all new roads shall be dedicated and improved in accordance with the requirements of Section 1603 A.
- C. Where a frontage road is provided and improved along a major street in accordance with City standards, the dedications and curb, gutter, sidewalk, street sign, street light, grading and paving requirements of Section 1603 A shall not be required.
- D. Where access to or from a bordering or traversing major street is prohibited as a condition of approval or by law, the curb, gutter, sidewalk, street sign, street light, grading and paving requirements of Sec-

tion 1603 A shall not be required.

- E. All improvements shall be to City standards existing at the time the site plan is approved and shall be installed at the time of the proposed development. Where it is determined by the Planning Commission that it is impractical to put in any or all improvements at the time of the proposed development, an agreement to make such improvements may be accepted in lieu thereof. In any event, the applicant shall enter into an agreement with the City for the provision of improvements before a building permit may be issued, at which time there shall be money deposited with the City or a performance bond posted with the City, in an amount equal to the estimated cost of the improvements, or a lien agreement, to guarantee the making of such improvements.

SECTION 1604 REVIEW BY CITY COUNCIL

The City Council shall review the decision of the Planning Commission in accordance with the procedure prescribed under Section 1509.

The approved site plan with any conditions shown thereon or attached thereto, shall be dated and signed by the City Clerk. One (1) copy of the said site plan and conditions shall be mailed to the applicant.

Revisions by the applicant to an approved site plan shall be made pursuant to the procedure set forth in this article.

SECTION 1605 BUILDING PERMIT

The issuance of a building permit shall be governed by the provisions of Section 1510.

SECTION 1606 LAPSE OF SITE PLAN APPROVAL

A site plan approval shall lapse and shall become void one (1) year following the date on which approval became effective unless, prior to the expiration of one (1) year, a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site which was the subject of the site plan approval. Approval may be extended for an additional period or periods of one (1) year upon written application to the Planning Commission before expiration of the first approval.

SECTION 1607 REVOCATION

The revocation of a site plan approval shall be governed by the provisions of Section 1514.

SECTION 1608 SITE PLAN APPROVAL TO RUN WITH THE LAND

A site plan approved pursuant to the provisions of this article shall run with the land and shall continue to be valid upon a change of ownership of the site which was the subject of the site plan approval.

ARTICLE 17 PLANNED UNIT DEVELOPMENTS

SECTION 1701 PURPOSES

Planned unit developments, involving the careful application of design, are encouraged to achieve a more functional, aesthetically pleasing and harmonious living and working environment within the City which otherwise might not be possible by strict adherence to the other articles of this ordinance.

In certain instances, the objectives of the zoning ordinance may be achieved by the development of planned units which do not conform in all respects with the land use pattern designated on the Zone Plan or the district regulations prescribed by this ordinance. A planned unit development may include a combination of different dwelling types and/or a variety of land uses which are made to complement each other and harmonize with ex-

isting and proposed land uses in the vicinity, by design. In order to provide locations for such well-planned developments, the Planning Commission is empowered to grant use permits for planned unit developments, subject to review by the City Council, provided that such developments comply with the regulations prescribed in this article.

SECTION 1702 DISTRICTS

A planned unit development may be located in any district upon the granting of a use permit in accordance with the provisions of this article.

SECTION 1703 PERMITTED USES

A planned unit development shall include only those uses permitted, either as permitted uses or conditional uses, in the zoning district in which the planned unit development is located, subject to the following exceptions:

- A. Any use permitted in an R, RM, PO, RT or CN District as a permitted use or a conditional use, or any combination of such uses may be included in a planned unit development located in a UR, R or RM District.
- B. Any use permitted in a PO, CN or CG District as a permitted use or a conditional use, or any combination of such uses may be included in a planned unit development located in a CN or CG District.
- C. Any use permitted in any CS, ML or MH District, as a permitted use or conditional use, or any combination of such uses may be located in a planned unit development located in a ML or MH District.

SECTION 1704 SITE AREA

The minimum site area for a planned unit development shall be five (5) acres.

SECTION 1705 STANDARDS

The standards of site area and dimensions, site coverage, yard spaces, distances between structures, off-street parking and off-street loading facilities and landscaped areas need not be equivalent to the standards prescribed for the regulations for the district in which the planned unit development is located if the applicant has demonstrated, by his design proposal, that the objectives of the zoning ordinance and the objectives of this article will be achieved.

The average population density per net acre may not exceed the maximum population density prescribed by the site area regulations or the site area per dwelling unit regulations for the district in which the planned unit development is to be located unless the applicant can demonstrate, by his design proposal and such additional evidence as may be submitted, that the objectives of this article will be achieved. Since planned unit developments may also involve the subdivision process, the applicant must be prepared to show what changes in standard street and lot design will be necessary to achieve desired goals.

SECTION 1706 REQUIRED CONDITIONS

No use shall be permitted and no process, equipment or materials shall be employed which is found by the Planning Commission to be objectionable to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried wastes, noise, vibration, illumination, glare, unsightliness of heavy truck traffic or to involve any hazard of fire or explosion.

SECTION 1707 USE PERMIT PROCEDURE

The regulations prescribed in Sections 1502 through 1516 shall control the procedure for making application for and processing of a use permit for a planned unit development, subject to the following exceptions:

- A. In lieu of the drawing of the site prescribed in Section 1503 C, the application shall be accompanied by a development plan of the entire planned unit development, drawn to scale and showing the contours

of the site in intervals of not more than one (1) foot and provisions for: draining of surface waters; water courses; railroad and public utility rights-of-way; streets, driveways and pedestrian walks; off-street parking and loading facilities; reservations and dedications for public uses; private uses including dwelling types, lot layout, locations, heights and elevations of structures and landscaped areas.

B. In addition to the data and drawings prescribed in Section 1503 and paragraph A of this section, the application shall be accompanied by a tabulation of the area proposed to be devoted to each land use and a tabulation of the average population density per net acre and per gross acre in the area or areas proposed to be devoted to residential use.

C. When a planned unit development involves proposals which necessitate the filing of a tentative subdivision map and/or which would also necessitate the granting of exceptions of the regulations of the subdivision ordinance, the Planning Commission may grant tentative approval of the proposal. Where such tentative approval is requested by the applicant, the requirements of paragraph A and B of this section may be waived temporarily, provided the applicant submits the following:

1. In lieu of the drawing of the site prescribed in paragraph A of this section, the application shall be accompanied by a schematic drawing, drawn to a minimum scale of one inch equals one hundred feet (1"=100'), showing the general relationships contemplated among all public and private uses and existing and proposed physical features.
2. A written statement setting forth the source of water supply, method of sewage disposal, means of drainage, dwelling types, non-residential uses, lot layout, public and private access, height of structures, lighting, landscaped areas and provisions for maintenance of landscaped areas, area to be devoted to various uses and population density per net acre and per gross acre contemplated by the applicant.

Upon approval of a tentative subdivision map in accordance with the procedures prescribed by the subdivision ordinance, the applicant shall submit a detailed development plan in accordance with the requirements of paragraphs A and B of this section before the Planning Commission may approve the applicant's proposal.

D. The Planning Commission may approve a use permit for a planned unit development as the use permit was applied for or in modified form if, on the basis of the application and the evidence submitted, the Commission makes the following findings:

1. That the proposed location of the planned unit development is in accordance with the objectives of the zoning ordinance.
2. That the proposed location of the planned unit development and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.
3. That the proposed planned unit development will comply with each of the applicable provisions of this section.
4. That the standards of population density, site area and dimensions, site coverage, yard spaces, heights of structures, distance between structures, off-street parking and off-street loading facilities and landscaped areas will produce an environment of stable and desirable character consistent with the objectives of the zoning ordinance.
5. That the standards of population density, site area and dimensions, site coverage, yard spaces, height of structures, distances between structures and off-street parking and off-street loading facilities will be such that the development will not generate more traffic than the streets in the vicinity can carry without undue congestion and will not overload utilities.
6. That the combination of different dwelling types and/or variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses in the vicinity.

E. The Planning Commission may deny an application for a use permit for a planned unit development.

F. At any regular City Council meeting held within thirty (30) days after a decision on a use permit application by the Planning Commission, the City Council shall review the decision. The City Council may affirm, reverse or modify a decision of the Planning Commission on an application for a use permit for a planned unit development, provided that if a decision denying a use permit is reversed or a decision granting a use permit is modified, the City Council shall, on the basis of the record transmitted by the Planning Commission and such additional evidence as may be submitted, make the findings prerequisite to the granting of a use permit for a planned unit development prescribed in paragraph D of this section.

ARTICLE 18 VARIANCES

SECTION 1801 PURPOSES

The Planning Commission is empowered to grant variances in order to prevent or to lessen such practical difficulties and unnecessary physical hardships inconsistent with the objectives of the zoning ordinance as would result from a strict or literal interpretation and enforcement of certain of the regulations prescribed by this ordinance. A practical difficulty or unnecessary physical hardship may result from the size, shape or dimensions of a site or the location of existing structures thereon from geographic, topographic or other physical conditions on the site or in the immediate vicinity, or from population densities, street locations or traffic conditions in the immediate vicinity. The power to grant variances does not extend to use regulations, because the flexibility necessary to avoid results inconsistent with the objectives of the zoning ordinance is provided by the conditional use and planned unit development provisions of this ordinance.

SECTION 1802 AUTHORITY OF CITY PLANNING COMMISSION

The Planning Commission may grant variances to the regulations prescribed by this ordinance with respect to fences and walls, site area, width, frontage, depth, coverage, front yard, rear yard, side yards, height of structures, distances between structures, off-street parking facilities and off-street loading facilities, in accordance with the procedure prescribed in this article.

SECTION 1803 APPLICATION AND FEE

Application for a variance shall be made to the Planning Commission on a form prescribed by the Planning Commission which shall include the following data:

- A. Name and address of the applicant.
- B. Statement that the applicant is the owner of the property or is the authorized agent of the owner or the plaintiff in an action of eminent domain to acquire the property involved.
- C. Address and legal description of property.
- D. Statement of the precise nature of the variance requested and the practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning ordinance which would result from a strict or literal interpretation and enforcement of a specified regulation of this ordinance, together with any other data pertinent to the findings prerequisite to the granting of a variance prescribed in Section 1807.

The application shall be accompanied by eight (8) copies of the site plan and any adjacent property affected, showing all existing and proposed locations of streets, property lines, uses, structures, driveways, pedestrian walks, off-street parking and off-street loading facilities and landscaped areas.

The application shall be accompanied by a fee set by resolution of the City Council sufficient to cover the

cost of handling the application as prescribed in this article.

The application shall be filed with the Secretary of the Planning Commission and shall be considered by the Planning Commission within sixty (60) days following the filing date. The Secretary of the Planning Commission shall give notice to the applicant of the time when the application will be considered, and he may give notice of the time to any other interested party.

SECTION 1804 HEARING AND NOTICE

The Planning Commission may hold a public hearing in accordance with the provisions of Section 1504.

SECTION 1805 PUBLIC HEARING - PROCEDURE

At a public hearing, the Planning Commission shall review the application and the statements and drawings submitted therewith and shall receive pertinent evidence concerning the variance, particularly with respect to the findings prescribed in Section 1807.

SECTION 1806 INVESTIGATION AND REPORT

The City Administrator shall make an investigation and shall prepare a report thereon in accordance with the provisions of Section 1506.

SECTION 1807 ACTION OF THE PLANNING COMMISSION

A. The Planning Commission may grant a variance to a regulation prescribed by this ordinance with respect to fences and walls, site area, width, frontage, depth, coverage, front yard, rear yard, side yards, distances between structures or landscaped areas as the variance was applied for in modified form, if, on the basis of the application, investigation and evidence submitted, the Commission makes the following findings:

1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning ordinance.
2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district.
3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.
4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.
5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

B. The Planning Commission may grant a variance to a regulation prescribed by this ordinance with respect to off-street parking facilities or off-street loading facilities as the variance was applied for or in modified form, if, on the basis of the application, investigation and the evidence submitted, the Commission makes the findings prescribed in paragraph A of this section and the following additional findings:

1. That neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specified regulation.
2. That the granting of the variances will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.
3. That the granting of the variance will not create a safety hazard or any other condition inconsistent with the objectives of the zoning ordinance.

A variance may be revocable, may be granted for a limited

time period, or may be granted subject to such conditions as the Planning Commission may prescribe.

The Planning Commission may deny a variance application.

A variance shall become effective upon the expiration of ten (10) days following the date on which the variance was granted unless an appeal has been taken to the City Council.

SECTION 1808 APPEAL TO CITY COUNCIL

Within ten (10) days following the date of a decision of the Planning Commission on a variance application, the decision may be appealed to the City Council by the applicant or any other interested party. An appeal shall be made on a form prescribed by the Planning Commission and shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed that there was an error or abuse of discretion by the Commission or wherein its decision is not supported by the evidence in the record.

Within five (5) days of the filing of an appeal, the Secretary of the Planning Commission shall transmit to the City Clerk the variance application, the scale drawing of the site and all other data filed therewith, and the minutes of the public hearing, report of the City Administrator, the findings of the Planning Commission and its decision on the application for review and action.

The City Clerk shall give notice to the applicant and to the appellant (if the applicant is not the appellant) and may give notice to any other interested party of the time when the appeal will be considered by the City Council. The City Clerk shall give notice to the applicant of the time when the appeal will be considered and he may give notice of the time to any other interested party.

SECTION 1809 ACTION OF THE CITY COUNCIL

The City Council shall hear the appeal at its next regular meeting following a period of ten (10) days after the filing of the appeal. The City Council may affirm, reverse or modify a decision of the Planning Commission on a variance application, provided that if a decision denying a variance is reversed or a decision granting a variance is modified, the City Council shall, on the basis of the record transmitted and such additional evidence as may be submitted, make the findings prerequisite to the granting of a variance as prescribed in Section 1807 A or 1807 B, whichever is applicable.

The City Council may refer the application back to the Planning Commission for consideration of additional evidence submitted at the public hearing.

A variance which has been the subject of an appeal to the City Council shall become effective three (3) working days following the date on which the variance is affirmed or modified by the Council.

SECTION 1810 BUILDING PERMIT

The issuance of a building permit shall be governed by the provisions of Section 1510.

SECTION 1811 LAPSE OF VARIANCE

A variance shall lapse and shall become void one (1) year following the date on which the variance becomes effective unless by conditions of the variance a greater time is allowed, or unless prior to the expiration of one (1) year, a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site which was the subject of the variance application. A variance may be renewed for an additional one (1) year provided that prior to the expiration of one (1) year from the date when the variance originally becomes effective, an application for renewal of the variance is made to the Planning Commission. The Commission may grant or deny an application for renewal of a variance.

SECTION 1812 REVOCATION

The revocation of a variance approval shall be governed by the provisions of Section 1514.

SECTION 1813 NEW APPLICATION

Following the denial of a variance application or the revocation of a variance, no application for the same or substantially the same variance on the same or substantially the same site shall be filed within one (1) year of the date of denial of the variance application or revocation of the variance.

ARTICLE 19 AMENDMENTS

SECTION 1901 PURPOSE

As the General Plan of Ridgecrest is put into effect over the years, there will be a need for changes in district boundaries and other regulations of this ordinance. As the General Plan is reviewed and revised periodically, other changes in the regulations of this ordinance may be warranted. Such amendments shall be made in accordance with the procedure prescribed in this article.

SECTION 1902 INITIATION

A change in the boundaries of any district may be initiated by the owner of the property within the area for which a change of district is proposed or the authorized agent of the owner filing an application for a change in district boundaries as prescribed in Section 1903. If the area for which a change of district is proposed is in more than one ownership, at least ten per cent (10%) of the property owners or their authorized agents shall join in filing the application.

A change in boundaries of any district, or a change in a district regulation, off-street parking or loading facilities requirement, general provision, exception or other provision may be initiated by resolution of the Planning Commission, or by action of the City Council in the form of a request to the Commission that it consider a proposed change, provided that in either case the procedure prescribed in Sections 1904 through 1908, and in Section 1910 shall be followed.

SECTION 1903 APPLICATION AND FEE

A property owner or his authorized agent desiring to propose a change in the boundaries of the district in which his property is located may file an application with the Planning Commission for a change in district boundaries on a form prescribed by the Commission which shall include the following data:

- A. Name and address of the applicant.
- B. Statement that the applicant is the owner of the property for which the change in district boundaries is proposed or the authorized agent of the owner, or the plaintiff in an action of eminent domain to acquire the property involved.
- C. Address and legal description of the property.
The application shall be accompanied by a drawing of the site and the surrounding area for a distance of at least three hundred (300) feet from each boundary of the site, showing the location of streets and property lines and the names and last known addresses of the recorded legal owners of all properties shown on the drawing as shown on the latest adopted tax rolls of the County of Kern. Assessor's maps may be used for this purpose.

The application shall be accompanied by a fee set by a resolution of the City Council sufficient to cover the cost of processing the application as prescribed in this article.

SECTION 1904 PUBLIC HEARING - NOTICE

The Planning Commission shall hold a public hearing on each application for a change in district boundaries or of a district regulation, off-street parking or loading facilities requirement, general provision, exception or other

provision on this ordinance initiated by the Commission or the City Council within sixty (60) days of the date when the application was filed or the proposal was initiated. Notice of a public hearing shall be given by the Secretary of the Planning Commission not less than ten (10) days nor more than twenty (20) days prior to the date of the public hearing by publication of a notice of the time and place of the hearing in a newspaper of general circulation published and circulated within the City.

SECTION 1905 HEARING

At the public hearing, the Planning Commission shall review the application or the proposal and may receive pertinent evidence and testimony as to why and how the proposed change is necessary to achieve the objectives of the zoning ordinance prescribed in Section 102 or how or why the proposed change is consistent with the stated purposes and application intended for the zone classification proposed.

The Commission may review proposals for the use of the property for which a change in district boundaries is proposed or plans or drawings showing proposed structures or other improvements, in the light of the fact that under the provisions of this ordinance a change in district boundaries cannot be made conditionally, except as provided in Section 1909, and the owner of the property is bound only to comply with the regulations prescribed in this ordinance.

SECTION 1906 INVESTIGATION AND REPORT

The City Administrator shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the Planning Commission, including a recommendation as to the action to be taken by the Commission and a statement supporting such recommendation.

SECTION 1907 ACTION OF THE PLANNING COMMISSION

Within sixty (60) days following the completion of the public hearing, the Planning Commission shall make a specific finding in writing as to whether the change is required to achieve the objectives of the zoning ordinance prescribed in Section 102 and whether the change would be consistent with the purposes and intended application of the zone classification proposed. The Commission shall transmit a report to the City Council recommending that the application be granted or denied or that the proposal be adopted or rejected, including a written statement of the reasons for the recommendation, together with one (1) copy of the application, resolution of the Commission or request of the City Council, the scale drawing of the site and the surrounding area and all other data filed therewith, the minutes of the public hearing, the report of the City Administrator, and the findings of the Commission.

SECTION 1908 ACTION OF THE CITY COUNCIL

Upon receipt of the resolution or report of the Planning Commission, the City Council shall hold a public hearing; provided, however, that if the matter under consideration is an amendment to change property from one district classification to another, and the Planning Commission has recommended against the adoption of such amendment, the City Council need not take any further action thereon unless an interested party shall request such a hearing by filing a written request with the City Clerk within ten (10) days after the Planning Commission files its recommendations with the City Council.

Notice of the time and place of said hearing shall be given in the time and manner provided under Section 1905 of this article.

The City Council, after the close of the public hearing, shall make a specific finding in writing as to whether the amendment is required in order to achieve the objectives of the zoning ordinance prescribed in Section 102, and, when applicable, whether the amendment would be consistent with the purposes and application intended for

the zoning district classification proposed.

The City Council may approve, modify or disapprove the recommendation of the Planning Commission; provided, however, that any modification shall first be referred to the Planning Commission for report and recommendation, but the Planning Commission shall not be required to hold a hearing thereon. Failure of the Planning Commission to report within forty (40) days of the reference, or such longer period as may be designated by the City Council, shall be deemed to be approval of the proposed modification.

If the Council finds that the proposed change is required, in its original or modified form, it shall enact an ordinance amending the regulations of this ordinance, or grant a special zoning exception as prescribed in Section 1909. If the Council finds that a change is not required, it shall deny the application or proposal for change.

SECTION 1909 SPECIAL ZONING EXCEPTIONS — ALTERNATE PROCEDURE FOR ACTION OF THE PLANNING COMMISSION AND CITY COUNCIL

Whenever an application is filed with the Planning Commission for a change in district boundaries, the Planning Commission or City Council, in lieu of granting or denying said application, may grant to the applicant a special zoning exception which will permit said applicant (or his assignee) to develop or use said property in accordance with said application and the provisions of this section.

- A. Before a special zoning exception may be approved by the Planning Commission or granted by the City Council, the Commission or Council may require the applicant to submit additional information relative to his proposal in the manner required in the filing of an application for a conditional use permit under the provisions of Section 1503 F and 1503 G of this ordinance. In any event, the provisions of Sections 1901 through 1908 and Sections 1910 and 1911 shall apply in addition to the provisions of this section. In filing an application, the applicant may request that the application be considered as a request for a special zoning exception.
- B. The Planning Commission may approve and the City Council may grant a special zoning exception subject to any of the conditions prescribed in Section 1508 and in accordance with the provisions of Section 1510, 1512 and 1603.
- C. Upon being granted a special zoning exception by the City Council, the applicant shall develop his property in accordance with approved plans and conditions imposed under the provisions of this section and within a time fixed by the City Council in granting said exception, or within one (1) year from the date of the granting of the exception where another time is not fixed by the Council, or within any extension of said period.
- D. Upon the development and use of property in accordance with the provisions of paragraph C of this section, the district or part thereof for which the special zoning exception was granted shall be thereupon rezoned, altered, amended and established in accordance with the original application, or as set forth in the order of the City Council made at the time said zoning exception was granted.
- E. In the event the applicant (or his assignee) fails to develop and use his property in accordance with the provisions of paragraph C of this section, the application will be deemed to have been denied as of the date of the granting of said exception.

SECTION 1910 CHANGE OF ZONE PLAN

A change in a district boundary shall be indicated on the zone plan with a notation of the date and number of the ordinance amending the plan.

SECTION 1911 NEW APPLICATION

Following the denial of an application for a change in a district boundary, no application for the same or substantially the same change shall be filed within one (1)

year of the date of denial of the application.

ARTICLE 20 ENFORCEMENT

SECTION 2001 PERMITS, CERTIFICATES AND LICENSES

All officials, departments and employees of the City of Ridgecrest vested with the authority or duty to issue permits, certificates or licenses shall comply with the provisions of this ordinance and shall issue no permit, certificate or license which conflicts with the provisions of this ordinance. Any permits, certificate or license issued in conflict with the provisions of this ordinance shall be void.

SECTION 2002 DUTIES OF BUILDING OFFICIAL

The Building Official shall be the official responsible for the enforcement of this ordinance. In the discharge of this duty, the Building Official shall have the right to enter on any site or to enter any structure for the purpose of investigation and inspection, provided that the right of entry shall be exercised only at reasonable hours and that in no case shall any structure be entered in the absence of the owner or tenant without the written order of a court of competent jurisdiction. The Building Official may serve notice requiring the removal of any structure or use in violation of this ordinance on the owner or his authorized agent, on a tenant, or on an architect, builder, contractor or other person who commits or participates in any violation. The Building Official may call upon the City Attorney to institute necessary legal proceedings to enforce the provisions of this ordinance, and the City Attorney is hereby authorized to institute appropriate actions to that end. The Building Official may call upon the Chief of Police and his authorized agents to assist in the enforcement of this ordinance.

SECTION 2003 VIOLATIONS - PENALTIES

Any person, firm, corporation or organization violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not more than five hundred dollars (\$500), or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment. A person, firm, corporation or organization shall be deemed guilty of a separate offense for each day during any portion of which a violation of this ordinance is committed, continued or permitted by the person, firm, corporation or organization and shall be punishable as herein provided.

Any structure erected, moved, altered, enlarged or maintained and any use of a site contrary to the provisions of this ordinance shall be and is hereby declared to be unlawful and a public nuisance, and the City Attorney shall immediately institute necessary legal proceedings for the abatement, removal and enjoinder thereof in the manner provided by law and shall take such other steps as may be necessary to accomplish these ends, and shall apply to a court of competent jurisdiction to grant such relief as will remove or abate the structure or use and restrain or enjoin the person, firm, corporation or organization from erecting, moving, altering or enlarging the structure or using the site contrary to the provisions of this ordinance.

All remedies provided for herein shall be cumulative and not exclusive.

ARTICLE 21 CONSTRUCTION AND DEFINITIONS

SECTION 2101 CONSTRUCTION

The following rules of construction shall apply unless inconsistent with the plain meaning of the context of this ordinance.

- A. TENSE: Words used in the present tense include

- B. NUMBER:** the future tense
Words used in the singular include the plural, and words used in the plural include the singular
- C. SHALL and MAY:** The word "shall" is mandatory; the word "may" is permissive
- D. GENDER:** The masculine shall include the feminine and neuter
- E. HEADINGS:** In the event that there is any conflict or inconsistency between the heading of an article, section or paragraph of this ordinance and the context thereof, the said heading shall not be deemed to affect the scope, meaning or intent of such context
- F. OATH:** The word "oath" shall include affirmation.

SECTION 2102 GENERAL TERMINOLOGY

The word "City" shall mean the City of Ridgecrest, California. The words "City Council" and "Council" shall mean the City Council of the City of Ridgecrest. The words "Planning Commission" and "Commission" shall mean the Planning Commission duly appointed by the City Council. The words "City Clerk" and "City Engineer" shall mean the City Clerk and the City Engineer of the City of Ridgecrest. The words "City Administrator" shall mean the City Administrator of the City of Ridgecrest. The words "Building Official" shall mean the Building Official of the City of Ridgecrest.

SECTION 2103 DEFINITIONS

For the purposes of this ordinance, certain words and terms used herein are defined as follows:

1. **ACCESSORY BUILDING** —
 - (a) A building or structure which is subordinate to, and the use of which is customarily incidental to that of the main building, structure or use on the same lot.
 - (b) Except in the case of garden structures, if an accessory building is attached to the main building by a common wall or a connecting roof, such accessory buildings shall be deemed to be a part of the main building.
2. **ACCESSORY USE** — A use incidental, related, appropriate and clearly subordinate to the main use of the lot or building, which accessory use does not alter the principal use of the subject lot.
3. **ALTER** — To make any change in the supporting or load-bearing members of a building, such as bearing walls, columns, beams, girders or floor joists, which will prolong the life of the structure.
4. **ANIMAL HOSPITAL** — A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short-time boarding and shall be only incidental to such hospital use, and within an enclosed soundproof structure.
5. **AUTOMOBILE WRECKING YARD** — A site or portions of a site on which the dismantling or wrecking of used vehicles or the storage, sale or dumping of dismantled or wrecked vehicles or their parts is conducted. The presence on a site of three (3) or more motor vehicles which have not been capable of operating under their own power for thirty (30) days or more or, in the case of vehicles not self-propelled, which have not been towable or from which parts have been removed for reuse or sale, shall constitute prima facie evidence of a motor vehicle wrecking yard.
6. **BILLBOARD** — shall mean the same as "outdoor advertising structure."
7. **BLOCK** — The properties abutting on one (1) side of a street and lying between the two (2) nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land or watercourse.
8. **BOARDING OR ROOMING HOUSE** — A building where lodging and meals are provided for compensation for five (5) but not more than fifteen (15) persons, not including rest homes.
9. **BORROW PIT** — Any place or premises where dirt, soil, sand, gravel or other material is removed by excavation or otherwise below the grade of surrounding land for any purpose other than that necessary and incidental to grading or to building construction or operation on the premises.
10. **BREEZEWAY** — A roofed passageway, open on at least two (2) sides, connecting the main structure on a site with another main structure or accessory use on the same site.
11. **BUILDING**—
 - (a) A permanently located structure, having a roof, for the housing or enclosure of persons, chattels or property of any kind.
 - (b) House trailers and other vehicles, even though permanently immobilized, shall not be deemed to be buildings.
12. **BUILDING, MAIN** — A building within which is conducted the principal use permitted on the lot or site as provided by this ordinance.
13. **BUILDING SETBACK LINE** — The minimum distance as prescribed by this ordinance between any property line and the closest point of the foundation or any supporting post or pillar of any building or structure related thereto.
14. **CAMP** — A site or portion of a site which is used or intended to be used for temporary occupancy by persons living in tents, trailer coaches or similar quarters; excepting a labor camp, farm employee housing and a trailer park as defined in this section.
15. **CAMP, PUBLIC** — Any area or tract of land used or designed to accommodate two (2) or more camping parties including tents or other camping outfits, but not including trailer parks. Such camp may be publicly or privately owned and operated.
16. **CARPORT** — An accessory structure or portion of a main structure open on two (2) or more sides designed for the storage of motor vehicles, without full enclosure.
17. **CEMETERY** — Land used or intended to be used for the burial of the dead, and dedicated for such purposes, including columbariums, crematoriums, mausoleums and mortuaries when operated in conjunction with and within the boundaries of such premises.
18. **CLINIC** — A place for the provision of group medical services, not involving overnight housing of patients.
19. **CLUB** — An association of persons for some common non-profit purposes, but not including groups organized primarily to render a service which is customarily carried on as a business.
20. **COLLEGE** — An educational institution offering advanced instruction in any academic field beyond the secondary level, but not including trade schools or business colleges.
21. **COLLEGE, TRADE** — shall mean the same as "school, trade."
22. **COMMERCIAL OFFICE** — Any administrative or clerical office maintained as a business and any office established by a public service over which this ordinance has jurisdiction, other than a professional office as permitted in Section 802 of this ordinance.
23. **COMMUNICATIONS EQUIPMENT BUILDING** — A building housing electrical and mechanical equipment necessary for the conduct of a public communication business, with or without personnel.
24. **CONVALESCENT HOME** — shall mean the same as "rest home."
25. **DUMP** — A place used for the disposal, abandonment or discarding by burial, incineration or by any other means of any garbage, sewage, trash, refuse, rubble, waste material, offal or dead animals.
26. **DRIVE-IN RESTAURANT** — An establishment which serves food or beverages to persons while seated in or on a motor vehicle.
27. **DWELLING** — A building or portion thereof designed exclusively for residential purposes, including one-family, two-family, three-family and multiple dwellings; but not including hotels, apartment hotels, boarding and lodging houses, fraternity and sorority houses, rest homes and nursing homes, or child care nurseries.
28. **DWELLING, ONE-FAMILY** — A detached building designed exclusively for occupancy by or occupied

- by one family for residential purposes.
29. DWELLING, TWO-FAMILY — A building designed exclusively for occupancy by or occupied by two families living independently of each other (e.g., duplex).
 30. DWELLING, THREE-FAMILY — A building designed exclusively for occupancy by or occupied by three families living independently of each other (e.g., triplex).
 31. DWELLING, MULTI-FAMILY — A building designed exclusively for occupancy by or occupied by four or more families living independently of each other (e.g., fourplex or apartment).
 32. DWELLING UNIT — One (1) or more rooms and a kitchen designed for occupancy by one family for living and sleeping purposes.
 33. EDUCATIONAL INSTITUTIONS — Public or other non-profit institutions conducting regular academic instruction at pre-school, kindergarten, elementary, secondary and collegiate levels, and including graduate schools, universities, non-profit research institutions and religious institutions. Such institutions must either (1) offer general academic instruction equivalent to the standards prescribed by the State Board of Education, or (2) confer degrees as a college or university of under-graduate or graduate standing, or (3) conduct research, or (4) give religious instruction. This definition does not include schools, academies or institutes, incorporated or otherwise, which operate for a profit nor does it include commercial or trade schools.
 34. ELECTRICAL TRANSMISSION SUBSTATION — An assembly of equipment which is part of a system for the transmission of electric power where electric energy is received at a very high voltage from its source of generation by means of a network of high voltage lines and where, by means of transformers, said high voltage is transformed to a low subtransmission voltage for purposes of supplying electric power to large individual consumers, interchange connections with other power-producing agencies or electric distribution substations for transformation to still lower voltages for distribution to smaller individual users.
 35. ELECTRICAL DISTRIBUTION SUBSTATION — An assembly of equipment which is part of a system for the distribution of electric power where electric energy is received at a subtransmission voltage and transformed to a lower voltage for distribution for general consumer use.
 36. FAMILY — An individual, two (2) or more persons who are related by blood or marriage, or a group of not more than five (5) persons not necessarily related by blood or marriage, living together in a dwelling unit.
 37. FARM EMPLOYEE HOUSING — Living quarters, including dwellings, sleeping accommodations and dining facilities, maintained for occupancy by persons employed principally in farming and related pursuits on land owned, leased or rented by the owner, lessee or tenant of the site on which the farm employee housing is located; excepting a camp, a labor camp and a trailer park as defined in this section.
 38. FRONTAGE — The property line of a site abutting on a street, other than the side line of a corner lot.
 39. GARAGE, PRIVATE — A detached accessory building or a portion of a main building on the same lot as a dwelling for the housing of vehicles of the occupants of the dwelling, including carports.
 40. GARAGE, REPAIR — A structure or part thereof, other than a private garage, where motor vehicles are repaired or painted.
 41. GARDEN STRUCTURE — An arbor, deck, fountain, lath cover, lath house, patio cover, pergola, raised planting bed, trellis or other similar structure intended specifically to enhance the appearance of the garden or which has a function relating to the use of outdoor space, but not including a house, garage, carport or storage building.
 42. GUEST HOUSE — Living or sleeping quarters within an accessory building for the sole use of occupants of the premises, guests of such occupants or persons employed on the premises. Such quarters shall not be rented.
 43. HOME OCCUPATION — The conduct of an art or profession, the offering of a service or the conduct of a business, or the handcraft manufacture or products within a dwelling in a residential district, which use is clearly incidental and secondary to the use of the structure for dwelling purposes and which use does not change the character thereof, in accordance with the regulations prescribed in Section 1301.
 44. HOTEL — A building in which there are sixteen (16) or more guest rooms where lodging with or without meals is provided for compensation, usually on a transient basis. "Hotel" shall not be construed to include motel, trailer court, sanitarium, hospital or other institutional building, or jail or other building where persons are housed under restraint.
 45. JUNK YARD — A site or portion of a site on which waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including used furniture and household equipment yards, house wrecking yards, used lumber yards and the like; excepting a site on which uses are conducted within a completely enclosed structure and excepting motor vehicle wrecking yards as defined in this section. An establishment for the sale, purchase or storage of used cars, farm equipment or salvaged machinery in operable condition and the processing of used or salvaged materials as part of a manufacturing operation shall not be deemed a junk yard.
 46. KENNEL — Any lot or premises on which four (4) or more dogs and/or cats at least four (4) months of age are kept, boarded or trained, whether in special buildings or runways or not.
 47. KITCHEN — Any room used or intended or designed to be used for cooking or the preparation of food.
 48. LABOR CAMP — Living quarters, dwellings, boarding houses, bunkhouses, automobile trailers or other permanent housing accommodations maintained in connection with any farm work or place where farm work is being performed, provided for the housing of five (5) or more farm employees.
 49. LODGE — An order or society of persons organized for some common non-profit purpose, but not including groups organized primarily to render a service which is customarily carried on as a business.
 50. LODGING HOUSE — A dwelling in which lodging or lodging and meals are provided for compensation for more than five (5) but not more than fifteen (15) persons other than members of the resident family, excepting a nursing home as defined in this section.
 51. LOT —
 - (a) A single parcel of land for which a legal description is filed of record or the boundaries of which are shown on a subdivision map or record of survey map filed in the office of the County Recorder.
 - (b) The term "lot" shall include a part of a single parcel of land when such part is used as though a separate lot for all of the purposes and under all of the requirements of this ordinance.
 - (c) The term "lot" shall include two or more abutting lots when combined and used as though a single lot.
 52. LOT AREA — The total horizontal area within the lot lines of a lot.
 53. LOT, CORNER — A lot situated at the intersection of two (2) or more streets which have an angle of intersection of not more than one hundred thirty-five degrees (135).
 54. LOT COVERAGE — That portion of a lot or building site which is occupied by any building or structure, excepting paved areas, walks and swimming pools, regardless of whether said building or structure is intended for human occupancy.
 55. LOT DEPTH — The depth of a lot shall be the horizontal length of a straight line connecting the bisecting points of the front and rear lot lines.
 56. LOT, DOUBLE FRONTAGE — An interior lot having frontage on and with access on two (2) parallel or approximately parallel streets.

57. **LOT, INTERIOR** — A lot other than a corner lot or reverse corner lot.
58. **LOT, KEY** — The first lot to the rear of a reversed corner lot whether or not separated by an alley.
59. **LOT LINE, FRONT** —
 (a) In the case of an interior lot, a line separating the lot from the street.
 (b) In the case of a corner lot, the line separating the narrowest street frontage of the lot from the street.
60. **LOT LINE, REAR** — A lot line which is opposite and most distant from the front lot line.
61. **LOT LINE, SIDE** — Any lot boundary line not a front lot line or a rear lot line.
62. **LOT, REVERSED CORNER** — A corner lot, the street side of which is substantially a continuation of the front lot line of the lot upon which it rears.
63. **LOT, THROUGH** — See "lot, double frontage."
64. **LOT, WIDTH** — The average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.
65. **MEDICAL BUILDING** — Clinics or offices for doctors, dentists, oculists, chiropractors, osteopaths, chiropodists or similar practitioners of the healing arts; including accessory laboratories and a prescription pharmacy, but not including offices for veterinarians.
66. **MOTEL** — A building or group of buildings containing individual sleeping or living units, designed primarily for use by automobile tourists or transients, where a majority of such units open individually and directly to the outside. An establishment shall be considered a motel, in any case, when required by the Health and Safety Code of the State of California to obtain the name and address of the guests and a description of their vehicles and its license. The term "motel" shall include tourist court, auto court and motor lodge.
67. **MOTOR VEHICLE WRECKING YARD** — See "automobile wrecking yard."
68. **NON-CONFORMING BUILDING** —
 (a) A building or portion thereof lawfully existing at the time of the adoption of this ordinance or amendments thereto.
 (b) A building or portion thereof lawfully existing at the time of the adoption of any amendment of this ordinance, and which does not conform to the applicable regulations of such amendments or a subsequent amendment.
69. **NURSERY SCHOOL** — A school or the use of a site or a portion of a site for an organized program devoted to the education or day care of five (5) or more pre-elementary school age children, other than those residents on the site.
70. **NURSING HOME** — A structure operated as a lodging house in which nursing, dietary and other personal services are rendered to convalescents, not including persons suffering from contagious diseases, and in which surgery is not performed and primary treatment, such as customarily is given in hospitals and sanitariums, is not provided. A convalescent home shall be deemed a nursing home.
71. **OFF-STREET LOADING FACILITIES** — A site or a portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives and landscaped areas.
72. **OFF-STREET PARKING FACILITIES** — A site or a portion of a site devoted to the off-street parking of motor vehicles including parking spaces, aisles, access drives and landscaped areas.
73. **OUTDOOR ADVERTISING STRUCTURE** — Any structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed, located on a site other than the site on which the advertised use is located or on which the advertised product is produced.
74. **PARKING DISTRICT** — A government parking district maintained by the federal, state, county or city government, or special district.
75. **PUBLIC UTILITY SERVICE YARD** — A site or portion of a site on which a public utility company may store, house and/or service equipment such as service trucks and other trucks and trailers, pumps, spools of wire, pipe, conduit, transformers, cross-arms, utility poles, or any other material, tool or supply necessary for the normal maintenance of the utility facilities.
76. **RAILROAD RIGHT-OF-WAY** — A strip of land of a maximum width of one hundred (100) feet only for the accommodation of main line or branch line railroad tracks, switching equipment and signals, but not including lands on which stations, offices, storage buildings, spur tracks, sidings, section gang and other employee housing, yards or other uses are located.
77. **RESIDENCE** — A structure containing a dwelling unit designed for occupancy or occupied by one family or more.
78. **RESTAURANT** — An establishment which serves food or beverages only to persons seated within the building. This includes cafes and tea rooms.
79. **REST HOMES OR HOMES FOR THE AGED** — An establishment or home intended primarily for the care and nursing of invalids and aged persons; excluding cases of communicable diseases and surgical or obstetrical operations. The term shall not include nursing home.
80. **SCHOOL, ELEMENTARY, JUNIOR HIGH OR HIGH** — Public and other non-profit institutions conducting regular academic instruction at kindergarten, elementary and secondary levels. Such institutions shall offer general academic instructions equivalent to the standards prescribed by the State Board of Education.
81. **SCHOOL, PRIVATE OR PAROCHIAL** — An institution conducting regular academic instruction at kindergarten, elementary and secondary levels operated by a non-governmental organization.
82. **SCHOOL, TRADE** — Schools offering preponderant instruction in the technical, commercial or trade skills, such as real estate schools, business colleges, electronic schools, automotive and aircraft technicians schools and similar commercial establishments operated by a non-governmental organization.
83. **SERVICE STATION** — An occupancy engaged in the retail sales of gasoline, oil, tires, batteries and new accessories and which provides for the servicing of motor vehicles and operations incidental thereto, including: automobile washing; incidental waxing and polishing; tire changing and repairing, but not including recapping; battery service, charging and replacement, but not including repair or rebuilding; radiator cleaning, flushing and repair; installation of minor accessories; lubrication of motor vehicles; rental of utility trailers; the testing, adjustment and replacement of motor parts and accessories.
84. **SIGN** — Any letter or symbol made of cloth, metal, paint, paper, wood or other material of any kind whatsoever placed for advertising, identification or other purposes on the ground or on any wall, post, fence, building, structure, vehicle or on any place whatsoever. The term "placed" shall include constructing, erecting, posting, painting, printing, tacking, nailing, gluing, sticking, carving or otherwise fastening, affixing or making visible in any manner whatsoever except the painting of a sign on a window of wall of a building.
85. **SITE** — A parcel of land, subdivided or unsubdivided, occupied or to be occupied by a use or structure.
86. **SITE AREA** — The total horizontal area included within the property lines of a site.
87. **SITE DEPTH** — The horizontal distance between the front and rear property lines of a site measured along a line midway between the side property lines.
88. **SITE WIDTH** — The horizontal distance between the side property lines of a site measured at right angles to the depth at a point midway between the front and rear property lines.
89. **STABLE** — A detached accessory structure including, but not limited to, a corral or paddock for the keeping of one or more horses owned by the occupants of the premises and which are not kept for

- remuneration, hire or sale.
90. STABLE, COMMERCIAL — A structure including, but not limited to, a corral or paddock for the keeping of horses for remuneration, hire or sale.
 91. STOCK FEEDING YARD — A site or portion of a site used for the concentrated feeding of cattle or hogs prior to shipping to market or slaughtering.
 92. STREET — A public or private way permanently dedicated or reserved as a primary means of access to abutting property.
 93. STREET LINE — The boundary line between street rights-of-way and abutting property.
 94. STRUCTURE — Anything constructed or erected which requires a fixed location on the ground, including a building but not including a fence or wall used as a fence.
 95. STRUCTURE, MAIN — A structure housing the principal use of a site or functioning as the principal use.
 96. STRUCTURAL ALTERATION — Any change in the supporting members of a building, such as foundations, bearing walls, columns, beams, floor or roof joists, girders or rafters, or any change in the exterior dimensions of a building, excepting those changes which may result from providing minor repairs and building maintenance.
 97. TRAILER — A vehicle without motive power, designed and constructed to travel on the public thoroughfares in accordance with the provisions of the State Vehicle Code, and to be used for human habitation or for carrying persons and property. A mobile home shall constitute a trailer.
 98. TRAILER PARK OR COURT — Any area used or designed to accommodate two (2) or more trailers, used for human habitation, including a mobile home park.
 99. TRAILER SALES LOT — An open area where trailers are sold, leased or rented and where no repairs, repainting or remodeling are done.
 100. TRAILER, UTILITY — A vehicle without motive power, designed and constructed to travel on the public thoroughfares in accordance with the provisions of the State Vehicle Code, and to be used only for carrying property.
 101. USE — The purpose for which a site or structure is arranged, designed, intended, constructed, moved, erected, altered or enlarged or for which either a site or structure is or may be occupied and maintained.
 102. USE, PERMITTED — A use which is listed as a permitted use in any given district in this ordinance. Permitted uses need not meet special requirements as a condition precedent to be allowed to establish in a given district, except as required by the provisions of Articles 15 and 16.
 103. USE, CONDITIONAL — A use which is listed as a conditional use in any given district in this ordinance. Conditional uses may be required to meet certain requirements as a condition precedent to the granting of a use permit which will allow the establishing of a conditional use in any given district.
 104. YARD — Open and unoccupied space on a lot.
 105. YARD, FRONT — A yard, the depth of which is the minimum required horizontal distance between the front lot line and a line parallel thereto on the lot, which yard extends across the full width of the lot.
 106. YARD, REAR — A yard, the depth of which is the minimum required horizontal distance between the rear lot line and a line parallel thereto on the lot, which yard extends across the full width of the lot.
 107. YARD, SIDE — A yard, the width of which is the minimum required horizontal distance between the side lot line and a line parallel thereto on the lot, not including any portion of required front yard or required rear yard.

ARTICLE 22 ENACTMENT

SECTION 2201 INCONSISTENT ORDINANCES REPEALED

Ordinance No. 10 and amendments thereto are hereby repealed. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are

hereby repealed insofar as they are inconsistent with the provisions hereof.

SECTION 2202 CONSTITUTIONALITY

If any article, section, subsection, paragraph, sentence, clause or phrase of this ordinance for any reason shall be held to be invalid or unconstitutional, the decision shall not effect the remaining portions of this ordinance.

The City Council of the City of Ridgecrest hereby declares that it would have enacted this ordinance and each article, section, subsection, paragraph, sentence, clause and phrase hereof irrespective of the fact that any one or more articles, sections, subsections, paragraphs, sentences, clauses or phrases are declared to be invalid or unconstitutional.

SECTION 2203 ENACTMENT

This ordinance shall take effect from and after thirty (30) days after its passage, and shall be published once in a newspaper of general circulation published in the City of Ridgecrest.

PASSED AND ADOPTED by the City Council of the City of Ridgecrest, County of Kern, State of California on the 1st day of February, 1968, by the following vote:

AYES: Mayor Kenneth M. Smith, Councilmen J. Elliott Fox, Weldon Jules, Robert L. Kessler Jr., Dr. Rex E. Shacklett

NOES: None

ABSENT: None

APPROVED: (s) Kenneth M. Smith
Mayor of the City of Ridgecrest

ATTEST: (s) James R. Heck
City Clerk