

# Zoning Code City of Tehachapi, CA



Hearing Draft October 2014

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# Article 1 Intent

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# Chapter 1.10 Purpose and Application

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## Sections:

1.10.010 Purpose of Zoning Code

1.10.020 Applicability of the Zoning Code

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### 1.10.010 Purpose of Zoning Code

The Zoning Code is adopted to promote and protect the public health, safety, and welfare through the orderly regulation of land uses throughout the City. In addition, the purposes of the Zoning Code are to:

- A.** Provide the economic and social advantages resulting from an orderly planned use of land resources;
- B.** Encourage and guide development consistent with the General Plan;
- C.** Divide the City into zones of a number, size, and location deemed necessary to carry out the purposes of the General Plan and the Zoning Code;
- D.** Regulate the size and use of lots, setbacks, and other open spaces;

- E.** Regulate the use, location, height, bulk, and size of buildings and structures;
  - F.** Regulate the intensity of land use;
  - G.** Regulate the density of population in residential areas;
  - H.** Establish requirements for off-street parking;
  - I.** Establish requirements for landscaping;
  - J.** Regulate signs and billboards;
  - K.** Provide for the enforcement of the regulations of this Chapter. [18.02.020]
- 

### 1.10.020 Applicability of the Zoning Code

**A.** The Zoning Code shall apply, to the extent permitted by law, to all property in the City whether owned by:

1. Private persons, firms, corporations, or organizations;
2. The United States or any of its agencies;
3. The state of California or any of its agencies or political subdivisions;
4. Any county or city, including the City of Tehachapi; or
5. Any authority or public entity organized under the laws of the state of California. [18.02.030]

**B.** Any governmental agency shall be exempt from the provisions of the Zoning Code only to the extent that such property may not be lawfully regulated by the City.

**C. Conflicting Requirements:**

1. Zoning Code requirements. If different requirements within the Zoning Code conflict, the provisions of Article 3 control over Article 4 and 5, and the provisions of Article 6 control over Article 3, 4 and 5.
  2. Zoning Code and Municipal Code provisions. If a conflict occurs between requirements of the Zoning Code and requirements of the Tehachapi Municipal Code or other regulations of the City, the most restrictive shall apply.
  3. Specific plans. If a conflict occurs between the requirements of the Zoning Code and standards adopted as part of any applicable specific plan, the requirements of the specific plan shall apply.
  4. Private agreements. The Zoning Code applies to all land uses and development regardless of whether it imposes a greater or lesser restriction on the development, land use, or land than a private agreement or restriction (for example, CC&Rs).
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## 1.10.020 Applicability of the Zoning Code

### **G. Effect of Zoning Code Changes on Projects in Progress**

A planning permit application that has been accepted by the Department as complete in compliance with Section 9.10.040 (Application Preparation and Filing) before the effective date of the Zoning Code shall be processed in compliance with the requirements in effect when the application is accepted as complete.

### **H. Other requirements may apply**

Nothing in the Zoning Code eliminates the need for obtaining any other permits required by the City, or any permit, approval or entitlement required by any other applicable special district or agency, and/or the regulations of any State, or Federal agency.

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## 1.10.030 Compliance

**A.** It is unlawful for any structure to be moved, erected, used, altered, enlarged, or rebuilt or for any use to be established or changed that does not strictly conform to the Zoning Code.

**B.** It is unlawful for any setback, open space, or land to be used for any purpose not specifically allowed by the Zoning Code.

**C.** Any use not specifically allowed by the provisions of the Zoning Code is prohibited. All prohibited uses specified at any place within the Zoning Code are examples only and are not to be construed as a complete listing of all prohibited uses.

**D.** No department, official, or employee of the city vested with the duty or authority to issue permits or licenses for structures or uses subject to the standards of the Zoning Code shall issue a permit or license in conflict with the provisions of the Zoning Code; any permit or license issued in conflict with any provision of the Zoning Code shall be null and void. [18.02.060]

# Chapter 1.20 Authority and Administration of Zoning Code

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## Sections:

1.20.010 Authority of Zoning Code

1.20.020 Responsibility for Administration

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### 1.20.010 Authority of Zoning Code

The Zoning Code is enacted based on the authority vested in the City of Tehachapi by the State of California, including but not limited to: the California Constitution; the Planning and Zoning Law (Government Code Sections 65000 et seq.); and the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.).

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### 1.20.020 Responsibility for Administration

#### **A. Responsible Bodies and Individuals** [new]

The Zoning Code shall be administered by: the Tehachapi City Council, hereafter referred to as the "Council;" the Planning Commission, hereafter referred to as the "Commission;" the Community Development Director, hereafter referred to as the "Director;" and the Tehachapi Community Development Department, hereafter referred to as the "Department." See also Section 1.10.040 (Applicability).

#### **B. Exercise of Discretion** [new]

In the event that a provision of the Zoning Code allows the Review Authority (responsible body or individual) to exercise discretion in the application of a specific standard or requirement, but does not identify specific criteria for a decision, the following criteria shall be used in exercising discretion:

1. The proposed project complies with all applicable provisions of the Zoning Code;
2. The exercise of discretion will act to ensure the compatibility of the proposed project with its site, surrounding properties, and the community; and
3. The decision is consistent with the General Plan.

#### **C. Delegation of Authority and Responsibility.**

The City Planner may delegate any responsibility or authority charged to him/her by any section of the Zoning Code to any employee of the City. Any employee or employees so designated may act on behalf of the City Planner in a matter or proceeding specified in the Zoning Code. [18.06.020]

## 1.20.030 Rules of Interpretation [new]

### **A. Authority**

The Director has the authority to interpret any provision of the Zoning Code. Whenever the Director determines that the meaning or applicability of any Zoning Code requirement is subject to interpretation, the Director may issue an official interpretation. The Director may also refer any issue of interpretation to the Commission for their determination.

### **B. Language**

When used in the Zoning Code, the following rules for words and language shall apply:

1. The words "shall," "must," "will," "is to," and "are to" are always mandatory.
2. "Should" is not mandatory but is strongly recommended; and "may" is permissive.
3. The present tense includes the past and future tenses; and the future tense includes the present.
4. The singular number includes the plural number, and the plural the singular, unless the natural construction of the word indicates otherwise.
5. The words "includes" and "including" shall mean "including but not limited to . . .".

### **C. Time Limits**

Whenever a number of days is specified in the Zoning Code, or in any permit, Condition of Approval, or notice provided in compliance with the Zoning Code, the number of days shall be construed as consecutive calendar days. A time limit shall extend to 5 p.m. on the following working day where the last of the specified number of days falls on a weekend or holiday.

### **D. Regulating Plan Boundaries**

See Section 3.10.020 (Official Regulating Plan and Zones).

### **E. Allowable Uses of Land**

The Director has the authority to determine similar uses beyond what is explicitly identified in Article 3 (Specific to Zones). The Director may also refer any issue of similar use to the Commission for their determination.

### **F. State Law Requirements**

Where the Zoning Code references applicable provisions of State law (for example, the California Government Code, Subdivision Map Act, or Public Resources Code), the reference shall be construed to be to the applicable State law provisions as they may be amended from time to time.

# Article 2 General to All

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# Chapter 2.10 Traditional Neighborhood Development Site Planning Standards [New]

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## Sections:

- 2.10.010 Purpose
  - 2.10.020 Applicability
  - 2.10.030 Site Planning Standards for Walkable Neighborhoods
- 

### 2.10.010 Purpose

These standards are intended to create a walkable urban environment within the transect zones. See Chapter 3.20 (Transect Zones).

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### 2.10.020 Applicability

- A.** These standards are applicable to any parcel greater than ten acres within the transect zones.
- B.** These standards supplement Title 17 (Subdivisions).

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### 2.10.030 Site Planning Standards for Walkable Neighborhoods

**A.** A neighborhood master plan must be prepared prior to subdividing any land. A neighborhood master plan shall consist of at least one pedestrian shed and address the following: proposed block and street network and connectivity to existing network, proposed open space distribution, and the application of zoning to each block consistent. The neighborhood plan may show less detail on sites not in control by the applicant but shall address the required topics

- 2. Any site over 120 acres must be master planned with one or more pedestrian sheds to determine neighborhood centers.
- 3. No more than 15% of land should fall outside of a pedestrian shed unless it is being designated as T2 (Rural Edge).

#### **B. General Neighborhood Layout**

- 1. Any site over 10 acres must be master planned as a pedestrian shed, generally described as a quarter mile radius, to determine its focal point.

## 2.10.030 Site Planning Standards for Walkable Neighborhoods

### C. Transect Zone Allocation

#### 1. Traditional Neighborhood Development

TRANSECT ZONE	MINIMUM % OF LAND
Sites greater than or equal to 10 acres but less than 40 acres	
T2 Rural Edge	0% min.
T2.5 Rural General	0% min.
T3 Neighborhood Edge	5% min.
T4 Neighborhood General	5% min.
T4.5 Neighborhood Center	10% min.
T5 Downtown	0% min.

1. Percentages shown above may be adjusted up to 15% at the Director's discretion.

2. Transect allocation shall follow growth sector requirements in the Town Form Element of the General Plan.

### D. Civic Space Requirements

#### 1. Civic Space Requirements

- a) Projects shall set aside a minimum of five percent of the project area as Civic Space. This number shall be calculated after street rights-of-way are taken out.
- b) Civic spaces shall be fronted by buildings or by thoroughfares with building frontages on all sides.
- c) Larger sites shall have multiple civic spaces, dispersed throughout the pedestrian shed, within the neighborhood to meet these requirements.

# Article 3 Specific to Zones

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# Article 3 Specific to Zones

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## **Chapter 3.10 Purpose and Application**

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### Sections:

- 3.10.010 Purpose
  - 3.10.020 Official Regulating Plan and Zones
  - 3.10.030 Purpose of Zoning Code
  - 3.10.040 Applicability of the Zoning Code
  - 3.10.050 Purpose of Zoning Code
  - 3.10.060 Applicability of the Zoning Code
- 

### **3.10.010 Purpose**

This Chapter establishes the zones applied to property within the City and adopts the City's Regulating Plan.

## 3.10.020 Official Regulating Plan and Zones

### A. Adoption

The Council hereby adopts the City of Tehachapi Regulating Plan (Regulating Plan), which is on file with the Department. See Chapter 10.10 (Regulating Plan). The Regulating Plan is hereby incorporated into this Zoning Code by reference as though it were fully included here.

### B. Zones Established

The City of Tehachapi shall be divided into non-transect zones and transect zones that implement the Tehachapi General Plan. The zones shown in Table 3.10.020 are hereby established, and shall be shown on the Regulating Plan.

**C. Interpretation of Zone Boundaries.** Where uncertainty exists as to the boundaries of any of the zones shown on the Regulating Plan or plans, the Commission, upon written application or upon its own motion, shall determine the location of such boundaries on said Regulating Plan or plans. All dedicated public streets within the City shall be zoned.

TABLE 3.10.020 NON-TRANSECT ZONES		
ZONE SYMBOL	NAME OF ZONE	GENERAL PLAN DESIGNATION IMPLEMENTED BY ZONE
<b>TRANSECT ZONES</b>		
RE /T2	Rural Edge Zone	T-2
RG/T2.5	Rural General Zone	T-2.5
NE/T3	Neighborhood Edge Zone	T-3
NG/T4	Neighborhood General Zone	T-4
NC/T4.5	Neighborhood Central Zone	T-4.5
D/T5	Downtown Zone	T-5
SD-2.1	Tehachapi Blvd West Zone	SD
<b>RESIDENTIAL ZONES</b>		
E	Estate Zone	T-2
R1	Low-density Single Family	T-2.5
R2	Medium-density Residential	T-3
R3	High-density Residential	T-4
MP	Mobile Home Park	T-2.5
<b>COMMERCIAL ZONES</b>		
RP	Residential Professional	T-4.5
C1	Neighborhood Commercial	T-4.5
C2	Central Commercial	T-5
C3	General Commercial	T-5
C4	Highway Commercial	T-5
<b>INDUSTRIAL ZONES</b>		
M1	Light Industrial	T-5
M2	Medium Industrial	T-5
<b>AGRICULTURE AND OPEN SPACE ZONES</b>		
A	Agriculture	-
OS	Open Space Zone	OPEN SPACE
<b>OTHER ZONES</b>		
PD	Planned Development Zone	

## 3.10.030 Transect Zones

The Transect Zones are described in Chapter 3.20 (Transect Zones). They primarily focus on mixed-use, walkable areas of the City and range in function and density from primarily residential areas with a mix of building types (NE-Neighborhood Edge Zone), to medium density neighborhoods and other commercial and retail areas near Downtown (DT-Downtown Zone).

## 3.10.040 Non-Transect Zones

The non-transect zones are described in Chapter 3.30 (Non-Transect Zones) and Section 3.30.160 (Planned Development). The non-Transect zones are primarily the zones that reflect established land uses and are more auto-dependent, such as single family subdivisions, other suburban residential areas, auto-dependent commercial and retail areas, and industrial areas.

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## 3.10.050 Zone Annexation

All territory hereafter annexed to the City shall be pre-zones in a manner consistent with the Local Agency Formation Commission (LAFCO) policies. The prezone designation shall be consistent with the General Plan in

order to implement the General Plan and maintain consistency between the General Plan and Zoning Code.

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## 3.10.060 Change of Zone Designation

**A.** A change of zone designation for any area shall be made only where such change is in accord with the General Plan of the City. In the event a proposed change of any zone is not in accord with the General Plan of the City, a proposal for an amendment to the General Plan shall be processed concurrently with the zone change request.

**B.** Proposals for zone changes may be considered concurrently with a related proposed General Plan amendment with a two-thirds vote of the Council prior to the hearing date. In order to ensure consistency between the General Plan and the Zoning Code, approval of any such zone change is still contingent upon approval of the associated General Plan policy change and Regulating Plan amendment

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## Chapter 3.20 Transect Zones

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### Sections:

- 3.20.010 Purpose
- 3.20.020 Applicability
- 3.20.030 Rural Edge (T2) Zone
- 3.20.040 Rural General (T2.5) Zone
- 3.20.050 Neighborhood Edge (T3) Zone
- 3.20.060 Neighborhood General (T4) Zone
- 3.20.070 Neighborhood Center (T4.5) Zone
- 3.20.080 Downtown (T5) Zone
- 3.20.090 Tehachapi Blvd. West (SD2.1) Zone

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### 3.20.010 Purpose

Chapter 3.20 provides regulatory standards governing land use and building form within the Transect-based zoning areas. The Zoning Code is a reflection of the community vision for implementing the intent of the General Plan. These standards are intended to ensure that proposed development is compatible with existing and future development on neighboring properties, and produces an environment of desirable character, consistent with the General Plan and any applicable specific plan.

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### 3.20.020 Applicability

The requirements of Chapter 3.20 shall apply to all proposed development within Transect-based zones, and shall be considered in combination with the standards for the applicable zone in Article 4 (General to Zones) and those in Article 6 (Specific to Uses). If there is a conflict between any standards, the provisions of Article 3 (Specific to Zones) control over Article 4 and the provisions of Article 6 control over Articles 3 and 4.

# Chapter 3.20 Transect Zones

TABLE 3.20 SUMMARY OF ZONES		DOWNTOWN (T5)		NEIGHBORHOOD CENTER (T4.5)		NEIGHBORHOOD GENERAL (T4)			
SUMMARY OF INTENDED PHYSICAL CHARACTER									
		<b>BUILDINGS (See Section 5.10 for all requirements)</b>							
		<b>BLOCK - FORM TYPES</b>		ALLOWED	MAX STORIES/FT	ALLOWED	MAX STORIES/FT	ALLOWED	MAX STORIES/FT
Lined Building		Lined Building	3 / 35 (G, T)						
Flex Building Large		Flex Building Large	3 / 35 (G)						
Flex Building Small				Flex Building Small (3)	2.5 / 26				
Barn									
Rowhouse 'BF'		Rowhouse 'BF'	3 / 30 (G)						
<b>HOUSE - FORM TYPES</b>		ALLOWED	MAX STORIES/FT	ALLOWED	MAX STORIES/FT	ALLOWED	MAX STORIES/FT		
Rowhouse 'HF'				Rowhouse 'HF'	2.5 / 26	Rowhouse 'HF'	2 / 24		
Courtyard Building		Courtyard Building	2.5 / 30	Courtyard Building	2.5 / 26	Courtyard Building	2 / 24		
Bungalow Court				Bungalow Court	2.5 / 24	Bungalow Court	2 / 22		
Villa		Villa	2.5 / 26 (T)	Villa	2.5 / 26	Villa	2 / 22		
Duplex				Duplex	2.5 / 26	Duplex	2 / 22		
House		House	2.5 / 26 (T)	House	2.5 / 26	House	2 / 22		
Estate									
<b>FRONTAGES (See Section 5.20 for all requirements)</b>									
<b>TYPE</b>		ALLOWED		ALLOWED		ALLOWED			
Gallery		Gallery		Gallery (3)					
Shopfront		Shopfront		Shopfront (3)					
Forecourt		Forecourt							
Parking Court		Parking Court (2)							
Terrace		Terrace							
Walled Yard		Walled Yard		Walled Yard		Walled Yard			
Stoop				Stoop		Stoop			
Porch				Porch		Porch			
Front Yard				Front Yard		Front Yard			
Common Yard									
<b>OPEN SPACE (See Section 8.10 for all requirements)</b>									
<b>TYPE</b>		ALLOWED		ALLOWED		ALLOWED			
Nature						Nature			
Agriculture		Agriculture		Agriculture		Agriculture			
Greenway				Greenway		Greenway			
Green				Green		Green			
Plaza		Plaza		Plaza					
Square		Square		Square		Square			
Passage		Passage		Passage		Passage			
Playground		Playground		Playground		Playground			
Sportsfield						Sportsfield			
Roof Garden		Roof Garden		Roof Garden		Roof Garden			
<b>KEY TO NOTES FOR TABLE 3.20</b>									
Villa	Type allowed in zone	2 / 26	Maximum stories and height in feet to top plate of highest story	(1)	Only at the intersection of two 'Road' thoroughfare types (8.20.080)				
blank	Type not allowed in zone	2.5	Maximum of three stories with 3rd story as occupied space within the 2nd story roof volume	(1A)	Only on Tehachapi Blvd within 100 ft of street corner				

# Chapter 3.20 Transect Zones

NEIGHBORHOOD EDGE (T3)		RURAL GENERAL (T2.5)		RURAL EDGE (T-2)		TEHACHAPI BLVD WEST (SD-2.1)	
							
ALLOWED	MAX STORIES/FT	ALLOWED	MAX STORIES/FT	ALLOWED	MAX STORIES/FT	ALLOWED	MAX STORIES/FT
		Flex Building Small (1)	1.5 / 15	Flex Building Sm (1)	1.5 / 15	Flex Building Large	3 / 35 (G)
		Barn	1.5 / 18	Barn	1.5 / 26	Flex Building Small	2 / 26
						Rowhouse 'BF'	2.5 / 30
ALLOWED	MAX STORIES/FT	ALLOWED	MAX STORIES/FT	ALLOWED	MAX STORIES/FT	ALLOWED	MAX STORIES/FT
						Courtyard Building	2.5 / 30
						Villa	2.5 / 26
Duplex	2 / 22					Duplex	2.5 / 24
House	2 / 22						
Estate	2 / 24	Estate	2.5 / 26	Estate	2.5 / 26		
ALLOWED	ALLOWED	ALLOWED	ALLOWED				
	Gallery (1)	Gallery (1)	Gallery (1A)				
	Shopfront (1)	Shopfront (1)	Shopfront (1A)				
			Forecourt				
			Parking Court (2A)				
			Walled Yard				
			Stoop				
Porch	Porch	Porch	Front Yard				
Front Yard	Front Yard	Front Yard	Front Yard				
Common Yard	Common Yard	Common Yard					
ALLOWED	ALLOWED	ALLOWED	ALLOWED				
Nature	Nature	Nature					
Agriculture	Agriculture	Agriculture	Agriculture				
Greenway	Greenway	Greenway	Greenway				
Green	Green		Green				
			Plaza				
			Square				
			Passage				
			Playground				
Sportsfield							
Roof Garden	Roof Garden	Roof Garden	Roof Garden				
(2) Only on side street	(3) Only when adjacent to an allowed open space type	(T) Type not allowed on north side of Tehachapi Blvd					
(2A) Only on Tehachapi Blvd, at least 150 ft from street corner	(G) 3-story facades require 1-story gallery on at least 2/3 of facades within facade layer						

## 3.20.030 Rural Edge (T2) Zone

### A. Intent and Purpose

The RE zone is applied to areas intended for low intensity rural activity to physically define Tehachapi's edges.

**1. Physical Character.** Very few buildings occur in the RE zone and consist of the Barn and the Estate building types with the Small Flex Building allowed at crossroads as defined in this code. Buildings are varied in height, up to 2.5 stories and are set back from the roadway to maintain a rural environment.

- a) Property shall comply with the development standards in Section C of the RE zone;
- b) Signage shall comply with Article 7 (Signs).

**2. Streetscape / Public Realm.** The streetscape is in support of nature and rural activity. Frontages consist of common yards, front yards, and porches with the shopfront and gallery only on the Small Flex Building. Paths are used instead of sidewalks.

- a) New blocks shall have a minimum perimeter of 1 mile and comply with Chapter 8.20;
- b) Existing blocks shall comply with Chapter 8.20. when any of the following are modified or apply: i) vehicular access, ii) right-of-way, iii) streetscape;
- c) Adjacent streetscapes shall be improved per Chapter 8.20 when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision of land;

**3. Land Use.** Land uses activities range from agriculture to residential, limited service, office, and restaurant businesses.

- a) Existing non-conforming land uses may remain per the requirements of Chapter 10.30.040;
- b) New or expanded land use activity shall comply with Section B of the RE zone.

**4. Parking.** Parking is provided through a system of on-street and off-street spaces.

- a) Existing parking shall be improved when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;
- b) New or expanded parking shall comply with Sections B and C.2 of the RE zone.

### Examples of the RE Zone's range of intended physical character:



*Above: Agriculture, nature and very limited rural development characterize the Rural Edge zone.*



*Above: Barn and accessory buildings are organized in support of rural and agricultural activities that emphasize Tehachapi's natural edges.*

### B. Land Use Standards

**1. Allowed Land Use Types.** Table 3.20.030 identifies the allowed land use activity, the required permit, the amount of required parking, and any special requirements. The identified permit is required prior to establishing operations.

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.20.030.

**3. Location and Size of Land Use Type.** In order to promote land use compatibility, allowed land use types shall comply with the identified requirements for size and location.

Rural Edge (T2) Zone 3.20.030

Table 3.20.030 Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema, Nightclub, Health / Fitness	-	-
	Outdoor Recreation	MUP	1/400
	Live/Amplified Music	MUP	1:5
	Meeting Facility	MUP	1:5
Restaurant and Food	Drive-Through	-	-
	Pub / Bar, Micro-Brewery	-	-
	Restaurant (may incl alcohol sales)	MUP	1/400
	Outdoor Dining	P (1)	0
	Wine Tasting/Microbrewery	MUP	1/400
Retail	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	P	1/400
	Retail <2,000 sq ft	MUP	1/400
	Retail >2,000 sq ft	-	-
	Secondhand Stores	-	-
Services	Care Facility for the Elderly <7	-	-
	Care Facility for the Elderly >7	-	-
	Day Care: Adult Day	-	-
	Day Care: Small House < 7	-	-
	Day Care: Large House 7 to 14	-	-
	Day Care Center > 15	-	-
	Emergency Shelter	-	-
	Funeral Home	-	-
	Group Home < 7 clients	-	-
	Group Home > 7 clients	-	-
	Hotel / Motel	-	-
	Inn (B&B)	MUP	1/3R
	Medical Services	-	-
	Business or Personal Services	-	-
	Repair, Commercial (non-vehicular)	-	-
Transitional and Supportive Housing	-	-	
Veterinary Clinic/Boarding	MUP	1/500	
Office and Civic	Office, General <2,000 sq ft	P	1/400
	Government, Civic, Library	-	-
	School, College, University	-	-
	Transit Station	-	-

Category	Use	Permit	Pkg
Residential	Farmworker Housing	-	-
	Carriage House or Guest House (Secondary Dwelling)	P	1/U
	Home Occupation	P (1)	0
	Mobile Home Park / Subdivision	-	-
	Multi Family Residential	-	-
	Rooming and Boarding House	-	-
Industrial	Single Family Residential	P	2/U
	Manufacturing (perishable: e.g.,cider, apple juice) <2,000 sq ft bldg	MUP	0
	Manufacturing (non-perishable) <2,000 sq ft	P	1/500
	Power / Electrical Substation	-	-
	Reverse Vending Machine	-	-
Motor-Vehicle Related	Small Collection Facility	-	-
	Car Wash	-	-
	Gas Station (non-commercial vehicles) <50,000 sq ft site area	MUP (1)	1/500
	Gas Station (commercial vehicles)	-	-
	Recreational Vehicle Park	-	-
	Repair, commercial (motor vehicles)	-	-
	Motor Vehicle Sales, Rentals	-	-
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	-	-
Other	Temporary Use	TUP (1)	0
	Nature (see 8.10.060)	P	0
	Agriculture (see 8.10.070)	P	0
	Greenway (see 8.10.080)	P	0
	Green, Plaza, Square, Passage	-	-
	Playground, Sportsfield	-	-
	Roof Garden (see 8.10.150)	P	0

Key

P	Permitted Use - Zoning Clearance Required.
MUP	Minor Use Permit Required. See 9.30.50.B
CUP	Conditional Use Permit Required. See 9.30.50.A
TUP	Temporary Use Permit Required. See 9.70
-	Use not allowed

(1)	See Article 6 'Specific to Uses'
1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

3.20.030 Rural Edge (T2) Zone

C. Development Standards

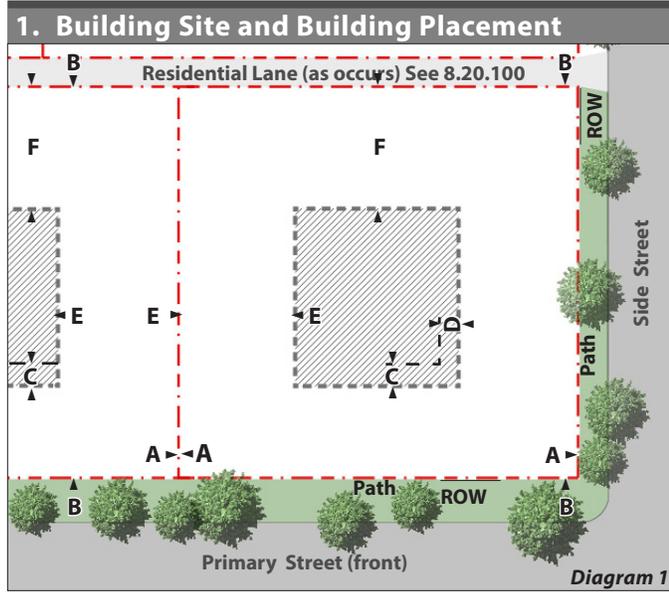


Diagram 1

Building Site Boundary - - - Buildable Area [hatched box]

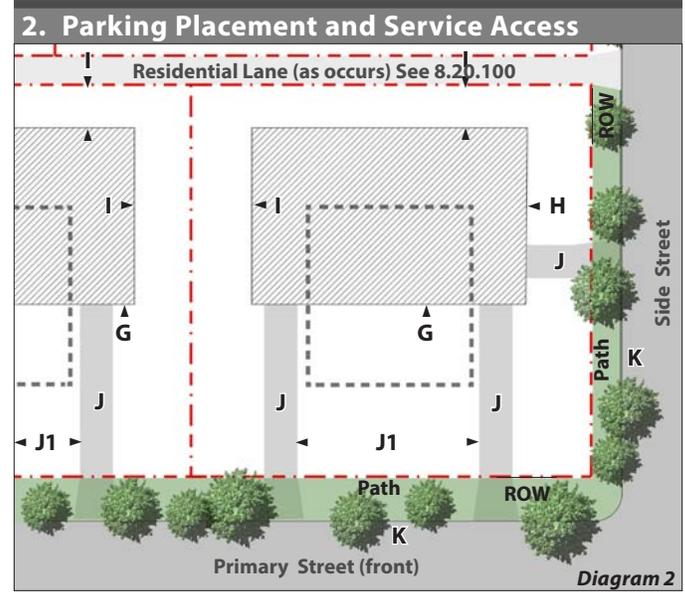


Diagram 2

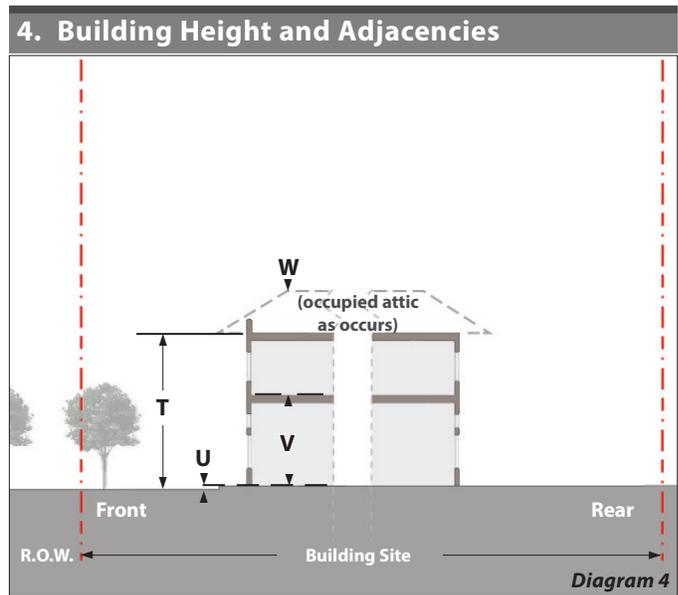
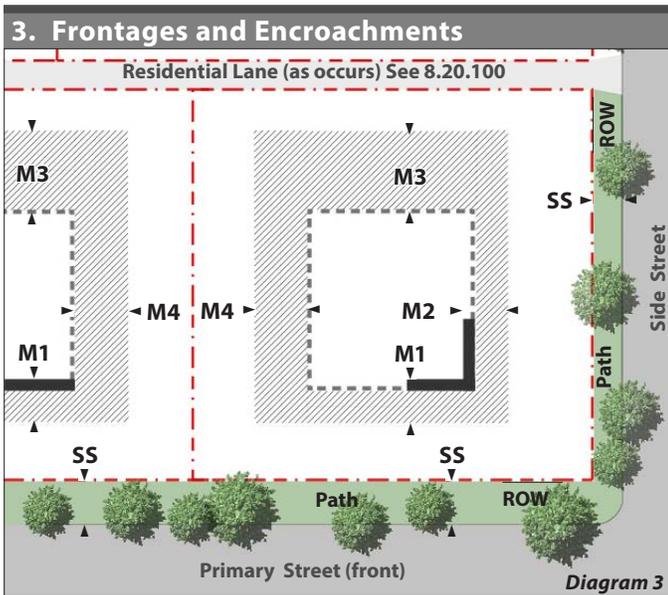
Building Site Boundary - - - Allowed Off-Street Parking Area [hatched box]

<b>1.1</b>	Each building and addition shall be located on the building site per Diagram 1 and designed as one of the allowed types below:					
Building Type	Building Site		Building Setbacks, Size			
	Width	Depth	Facade	Side	Rear	
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
Estate	min 800	min 800	See 5.10.170			
Barn	min 800	min 800	See 5.10.090			
Flex Building Small	150-200	150-200	See 5.10.080			
<b>1.2</b>	Building facades along streets shall be located within the facade layer 'C', 'D' per Diagram 1 and extend along frontage(s) per Section 3.2.					

- 2.1** Parking shall be located on the building site per Diagram 2. Parking areas shall consist of at least 50% pervious surfaces.
- 2.2** Parking may be accessed from the street or rear lane as allowed by these standards.
- 2.3** Parking entries, driveways shall not exceed 12 ft wide, designed as integral, decorative components of the site. Driveways may only connect to each other within the allowed off-street parking area.

Parking Setback	Min ft	Screening Requirement
<b>G</b> Front	150; 30	(Flex Bldg Small) none
<b>H</b> Along Side Street		
Rear	30	Min 5 ft tall hedge
<b>I</b> Side	50	
		20 when lane along interior sideyard
<b>J</b> Parking Entry	Corner site: min 150 ft from corner Interior site: within 40 ft of either side when side street or rear lane not present	
<b>J1</b> Driveway Separation	min 100 ft	
<b>K</b> On-Street Parking	min 75 ft from corner	

C. Development Standards



Building Site Boundary --- Frontage Required (see 'FL' for reqmts)

SS Streetscape Area (see 8.20 for reqmts) Encroachment Area (see 'M' for reqmts)

Building Site Boundary ---

**3.1** Building facades shall be located on the building site per Diagram 3 and designed as one or multiple allowed types below:

Frontage Types	Requirements
Common Yard	See 5.20.150
Front Yard	See 5.20.140
Porch	See 5.20.130
Shopfront and Gallery (only for Flex Building Small)	See Table 5.20

- 4.1** Buildings and additions shall comply with the requirements in Diagram 4. All numbers are stated as a range or maximum unless stated otherwise.
- 4.2** Building height is measured vertically from average grade along the building edge to the top plate of the highest story.
- 4.3** Roofs, chimneys, finials and portions of structures less than 250 square feet with no dimension exceeding 16 feet, are allowed up to 14 feet above the top plate of the story.

**3.2** Street facades shall extend along the frontage line per Diagram 3 and as identified in Section 'FL' below

FL	Amount of Ground Floor Facade in Facade-Layer
Along Primary St	Corner Site: 30% min from side street corner Interior Site: 30% min
Along Side St	30% min from primary street corner

Building Type	T		U	V (min)	W
	Ft	Stories	Finished Flr Level from front bldg site line	Ground Floor to Floor Ht	
Estate	26	2.5	min 1.5	10	40
Barn	26	1.5	n.a.	n.a.	40
Flex Building Small	15	1.5	0	10	29

**3.3** Building elements may encroach into required setbacks as identified below.

M	M1	M2	M3	M4
Estate	20	20	50	30
Barn	25	25	15	15
Flex Building Small	10	10	10	5

# Chapter 3.20 Transect Zones

## 3.20.040 Rural General (T2.5) Zone

### A. Intent and Purpose

The RG zone is applied to areas generally along Tehachapi's edges to provide for rural neighborhood housing choices in a small-town setting.

**1. Physical Character.** A limited range of buildings shape the rural streetscapes and consist of the Barn, and the Estate building type with the Small Flex Building allowed at crossroads as defined in this code. Buildings are up to 2.5 stories and set back from the street to spatially define the rural streetscape.

- a) Property shall comply with the development standards in Section C of the RG zone;
- b) Signage shall comply with Article 7 (Signs).

**2. Streetscape / Public Realm.** The streetscape is in support of rural activity. Frontages consist of common yards, front yards and porches with the Shop-front and Gallery only on the Small Flex Building. Paths are used instead of sidewalks.

- a) New blocks shall have a minimum perimeter of 2,400 feet and comply with Chapter 8.20;
- b) Existing blocks shall comply with Chapter 8.20 when any of the following are modified or apply: i) vehicular access, ii) right-of-way, iii) streetscape;
- c) Adjacent streetscapes shall be improved per Chapter 8.20 when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;
- d) Open space shall be provided per Chapter 8.10 when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;

**3. Land Use.** Land uses activities range from agriculture to residential to very limited office, service and restaurant businesses.

- a) Existing non-conforming land uses may remain per the requirements of Chapter 10.30.040;
- b) New or expanded land use activity shall comply with Section B of the RG zone.

**4. Parking.** Parking is provided through a system of on-street and off-street spaces.

- a) Existing parking shall be improved when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;

### Examples of the RG Zone's range of intended physical character:



*Above: The Rural General environment emphasizes natural features and few buildings.*



*Above: Streetscapes are rural and absent of any suburban characteristics, emphasizing an informal character.*

- b) New or expanded parking shall comply with Sections B and C.2 of the RG zone.

### B. Land Use Standards

**1. Allowed Land Use Types.** Table 3.20.040 identifies the allowed land use activity, the required permit, the amount of required parking and any special requirements. The identified permit is required prior to establishing operations;

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.20.040.

**3. Location and Size of Land Use Type.** In order to promote land use compatibility, allowed land use types shall comply with the identified requirements for size and location.

Rural General (T2.5) Zone 3.20.040

**Table 3.20.040 Land Use Standards**

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema, Nightclub, Health / Fitness	-	-
	Outdoor Recreation	-	-
	Live/Amplified Music	MUP	1:5
	Meeting Facility	-	-
Restaurant and Food	Drive-Through	-	-
	Pub / Bar, Micro-brewery	CUP	1/400
	Restaurant (may incl alcohol sales)	MUP	1/400
	Outdoor Dining	-	-
	Wine Tasting/Microbrewery	MUP	1/400
Retail	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	P	1/400
	Retail <3,000 sq ft	P	1/400
	Retail >3,000 sq ft	-	-
	Secondhand Stores	-	-
Services	Care Facility for the Elderly <7	-	-
	Care Facility for the Elderly >7	-	-
	Day Care: Adult Day	-	-
	Day Care: Small House < 7	-	-
	Day Care: Large House 7 to 14	-	-
	Day Care Center > 15	-	-
	Emergency Shelter	-	-
	Funeral Home	-	-
	Group home <7	-	-
	Group home >7	-	-
	Hotel / Motel	-	-
	Inn (B&B)	MUP	1/3R
	Laundromat / Dry Cleaning	-	-
	Medical Services	-	-
	Business or Personal Services	-	-
	Repair, commercial (non-vehicular)	-	-
	Veterinary Clinic/Boarding	MUP	1/400
	Veterinary Clinic/Boarding (large animal)	CUP	1/400

Category	Use	Permit	Pkg
Office and Civic	Office, General <3,000 sq ft	P	1/400
	Government, Civic, Library	-	-
	School, College, University	-	-
	Transit Station	-	-
Residential	Farmworker Housing	-	-
	Carriage House (Secondary Dwelling)	P	1/U
	Home Occupation	P (1)	0
	Mobile Home Park / Subdivision	-	-
	Multi Family Residential	-	-
	Rooming and Boarding House	-	-
	Single Family Residential	P	2/U
Transitional and Supportive Housing			
Industrial	Manufacturing (perishable: e.g.,cider, apple juice) <1,500 sq ft bldg	MUP	1/500
	Manufacturing (non-perishable) <1,500 sq ft bldg	P	1/500
	Power / Electrical Substation	-	-
	Reverse Vending Machine	-	-
	Small Collection Facility	-	-
Motor-Vehicle Related	Car Wash	-	-
	Gas Station (non-commercial vehicles) <50,000 sq ft site area	MUP (1)	1/500
	Gas Station (commercial vehicles)	-	-
	Recreational Vehicle Park	-	-
	Repair, commercial (motor vehicles)	-	-
	Motor Vehicle Sales, Rentals	-	-
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	-	-
Other	Temporary Use	TUP (1)	0
	Nature (see 8.10.060)	P	0
	Agriculture (see 8.10.070)	P	0
	Greenway (see 8.10.080)	P	0
	Green (see 8.10.090)	P	0
	Plaza, Square, Passage, Playground	-	-
	Sportsfield, Playground	-	-
	Roof Garden (see 8.10.150)	P	0

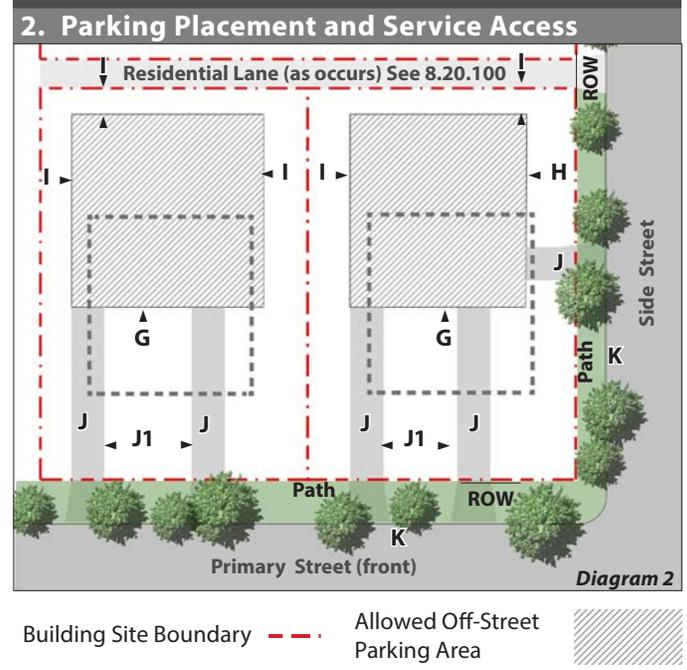
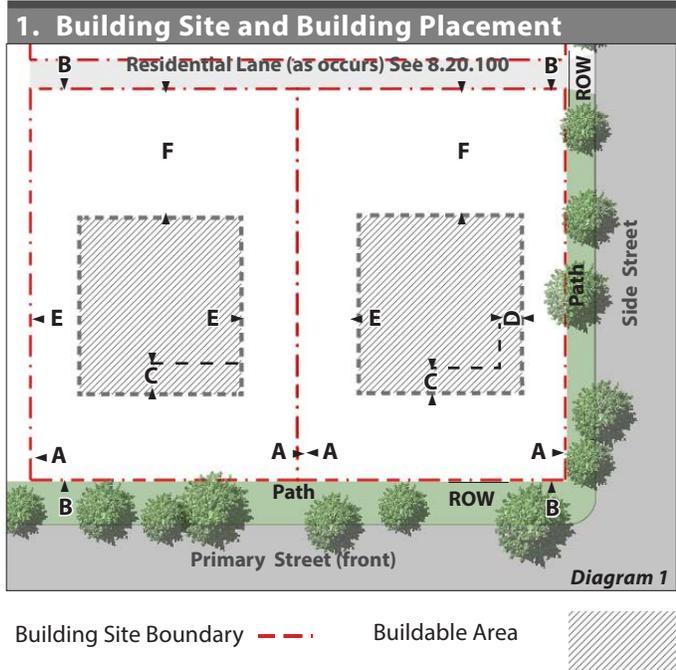
**Key**

P	Permitted Use - Zoning Clearance Required.
MUP	Minor Use Permit Required. See 9.30.50.B
CUP	Conditional Use Permit Required. See 9.30.50.A
TUP	Temporary Use Permit Required. See 9.70
-	Use not allowed

(1)	See Article 6 'Specific to Uses'
1/400	1 parking space required for each 400 sq ft of floor area
1/2r	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/u	1 parking space required for each dwelling unit

# 3.20.040 Rural General (T2.5) Zone

## C. Development Standards

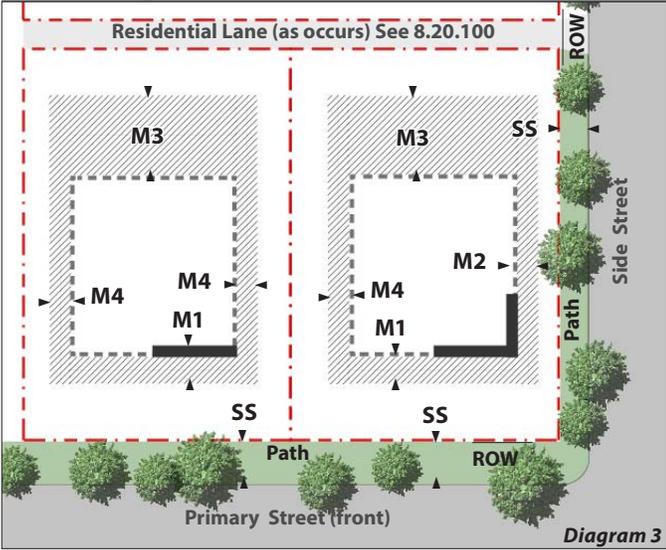


<b>1.1</b>	Each building and addition shall be located on the building site per Diagram 1 and designed as one of the allowed types below:				
Building Type	Building Site		Building Setbacks, Size		
	Width	Depth	Facade	Side	Rear
	A	B	C	D	E
Estate	min 300	min 400	See 5.10.170		
Barn	min 300	min 400	See 5.10.090		
Flex Building Small	150-200	150-250	See 5.10.080		
	Allowed only within 250 ft of the intersection of two 'Road' thoroughfare types. (see 8.20.080)				
<b>1.2</b>	Building facades along streets shall be located within the facade layer 'C', 'D' per Diagram 1 and extend along frontage(s) per Section 3.2.				

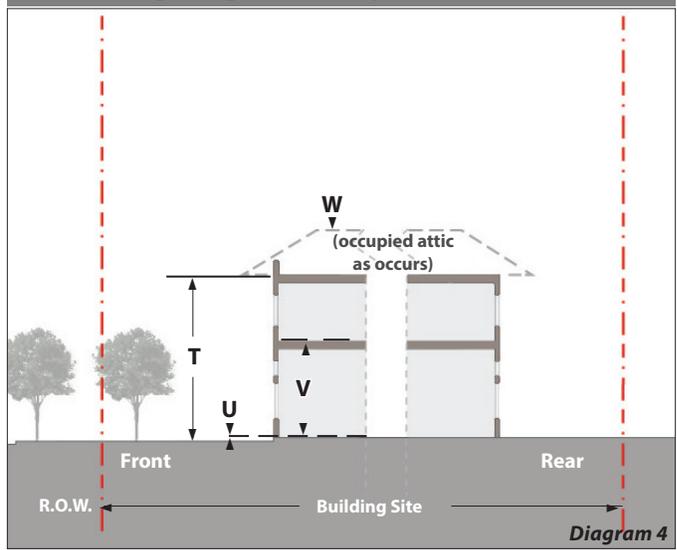
<b>2.1</b>	Parking shall be located on the building site per Diagram 2. Parking areas shall consist of at least 50% pervious surfaces.	
<b>2.2</b>	Parking / service areas may be accessed from the street or rear lane.	
<b>2.3</b>	Parking entries / driveways shall not exceed 12 ft wide within the front or side parking setbacks, designed as integral, decorative components of the site. Driveways may only connect to each other within the allowed off-street parking area.	
Parking Setback	Min ft	Screening Requirement
<b>G</b> Front	100; 30 for Flex Bldg	none
<b>H</b> Along Side Street	Small	
	Rear	30
<b>I</b> Side	50	Min 3 ft tall hedge
		• 10 when lane along interior sideyard
<b>J</b> Parking Entry		• Corner site: min 100 ft from corner • Interior site: within 25 ft of either side when side street or rear lane not present
<b>J1</b> Driveway Separation		• min 100 ft
<b>K</b> On-Street Parking		• min 50 ft from corner

C. Development Standards

3. Frontages and Encroachments



4. Building Height and Adjacencies



Building Site Boundary - - - Frontage Required (see 'FL' for reqmts)   
 SS Streetscape Area (see 8.20 for reqmts) Encroachment Area (see 'M' for reqmts)

Building Site Boundary - - -

3.1 Building facades shall be located on the building site per Diagram 3 and designed as one or multiple allowed types below:

Frontage Types	Requirements
Common Yard	See 5.20.150
Front Yard	See 5.20.140
Porch	See 5.20.130
Gallery and Shopfront Gallery (for Flex Building Small only)	See Table 5.20

3.2 Street facades shall extend along the frontage line per Diagram 3 and as identified in Section 'FL' below

FL	Amount of Ground Floor Facade in Facade-Layer
Along Primary St	• Corner Site: 50% min from side street corner • Interior Site: 50% min
Along Side St	35% min from primary street corner

3.3 Building elements may encroach into required setbacks as identified below.

M	M1	M2	M3	M4
Estate	15	15	20	20
Barn	20	20	10	10
Flex Building Small	5	5	5	5

4.1 Buildings and additions shall comply with the requirements in Diagram 4. All numbers are stated as a range or maximum unless stated otherwise.

4.2 Building height is measured vertically from average sidewalk grade along frontage to the top plate of the highest story.

4.3 Roofs, chimneys, finials and portions of structures less than 200 square feet with no dimension exceeding 16 feet, are allowed up to 14 feet above the top plate of the story.

Building Type	T	U	V (min)	W	
	Ft	Stories	Finished Flr Level from front bldg site line	Ground Floor to Floor Ht	
Estate	26	2.5	min 1.5	10	40
Barn	18	1.5	n.a.	n.a.	32
Flex Building Small	15	1.5	0	10	29

# Chapter 3.20 Transect Zones

## 3.20.050 Neighborhood Edge (T3) Zone

### A. Intent and Purpose

The NE zone is applied to areas generally along the edges of Tehachapi's lower intensity neighborhoods to provide for a transition between general neighborhoods and rural areas.

**1. Physical Character.** A limited range of house-form buildings shape the streetscapes and consist of the Estate, House, and Duplex building types. Buildings are varied in height, up to 2 stories, and are set back from the sidewalk to spatially define suburban streetscapes.

- a) Property shall comply with the development standards in Section C of the NE zone;
- b) Signage shall comply with Article 7 (Signs).

**2. Streetscape / Public Realm.** The streetscape is in support of pedestrian activity. Frontages consist of common yards, front yards and porches. Sidewalks with tree parkway strips provide for comfortable strolling.

- a) New blocks. Max perimeter: 2,000 feet, Max block length: 600 feet, shall comply with Chapter 8.20;
- b) Existing blocks shall comply with Chapter 8.20 when any of the following are modified or apply:
  - i) vehicular access, ii) right-of-way, iii) streetscape, iv) block exceeds 700 feet on any side;
- c) Adjacent streetscapes shall be improved per Chapter 8.20 when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;
- d) Open space shall be provided per Chapter 8.10 when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;

**3. Land Use.** Land use activities are residential with limited home occupations and suburban agriculture.

- a) Existing non-conforming land uses may remain per the requirements of Chapter 10.30.040;
- b) New or expanded land use activity shall comply with Section B of the NE zone.

**4. Parking.** Parking is provided through a system of on-street and off-street spaces.

- a) Existing parking shall be improved when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;

### Examples of the NE Zone's range of intended physical character:



*Above: House-form buildings with large yards shape the streetscapes.*



*Above: House-form buildings and their extensions in large yards such as porches and balconies visually dominate over vehicular driveways and parking.*

- b) New or expanded parking shall comply with Sections B and C.2 of the NE zone.

### B. Land Use Standards

**1. Allowed Land Use Types.** Table 3.20.050 identifies the allowed land use activity, the required permit, the amount of required parking and any special requirements. The identified permit is required prior to establishing operations;

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.20.050.

**3. Location and Size of Land Use Type.** In order to promote land use compatibility, allowed land use types shall comply with the identified requirements for size and location.

## Neighborhood Edge (T3) Zone 3.20.050

Table 3.20.050 Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema, Nightclub, Health / Fitness	-	-
	Outdoor Recreation	-	-
	Live/Amplified Music	-	-
	Meeting Facility	-	-
Restaurant and Food	Drive-Through	-	-
	Restaurant, Pub / Bar	-	-
	Wine Tasting/Microbrewery	-	-
Retail	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	-	-
	Retail	-	-
Services	Care Facility for the Elderly <7	P	1/4
	Care Facility for the Elderly >7	MUP	1/4
	Day Care: Adult Day	MUP	1/4
	Day Care: Small House < 7	P (1)	1/4
	Day Care: Large House 7 to 14	MUP (1)	1/4
	Day Care Center: >15	MUP (1)	1/4
	Emergency Shelter	-	-
	Funeral Home	-	-
	Group home <7	P	1/U
	Group home >7	-	-
	Hotel / Motel, Inn (B&B)	-	-
	Medical Services	-	-
	Business or Personal Services	-	-
	Repair, commercial (non-vehicular)	-	-
	Transitional and Supportive Housing	-	-
Veterinary Clinic/Boarding	-	-	

Category	Use	Permit	Pkg
Office and Civic	Office or Civic, Library, General	-	-
	Government	-	-
	School, College, University	-	-
	Transit Station	-	-
Residential	Farmworker Housing	-	-
	Carriage House (Secondary Dwelling)	P	1/U
	Home Occupation	P (1)	0
	Multi Family Residential	-	-
	Mobile Home Park / Subdivision	-	-
	Rooming and Boarding House	-	-
Industrial	Single Family Residential	P	2/U
	Manufacturing	-	-
	Power / Electrical Substation	-	-
	Reverse Vending Machine	-	-
Motor-Vehicle Related	Small Collection Facility	-	-
	Car Wash, Gas Station	-	-
	Recreational Vehicle Park	-	-
	Repair, commercial (motor vehicles)	-	-
	Repair, personal (motor vehicles)	P	0
Communications	Motor Vehicle Sales, Rentals	-	-
	Telecommunications Facilities	-	-
Other	Broadcasting / Recording Studio	-	-
	Temporary Use	TUP (1)	0
	Nature (see 8.10.060)	P	0
	Agriculture (see 8.10.070)	P	0
	Greenway (see 8.10.080)	P	0
	Green (see 8.10.090)	P	0
	Plaza, Square, Passage, Playground	-	-
	Sportsfield (see 8.10.140)	P	0
	Roof Garden (see 8.10.150)	P	0

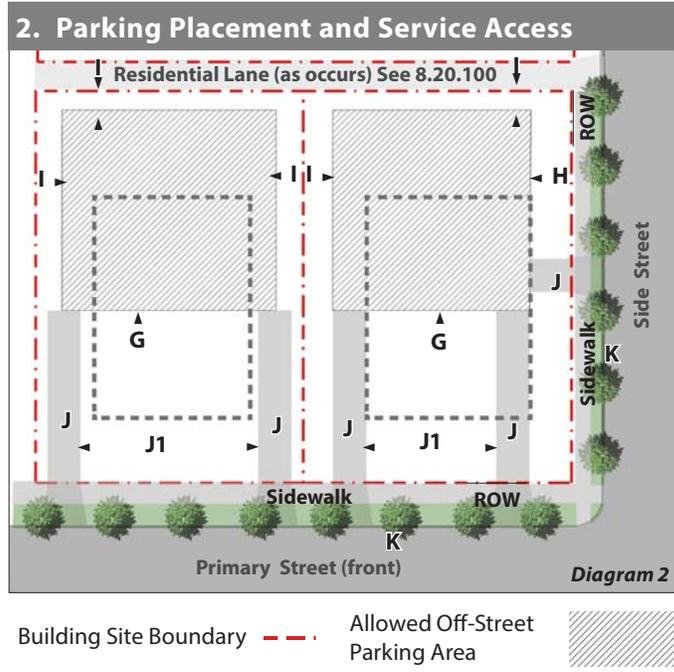
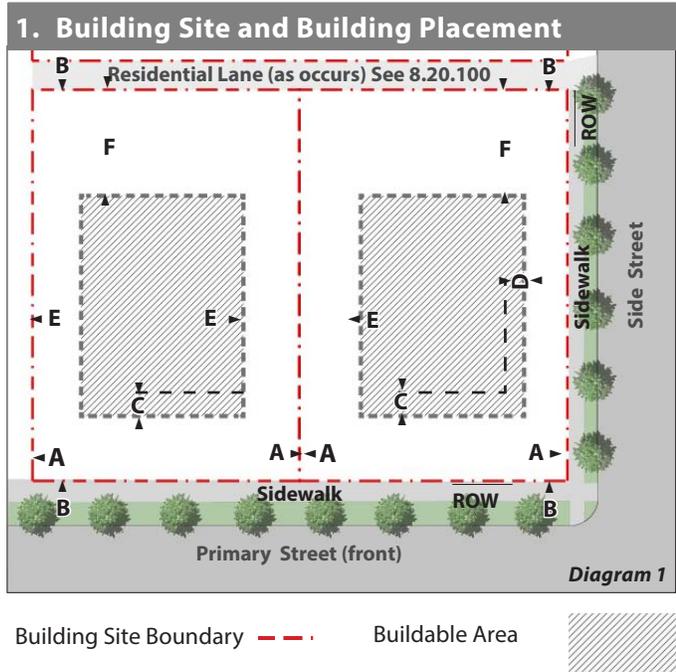
## Key

P	Permitted Use - Zoning Clearance Required.
MUP	Minor Use Permit Required. See 9.30.50.B
CUP	Conditional Use Permit Required. See 9.30.50.A
TUP	Temporary Use Permit Required. See 9.70
-	Use not allowed

(1)	See Article 6 'Specific to Uses'
1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

3.20.050 Neighborhood Edge (T3) Zone

C. Development Standards



**1.1** Each building and addition shall be located on the building site per Diagram 1 and designed as one of the allowed types below:

Building Type	Building Site		Building Setbacks, Size			
	Width	Depth	Facade		Side	Rear
	A	B	C	D	E	F
Estate	150-200	160-200	See 5.10.170			
House	60-75	125-160	See 5.10.160			
Duplex	65-80	125-150	See 5.10.150			

**1.2** Building facades along streets shall be located within the facade layer 'C', 'D' per Diagram 1 and extend along frontage(s) per Section 3.2.

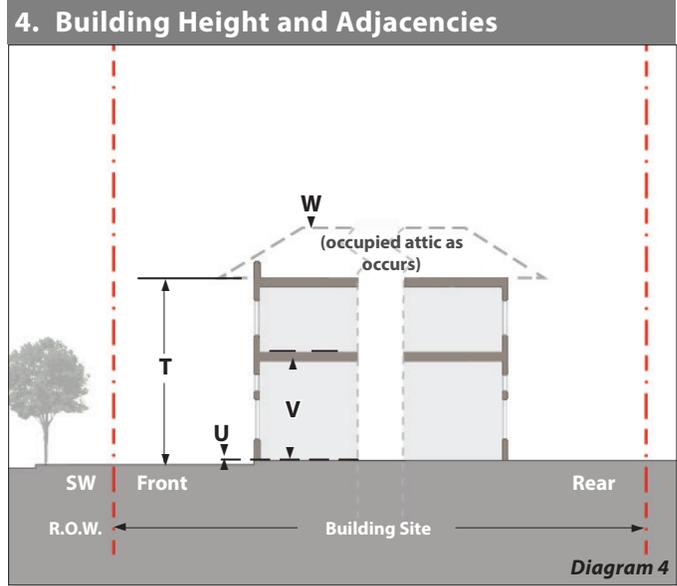
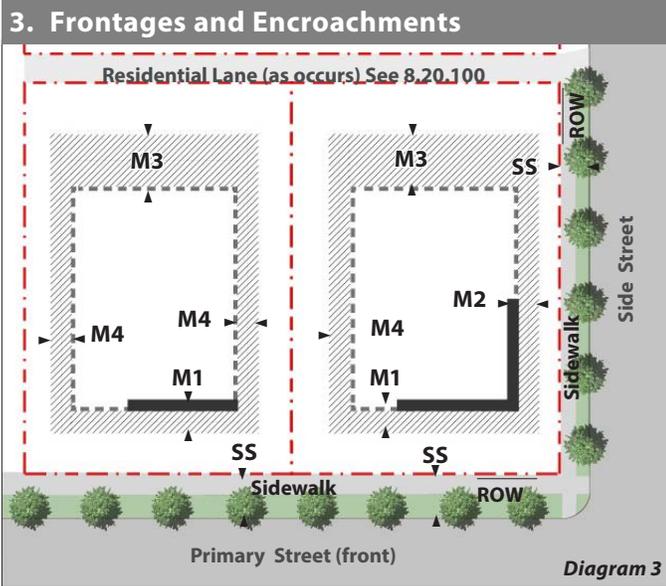
**2.1** Parking shall be located on the building site per diagram 2. Parking areas shall consist of at least 25% pervious surfaces.

**2.2** Parking areas shall not be accessed from primary street unless rear lane or side street not present.

**2.3** Parking entries / driveways shall not exceed 12 ft wide within front and side parking setbacks, designed as integral, decorative components of the site. Driveways may only connect to each other within the allowed off-street parking area.

Parking Setback	Min ft	Screening Requirement
<b>G</b> Front	<b>50</b>	By the building, or min 3' tall hedge
<b>H</b> Along Side Street	<b>30</b>	By the building, or min 3' tall hedge
	<b>10</b>	Min 5 ft tall wall / hedge
<b>I</b> Side	<b>10</b>	Min 3 ft tall wall / hedge
		• 4 when lane along interior sideyard
<b>J</b> Parking Entry	• Corner site: min 50 ft from corner	
	• Interior site: within 5 ft of side when side street or rear lane not present	
<b>J1</b> Driveway Separation	• min 50 ft	
<b>K</b> On-Street Parking	• min 30 ft from corner	

C. Development Standards



Building Site Boundary - - - Frontage Required (see 'FL' for reqmts)

SS Streetscape Area (see 8.20 for reqmts) Encroachment Area (see 'M' for reqmts)

Building Site Boundary - - -

- 3.1** Building facades shall be located on the building site per Diagram 3 and designed as one or multiple allowed types below:
- | Frontage Types | Requirements |
|----------------|--------------|
| Common Yard    | See 5.20.150 |
| Front Yard     | See 5.20.140 |
| Porch          | See 5.20.130 |
- 3.2** Street facades shall extend along the frontage line per Diagram 3 and as identified in Section 'FL' below
- | FL               | Amount of Ground Floor Facade in Facade-Layer                          |
|------------------|--|
| Along Primary St | Corner Site: 70% min from side street corner<br>Interior Site: 60% min |
| Along Side St    | 50% min from primary street corner                                     |
- 3.3** Building elements may encroach into required setbacks as identified below.

M	M1	M2	M3	M4
Estate	10	10	15	10
House	5	5	7	4
Duplex	6	5	7	3

- 4.1** Buildings and additions shall comply with the requirements in Diagram 4. All numbers are stated as a range or maximum unless stated otherwise.
- 4.2** Building height is measured vertically from average sidewalk grade along frontage to the top plate of the highest story.
- 4.3** Roofs, chimneys, finials and portions of structures less than 200 square feet with no dimension exceeding 15 feet, are allowed up to 12 feet above the top plate of the second story.

Building Type	T		U	V (min)	W
	Ft	Stories	Finished Flr Level from SW	Ground Floor to Floor Ht	
Estate	24	2	min 1.5	10	36
House	22	2	min 1.5	9	34
Duplex	22	2	min 1.5	9	34

## 3.20.060 Neighborhood General (T4) Zone

### A. Intent and Purpose.

The NG zone is applied to Tehachapi's general neighborhood areas to provide for a variety of single-family and multi-family housing choices in a small-town neighborhood setting.

**1. Physical Character.** A wide variety of house-form buildings shape the streetscapes. Buildings are varied in height, up to 2 stories and are near or setback from the sidewalk to spatially define the streetscapes.

- a) Property shall comply with the development standards in Section C of the NG zone;
- b) Signage shall comply with Article 7 (Signs).

**2. Streetscape / Public Realm.** The streetscape is in support of pedestrian activity. Frontages consist of front yards, porches and stoops with walled yards along rears and side streets. Sidewalks with tree parkway strips provide for comfortable strolling.

- a) New blocks. Max perimeter: 2,000 feet, Max block length: 600 feet, shall comply with Chapter 8.20;
- b) Existing blocks shall comply with Ch 8.20 when any of the following apply: i) modification to vehicular access, right-of-way, ii) streetscape, iii) block exceeds 700 feet on any side;
- c) Adjacent streetscapes shall be improved per Chapter 8.20 when any of the following apply: i) new building, ii) renovation/addition over 50%, iii) modification of site access; or iv) subdivision;
- d) Open space shall be provided per Chapter 8.10 when any of the following apply: i) new building, ii) renovation/addition over 50%, iii) modification of site access; or iv) subdivision.

**3. Land Use.** Land use activities are residential with limited home occupations and suburban agriculture.

- a) Existing non-conforming land uses may remain per the requirements of Chapter 10.30.040;
- b) New or expanded land use activity shall comply with Section B of the NG zone.

**4. Parking.** Parking is provided through a system of on- and off-street spaces.

- a) Existing parking shall be improved when any of the following apply: i) new building, ii) renovation/addition over 50%, iii) modification of site access; or iv) subdivision;
- b) New or expanded parking shall comply with Sections B and C.2 of the NG zone.

### Illustrative examples of the NG Zone's range of intended physical character:



*Above: House-form buildings accommodate single or multi-family residential in a small-town neighborhood setting.*



*Above: House-form buildings such as the Villa provide additional neighborhood-compatible multi-family housing choices in a small-town neighborhood setting.*

### B. Land Use Standards

**1. Allowed Land Use Types.** Table 3.20.060 identifies the allowed land use activity, the required permit, the amount of required parking and any special requirements. The required permit is obtained prior to establishing operations;

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.20.060.

**3. Location and Size of Land Use Type.** In order to promote land use compatibility, allowed land use types shall comply with the identified requirements for size and location.

Neighborhood General (T4) Zone 3.20.060

Table 3.20.060 Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema, Nightclub, Health / Fitness	-	-
	Outdoor Recreation	-	-
	Live/Amplified Music	-	-
	Meeting Facility	-	-
Restaurant and Food	Drive-Through	-	-
	Restaurant, Pub / Bar	-	-
	Wine Tasting/Microbrewery	-	-
Retail	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	-	-
	Retail	-	-
Services	Care Facility for the Elderly <7	P	1/4R
	Care Facility for the Elderly >7	MUP	1/4R
	Day Care: Adult Day	MUP	1/4R
	Day Care: Small House < 7	P (1)	1/4R
	Day Care: Large House 7 to 14	MUP (1)	1/4R
	Day Care Center: > 15	MUP (1)	1/4R
	Emergency Shelter	-	-
	Funeral Home	-	-
	Group home <7	P	1/4R
	Group home >7	-	-
	Hotel / Motel, Inn (B&B)	-	-
	Medical Services	-	-
	Business or Personal Services	-	-
	Repair, commercial (non-vehicular)	-	-
	Transitional and Supportive Housing	MUP	1/U
Veterinary Clinic/Boarding	-	-	

Category	Use	Permit	Pkg
Office and Civic	Office or Civic, Library, General	-	-
	Government	-	-
	School, College, University	-	-
	Transit Station	-	-
Residential	Farmworker Housing	-	-
	Carriage House (Secondary Dwelling)	P	1/U
	Home Occupation	P (1)	0
	Mobile Home Park / Subdivision	-	-
	Multi Family Residential	MUP	1.75/U
	Rooming and Boarding House	-	-
Industrial	Single Family Residential	P	2/U
	Manufacturing	-	-
	Power / Electrical Substation	-	-
	Reverse Vending Machine	-	-
Motor-Vehicle Related	Small Collection Facility	-	-
	Car Wash, Gas Station	-	-
	Recreational Vehicle Park	-	-
	Repair, commercial (motor vehicles)	-	-
	Repair, personal (motor vehicles)	P	0
Communications	Motor Vehicle Sales, Rentals	-	-
	Telecommunications Facilities	-	-
Other	Broadcasting / Recording Studio	-	-
	Temporary Use	TUP (1)	0
	Nature (see 8.10.060)	P	0
	Agriculture (see 8.10.070)	P	0
	Greenway (see 8.10.080)	P	0
	Green (see 8.10.090)	P	0
	Plaza	-	-
	Square (see 8.10.110)	P	0
	Passage (see 8.10.120)	P	0
	Playground (see 8.10.130)	P	0
	Sportsfield (see 8.10.140)	P	0
	Roof Garden (see 8.10.150)	P	0

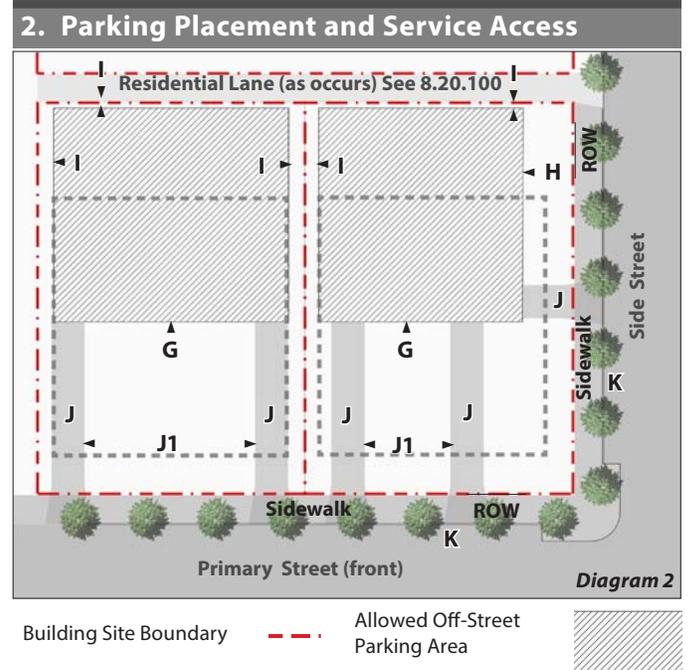
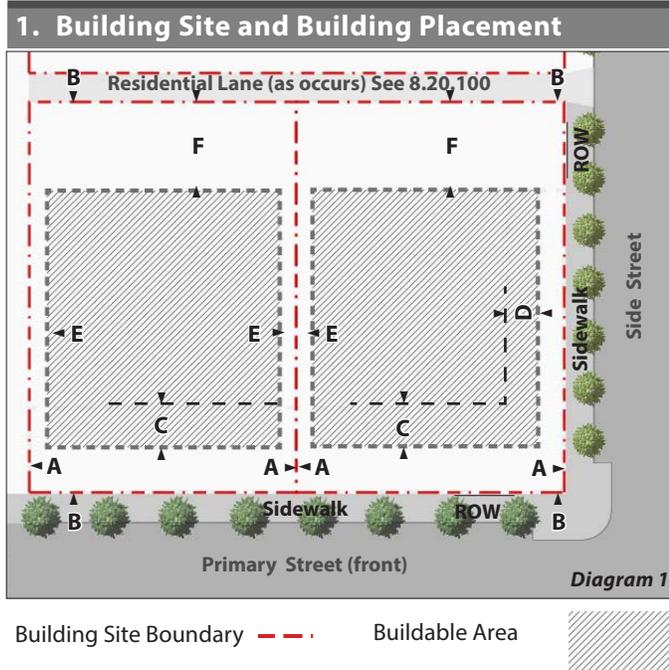
Key

P	Permitted Use - Zoning Clearance Required.
MUP	Minor Use Permit Required. See 9.30.50.B
CUP	Conditional Use Permit Required. See 9.30.50.A
TUP	Temporary Use Permit Required. See 9.70
-	Use not allowed

(1)	See Article 6 'Specific to Uses'
1/400	1 parking space required for each 400 sq ft of floor area
1/2r	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/u	1 parking space required for each dwelling unit

3.20.060 Neighborhood General (T4) Zone

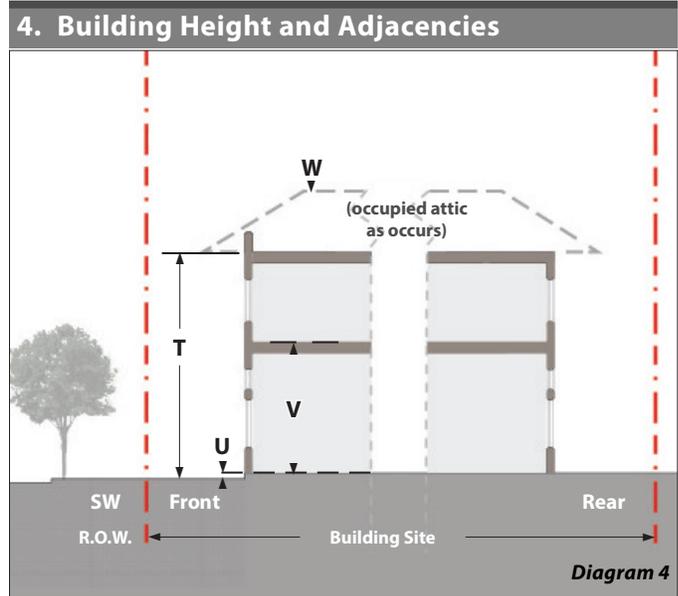
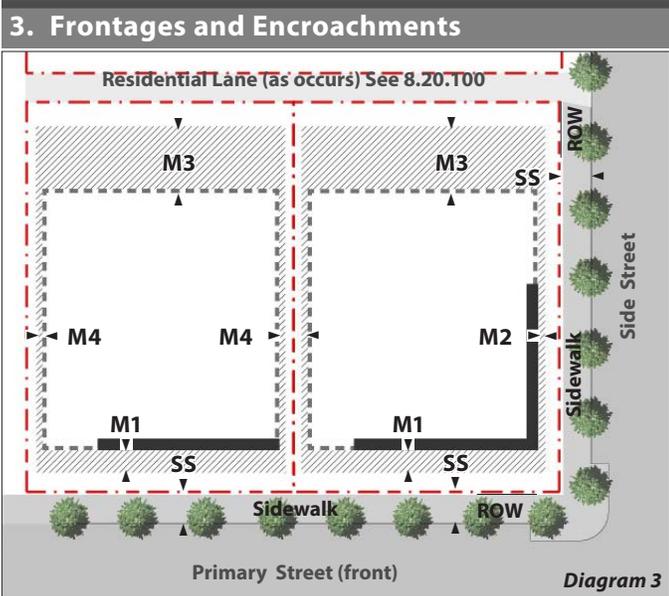
C. Development Standards



<b>1.1</b>	Each building and addition shall be located on the building site per Diagram 1 and designed as one of the allowed types below:					
Building Type	Building Site		Building Setbacks, Size			
	Width	Depth	Facade	Side	Rear	
	A	B	C	D	E	F
House	40-60	100-150	See 5.10.160			
Duplex	50-60	100-150	See 5.10.150			
Villa	80-125	160-175	See 5.10.140			
Bungalow Court	120-200	150-200	See 5.10.130			
Rowhouse HF	80-140	100-150	See 5.10.110			
Courtyard	140-200	150-165	See 5.10.120			
<b>1.2</b>	Building facades along streets shall be located within the facade layer 'C', 'D' per Diagram 1 and extend along frontage(s) per Section 3.2.					

<b>2.1</b>	Parking shall be located on the building site per Diagram 2. Parking areas shall consist of at least 25% pervious surfaces.		
<b>2.2</b>	Parking areas shall not be accessed from primary street unless rear lane or side street not present.		
<b>2.3</b>	Parking entries / driveways shall not exceed 12 ft wide within the front or side parking setbacks, designed as integral, decorative components of the site. Driveways may only connect to each other within the allowed off-street parking area.		
Parking Setback	Min ft	Screening Requirement	
<b>G</b> Front	40	By the building, or min 3' tall wall / hedge as allowed by Section 3.3	
<b>H</b> Along Side Street	15	By the building, or min 3' tall wall / hedge	
Rear	10	Min 5 ft tall wall / hedge	
<b>I</b> Side	5	Min 3 ft tall wall / hedge	
		• 3 when lane along interior sideyard	
<b>J</b> Parking Entry		• Corner site: min 50 ft from corner • Interior site: within 5 ft of side when side street or rear lane not present	
<b>J1</b> Driveway Separation	min 50 ft		
<b>K</b> On-Street Parking	min 30 ft from corner		

C. Development Standards



Building Site Boundary - - - - - Frontage Required (see 'FL' for reqmts)

SS Streetscape Area (see 8.20 for reqmts) Encroachment Area (see 'M' for reqmts)

Building Site Boundary - - - - -

- 3.1** Building facades shall be located on the building site per Diagram 3 and designed as one or multiple allowed types below:
- | Frontage Types | Requirements |
|----------------|--------------|
| Front Yard     | See 5.20.140 |
| Porch          | See 5.20.130 |
| Stoop          | See 5.20.120 |
| Walled Yard    | See 5.20.110 |
- 3.2** Street facades shall extend along the frontage line per Diagram 3 and as identified in Section 'FL' below
- | FL               | Amount of Ground Floor Facade in Facade-Layer                              |
|------------------|--|
| Along Primary St | • Corner Site: 80% min from side street corner<br>• Interior Site: 70% min |
| Along Side St    | 60% min from primary street corner   |

- 4.1** Buildings and additions shall comply with the requirements in Diagram 4. All numbers are stated as a range or maximum unless stated otherwise.
- 4.2** Building height is measured vertically from average sidewalk grade along frontage to the top plate of the highest story.
- 4.3** Roofs, chimneys, finials and portions of structures less than 200 square feet with no dimension exceeding 15 feet, are allowed up to 12 feet above the top plate of the second story.

**3.3** Building elements may encroach into required setbacks as identified below.

M	M1	M2	M3	M4
House	5	5	3	2
Duplex, Villa	3	3	3	2
Bungalow Court	4	4	3	2
Rowhouse HF	4	4	4	2
Courtyard	4	4	3	2

Building Type	T <sup>F</sup>		U	V (min)	W
	Ft	Stories	Finished Flr Level from SW	Ground Floor to Floor Ht	
House	22	2	min 1.5	9	34
Duplex	22	2	min 1.5	9	34
Villa	22	2	min 1.5	9	34
Bungalow Court	22	2	min 1.5	9	34
Rowhouse HF	24	2	min 1.5	10	36
Courtyard	24	2	min 1.5	10	36

## 3.20.070 Neighborhood Center (T4.5) Zone

### A. Intent and Purpose

The NC zone is applied to focused areas at the core of Tehachapi's neighborhood general areas and surrounding the Downtown to provide neighborhood-oriented retail, services with housing in a small-town setting.

**1. Physical Character.** A wide variety of house-form buildings and the Small Flex Building type shape the streetscapes. Buildings are varied in height, up to 2.5 stories, mixed and single use, and are near or at the sidewalk to spatially define the streetscapes.

- a) Property shall comply with the development standards in Section C of the NC zone;
- b) Signage shall comply with Article 7 (Signs).

**2. Streetscape / Public Realm.** The streetscape is in support of higher pedestrian activity than the general neighborhood areas. Frontages range from front yards, porches and stoops with walled yards along rear and side streets. Shopfronts and galleries are allowed on the small flex building. Wide sidewalks with trees in parkway strips or planters accommodate outdoor dining and comfortable strolling.

- a) New blocks. Max perimeter: 1,600 feet, Max block length: 400 feet, shall comply with Chapter 8.20;
- b) Existing blocks shall comply with Chapter 8.20 when any of the following are modified or apply: i) vehicular access, ii) right-of-way, iii) streetscape, iv) block exceeds 600 feet on any side;
- c) Adjacent streetscapes shall be improved per Chapter 8.20 when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;
- d) Open space shall be provided per Chapter 8.10 when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;

**3. Land Use.** Land use activities focus on neighborhood retail, restaurants and services, civic/cultural, lodging, office and housing.

- a) Existing non-conforming land uses may remain per the requirements of Chapter 10.30.040;
- b) New or expanded land use activity shall comply with Section B of the NC zone.

**4. Parking.** Parking is provided through a shared system of on-street and off-street spaces.

### Examples of the NC Zone's range of intended physical character:



Above: 2-story block-form building with office/housing over ground floor shopfront adjacent to house-form building.



Above: 2.5-story house-form building with shopfront for neighborhood-oriented retail, restaurant, services.

- a) Existing parking shall be improved when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;
- b) New or expanded parking shall comply with Sections B and C.2 of the NC zone.

### B. Land Use Standards

**1. Allowed Land Use Types.** Table 3.20.070 identifies the allowed land use activity, the required permit, the amount of required parking and any special requirements. The identified permit is required prior to establishing operations;

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.20.070

**3. Location and Size of Land Use Type.** In order to promote land use compatibility, allowed land use types shall comply with the identified requirements for size

Neighborhood Center (T4.5) Zone 3.20.070

Table 3.20.070 Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema, Nightclub	-	-
	Health / Fitness <1,500 sq ft	P	1/500
	Indoor / Outdoor Recreation	-	-
	Live/Amplified Music <1,000 sq ft	MUP	1:6
	Meeting Facility	MUP	1:6
Restaurant and Food	Drive-Through	-	-
	Pub / Bar <1,000 sq ft	CUP	1/350
	Restaurant (may incl alcohol sales)	MUP	1:4
	Outdoor Dining	MUP (1)	0
	Wine Tasting/Microbrewery <1,000 sq ft	MUP	1:4
Retail	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	P	1/500
	Retail <1,500 sq ft	P	max 1
	Retail 1,500 to 2,400 sq ft	MUP	1/500
	Retail > 2,400 sq ft	-	-
	Secondhand Stores	-	-
Services	Care Facility for the Elderly <7	P	1/4R
	Care Facility for the Elderly >7	P	1/4R
	Day Care: Adult Day	P	1/4R
	Day Care: Small House <7	P (1)	1/4R
	Day Care: Large House 7 to 14	MUP (1)	1/4R
	Day Care Center: >15	MUP (1)	1/4R
	Emergency Shelter	-	-
	Funeral Home	-	-
	Group home <7	P (1)	1/U
	Group home >7	-	-
	Hotel / Motel	-	-
	Inn (B&B) max 15 rooms	MUP (1)	1/3R
	Laundromat / Dry Cleaning	P	1/400
	Medical Services	P	1/400
	Personal Services	P	1/400
	Personal Services, Restricted	-	-
	Transitional and Supportive Housing	MUP	1/U
Veterinary Clinic/ Indoor Boarding	MUP	1/400	

Category	Use	Permit	Pkg
Office and Civic	Office or Civic, Library, General	P	1/400
	Government	P	1/400
	School, College, University	CUP	1:4
	Transit Station	MUP	0
Residential	Farmworker Housing	-	-
	Carriage House (Secondary Dwelling)	P	1/U
	Ground Floor	P (2)	1/U
	Home Occupation	P (1)	0
	Mobile Home Park / Subdivision	-	-
	Multi Family Residential	MUP	1.5/U
	Rooming and Boarding House	P	1/U
	Single Family Residential	P	2/U
	Single Room Occupancy	MUP	1/2Us
Industrial	Agriculture	P	0
	Manufacturing	-	-
	Power / Electrical Substation	-	-
	Reverse Vending Machine	P	0
	Small Collection Facility	-	-
Motor-Vehicle Related	Car Wash, Gas Station	-	-
	Recreational Vehicle Park	-	-
	Repair, commercial (motor vehicles)	-	-
	Repair, personal (motor vehicles)	P	0
	Motor Vehicle Sales, Rentals	-	-
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	MUP	1/400
Other	Temporary Use	TUP (1)	0
	Nature	-	-
	Agriculture (see 8.10.070)	P	0
	Greenway (see 8.10.080)	P	0
	Green (see 8.10.090)	P	0
	Plaza (see 8.10.100)	P	0
	Square (see 8.10.110)	P	0
	Passage (see 8.10.120)	P	0
	Playground (see 8.10.130)	P	0
	Sportsfield	-	-
	Roof Garden (see 8.10.150)	P	0

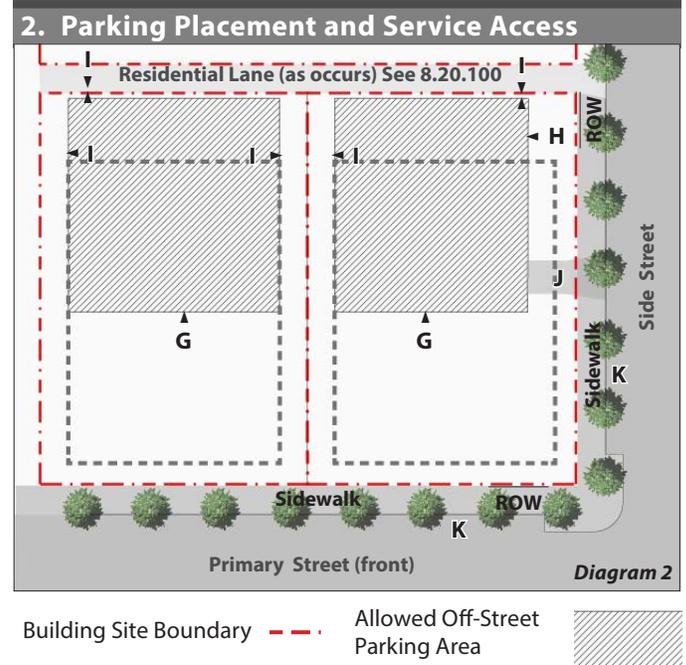
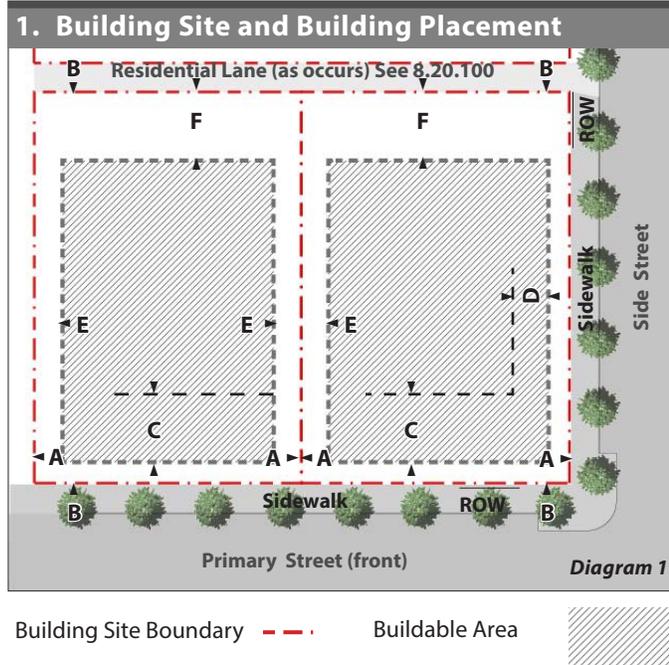
Key

P	Permitted Use - Zoning Clearance Required.
MUP	Minor Use Permit Required. See 9.30.50.B
CUP	Conditional Use Permit Required. See 9.30.50.A
TUP	Temporary Use Permit Required. See 9.70
-	Use not allowed

(1)	See Article 6 'Specific to Uses'
(2)	Not within 75 ft of street corner
1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

3.20.070 Neighborhood Center (T4.5) Zone

C. Development Standards



**1.1** Each building and addition shall be located on the building site per Diagram 1 and designed as one of the allowed types below:

Building Type	Building Site		Building Setbacks, Size			
	Width	Depth	Facade	Side	Rear	
	A	B	C	D	E	F
House	40-50	100-150	See 5.10.160			
Duplex	50-65	100-150	See 5.10.150			
Villa	80-125	160-175	See 5.10.140			
Bungalow Court	120-150	150-200	See 5.10.130			
Courtyard	130-200	150-165	See 5.10.120			
Rowhouse HF	86-140	80-150	See 5.10.110			
Flex Bldg Small	50-100	100-150	See 5.10.080			

**1.2** Building facades along streets shall be located within the facade layer 'C', 'D' per Diagram 1 and extend along frontage(s) per Section 3.2.

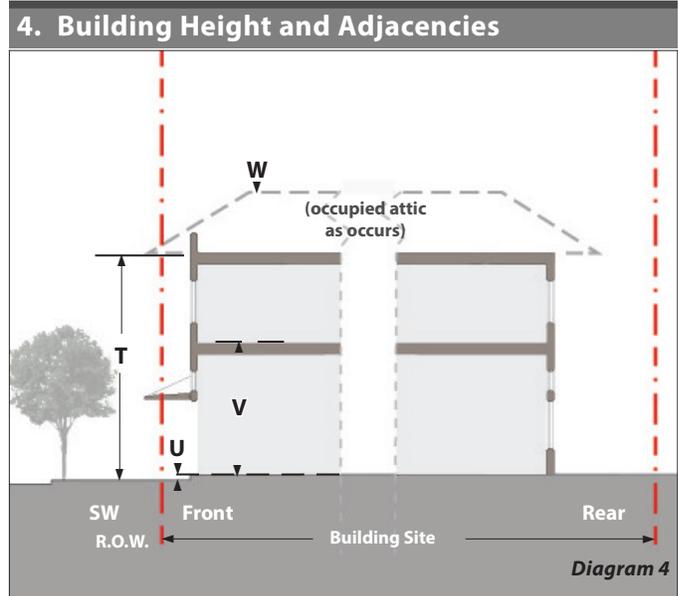
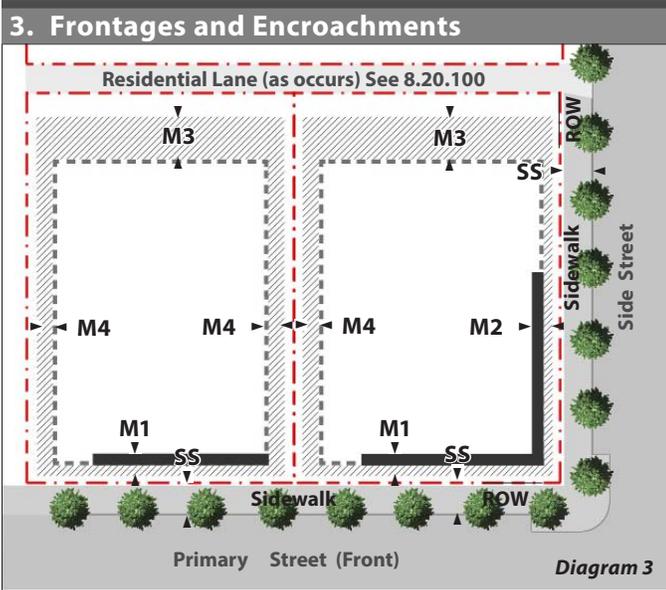
**2.1** Parking shall be located on the building site per Diagram 2. Parking areas shall consist of at least 25% pervious surfaces.

**2.2** Parking / service areas shall be accessed from an alley or side street. No new driveways from street.

**2.3** Parking entries/driveways shall not be wider than 15 ft, designed as integral, decorative components of the site.

Parking Setback	Min ft	Screening Requirement
<b>G</b> Front	50	By the building, or min 3' tall wall / hedge as allowed by Section 3.3
<b>H</b> Along Side Street	15	By the building, or min 3' tall wall / hedge
	10	Min 5 ft tall wall / hedge
<b>I</b> Side	5	Min 3 ft tall wall / hedge
		3 ft when alley along interior sideyard
<b>J</b> Parking Entry from side street		• Corner site: min 75 ft from corner
<b>K</b> On-Street Parking		• Primary street: min 30 ft from corner

C. Development Standards



Building Site Boundary - - - Frontage Required (see 'FL' for reqmts) **█**  
 SS Streetscape Area (see 8.20 for reqmts) Encroachment Area (see 'M' for reqmts) **▨**

Building Site Boundary - - -

**3.1** Building facades shall be located on the building site per Diagram 3 and designed as one or multiple allowed frontage types below:

Frontage Types	Requirements
Front Yard	See 5.20.140
Porch	See 5.20.130
Stoop	See 5.20.120
Walled Yard	See 5.20.110
Shopfront (Flex Bldg Small only)	See Table 5.20
Gallery (Flex Bldg Small only)	See Table 5.20

**3.2** Street facades shall extend along the frontage line per Diagram 3 and as identified in Section 'FL' below

FL	Amount of Ground Floor Facade in Facade-Layer
Along Primary St	• Corner Site: 80% min from side street corner • Interior Site: 80% min
Along Side St	70% min from primary street corner

**3.3** Building elements may encroach into required setbacks as identified below.

M	M1	M2	M3	M4
House to Courtyard	4	4	4	3
Rowhouse HF to Flex Bldg (S)	3	3	5	3

**4.1** Buildings and additions shall comply with the requirements in Diagram 4. All numbers are stated as a range or maximum unless stated otherwise.

**4.2** Building height is measured vertically from average sidewalk grade along frontage to the top plate of the highest story.

**4.3** Roofs, chimneys, finials and portions of structures less than 200 square feet with no dimension exceeding 15 feet, are allowed up to 14 feet above the top plate of the second story.

Building Type	T	U	V (min)	W	
	Ft	Stories	Finished Flr Level from SW	Ground Floor to Floor Ht	
House	26	2.5	min 1.5	10	40
Duplex	26	2.5	min 1.5	10	40
Villa	26	2.5	min 1.5	10	40
Bungalow Court	24	2.5	min 1.5	10	38
Rowhouse HF	26	2.5	min 1.5	10	40
Courtyard	26	2.5	min 1.5	10	40
Flex Bldg Small	26	2.5	0	13	40

## 3.20.080 Downtown (T5) Zone

### A. Intent and Purpose

The DT zone is applied to areas generally in Tehachapi's core for the purpose of being the cultural, speciality shopping, entertainment and civic core of Tehachapi and the Tehachapi Valley.

**1. Physical Character.** The widest variety of block-form and house-form buildings shape the streetscapes. Buildings are varied in height, up to 3 stories, mixed and single use, and are near or at the sidewalk to spatially define the small-town main-street streetscape.

- a) Property shall comply with the development standards in Section C of the DT zone;
- b) Signage shall comply with Article 7 (Signs).

**2. Streetscape / Public Realm.** The streetscape is in support of high pedestrian activity. Frontages range from shopfronts, forecourts and galleries, and terraces, with parking courts on side streets and walled yards on rear and side streets. Wide sidewalks with street trees accommodate outdoor dining and comfortable strolling.

- a) New blocks. Max perimeter: 1,600 feet, Max block length: 400 feet, shall comply with Chapter 8.20;
- b) Existing blocks shall comply with Chapter 8.20 when any of the following are modified or apply:
  - i) vehicular access, ii) right-of-way, iii) streetscape, iv) block exceeds 600 feet on any side;
- c) Adjacent streetscapes shall be improved per Chapter 8.20 when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;
- d) Open space shall be provided per Chapter 8.10 when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;

**3. Land Use.** Land use activities focus on specialty retail, restaurants, services, civic/cultural, lodging, conference facilities, office and housing.

- a) Existing non-conforming land uses may remain per the requirements of Chapter 10.30.040;
- b) New or expanded land use activity shall comply with Section B of the DT zone.

**4. Parking.** Parking is provided through a shared system of on-street spaces and grouped, off-street spaces.

### Examples of the DT Zone's range of intended physical character:



*Above: A variety of buildings with ground floor non-residential activities shape the small town main street environment.*



*Above: Streetscapes are varied, emphasizing pedestrian comfort, scale and small town physical character.*

- a) Existing parking shall be improved when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;
- b) New or expanded parking shall comply with Sections B and C.2 of the DT zone.

### B. Land Use Standards

**1. Allowed Land Use Types.** Table 3.20.080 identifies the allowed land use activity, the required permit, the amount of required parking and any special requirements. The identified permit is required prior to establishing operations;

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.20.080.

**3. Location and Size of Land Use Type.** In order to promote land use compatibility, allowed land use types

**Table 3.20.080 Land Use Standards**

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema	CUP	1:4
	Nightclub	CUP	1/300
	Health / Fitness	P	1/500
	Indoor / Outdoor Recreation	MUP	1:7
	Live/Amplified Music	MUP	1:7
	Meeting Facility	MUP	1:7
Restaurant and Food	Drive-Through	-	-
	Pub / Bar	MUP	1:5
	Restaurant (may incl alcohol sales)	MUP	1:5
	Outdoor Dining	MUP (1)	0
	Wine Tasting/Microbrewery	P	1:5
Retail	Alcohol Sales (off-site)	CUP	0
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	P	1/500
	Retail <1,500 sq ft	P	max 1
	Retail <10,000 sq ft	P	1/500
	Retail >10,000 sq ft	MUP	1/400
Services	Care Facility for the Elderly <7	P	1/4
	Care Facility for the Elderly >7	P	1/4
	Day Care: Adult Day	P	1/4
	Day Care: Small House <7	P (1)	1/4
	Day Care: Large House 7 to 14	MUP (1)	1/4
	Day Care Center: >15	MUP (1)	1/4
	Emergency Shelter	-	-
	Funeral Home	-	-
	Group home <7	P	1/U
	Group home >7	-	-
	Hotel / Motel	MUP	1/2R
	Inn (B&B)	MUP (1)	1/3R
	Medical Services	P	1/500
	Business or Personal Services	P	1/500
	Personal Services, Restricted	CUP	1/500
	Repair, commercials (non-vehicular)	P	1/500
Transitional and Supportive Housing	MUP	1/U	
Veterinary Clinic / Indoor Boarding	MUP	1/500	

Category	Use	Permit	Pkg
Office and Civic	Office or Civic, Library, General	P	1/400
	Government	P	1/400
	School, College, University	CUP	1:5
	Transit Station	MUP	0
Residential	Carriage House (Secondary Dwelling)	P	0.5/U
	Ground Floor (not on primary street)	P	1/U
	Home Occupation	P(1)	0
	Mobile Home Park / Subdivision	-	-
	Multi Family Residential	MUP	1/U
	Rooming and Boarding House	MUP	1/U
	Single Family Residential	-	-
Single Room Occupancy	MUP	1/2U	
Industrial	Manufacturing	-	-
	Power / Electrical Substation	-	-
	Reverse Vending Machine	P	0
	Small Collection Facility	-	-
Motor-Vehicle Related	Car Wash, Gas Station	-	-
	Recreational Vehicle Park	-	-
	Repair, commercial (motor vehicles)	-	-
	Motor Vehicle Sales, new / used	-	-
	Motor Vehicle Rentals	MUP	1/300
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	MUP	1/400
Other	Temporary Use	MUP (1)	0
	Nature	-	-
	Agriculture (see 8.10.070)	P	0
	Greenway, Green	-	-
	Plaza (see 8.10.100)	P	0
	Square (see 8.10.110)	-	-
	Passage (see 8.10.120)	P	0
	Playground (see 8.10.130)	P	0
	Sportsfield	-	-
	Roof Garden (see 8.10.150)	P	0

**Key**

P	Permitted Use - Zoning Clearance Required.
MUP	Minor Use Permit Required. See 9.30.50.B
CUP	Conditional Use Permit Required. See 9.30.50.A
TUP	Temporary Use Permit Required. See 9.70
-	Use not allowed

(1)	See Article 6 'Specific to Uses'
1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

3.20.080 Downtown (T5) Zone

C. Development Standards

1. Building Site and Building Placement

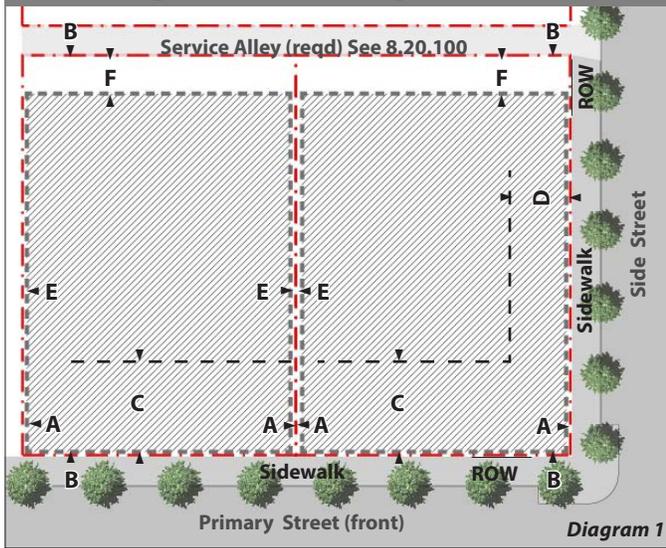


Diagram 1

Building Site Boundary - - - Buildable Area [hatched box]

2. Parking Placement and Service Access

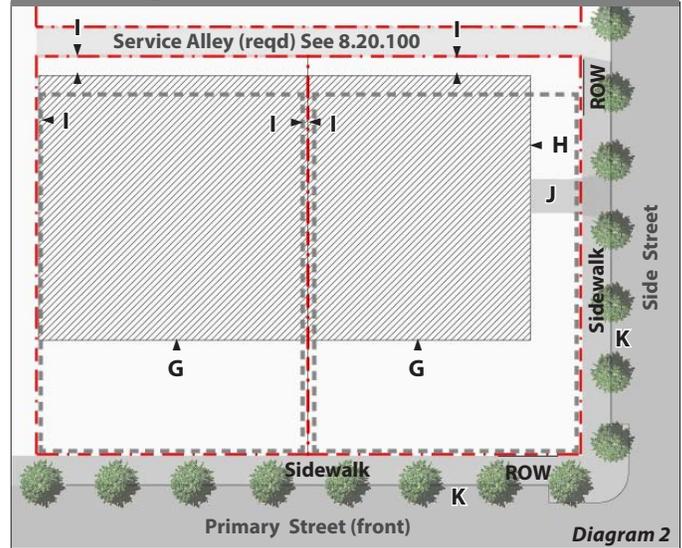


Diagram 2

Building Site Boundary - - - Allowed Off-Street Parking Area [hatched box]

**1.1** Each building and addition shall be located on the building site per Diagram 1 and designed as one of the allowed types below:

Building Type	Building Site		Building Setbacks, Size			
	Width	Depth	Facade	Side	Rear	
	A	B	C	D	E	F
House	40-50	90-150			See 5.10.160	
Villa	65-125	145-200			See 5.10.140	
Courtyard	125-175	150-200			See 5.10.120	
Rowhouse BF	86-170	80-150	(1)		See 5.10.100	
Flex Bldg Large	100-200	150-200			See 5.10.070	
Lined Bldg	125-250	150-200			See 5.10.060	

**1.2** Building facades along streets shall be located within the facade layer 'C', 'D' per Diagram 1 and extend along frontage(s) per Section 3.2.

(1) min 80 ft depth allowed only on north side of Tehachapi Blvd

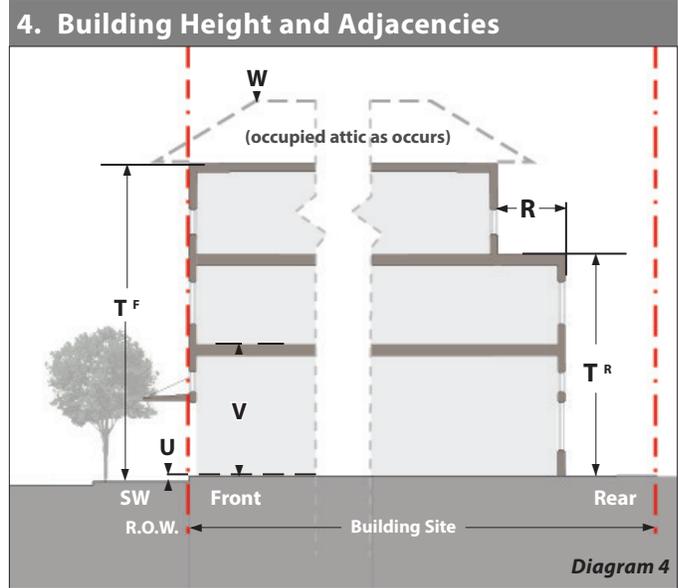
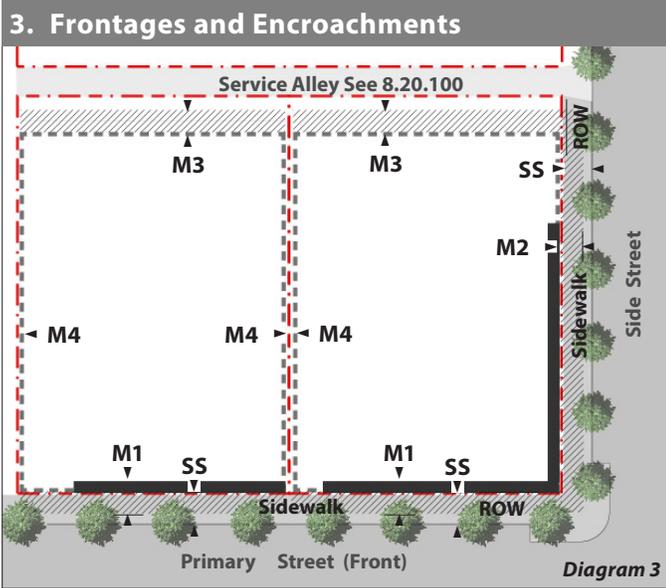
**2.1** Parking shall be located on the building site per Diagram 2. Parking areas shall consist of at least 25% pervious surfaces.

**2.2** Parking / service areas shall be accessed from an alley or side street. No new driveways from street.

**2.3** Parking entries/driveways shall not be wider than 15 ft, designed as integral, decorative components of the site.

Parking Setback	Min ft	Screening Requirement
<b>G</b> Front	50	By the building, or min 3' tall wall / hedge as allowed by Section 3.3
<b>H</b> Along Side Street	25	By the building, or min 3' tall wall / hedge
Rear	10	Min 5 ft tall wall / hedge
<b>I</b> Side	5	Min 3 ft tall wall / hedge 2 ft when alley along interior sideyard
<b>J</b> Parking Entry from side street		• Corner site: min 75 ft from corner
<b>K</b> On-Street Parking		• Primary street: min 30 ft from corner

C. Development Standards



Building Site Boundary - - - - - Frontage Required (see 'FL' for reqmts) **█**  
 SS Streetscape Area (see 8.20 for reqmts) Encroachment Area (see 'M' for reqmts) **▨**

Building Site Boundary - - - - -

**3.1** Building facades shall be located on the building site per Diagram 3 and designed as one or multiple allowed types below:

Frontage Types	Requirements
Walled Yard	See 5.20.110
Terrace	See 5.20.100
Parking Court (side street only)	See 5.20.090
Forecourt	See 5.20.080
Shopfront	See 5.20.070
Gallery	See Table 5.20

**3.2** Street facades shall extend along the frontage line per Diagram 3 and as identified in Section 'FL' below

FL	Amount of Ground Floor Facade in Facade-Layer
Along Primary St	• Corner Site: 90% min from side street corner • Interior Site: 80% min
Along Side St	75% min from primary street corner

**3.3** Building elements may encroach into required setbacks as identified below.

M	M1	M2	M3	M4
House to Rowhouse BF	within 3 ft of curb		5	0
Flex Bldg (L) to Lined Bldg	within 3 ft of curb		5	0

- 4.1** Buildings and additions shall comply with the requirements in Diagram 4. All numbers are stated as a range or maximum unless stated otherwise.
- 4.2** Building height is measured vertically from average sidewalk grade along frontage to the top plate of the highest story.
- 4.3** Roofs, chimneys, finials and portions of structures less than 250 square feet with no dimension exceeding 16 feet, are allowed up to 15 feet above the top plate of the third story.

Building Type	T <sup>F</sup>	(T <sup>R</sup> )	R	U	V (min)	W
	Ft / Stories		Third story Stbk	Finished Flr from SW	Grd Flr to Flr Ht	
House	26	2.5	n.a.	min 1.5	10	41
Villa	26	2.5	n.a.	min 1.5	10	41
Courtyard	30	2.5	n.a.	min 0.5	10	45
Rowhouse BF	30	3(1)	min 10	min 1.5	12	45
Flex Bldg Large	35 (24)	3(1)	See 5.10.070	0	14	50
Lined Bldg	35 (24)	3(1)	min 10	0	12	50

(1) See 5.10.060, 070 for 3rd story facade requirements

# Chapter 3.20 Transect Zones

## 3.20.090 Tehachapi Blvd West (SD2.1) Zone

### A. Intent and Purpose

The SD2.1 zone is applied to areas generally along Tehachapi Boulevard between Downtown and Tucker Road for regional and community-oriented lodging, retail and service businesses that complement Downtown.

**1. Physical Character.** Block-form buildings shape the streetscapes along Tehachapi Boulevard with house-form buildings shaping side streets and the transition to adjacent neighborhoods. Buildings are varied in height, up to 3 stories, mixed and single use, and are near or partially setback from the sidewalk to spatially define the streetscape.

- a) Property shall comply with the development standards in Section C of the SD2.1 zone;
- b) Signage shall comply with Article 7 (Signs).

**2. Streetscape / Public Realm.** The streetscape is in support of pedestrian activity. Frontages range from front yards and stoops to shopfronts, forecourts, galleries and parking courts. Wide sidewalks accommodate outdoor dining and comfortable strolling.

- a) New blocks. Max perimeter: 2,400 feet, Max block length: 500 feet, shall comply with Chapter 8.20;
- b) Existing blocks shall comply with Chapter 8.20 when any of the following are modified or apply: i) vehicular access, ii) right-of-way, iii) streetscape, iv) block exceeds 700 feet on any side;
- c) Adjacent streetscapes shall be improved per Chapter 8.20 when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;
- d) Open space shall be provided per Chapter 8.10 when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;

**3. Land Use.** Land use activities focus on regional and community-wide retail, restaurants, lodging, conference facilities, with supportive office and housing.

- a) Existing non-conforming land uses may remain per the requirements of Chapter 10.30.040;
- b) New or expanded land use activity shall comply with Section B of the SD2.1 zone.

### 4. Parking.

- a) Existing parking shall be improved when any of the following apply: i) new building or renovation/addition over 50%; ii) modification of site access; or iii) subdivision;

### Examples of the SD2.1 Zone's range of intended physical character:



*Above: 3-story Large Flex buildings provide lodging and conference facilities along Tehachapi Boulevard.*



*Above: Multi-family residential in Rowhouse buildings or House-form types along side streets provide compatible transitions from Tehachapi Boulevard to adjacent neighborhoods.*

- b) New or expanded parking shall comply with Sections B and C.2 of the SD2.1 zone.

### B. Land Use Standards

**1. Allowed Land Use Types.** Table 3.20.090 identifies the allowed land use activity, the required permit, the amount of required parking and any special requirements. The identified permit is required prior to establishing operations;

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.20.090;

**3. Location and Size of Land Use Type.** In order to promote land use compatibility, allowed land use types shall comply with the identified requirements for size and location.

Tehachapi Blvd West (SD2.1) Zone 3.20.090

Table 3.20.090 Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema, Nightclub	-	-
	Health / Fitness	P	1/400
	Indoor / Outdoor Recreation	MUP	1/400
	Live/Amplified Music	MUP	1/400
Restaurant and Food	Meeting Facility	MUP	1/400
	Drive-Through	-	-
	Pub / Bar	-	-
	Restaurant (may incl alcohol sales)	MUP	1/400
	Outdoor Dining	MUP (1)	0
Retail	Wine Tasting/Microbrewery	-	-
	Alcohol Sales (off-site)	CUP	0
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	P	1/400
	Retail <1,500 sq ft	P	1/500
	Retail <10,000 sq ft	P	1/400
	Retail >10,000 sq ft	MUP	1/300
Services	Secondhand Stores	P	1/400
	Care Facility for the Elderly <7	P	1/4
	Care Facility for the Elderly >7	P	1/4
	Day Care: Adult Day	P	1/4
	Day Care: Small House <7	P (1)	1/4
	Day Care: Large House 7 to 14	MUP (1)	1/4
	Day Care Center: >15	MUP (1)	1/4
	Emergency Shelter	-	-
	Funeral Home	-	-
	Group home, <7	P	1/U
	Group home, >7	-	-
	Hotel / Motel	MUP	1/2R
	Inn (B&B)	-	-
	Medical Services	P	1/250
	Business or Personal Services	P	1/300
	Personal Services, Restricted	CUP	1/300
	Repair, commercial (non-vehicular)	P	1/300
Transitional and Supportive Housing	MUP	1/2U	
Veterinary Clinic/Boarding	MUP	1/300	

Category	Use	Permit	Pkg
Office and Civic	Office or Civic, Library, General	P	1/300
	School, College, University	CUP	1:3
	Transit Station	MUP	0
Residential	Farmworker Housing	-	-
	Carriage House (Secondary Dwelling)	P	1/U
	Home Occupation	P (1)	0
	Mobile Home Park / Subdivision	-	-
	Multi Family Residential	MUP	1.5/U
	Rooming and Boarding House	MUP	1.5/U
	Single Family Residential	P	2/U
Industrial	Single Room Occupancy	MUP	1/2U
	Manufacturing	-	-
	Power / Electrical Substation	-	-
	Reverse Vending Machine	P	0
Motor-Vehicle Related	Small Collection Facility	-	-
	Car Wash	MUP	1/250
	Gas Station	-	-
	Recreational Vehicle Park	-	-
	Repair, commercial (motor vehicles)	-	-
	Motor Vehicle Sales, new / used	CUP	1/300
Communications	Motor Vehicle Rentals	P	1/250
	Telecommunications Facilities	CUP (1)	0
Other	Broadcasting / Recording Studio	MUP	1/400
	Temporary Use	TUP (1)	0
	Nature	-	-
	Agriculture (see 8.10.070)	P	0
	Greenway (see 8.10.080)	P	0
	Green (see 8.10.090)	P	0
	Plaza (see 8.10.100)	P	0
	Square (see 8.10.110)	P	0
	Passage (see 8.10.120)	P	0
	Playground (see 8.10.130)	P	0
	Sportsfield	-	-
	Roof Garden (see 8.10.150)	P	0

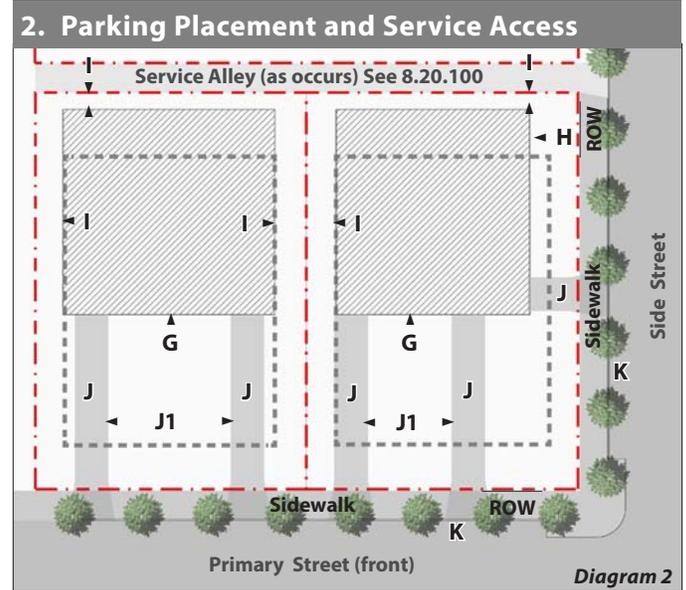
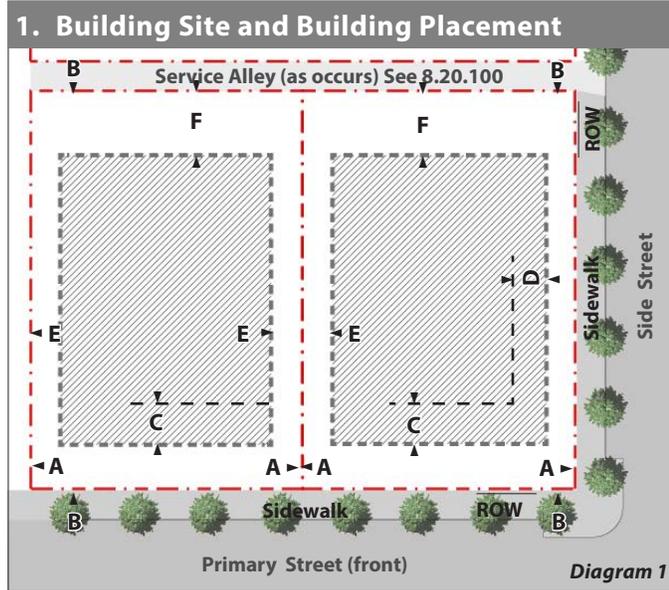
Key

P	Permitted Use - Zoning Clearance Required.
MUP	Minor Use Permit Required. See 9.30.50.B
CUP	Conditional Use Permit Required. See 9.30.50.A
TUP	Temporary Use Permit Required. See 9.70
-	Use not allowed

(1)	See Article 6 'Specific to Uses'
1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

3.02.140 Tehachapi Blvd West (SD2.1) Zone

C. Development Standards



Building Site Boundary - - - Buildable Area [diagonal hatching]

Building Site Boundary - - - Allowed Off-Street Parking Area [diagonal hatching]

**1.1** Each building and addition shall be located on the building site per Diagram 1 and designed as one of the allowed types below:

Building Type	Building Site		Building Setbacks, Size			
	Width	Depth	Facade	Side	Rear	
	A	B	C	D	E	F
Duplex	50-65	100-150	See 5.10.150			
Villa	80-125	150-200	See 5.10.140			
Courtyard	150-250	150-200	See 5.10.120			
Rowhouse BF	86-170	90-150	See 5.10.100			
Flex Bldg Small	50-100	100-150	See 5.10.080			
Flex Bldg Large	200-400	200-400	See 5.10.070			

**1.2** Building facades along streets shall be located within the facade layer 'C', 'D' per Diagram 1 and extend along frontage(s) per Section 3.2.

**2.1** Parking shall be located on the building site per Diagram 2. Parking areas shall consist of at least 25% pervious surfaces.

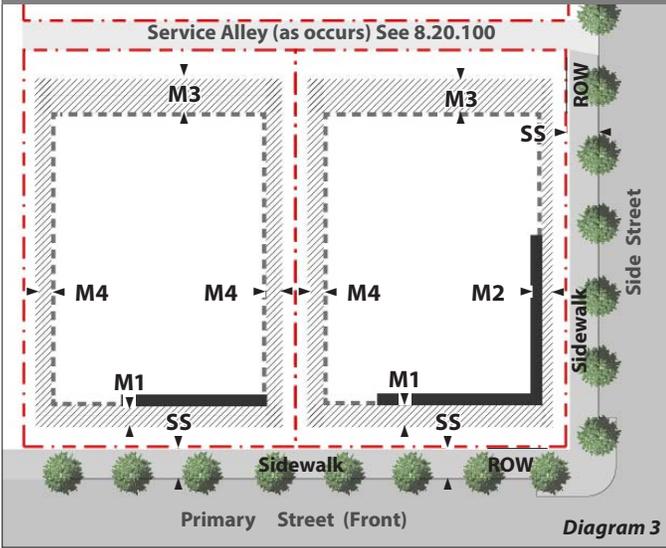
**2.2** Parking / service areas may be accessed from primary street, alley or side street.

**2.3** Parking entries/driveways shall not be wider than 15 ft, designed as integral, decorative components of the site. Driveways may only connect to each other within the allowed off-street parking area.

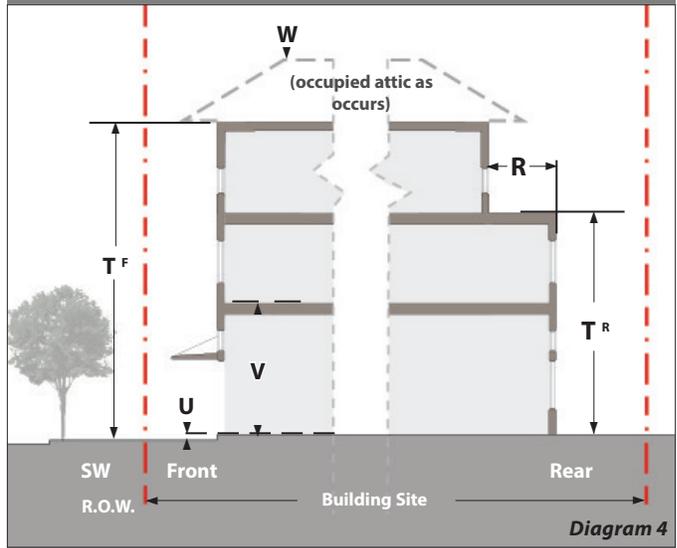
Parking Setback	Min ft	Screening Requirement
<b>G</b> Front	30	By the building, or min 3' tall wall / hedge as allowed by Section 3.3
<b>H</b> Along Side Street	30	By the building, or min 3' tall wall / hedge
	10	Min 5 ft tall wall / hedge
<b>I</b> Side	10	Min 3 ft tall wall / hedge
	5	when along interior sideyard
<b>J</b> Parking Entry		• Corner site: min 75 ft from corner • Interior site: within 15 ft of either side when side street or alley not present
<b>J1</b> Driveway Separation		• min 100 ft
<b>K</b> On-Street Parking		• Primary street: min 30 ft from corner

C. Development Standards

3. Frontages and Encroachments



4. Building Height and Adjacencies



Building Site Boundary - - - - - Frontage Required (see 'FL' for reqmts) ————  
 SS Streetscape Area (see 8.20 for reqmts) Encroachment Area (see 'M' for reqmts) [hatched pattern]

Building Site Boundary - - - - -

3.1 Building facades shall be located on the building site per Diagram 3 and designed as one or multiple allowed types below:

Frontage Types	Requirements
Front Yard	See 5.20.140
Stoop	See 5.20.120
Walled Yard	See 5.10.110
Parking Court	See 5.20.090
Forecourt	See 5.20.080
Shopfront	See 5.20.070
Gallery	See Table 5.20

3.2 Street facades shall extend along the frontage line per Diagram 3 and as identified in Section 'FL' below

FL	Amount of Ground Floor Facade in Facade-Layer
Along Primary St	• Corner Site: 70% min from side street corner • Interior Site: 60% min
Along Side St	60% min from primary street corner

3.3 Building elements may encroach into required setbacks as identified below.

M	M1	M2	M3	M4
Duplex to Courtyard	5	5	3	4
Rowhouse BF to Flex Bldg (S)	5	5	7	2
Flex Bldg (L)	5	5	5	3

4.1 Buildings and additions shall comply with the requirements in Diagram 4. All numbers are stated as a range or maximum unless stated otherwise.

4.2 Building height is measured vertically from average sidewalk grade along frontage to the top plate of the highest story.

4.3 Roofs, chimneys, finials and portions of structures less than 200 square feet with no dimension exceeding 15 feet, are allowed up to 12 feet above the top plate of the third story.

Building Type	T <sup>F</sup>	(T <sup>R</sup> )	R	U	V (min)	W
	Ft / Stories		Third Story Stbk	Finished Fl Level from SW	Grd Flr to Flr Ht	
Duplex	24	2.5	n.a.	min 1.5	10	36
Villa	26	2.5	n.a.	min 1.5	10	38
Courtyard	30	2.5	n.a.	min 1.5	10	42
Rowhouse BF	30	2.5	n.a.	min 1.5	10	42
Flex Bldg Small	26	2	n.a.	0	12	38
Flex Bldg Large	35 (24)	3 (1)	min 10	0	14	47

(1) See 5.10.070 for 3rd story facade requirements

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## Chapter 3.30 Non-Transect Zones

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### Sections:

- 3.30.010 Purpose
- 3.30.020 Applicability
- 3.30.030 Estate (E) Zone
- 3.30.040 Single Family Residential (R-1) Zone
- 3.30.050 Medium-Density Residential (R-2) Zone
- 3.30.060 High-Density Residential (R-3) Zone
- 3.30.070 Mobile Home Park (MHP) Zone
- 3.30.080 Residential Professional (RP) Zone
- 3.30.090 Neighborhood Commercial (C-1) Zone
- 3.30.100 Central Commercial (C-2) Zone
- 3.30.110 General Commercial (C-3) Zone
- 3.30.120 Highway Commercial (C-4) Zone
- 3.30.130 Light Industrial (M-1) Zone
- 3.30.140 Medium Industrial (M-2) Zone
- 3.30.150 Agriculture (A) Zone
- 3.30.160 Planned Development (PD) Zone

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### 3.30.010 Purpose

Chapter 3.30 provides regulatory standards governing land use and building form within the Non-Transect-based zoning areas. The Zoning Code is a reflection of the community vision for implementing the intent of the General Plan. These standards are intended to en-

sure that proposed development is compatible with existing and future development on neighboring properties, and produces an environment of desirable character, consistent with the General Plan and any applicable specific plan.

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### 3.30.020 Applicability

The requirements of Chapter 3.30 shall apply to all proposed development within Non-Transect-based zones, and shall be considered in combination with the standards for the applicable zone in Article 4 (General

to Zones) and those in Article 6 (Specific to Uses). If there is a conflict between any standards, the provisions of Article 3 (Specific to Zones) control over Article 4 and the provisions of Article 6 control over Articles 3 and 4.

## 3.30.030 Estate (E) Zone

### A. Intent and Purpose

The E zone is applied to areas of Tehachapi's that are appropriate for the development of larger residential lots where uses and activities allowed are designed to promote rural character and quiet residential neighborhoods. All property shall comply with the following applicable requirements:

- 1. Physical Character.** Property shall comply with the development standards in Section C of the E zone.
- 2. Land Use.**
  - a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
  - b) New or expanded land use activity shall comply with Section B of the E zone.
- 3. Parking.**
  - a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
  - b) New or expanded parking shall comply with Sections B and C.2 of the E zone.

### Illustrative examples of the E Zone:



*Above: Homes on larger lots promote a rural character..*



*Above: A large home with ample yard space enhance a quiet residential neighborhood*

### B. Land Use Standards

- 1. Allowed Land Use Types.** Only those land uses identified in Table 3.30.030 as allowable per the required permit shall be allowed, subject to the following:
  - a) The required permit is obtained prior to establishing operations;
  - b) All land use activity shall comply with the applicable requirements for parking, size or location, and special requirements identified in Table 3.30.030.
- 2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.30.030.

Table 3.30.030. Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema	-	-
	Nightclub	-	-
	Health / Fitness	-	-
	Indoor/Outdoor Recreation	CUP	1/400
	Live/Amplified Music	-	-
	Meeting Facility	CUP	1/400
Restaurant and Food	Drive-Through	-	-
	Pub / Bar, Micro-Brewery	-	-
	Restaurant (may incl alcohol sales)	-	-
	Outdoor Dining	-	-
	Wine Tasting	-	-
Retail	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	-	-
	Retail <2,000 square feet	-	-
	Retail >2,000 square feet	-	-
	Secondhand Stores	-	-
Services	Care Facility for the Elderly <7	P	1/4
	Care Facility for the Elderly >7	-	-
	Day Care: Adult Day	MUP	1/4
	Day Care: Small House <7	P (1)	1/4
	Day Care: Large House 7 to 14	P (1)	1/4
	Day Care Center: Child > 15	CUP (1)	1/4
	Emergency Shelter	P	1/4
	Funeral Home	-	-
	Group Home < 7 clients	P	1/U
	Group Home > 7 clients	-	-
	Hotel / Motel	-	-
	Inn (B&B)	-	-
	Medical Services	-	-
	Laundromat/Dry Cleaning	-	-
	Business or Personal Services	-	-
	Repair, Commercial (non-vehicular)	-	-
	Transitional and Supportive Housing	P	1/U
Veterinary Clinic/Boarding	-	-	

Category	Use	Permit	Pkg
Office and Civic	Office	-	-
	Government, Civic, Library	-	-
	School, College, University	MUP	1:5
	Transit Station	-	-
Residential	Farmworker Housing	-	-
	Granny Flat (Secondary Dwelling)	P (1)	0.5/U
	Ground Floor	-	-
	Home Occupation	P (1)	0
	Mobile Home Park/Subdivision	-	-
	Multi Family Residential	-	-
	Rooming and Boarding House	-	-
	Single Family Residential	P	2/U
Single Room Occupancy	-	-	
Industrial	Manufacturing	-	-
	Power / Electrical Substation	-	-
	Reverse Vending Machine	-	-
	Small Collection Facility	-	-
Motor-Vehicle Related	Car Wash, Gas Station	-	-
	Motor Vehicle Sales, Rentals	-	-
	Recreational Vehicle Park	-	-
	Repair (motor vehicles)	-	-
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	-	-
Other	Temporary Use	MUP (1)	0
	Nature (see 8.10.060)	MUP	0
	Agriculture (see 8.10.070)	MUP	5
	Greenway (see 8.10.080)	P	0
	Green (see 8.10.090)	P	0
	Plaza, Square, Passage	-	-
	Playground	-	-
	Sportsfield (see 8.10.140)		
	Roof Garden (see 8.10.150)		

## Key

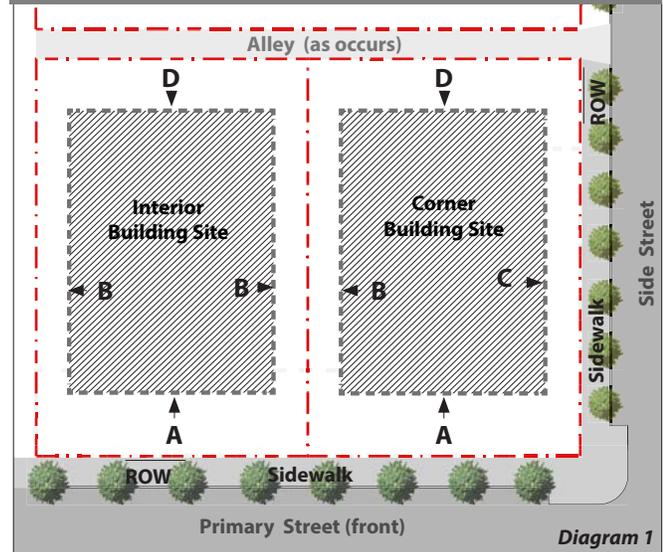
P	Permitted Use
MUP	Minor Use Permit Required
CUP	Conditional Use Permit Required
-	Use not allowed
(1)	See Article 6 "Specific to Uses"

1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

# 3.30.030 Estate (E) Zone

## C. Development Standards

### 1. Building Placement



Building Site Boundary - - - Buildable Area [hatched box]

### 2. Parking Placement

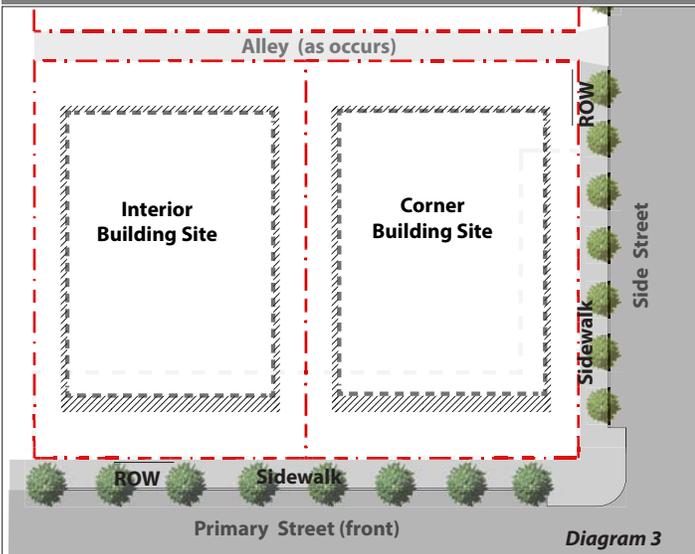
Building Site Boundary - - - Allowed Off-Street Parking Area [hatched box]

**2.1** See Chapter 4.50 (Parking Standards).

BUILDING SITE REQUIREMENTS		Min.
<b>A</b>	Front Setback	
	From Center Line of Local Street	55'
	From Center Line of Secondary Street	70'
	From Center Line of Major Street	80'
<b>B</b>	Side Setback	10'
<b>C</b>	Side Street Setback, Corner Lot	25' <sup>1</sup>
	Reverse Corner Lot	25' <sup>1</sup>
<b>D</b>	Rear Setback	25'
	Rear Setback, Through Lot	See Front
<sup>1</sup> Setback measured from the right-of-way of any local street, existing or proposed secondary or major highway, or the right-of-way established by any official or specific plan line.		
LOT REQUIREMENTS		Min.
<b>E</b>	E-1/2 Lot Size	.5 acre
<b>F</b>	E-1 Lot Size	1 acre
<b>G</b>	E-2 1/2 Lot Size	2.5 acre
<b>H</b>	E-5 Lot Size	5 acres
DENSITY REQUIREMENTS		Max.
<b>I</b>	Density	1 unit/parcel

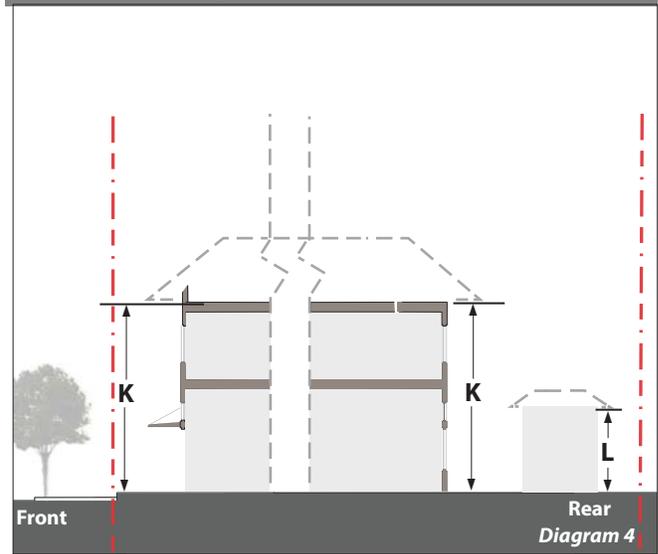
C. Development Standards

3. Encroachments



Building Site Boundary — — — — — Encroachment Area (see 'J' for reqmts)

4. Building Height and Adjacencies



Building Site Boundary — — — — —

**3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards).

**3.2** Rooftop equipment, including roof mounted air conditioning systems, are prohibited in new residential construction. Exception: Retrofit equipment with in existing residential construction, when the Chief Building Inspector determines that the circumstances of the installation preclude installation within the building envelope..

**4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).

**4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

Height Requirements	Max <sup>1</sup>	
	Stories	Ft
<b>K</b> Bldg Height	2	35
<b>L</b> Accessory Structure	1	12
<b>M</b> Antenna		45

<sup>1</sup> Maximum stories shall not exceed maximum height (feet) from groundline.

**J Encroachments Requirements**

Encroachment into Front Setback	
Architectural Features	3' max.
Uncovered porches and necessary landings <sup>1</sup>	6' max.
Stairs and connected platforms or landings extending above the first floor of a building	6' max
Encroachment into Side or Rear Setback	
Uncovered stairs and necessary landings <sup>1</sup>	3' max.

<sup>1</sup> Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding three feet in height.

## 3.30.040 Single Family Residential (R-1) Zone

### A. Intent and Purpose

The R-1 zone is applied to areas of Tehachapi that are appropriate for the development of low-density residential dwellings of a single family dwelling type. The R-1 zone establishes neighborhoods that preserve and protect a single family residential character, while also allowing for a variety of housing opportunities. All property shall comply with the following applicable requirements:

**1. Physical Character.** Property shall comply with the development standards in Section C of the R-1 zone.

#### 2. Land Use.

- a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
- b) New or expanded land use activity shall comply with Section B of the R-1 zone.

#### 3. Parking.

- a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
- b) New or expanded parking shall comply with Sections B and C.2 of the R-1 zone.

### Illustrative examples of the R-1 Zone:



*Above: Single family homes with accessible driveways.*



*Above: Single family home nicely landscaped promotes a low-density neighborhood.*

### B. Land Use Standards

**1. Allowed Land Use Types.** Only those land uses identified in Table 3.30.040 as allowable per the required permit shall be allowed, subject to the following:

- a) The required permit is obtained prior to establishing operations;
- b) All land use activity shall comply with the applicable requirements for parking, size or location, and special requirements identified in Table 3.30.040.

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.30.030.

Single Family Residential (R-1) Zone

3.30.040

Table 3.30.040. Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema	-	-
	Nightclub	-	-
	Health / Fitness	-	-
	Indoor/Outdoor Recreation	CUP	1/400
	Live/Amplified Music	-	-
Restaurant and Food	Meeting Facility	-	-
	Drive-Through	-	-
	Pub / Bar, Micro-Brewery	-	-
	Restaurant (may incl alcohol sales)	-	-
	Outdoor Dining	-	-
Retail	Wine Tasting	-	-
	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	-	-
	Retail <2,000 square feet	CUP	1/400
	Retail >2,000 square feet	-	-
Services	Secondhand Stores	-	-
	Care Facility for the Elderly <7	P	1/4
	Care Facility for the Elderly >7	-	-
	Day Care: Adult Day	P	1/4
	Day Care: Small House <7	P (1)	1/4
	Day Care: Large House 7 to 14	P (1)	1/4
	Day Care Center: Child > 15	CUP (1)	1/4
	Emergency Shelter	P	1/4
	Funeral Home	-	-
	Group Home <7 clients	P	1/U
	Group Home > 7 clients	-	-
	Hotel / Motel	-	-
	Inn (B&B)	-	-
	Medical Services	-	-
	Laundromat/Dry Cleaning	-	-
	Business or Personal Services	-	-
	Personal Services, Restricted	-	-
	Repair, Commercial (non-vehicular)	-	-
	Transitional and Supportive Housing	P	1/U
	Veterinary Clinic/Boarding	-	-

Category	Use	Permit	Pkg
Office and Civic	Office	-	-
	Government, Civic, Library	-	-
	School, College, University	P	1:5
	Transit Station	-	-
Residential	Farmworker Housing	-	-
	Granny Flat (Secondary Dwelling)	P (1)	0.5/U
	Ground Floor	-	-
	Home Occupation	P (1)	0
	Mobile Home Park/Subdivision	-	-
	Multi Family Residential	-	-
	Rooming and Boarding House	-	-
	Single Family Residential	P	2/U
Industrial	Single Room Occupancy	-	-
	Manufacturing	-	-
	Power / Electrical Substation	-	-
	Reverse Vending Machine	-	-
	Small Collection Facility	-	-
Motor-Vehicle Related	Car Wash, Gas Station	-	-
	Motor Vehicle Sales, Rentals	-	-
	Recreational Vehicle Park	-	-
	Repair (motor vehicles)	-	-
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	-	-
Other	Temporary Use	MUP (1)	0
	Nature (see 8.10.060)	CUP	0
	Agriculture (see 8.10.070)	-	-
	Greenway (see 8.10.080)	-	-
	Green (see 8.10.090)	P	0
	Plaza, Square, Passage	-	-
	Playground (see 8.10.130)	MUP	0
	Sportsfield (see 8.10.140)	MUP	0
	Roof Garden (see 8.10.150)	P	0

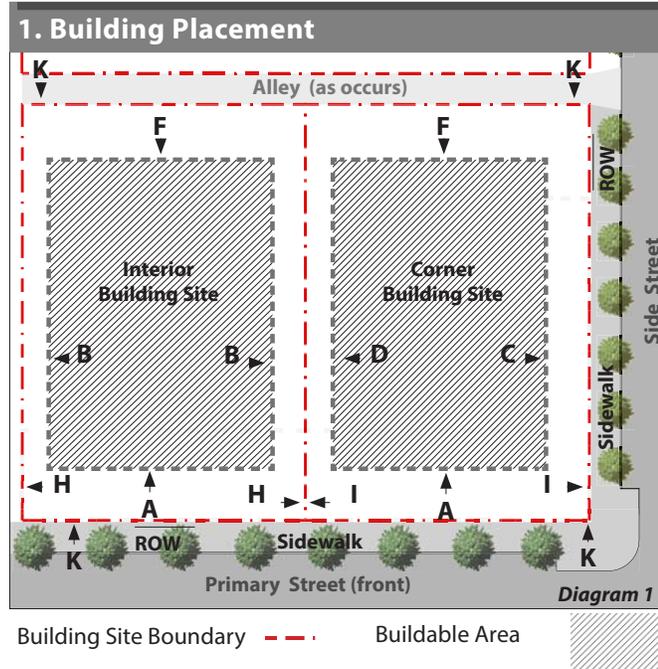
Key

P	Permitted Use
MUP	Minor Use Permit Required
CUP	Conditional Use Permit Required
-	Use not allowed
(1)	See Article 6 "Specific to Uses"

1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

# 3.30.040 Single Family Residential (R-1) Zone

## C. Development Standards



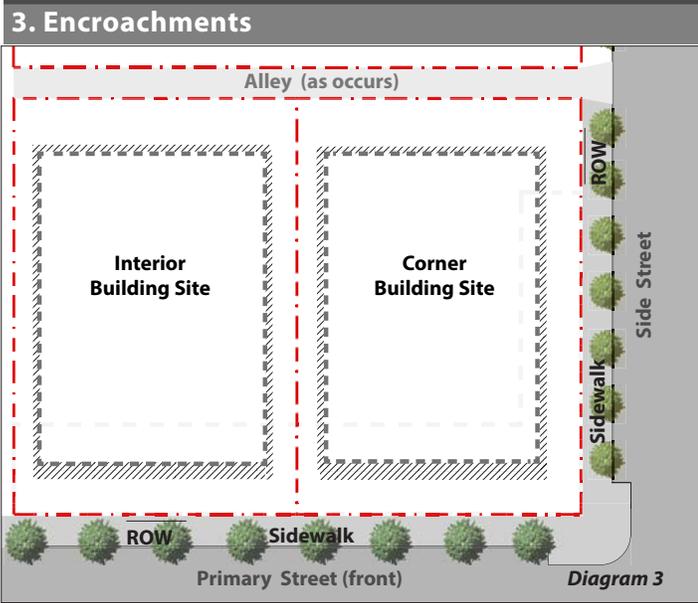
## 2. Parking Placement



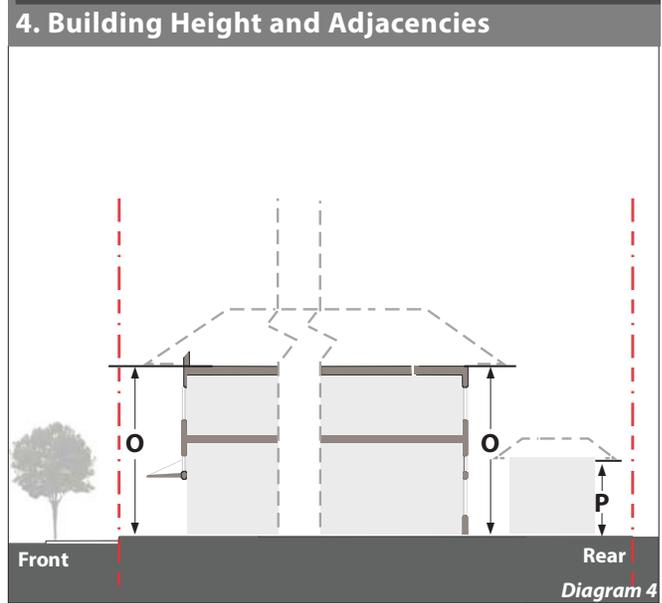
BUILDING SITE REQUIREMENTS		Min.
A	Front Setback	25' <sup>1</sup>
B	Side Setback, Interior Lot	5'/10' <sup>2</sup>
C	Side Street Setback, Corner Lot	15'
	Reverse Corner Lot	20'
D	Side Interior Setback Corner Lot	5'
	Reverse Corner Lot	5'
E	Accessory Structure Rear Setback <sup>3</sup>	5'
F	Rear Setback	25' <sup>1</sup>
1 Lots less than 8,000sf require a 20' front and rear Setback. 2 One side setback is min 5' and the other side setback is min. 10'. 3 Residential accessory structures shall have the same minimum front and side setback as required of the main building.		
LOT REQUIREMENTS		
G	Lot Size (min.)	8,000 sf
H	Lot Width, Interior Lot (min.)	70'
I	Lot Width, Corner Lot (min.)	75'
J	Lot Width, Reverse Corner Lot (min.)	80'
K	Lot Depth (min.)	100'
L	Lot Coverage (max.)	35%
DENSITY REQUIREMENTS		Max.
M	Density	1 unit/parcel

**2.1** See Chapter 4.50 (Parking Standards).

C. Development Standards



Building Site Boundary — — — — — Encroachment Area (see 'N' for reqmts)



Building Site Boundary — — — — —

- 3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards).
- 3.2** Roof mounted air conditioning systems are not permitted..

N	Encroachments	Requirements
Encroachment into Front Setback		
	Architectural Features	3' max.
	Uncovered porches and necessary landings <sup>1</sup>	6' max.
	Stairs and connected platforms or landings extending above the first floor of a building	6' max
Encroachment into Side or Rear Setback		
	Uncovered stairs and necessary landings <sup>1</sup>	3' max.
1 Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding three feet in height.		

- 4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).
- 4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

Height Requirements	Max <sup>1</sup>	
	Stories	Ft
<b>O</b> Bldg Height	2.5	35
<b>P</b> Accessory Structure	1	12
1 Maximum stories shall not exceed maximum height (feet) from groundline.		

## 3.30.050 Medium-density Residential (R-2) Zone

### A. Intent and Purpose

The R-2 zone is applied to areas of Tehachapi that are appropriate for low-density, multi family housing choices. The R-2 zone establishes good neighborhood design on lots not less than 7,500 square feet. All property shall comply with the following applicable requirements:

**1. Physical Character.** Property shall comply with the development standards in Section C of the R-2 zone.

### 2. Land Use.

- a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
- b) New or expanded land use activity shall comply with Section B of the R-2 zone.

### 3. Parking.

- a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
- b) New or expanded parking shall comply with Sections B and C.2 of the R-2 zone.

### Illustrative examples of the R-2 Zone:



*Above: Townhomes allow a slight increase in density while maintaining neighborhood character..*



*Above: A multi-unit building can be integrated into a neighborhood*

### B. Land Use Standards

**1. Allowed Land Use Types.** Only those land uses identified in Table 3.30.050 as allowable per the required permit shall be allowed, subject to the following:

- a) The required permit is obtained prior to establishing operations;
- b) All land use activity shall comply with the applicable requirements for parking, size or location, and special requirements identified in Table 3.30.050.

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.30.050.

Medium-density Residential (R-2) Zone

3.30.050

Table 3.30.050. Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema	-	-
	Nightclub	-	-
	Health / Fitness	-	-
	Indoor/Outdoor Recreation	CUP	1/400
	Live/Amplified Music	-	-
Restaurant and Food	Meeting Facility	-	-
	Drive-Through	-	-
	Pub / Bar, Micro-Brewery	-	-
	Restaurant (may incl alcohol sales)	-	-
	Outdoor Dining	-	-
Retail	Wine Tasting	-	-
	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	-	-
	Retail <2,000 square feet	CUP	1/400
	Retail >2,000 square feet	-	-
Services	Secondhand Stores	-	-
	Care Facility for the Elderly <7	MUP	1/4
	Care Facility for the Elderly >7	-	-
	Day Care: Adult Day	P	1/4
	Day Care: Small House <7	P (1)	1/4
	Day Care: Large House 7 to 14	P (1)	1/4
	Day Care Center: Child > 15	CUP (1)	1/4
	Emergency Shelter	P (1)	1/4
	Funeral Home	-	-
	Group Home < 7 clients	P	1/U
	Group Home > 7 clients	-	-
	Hotel / Motel	-	-
	Inn (B&B)	-	-
	Laundromat/Dry Cleaning	-	-
	Medical Services	CUP	1/400
	Business or Personal Services	-	-
	Repair, Commercial (non-vehicular)	-	-
	Transitional and Supportive Housing	P	1/U
	Veterinary Clinic/Boarding	-	-

Category	Use	Permit	Pkg
Office and Civic	Office	-	-
	Government, Civic, Library	-	-
	School, College, University	P	1:5
	Transit Station	-	-
Residential	Farmworker Housing	-	-
	Granny Flat (Secondary Dwelling)	P	0.5/U
	Ground Floor	-	-
	Home Occupation	P (1)	0
	Mobile Home Park/Subdivision	-	-
	Multi Family Residential	MUP	1.5/U
	Rooming and Boarding House	-	-
	Single Family Residential	P	2/U
Industrial	Single Room Occupancy	MUP	1/2U
	Manufacturing	-	-
	Power / Electrical Substation	-	-
	Reverse Vending Machine	-	-
	Small Collection Facility	--	-
Motor-Vehicle Related	Car Wash, Gas Station	-	-
	Motor Vehicle Sales, Rentals	-	-
	Recreational Vehicle Park	-	-
	Repair (motor vehicles)	-	-
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	-	-
Other	Temporary Use	MUP (1)	0
	Nature (see 8.10.060)	CUP	0
	Agriculture (see 8.10.070)	-	-
	Greenway (see 8.10.080)	-	-
	Green (see 8.10.090)	p	0
	Plaza, Square, Passage	-	-
	Playground (see 8.10.130)	MUP	0
	Sportsfield (see 8.10.140)	MUP	0
	Roof Garden (see 8.10.150)	P	0

Key

P	Permitted Use
MUP	Minor Use Permit Required
CUP	Conditional Use Permit Required
-	Use not allowed
(1)	See Article 6 "Specific to Uses"

1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

# 3.30.050 Medium-density Residential (R-2) Zone

## C. Development Standards

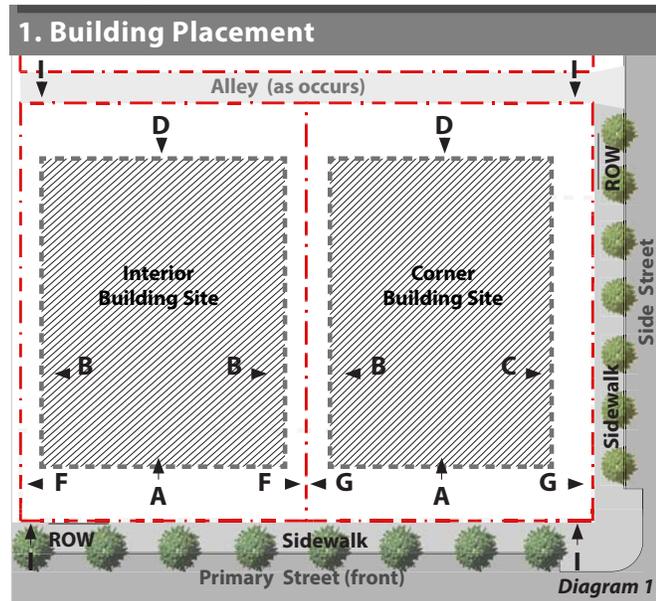


Diagram 1  
 Building Site Boundary - - - Buildable Area

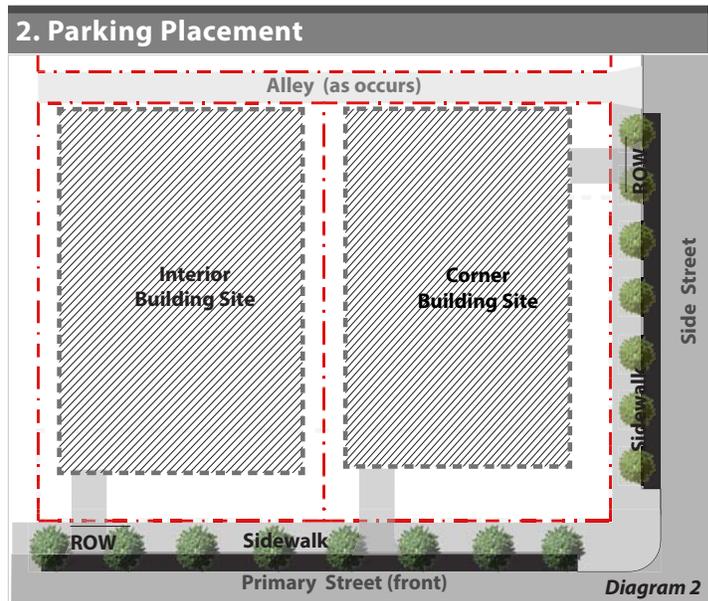


Diagram 2  
 Building Site Boundary - - - Allowed Off-Street Parking Area  
 Allowed On-Street Parking Area

BUILDING SITE REQUIREMENTS		Min.
<b>A</b>	Front Setback	20'
<b>B</b>	Side Setback	5'
	Accessory Structure Side Setback <sup>1</sup>	5'
<b>C</b>	Side Street Setback, Corner Lot	10'
<b>D</b>	Rear Setback w/out alley (w/alley = 10')	20'

<sup>1</sup> Accessory Structure Side Setbacks: Residential accessory structures shall have the same minimum side setback as required of the main building. A nonresidential accessory structure may be located on interior side lot line when structure is located 80' or more from the front property line. An accessory building having an opening on an alley shall be located not less than five feet from the property line. Any accessory structure permitted on a side property line shall have provisions for roof drainage to be retained on the lot.

LOT REQUIREMENTS		Min.
<b>E</b>	Lot Size	7,500 sf
<b>F</b>	Lot Width, Interior Lot	60'
<b>G</b>	Lot Width, Corner Lot	65'
<b>H</b>	Lot Width, Reverse Corner Lot	70'
<b>I</b>	Lot Depth	100'

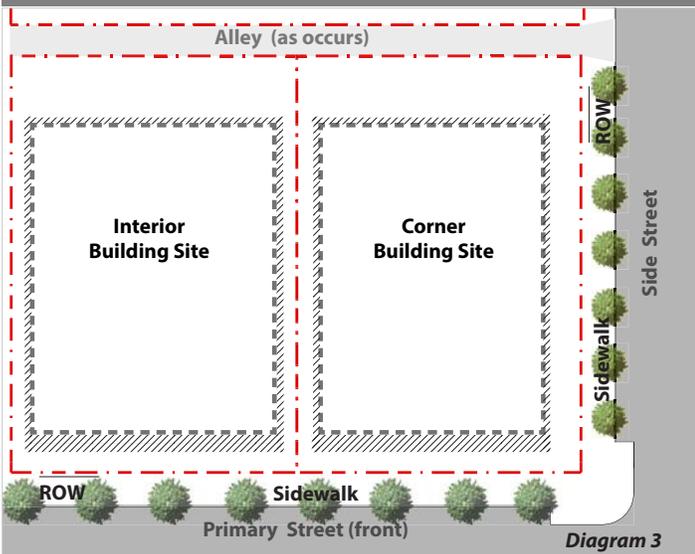
DENSITY REQUIREMENTS		Max.
<b>J</b>	Density	1 unit/3,630' of lot <sup>2</sup>

<sup>2</sup> Plus 1 unit for any remaining area more than 1,815 sq.ft.

- 2.1** Parking shall be located on the building site per Diagram 2. All utilities shall be located underground.
- 2.2** Parking / service areas shall not be accessed from primary street unless alley or side street not present.
- 2.3** Parking entries shall be 20' max wide, designed as integral, decorative components of the building facade.
- 2.4** See Chapter 4.50 (Parking Standards).

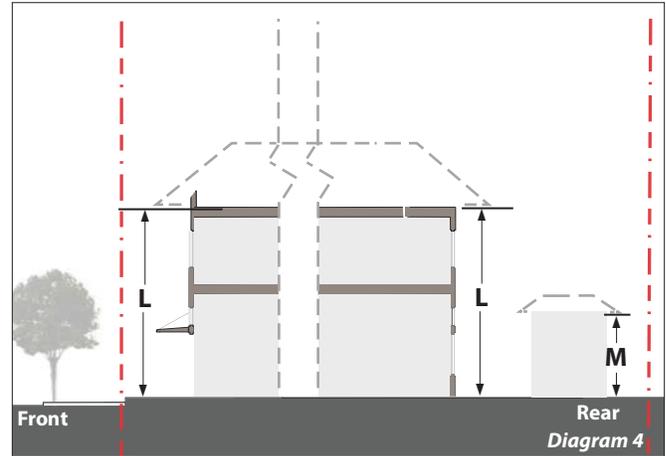
C. Development Standards

3. Encroachments



Building Site Boundary ——— Encroachment Area (see 'K' for reqmts)

4. Building Height and Adjacencies



Building Site Boundary ———

**3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards).

**3.2** Roof mounted air conditioning systems are not permitted..

K Encroachments	Requirements
Encroachment into Front Setback	
Architectural Features	3' max.
Uncovered porches and necessary landings <sup>1</sup>	6' max.
Stairs and connected platforms or landings extending above the first floor of a building	6' max
Encroachment into Side or Rear Setback	
Uncovered stairs and necessary landings <sup>1</sup>	3' max.
<sup>1</sup> Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding three feet in height.	

**4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).

**4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

Height Requirements	Max <sup>1</sup>	
	Stories	Ft
<b>L</b> Bldg Height	2.5	35
<b>M</b> Accessory Structure	1	12
<sup>1</sup> Maximum stories shall not exceed maximum height (feet) from groundline.		

## 3.30.060 High-density Residential (R-3) Zone

### A. Intent and Purpose

The R-3 zone is applied to areas of Tehachapi that are appropriate for high-density, multi family housing choices. The R3 zone establishes good neighborhood design on lots not less than 7,500 square feet. All property shall comply with the following applicable requirements:

**1. Physical Character.** Property shall comply with the development standards in Section C of the R-3 zone.

### 2. Land Use.

- a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
- b) New or expanded land use activity shall comply with Section B of the R-3 zone.

### 3. Parking.

- a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
- b) New or expanded parking shall comply with Sections B and C.2 of the R-3 zone.

### Illustrative examples of the R-3 Zone:



*Above: Multifamily units with ample green outdoor space*



*Above: Large apartment complexes provide a variety of housing options in the community.*

### B. Land Use Standards

**1. Allowed Land Use Types.** Only those land uses identified in Table 3.30.060 as allowable per the required permit shall be allowed, subject to the following:

- a) The required permit is obtained prior to establishing operations;
- b) All land use activity shall comply with the applicable requirements for parking, size or location, and special requirements identified in Table 3.30.060

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.30.060.

High-density Residential (R-3) Zone

3.30.060

Table 3.30.060. Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema	-	-
	Nightclub	-	-
	Health / Fitness	-	-
	Indoor/Outdoor Recreation	CUP	1/400
	Live/Amplified Music	-	-
	Meeting Facility	CUP	1/400
Restaurant and Food	Drive-Through	-	-
	Pub / Bar, Micro-Brewery	-	-
	Restaurant (may incl alcohol sales)	-	-
	Outdoor Dining	-	-
	Wine Tasting	-	-
Retail	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	-	-
	Retail <2,000 square feet	MUP	1/400
	Retail >2,000 square feet	-	-
	Secondhand Stores	-	-
Services	Care Facility for the Elderly <7	MUP	1/4
	Care Facility for the Elderly >7	CUP	1/4
	Day Care: Adult Day	P	1/4
	Day Care: Small House <7	P (1)	1/4
	Day Care: Large House 7 to 14	P (1)	1/4
	Day Care Center: Child > 15	CUP (1)	1/4
	Emergency Shelter	P (1)	1/4
	Funeral Home	-	-
	Group Home < 7 clients	P	1/U
	Group Home > 7 clients	-	-
	Hotel / Motel	-	-
	Inn (B&B)	-	-
	Laundromat/Dry Cleaning	-	-
	Medical Services	-	-
	Business or Personal Services	-	-
Repair, Commercial (non-vehicular)	-	-	
Transitional and Supportive Housing	P	1/U	
Veterinary Clinic/Boarding	-	-	

Category	Use	Permit	Pkg
Office and Civic	Office <2,000 sq ft	CUP	1/400
	Government, Civic, Library	-	-
	School, College, University	-	-
	Transit Station	-	-
Residential	Farmworker Housing	-	-
	Granny Flat (Secondary Dwelling)	P (1)	0.5/U
	Ground Floor		
	Home Occupation	P (1)	0
	Mobile Home Park/Subdivision	-	-
	Multi Family Residential	P	1/U
	Rooming and Boarding House	P	1/U
Industrial	Single Family Residential	P	2/U
	Single Room Occupancy	MUP	1/2U
	Manufacturing	-	-
	Power / Electrical Substation	-	-
Motor-Vehicle Related	Reverse Vending Machine	-	-
	Small Collection Facility	-	-
	Car Wash, Gas Station	-	-
	Recreational Vehicle Park	-	-
	Repair (motor vehicles)	-	-
Communications	Motor Vehicle Sales, new / used	-	-
	Motor Vehicle Rentals	-	-
Other	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	-	-
Other	Temporary Use	MUP (1)	0
	Nature (see 8.10.060)	P	0
	Agriculture (see 8.10.070)	-	-
	Greenway (see 8.10.080)	-	-
	Green (see 8.10.090)	P	0
	Plaza (see 8.10.100)	P	0
	Square (see 8.10.110)	P	0
	Passage (see 8.10.120)	P	0
	Playground (see 8.10.130)	P	0
	Sportsfield (see 8.10.140)	P	0
	Roof Garden (see 8.10.150)	P	0

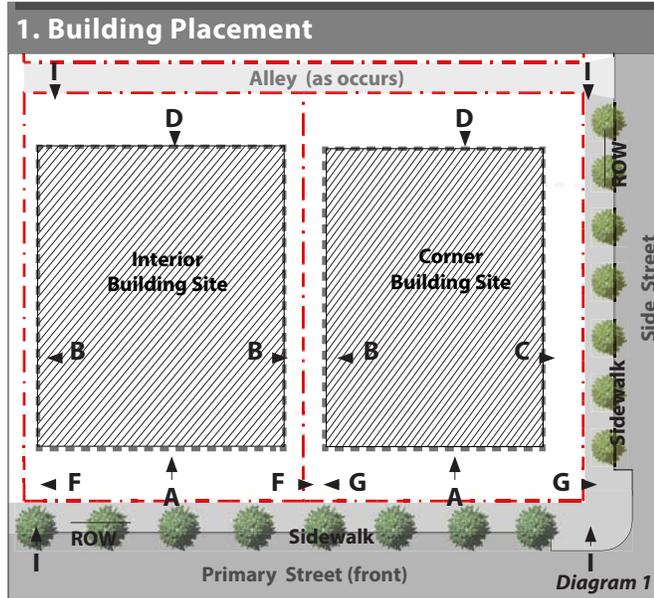
Key

P	Permitted Use
MUP	Minor Use Permit Required
CUP	Conditional Use Permit Required
-	Use not allowed
(1)	See Article 6 "Specific to Uses"

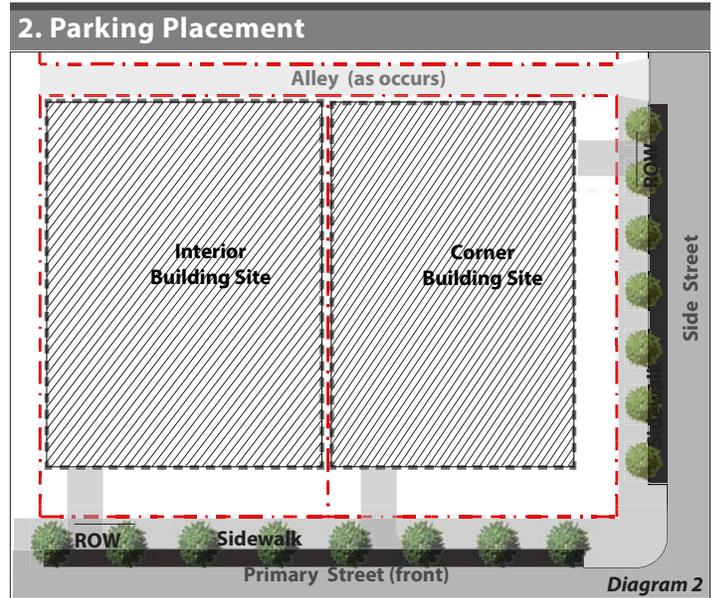
1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

# 3.30.060 High-density Residential (R-3) Zone

## C. Development Standards



Building Site Boundary - - - - - Buildable Area [hatched box]



Building Site Boundary - - - - - Allowed Off-Street Parking Area [hatched box]  
Allowed On-Street Parking Area [solid black box]

BUILDING SITE REQUIREMENTS		Min.
<b>A</b>	Front Setback	20'
<b>B</b>	Side Setback	5'
	Accessory Structure Side Setback <sup>1</sup>	5'
<b>C</b>	Side Street Setback, Corner Lot	10'
<b>D</b>	Rear Setback w/out alley (w/alley = 10')	20'

<sup>1</sup> Accessory Structure Side Setbacks: Residential accessory structures shall have the same minimum side setback as required of the main building. A nonresidential accessory structure may be located on interior side lot line when structure is located 80' or more from the front property line. An accessory building having an opening on an alley shall be located not less than five feet from the property line. Any accessory structure permitted on a side property line shall have provisions for roof drainage to be retained on the lot.

LOT REQUIREMENTS		Min.
<b>E</b>	Lot Size	7,500 sf
<b>F</b>	Lot Width, Interior Lot	60'
<b>G</b>	Lot Width, Corner Lot	65'
<b>H</b>	Lot Width, Reverse Corner Lot	70'
<b>I</b>	Lot Depth	100'

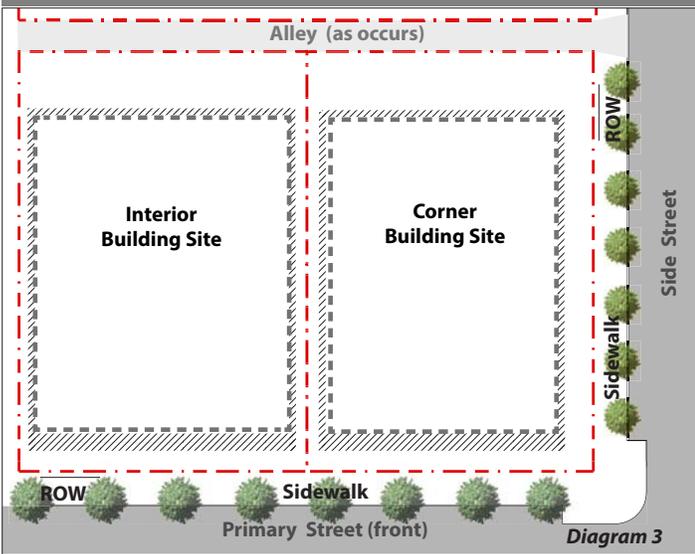
DENSITY REQUIREMENTS		Max.
<b>J</b>	Density	1 unit/2,722' of lot <sup>1</sup>

<sup>2</sup> Plus 1 unit for any remaining area more than 1,361 sq.ft.

- 2.1** Parking shall be located on the building site per Diagram 2. All utilities shall be located underground.
- 2.2** Parking / service areas shall not be accessed from primary street unless alley or side street not present.
- 2.3** Parking entries shall be 20' max wide, designed as integral, decorative components of the building facade.
- 2.4** See Chapter 4.50 (Parking Standards).

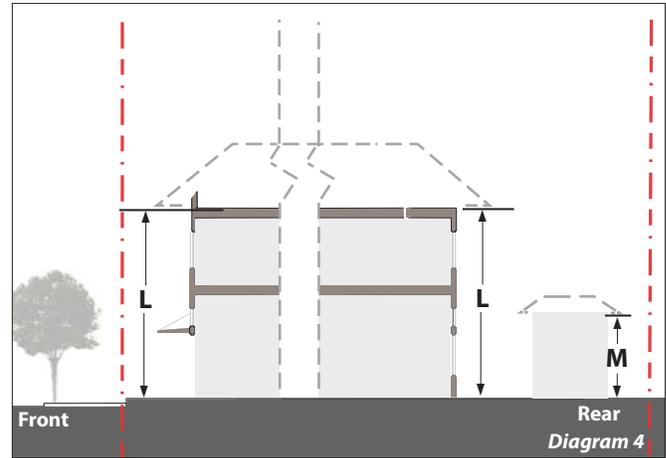
C. Development Standards

3. Encroachments



Building Site Boundary ——— Encroachment Area (see 'K' for reqmts)

4. Building Height and Adjacencies



Building Site Boundary ———

**3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards).

**3.2** Roof mounted air conditioning systems are not permitted..

K Encroachments	Requirements
<b>Encroachment into Front Setback</b>	
Architectural Features	3' max.
Uncovered porches and necessary landings <sup>1</sup>	6' max.
Stairs and connected platforms or landings extending above the first floor of a building	6' max
<b>Encroachment into Side or Rear Setback</b>	
Uncovered stairs and necessary landings <sup>1</sup>	3' max.
<sup>1</sup> Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding three feet in height.	

**4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).

**4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

Height Requirements	Max <sup>1</sup>	
	Stories	Ft
<b>L</b> Bldg Height	2.5	35
<b>M</b> Accessory Structure	1	12
<sup>1</sup> Maximum stories shall not exceed maximum height (feet) from groundline.		

## 3.30.070 Mobile Home Park (MHP) Zone

### A. Intent and Purpose

The MHP zone is applied to areas of Tehachapi that are appropriate for the development of mobile homes on nonpermanent foundations. The MHP zone establishes affordable housing opportunities in the community and ensures a safe and attractive residential environment. All property shall comply with the following applicable requirements:

- 1. Physical Character.** Property shall comply with the development standards in Section C of the MHP zone.
- 2. Land Use.**
  - a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
  - b) New or expanded land use activity shall comply with Section B of the MHP zone.
- 3. Parking.**
  - a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
  - b) New or expanded parking shall comply with Sections B and C.2 of the MHP zone.

### Illustrative examples of the MHP Zone:



*Above: Landscaping and wide streets offer a safe environment.*



*Above: Parking is located adjacent to each building.*

### B. Land Use Standards

- 1. Allowed Land Use Types.** Only those land uses identified in Table 3.30.070 as allowable per the required permit shall be allowed, subject to the following:
  - a) The required permit is obtained prior to establishing operations;
  - b) All land use activity shall comply with the applicable requirements for parking, size or location, and special requirements identified in Table 3.30.070.
- 2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.30.070.

## Mobile Home Park (MHP) Zone

3.30.070

Table 3.30.070. Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema	-	-
	Nightclub	-	-
	Health / Fitness	-	-
	Indoor/Outdoor Recreation	P (1)	1/400
	Live/Amplified Music	-	-
	Meeting Facility	-	-
Restaurant and Food	Drive-Through	-	-
	Pub / Bar, Micro-Brewery	-	-
	Restaurant (may incl alcohol sales)	-	-
	Outdoor Dining	-	-
	Wine Tasting	-	-
Retail	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	-	-
	Retail <2,000 square feet	-	-
	Retail >2,000 square feet	-	-
	Secondhand Stores	-	-
Services	Care Facility for the Elderly <7	MUP	1/4
	Care Facility for the Elderly >7	CUP	1/4
	Day Care: Adult Day	P	1/4
	Day Care: Small House <7	P (2)	1/4
	Day Care: Large House 7 to 14	P (2)	1/4
	Day Care Center: Child > 15	P (2)	1/4
	Emergency Shelter	P (2)	1/4
	Funeral Home	-	-
	Group Home < 7 clients	P	1/U
	Group Home > 7 clients	-	-
	Hotel / Motel	-	-
	Inn (B&B)	-	-
	Laundromat/Dry Cleaning	-	-
	Medical Services	-	-
	Business and Personal Services	-	-
	Repair, Commercial (non-vehicular)	-	-
	Transitional and Supportive Housing	-	-
	Veterinary Clinic/Boarding	-	-

Category	Use	Permit	Pkg
Office and Civic	Office	-	-
	Government, Civic, Library	-	-
	School, College, University	P	1:5
	Transit Station	-	-
Residential	Farmworker Housing	-	-
	Granny Flat (Secondary Dwelling)	-	-
	Ground Floor	-	-
	Home Occupation	P (2)	0
	Mobile Home Park/Subdivision	P (2)	1/U
	Multi Family Residential	-	-
	Rooming and Boarding House	-	-
Industrial	Single Family Residential	-	-
	Single Room Occupancy	-	-
	Manufacturing	-	-
	Power / Electrical Substation	-	-
Motor-Vehicle Related	Reverse Vending Machine	-	-
	Small Collection Facility	-	-
	Car Wash, Gas Station	-	-
	Motor Vehicle Sales, Rentals	-	-
Communications	Recreational Vehicle Park	P (1)	-
	Repair (motor vehicles)	-	-
Other	Telecommunications Facilities	CUP (2)	0
	Broadcasting / Recording Studio	-	-
Other	Temporary Use	MUP (2)	0
	Nature (see 8.10.060)	P	0
	Agriculture (see 8.10.070)	-	-
	Greenway (see 8.10.080)	-	-
	Green (see 8.10.090)	P	0
	Plaza, Square, Passage	-	-
	Playground (see 8.10.130)	MUP	0
	Sportsfield (see 8.10.140)	-	-
	Roof Garden (see 8.10.150)	-	-

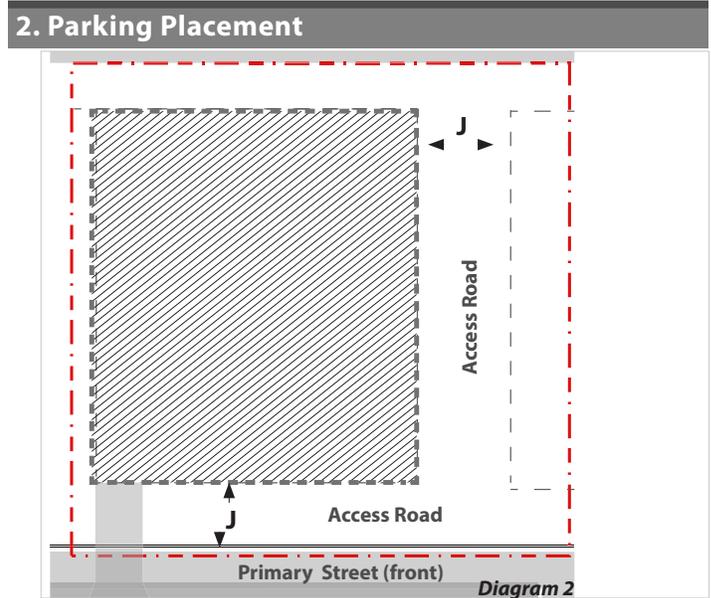
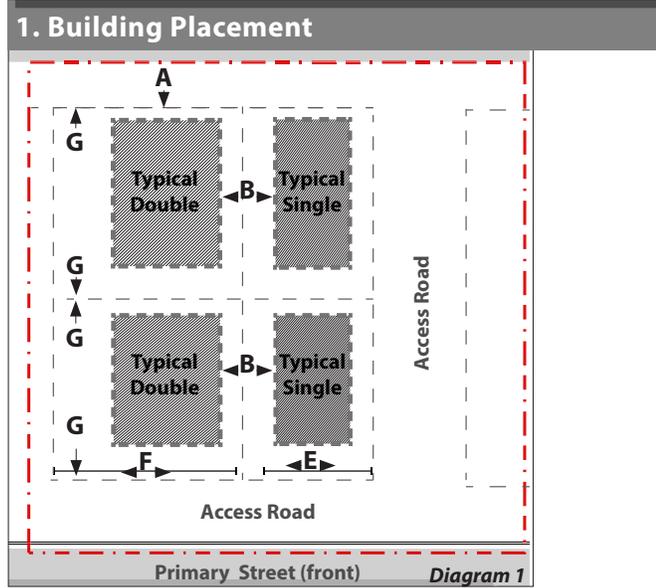
## Key

P	Permitted Use
MUP	Minor Use Permit Required
CUP	Conditional Use Permit Required
-	Use not allowed
(1)	Accessory to mobile home park

(2)	See Article 6 "Specific to Uses"
1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

## 3.30.070 Mobile Home Park (MHP) Zone

### C. Development Standards



Building Site Boundary - - - Buildable Area

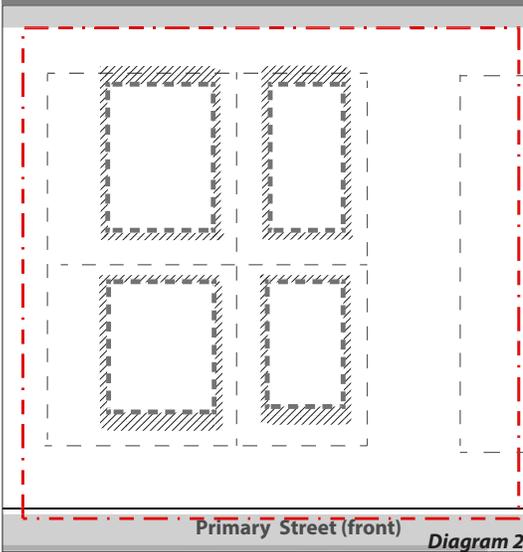
Building Site Boundary - - - Allowed Off-Street Parking Area

BUILDING SITE REQUIREMENTS		Min.
<b>A</b>	Rear Setback	20'
	Between Mobile Homes in park	
<b>B</b>	Side to Side	15'
<b>C</b>	Side to Rear	10'
<b>D</b>	Rear to Rear	10'
1 Accessory Structure Side Setbacks: Residential accessory structures shall have the same minimum side setback as required of the main building.		
INDIVIDUAL SITE REQUIREMENTS		Min.
	Site Width	
<b>E</b>	Single	55'
<b>F</b>	Double	30' plus mobile home width
<b>G</b>	Site Depth	80'
FORM AND DENSITY REQUIREMENTS		Max.
<b>H</b>	Lot Coverage	60%
<b>I</b>	Density	8 unit/acre

<b>2.1</b>	Parking shall be located on the building site per Diagram 2. All utilities shall be located underground.	
<b>2.2</b>	Parking / service areas shall not be accessed from primary street unless alley or side street not present.	
<b>2.3</b>	Parking entries shall be 20' max wide, designed as integral, decorative components of the building facade.	
<b>2.4</b>	All vehicular parking areas and drives shall be surfaced and graded in accordance with the requirements for local streets as contained in the City's subdivision ordinance.	
<b>2.5</b>	All mobile home park sites shall have access from an abutting improved and dedicated city street or highway.	
<b>2.6</b>	All points of vehicular access to and from public streets shall be approved by the Commission.	
<b>2.7</b>	See Chapter 4.50 (Parking Standards).	
Parking		Min
<b>J</b>	Access Drives	Width 40'

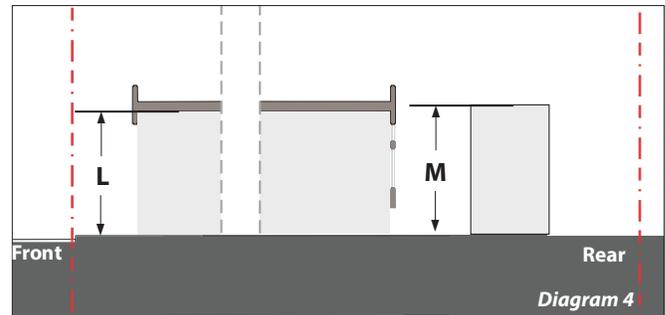
C. Development Standards

3. Encroachments



Building Site Boundary — — — — — Encroachment Area (see 'K' for reqmts)

4. Building Height and Adjacencies



Building Site Boundary — — — — —

**3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards).

**3.2** All mobile home spaces shall have frontage on internal private drives. No mobile home space shall have direct access to a public street or public alley.

**4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).

**4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

K	Encroachments	Requirements
Encroachment into Front Setback		
	Architectural Features	3' max.
	Uncovered porches and necessary landings <sup>1</sup>	6' max.
	Stairs and connected platforms or landings extending above the first floor of a building	6' max
Encroachment into Side or Rear Setback		
	Uncovered stairs and necessary landings <sup>1</sup>	3' max.
1 Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding three feet in height.		

Height Requirements		Max
L	Bldg Height	25'
M	Accessory Structure	25'

## 3.30.080 Residential Professional (RP) Zone

### A. Intent and Purpose

The RP zone is applied to areas of Tehachapi that are appropriate for the development of professional offices along with compatible residential uses. The RP zone supports residential development that is compatible with the existing and future development of the zone. All property shall comply with the following applicable requirements:

- 1. Physical Character.** Property shall comply with the development standards in Section C of the RP zone.
- 2. Land Use.**
  - a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
  - b) New or expanded land use activity shall comply with Section B of the RP zone.
- 3. Parking.**
  - a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
  - b) New or expanded parking shall comply with Sections B and C.2 of the RP zone.

### Illustrative examples of the RP Zone:



*Above: Small office compliments the surrounding residential uses.*



*Above: Office buildings can be compatible with residential uses.*

### B. Land Use Standards

- 1. Allowed Land Use Types.** Only those land uses identified in Table 3.30.080 as allowable per the required permit shall be allowed, subject to the following:
  - a) The required permit is obtained prior to establishing operations;
  - b) All land use activity shall comply with the applicable requirements for parking, size or location, and special requirements identified in Table 3.30.080.
- 2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.30.080.

Residential Professional (RP) Zone

3.30.080

Table 3.30.080. Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema	-	-
	Nightclub	-	-
	Health / Fitness	-	-
	Indoor/Outdoor Recreation	-	-
	Live/Amplified Music	-	-
	Meeting Facility	-	-
Restaurant and Food	Drive-Through	-	-
	Pub / Bar, Micro-Brewery	-	-
	Restaurant (may incl alcohol sales)	-	-
	Outdoor Dining	-	-
	Wine Tasting	-	-
Retail	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	-	-
	Retail <2,000 square feet	P	1/400
	Retail >2,000 square feet	-	-
	Secondhand Stores	-	-
Services	Care Facility for the Elderly <7	MUP	1/4
	Care Facility for the Elderly >7	CUP	1/4
	Day Care: Adult Day	P	1/4
	Day Care: Small House <7	P (1)	1/4
	Day Care: Large House 7 to 14	P (1)	1/4
	Day Care Center: Child > 15	-	-
	Emergency Shelter	-	-
	Funeral Home	-	-
	Group Home < 7 clients	P	1/U
	Group Home > 7 clients	-	-
	Hotel / Motel	-	-
	Inn (B&B)	-	-
	Medical Services	-	-
	Laundromat/Dry Cleaning	-	-
	Business and Personal Services	-	-
	Repair, Commercial (non-vehicular)	MUP	1/500
Transitional and Supportive Housing	-	-	
Veterinary Clinic/Boarding	MUP	1/400	

Category	Use	Permit	Pkg
Office and Civic	Office <3,000 sq ft	P	1/400
	Government, Civic, Library	-	-
	School, College, University	CUP	1:5
	Transit Station	-	-
Residential	Farmworker Housing	-	-
	Granny Flat (Secondary Dwelling)	P (1)	0.5/U
	Ground Floor	MUP	1/U
	Home Occupation	P (1)	0
	Mobile Home Park/Subdivision	-	-
	Multi Family Residential	-	-
	Rooming and Boarding House	-	-
	Single Family Residential	P	2/U
Single Room Occupancy	-	-	
Industrial	Manufacturing	-	-
	Power / Electrical Substation	-	-
	Reverse Vending Machine	-	-
	Small Collection Facility	-	-
Motor-Vehicle Related	Car Wash, Gas Station	-	-
	Recreational Vehicle Park	-	-
	Repair (motor vehicles)	-	-
	Motor Vehicle Sales, Rentals	-	-
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	-	-
Other	Temporary Use	MUP (1)	0
	Nature, Agriculture	-	-
	Greenway (see 8.10.080)	P	0
	Green (see 8.10.090)	P	0
	Plaza (see 8.10.100)	P	0
	Square (see 8.10.110)	P	0
	Passage (see 8.10.120)	P	0
	Playground (see 8.10.130)	MUP	0
	Sportsfield (see 8.10.140)		
	Roof Garden (see 8.10.150)	P	0

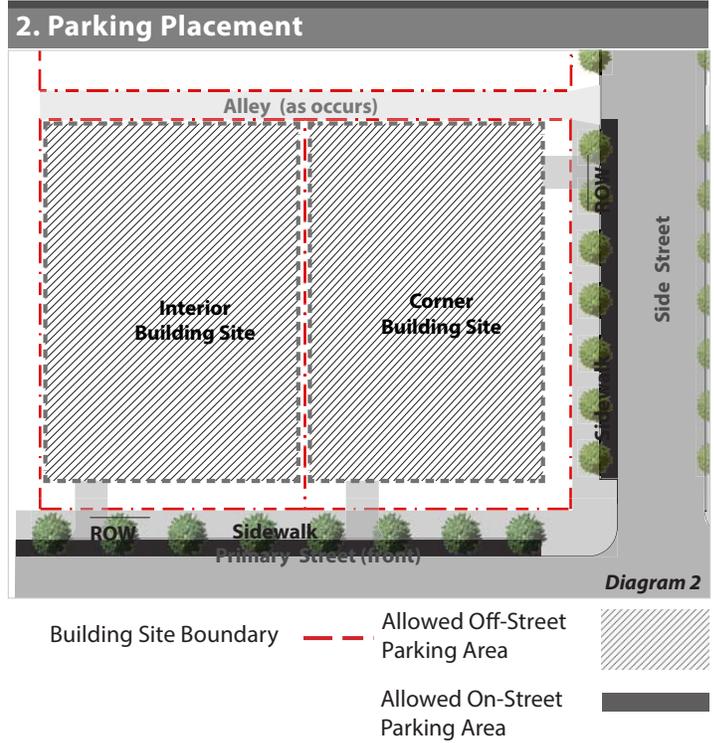
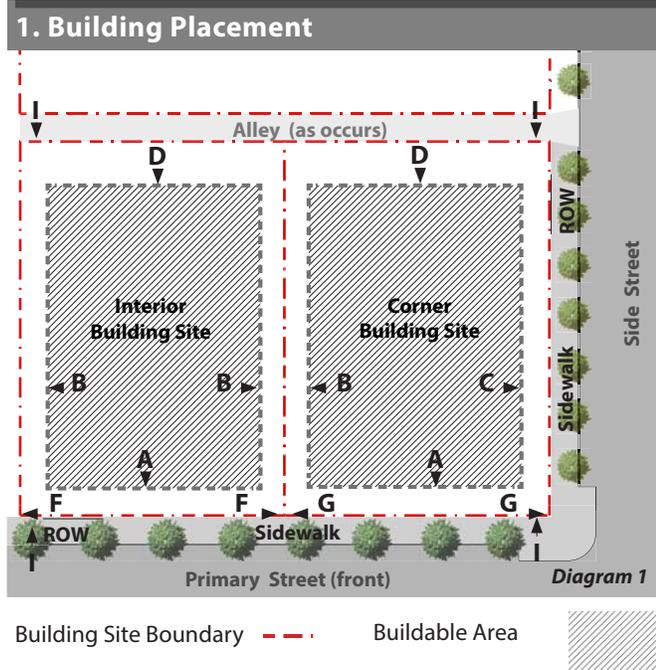
Key

P	Permitted Use
MUP	Minor Use Permit Required
CUP	Conditional Use Permit Required
-	Use not allowed
(1)	See Article 6 "Specific to Uses"

1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

# 3.30.080 Residential Professional (RP) Zone

## C. Development Standards



BUILDING SITE REQUIREMENTS		Min.
<b>A</b>	Front Setback	10'
	Accessory Structure Front Setback	20'
<b>B</b>	Side Setback	10'
	Accessory Structure Side Setback <sup>1</sup>	
<b>C</b>	Side Street Setback, Corner Lot	15'
<b>D</b>	Rear Setback	20'
	Accessory Structure Rear Setback	5'

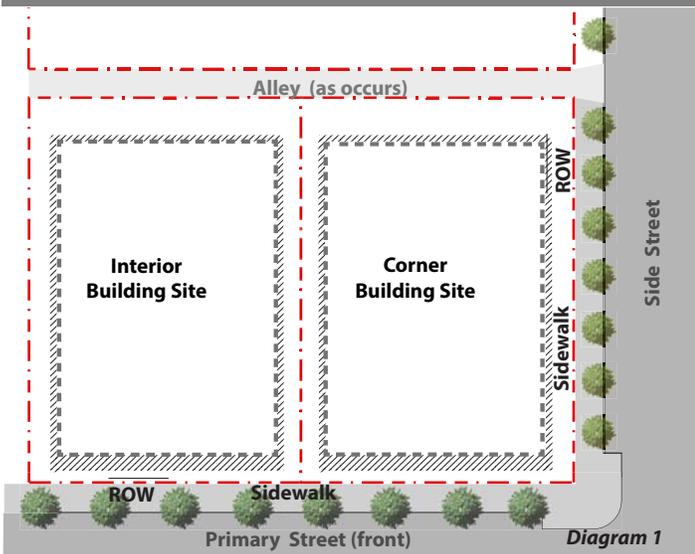
<sup>1</sup> Accessory Structure Side Setbacks: Residential accessory structures shall have the same minimum side setback as required of the main building.

LOT REQUIREMENTS		Min.
<b>E</b>	Lot Size	7,500 sf
<b>F</b>	Lot Width, Interior Lot	70'
<b>G</b>	Lot Width, Corner Lot	75'
<b>H</b>	Lot Width, Reverse Corner Lot	80'
<b>I</b>	Lot Depth	100'

- 2.1** Parking shall be located on the building site per Diagram 2. All utilities shall be located underground.
- 2.2** Parking / service areas shall not be accessed from primary street unless alley or side street not present.
- 2.3** Parking entries shall be 20' max wide, designed as integral, decorative components of the building facade.
- 2.4** See Chapter 4.50 (Parking Standards).
- 2.5** See Section 4.40.080 (Fences and Screening).

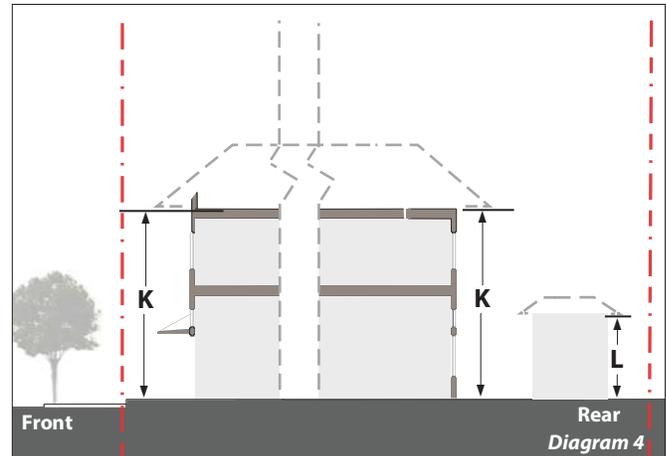
C. Development Standards

3. Encroachments



Building Site Boundary — — — Encroachment Area (see 'J' for reqmts)

4. Building Height and Adjacencies



Building Site Boundary — — —

**3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards).

**3.2** Commercial rooftop equipment installations shall be screened from view from adjoining properties to the satisfaction of the administrative authority. The noise level from all rooftop equipment shall not exceed the ambient noise level at the surrounding property lines.

**4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).

**4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

Height Requirements	Max <sup>1</sup>	
	Stories	Ft
<b>K</b> Bldg Height	2.5	35
<b>L</b> Accessory Structure	1	12

<sup>1</sup> Maximum stories shall not exceed maximum height (feet) from groundline.

J Encroachments	Requirements
Encroachment into Front Setback	
Architectural Features	3' max.
Uncovered porches and necessary landings <sup>1</sup>	6' max.
Stairs and connected platforms or landings extending above the first floor of a building	6' max
Encroachment into Side or Rear Setback	
Uncovered stairs and necessary landings <sup>1</sup>	3' max.

<sup>1</sup> Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding three feet in height in residential structures and four feet in height in commercial.

## 3.30.090 Neighborhood Commercial (C-1) Zone

### A. Intent and Purpose

The C-1 zone is applied to areas of Tehachapi that are appropriate for limited commercial uses. The uses of the C-1 zone shall be designed in a way so as to be operated completely compatible to and harmonious with the character of surrounding residential areas and shall provide primarily those services that are intended to serve the surrounding neighborhood. The C-1 zone is not intended to accommodate large retail goods establishments or to act as a focal point within the City. All property shall comply with the following applicable requirements:

**1. Physical Character.** Property shall comply with the development standards in Section C of the C-1 zone.

### 2. Land Use.

- a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
- b) New or expanded land use activity shall comply with Section B of the C-1 zone.

### 3. Parking.

- a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
- b) New or expanded parking shall comply with Sections B and C.2 of the C-1 zone.

### Illustrative examples of the C-1 Zone:



Above: A variety of small retail stores provide services for the surrounding community.



Above: Smaller commercial buildings are intended to fit seamlessly in with the residential character of the neighborhood.

### B. Land Use Standards

All property shall comply with the applicable requirements of Section B of the C-1 Zone.

**1. Allowed Land Use Types.** Only those land uses identified in Section B as allowable per the required permit shall be allowed, subject to the following:

- a) The required permit is obtained prior to establishing operations;
- b) All land use activity shall comply with the applicable requirements for parking, size or location, and special requirements identified in Section B.

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Section B.

Neighborhood Commercial (C-1) Zone

3.30.090

Table 3.30.090. Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema	CUP	1/400
	Nightclub	-	-
	Health / Fitness	P	1/400
	Indoor/Outdoor Recreation	CUP	1/400
	Live/Amplified Music	-	-
	Meeting Facility	CUP	1/400
Restaurant and Food	Drive-Through	-	-
	Pub / Bar, Micro-Brewery	-	-
	Restaurant (may incl alcohol sales)	-	-
	Outdoor Dining	-	-
	Wine Tasting	-	-
Retail	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	-	-
	Retail <2,000 square feet	P	1/400
	Retail <10,000 square feet	P	1/400
	Retail >10,000 square feet	CUP	1/400
Secondhand Stores	-	-	
Services	Care Facility for the Elderly <7	MUP	1/4
	Care Facility for the Elderly >7	CUP	1/4
	Day Care: Adult Day	-	-
	Day Care: Small House <7	-	-
	Day Care: Large House 7 to 14	-	-
	Day Care Center: Child > 15	P (1)	1/4
	Emergency Shelter	-	-
	Funeral Home	-	-
	Group Home < 7 clients	-	-
	Group Home > 7 clients	-	-
	Hotel / Motel	-	-
	Inn (B&B)	-	-
	Laundromat/Dry Cleaning	-	-
	Medical Services	CUP	1/400
	Business and Personal Services	MUP	1/500
	Personal Services, Restricted	P	1/500
	Repair, Commercial (non-vehicular)	-	-
	Transitional and Supportive Housing	-	-
Veterinary Clinic/Boarding	-	-	

Category	Use	Permit	Pkg
Office and Civic	Office	P	1/400
	Government, Civic, Library	CUP	1/400
	School, College, University	CUP	1:5
	Transit Station	-	-
Residential	Farmworker Housing	-	-
	Granny Flat (Secondary Dwelling)	-	-
	Ground Floor	-	-
	Home Occupation	-	-
	Mobile Home Park/Subdivision	-	-
	Multi Family Residential	-	-
	Rooming and Boarding House	CUP	1/U
	Single Family Residential	-	-
Single Room Occupancy	-	-	
Industrial	Manufacturing	-	-
	Power / Electrical Substation	CUP	0
	Reverse Vending Machine	-	-
Motor-Vehicle Related	Small Collection Facility	-	-
	Car Wash, Gas Station	-	-
	Recreational Vehicle Park	-	-
Communications	Repair (motor vehicles)	-	-
	Motor Vehicle Sales, Rentals	-	-
Communications	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	CUP	1/400
Other	Temporary Use	MUP (1)	0
	Nature (see 8.10.060)	P	0
	Agriculture (see 8.10.070)	-	-
	Greenway (see 8.10.080)	P	0
	Green (see 8.10.090)	P	0
	Plaza (see 8.10.100)	P	0
	Square (see 8.10.110)	P	0
	Passage (see 8.10.120)	P	0
	Playground (see 8.10.130)	CUP	0
	Sportsfield (see 8.10.140)		
	Roof Garden (see 8.10.150)		

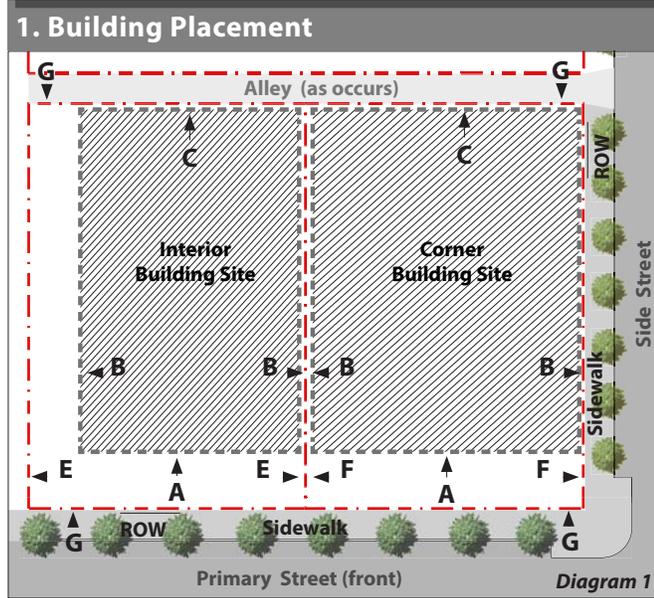
Key

P	Permitted Use
MUP	Minor Use Permit Required
CUP	Conditional Use Permit Required
-	Use not allowed
(1)	See Article 6 "Specific to Uses"

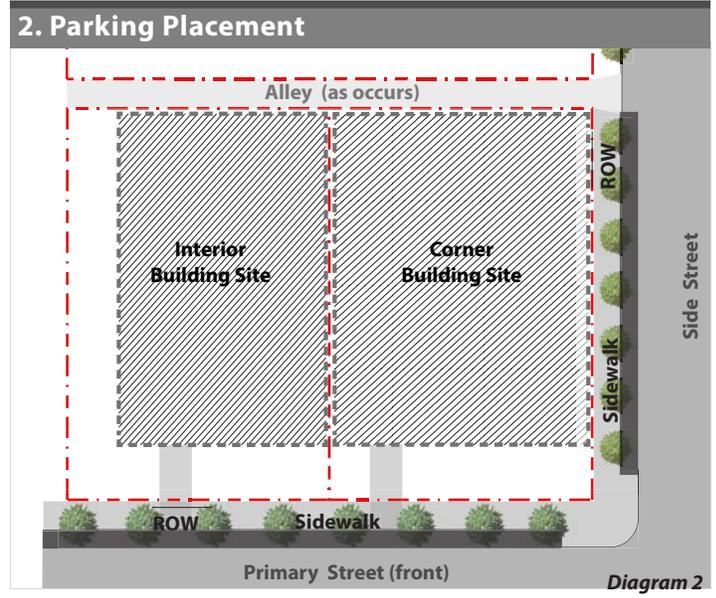
1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

# 3.30.090 Neighborhood Commercial (C-1) Zone

## C. Development Standards



Building Site Boundary - - - - - Buildable Area



Building Site Boundary - - - - - Allowed Off-Street Parking Area  
Allowed On-Street Parking Area

BUILDING SITE REQUIREMENTS		Min.
<b>A</b>	Front Local Street Setback	30'
	Front Secondary Highway Setback,	45'
	Front Major Highway Setback	55'
<b>B</b>	Side Setback	--1, 2,3
	Side Setback, Adjacent to E, R-1, A	30'
<b>C</b>	Rear Setback	--1, 2,3
	Rear Setback, Adjacent to E, R-1, A	30'

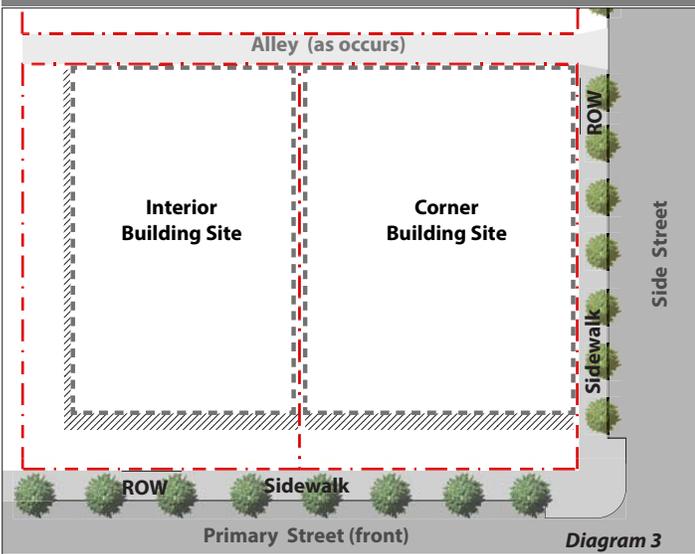
- None Required
- 1 A reversed corner lot adjoining a key lot in E, R-1, or A zone, minimum side setback adjoining street shall be not < 1/2 of required front setback on the key lot.
- 2 Min side or rear setback across a street or alley from E, R-1, or A zone shall be 10'.
- 3 One foot shall be added to each required side setback and rear setback for each 3' of height above lowest 12' of height of a structure.

LOT REQUIREMENTS		Min.
<b>D</b>	Lot Size	7,500 sf
<b>E</b>	Lot Width, Interior Lot	60'
<b>F</b>	Lot Width, Corner Lot	65'
	Lot Width, Reverse Corner Lot	70'
<b>G</b>	Lot Depth	100'

- 2.1** Parking shall be located on the building site per Diagram 2. All utilities shall be located underground.
- 2.2** Parking / service areas shall not be accessed from primary street unless alley or side street not present.
- 2.3** Parking entries shall be 20' max wide, designed as integral, decorative components of the building facade.
- 2.4** See Chapter 4.50 (Parking Standards).
- 2.5** See Section 4.40.080 (Fences and Screening).

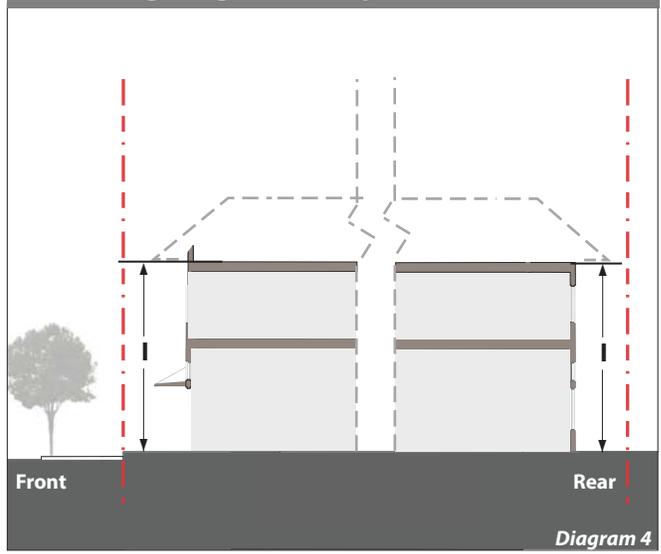
C. Development Standards

3. Encroachments



Building Site Boundary — — — — Encroachment Area (see 'H' for reqmts)

4. Building Height and Adjacencies



Building Site Boundary — — — —

**3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards).

**3.2** Commercial rooftop equipment installations shall be screened from view from adjoining properties to the satisfaction of the administrative authority. The noise level from all rooftop equipment shall not exceed the ambient noise level at the surrounding property lines.

**4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).

**4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

Height Requirements	Max <sup>1</sup>	
	Stories	Ft
I Bldg Height	2.5	35

<sup>1</sup> Maximum stories shall not exceed maximum height (feet) from groundline.

H Encroachments	Requirements
Encroachment into Front Setback	
Architectural Features	3' max.
Uncovered porches and necessary landings <sup>1</sup>	6' max.
Stairs and connected platforms or landings extending above the first floor of a building	6' max
Encroachment into Side or Rear Setback	
Uncovered stairs and necessary landings <sup>1</sup>	3' max.

<sup>1</sup> Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding three feet in height in residential structures and four feet in height in commercial.

## 3.30.100 Central Commercial (C-2) Zone

### A. Intent and Purpose

The C-2 zone is applied to areas of Tehachapi that are appropriate for uses that support activities less restrictive than in the C-1 zone. The C-2 zone supports low pedestrian traffic generating uses, including areas for high land demand, recreational, home improvement, repair services and auto-related uses. It is oriented toward providing a variety of retail and service establishments for the entire community. All property shall comply with the following applicable requirements:

**1. Physical Character.** Property shall comply with the development standards in Section C of the C-2 zone.

### 2. Land Use.

- a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
- b) New or expanded land use activity shall comply with Section B of the C-2 zone.

### 3. Parking.

- a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
- b) New or expanded parking shall comply with Sections B and C.2 of the C-2 zone.

### Illustrative examples of the C-2 Zone:



*Above: A large variety of retail stores and restaurants are accessible to the entire community*



*Above: Services and offices are permitted within the C-2 zone.*

### B. Land Use Standards

**1. Allowed Land Use Types.** Only those land uses identified in Table 3.30.100 as allowable per the required permit shall be allowed, subject to the following:

- a) The required permit is obtained prior to establishing operations;
- b) All land use activity shall comply with the applicable requirements for parking, size or location, and special requirements identified in Table 3.30.100.

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.30.100.

## Central Commercial (C-2) Zone

3.30.100

Table 3.30.100. Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema	CUP	1/400
	Nightclub	CUP	1/400
	Health / Fitness	P	1/400
	Indoor/Outdoor Recreation	P	1/400
	Live/Amplified Music	-	-
	Meeting Facility	P	1/400
Restaurant and Food	Drive-Through	P	1/400
	Pub / Bar, Micro-Brewery	P (1)	1/400
	Restaurant (may incl alcohol sales)	P	1/400
	Outdoor Dining	-	-
	Wine Tasting	P	1/400
Retail	Alcohol Sales (off-site)	P (1)	1/400
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	P	1/400
	Retail <2,000 square feet	P	1/400
	Retail <10,000 square feet	P	1/400
	Retail >10,000 square feet	MUP	1/400
	Secondhand Stores	P	1/400
Services	Care Facility for the Elderly <7	P	1/4
	Care Facility for the Elderly >7	-	-
	Day Care: Adult Day	P	1/4
	Day Care: Small House <7	-	1/4
	Day Care: Large House 7 to 14	-	-
	Day Care Center: Child > 15	P (1)	1/4
	Emergency Shelter	-	-
	Funeral Home	P	1/400
	Group Home < 7 clients	-	-
	Group Home > 7 clients	-	-
	Hotel / Motel	P	1/2R
	Inn (B&B)	P (1)	1/3R
	Laundromat/Dry Cleaning	P	1/400
	Medical Services	P	1/400
	Business and Personal Services	MUP	1/500
	Personal Services, Restricted	P	1/500
	Repair (non-vehicular)	P	1/500
	Transitional and Supportive Housing	-	-
	Veterinary Clinic/Boarding	CUP(2)	1/400

Category	Use	Permit	Pkg
Office and Civic	Office	P	1/400
	Government, Civic, Library	P	1/400
	School, College, University	P	1:5
	Transit Station	P	25
Residential	Farmworker Housing	-	-
	Granny Flat (Secondary Dwelling)	-	-
	Ground Floor	-	-
	Home Occupation	-	-
	Mobile Home Park/Subdivision	-	-
	Multi Family Residential	-	-
	Rooming and Boarding House	-	-
	Single Family Residential	-	-
Single Room Occupancy	MUP	1/2 U	
Industrial	Manufacturing	-	-
	Power / Electrical Substation	P	0
	Reverse Vending Machine	P	0
	Small Collection Facility	-	-
Motor-Vehicle Related	Car Wash	P	1/400
	Gas Station (non-commercial vehicles) <50,000 sq ft site area	P (1)	10
	Gas Station (commercial vehicles)	-	-
	Motor Vehicle Sales, new	MUP	1/400
	Motor Vehicle Rentals	P	1/400
	Recreational Vehicle Park	CUP	-
	Repair (motor vehicles)	-	-
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	P	1/400
Other	Temporary Use	MUP (1)	0
	Nature (see 8.10.060)	P	0
	Agriculture	-	-
	Greenway (see 8.10.080)	P	0
	Green (see 8.10.090)	P	0
	Plaza (see 8.10.100)	P	0
	Square (see 8.10.110)	P	0
	Passage (see 8.10.120)	P	0
	Playground (see 8.10.130)	CUP	0
	Sportsfield	-	-
	Roof Garden	-	-

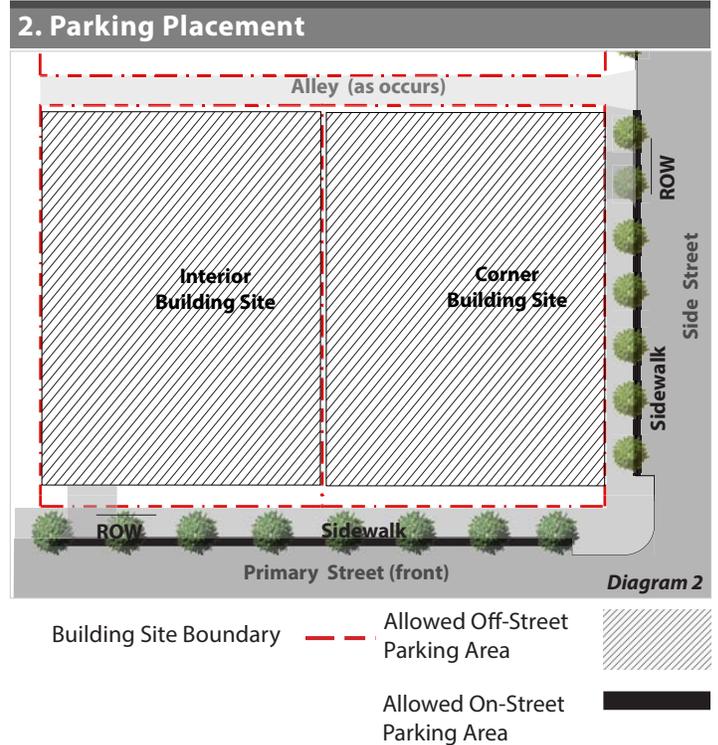
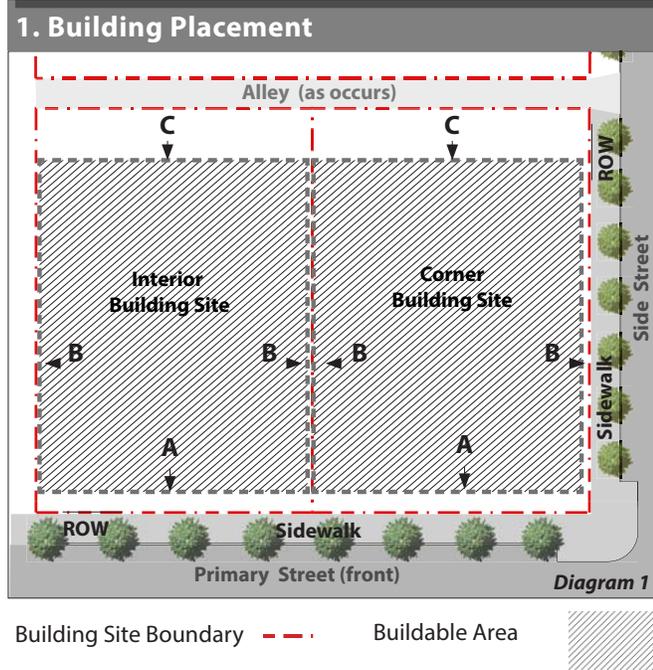
## Key

P	Permitted Use
MUP	Minor Use Permit Required
CUP	Conditional Use Permit Required
-	Use not allowed
(1)	See Article 6 "Specific to Uses"

(2)	Indoor boarding only
1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

# 3.30.100 Central Commercial (C-2) Zone

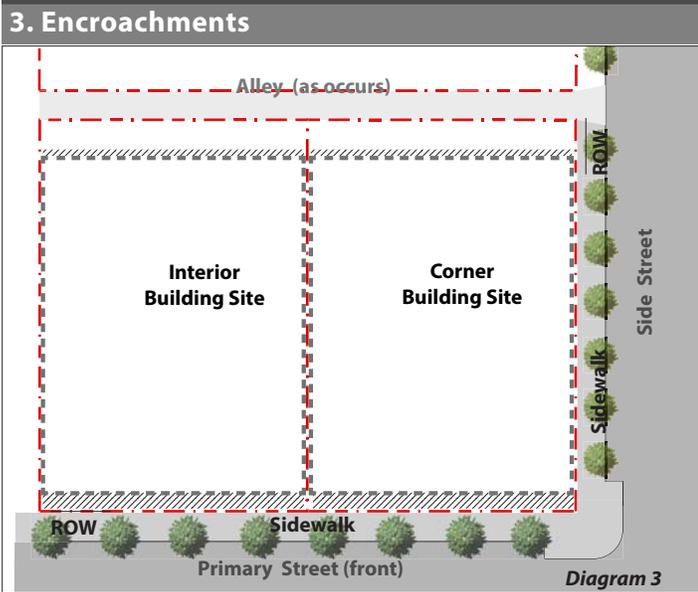
## C. Development Standards



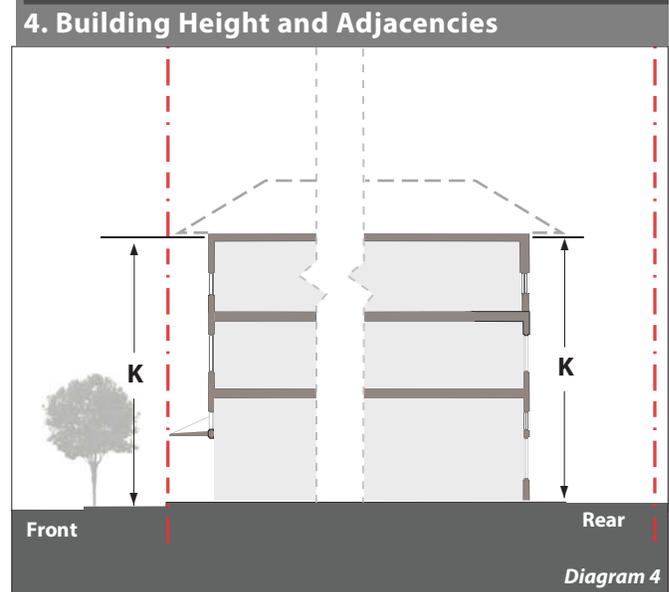
BUILDING SITE REQUIREMENTS		Min.
<b>A</b>	Front Property Line Setback	5' <sup>1</sup>
	Front Local Street Setback	35' <sup>1</sup>
	Front Secondary Street Setback	55' <sup>1</sup>
	Front Major Street Setback	65' <sup>1</sup>
	Front Major Highway Setback	55' <sup>1</sup>
<b>B</b>	Side Setback	--
<b>C</b>	Rear Setback	20' <sup>2</sup>
-- None Required		
1 In determining front setback, it is whichever is greater between property line or street setback.		
2 If an alley exists at the rear of the lot, setback may be measured to the centerline of the alley.		
LOT REQUIREMENTS		Min.
<b>D</b>	Lot Size	7,500 sf

- 2.1** Parking shall be located on the building site per Diagram 2. All utilities shall be located underground.
- 2.2** Parking / service areas shall not be accessed from primary street unless alley or side street not present.
- 2.3** Parking entries shall be 20' max wide, designed as integral, decorative components of the building facade.
- 2.4** See Chapter 4.50 (Parking Standards).
- 2.5** See Section 4.40.080 (Fences and Screening).

C. Development Standards



Building Site Boundary Encroachment Area (see 'E' for reqmts)



Building Site Boundary

**3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards).

**3.2** Commercial rooftop equipment installations shall be screened from view from adjoining properties to the satisfaction of the administrative authority. The noise level from all rooftop equipment shall not exceed the ambient noise level at the surrounding property lines.

**4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).

**4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

Height Requirements	Max <sup>1</sup>	
	Stories	Ft
<b>F</b> Bldg Height	3	35

1 Maximum stories shall not exceed maximum height (feet) from groundline.

E Encroachments	Requirements
Encroachment into Front Setback	
Architectural Features	3' max.
Uncovered porches and necessary landings <sup>1</sup>	6' max.
Stairs and connected platforms or landings extending above the first floor of a building	6' max
Encroachment into Side or Rear Setback	
Uncovered stairs and necessary landings <sup>1</sup>	3' max.

1 Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding three feet in height in residential structures and four feet in height in commercial.

## 3.30.110 General Commercial (C-3) Zone

### A. Intent and Purpose

The C-3 zone is applied to areas of Tehachapi that are appropriate for uses of the widest range of retail commercial activities, including regional shopping centers and heavy commercial uses. The C-3 zone applies to areas along major traffic arteries. All property shall comply with the following applicable requirements:

**1. Physical Character.** Property shall comply with the development standards in Section C of the C-3 zone.

### 2. Land Use.

- a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
- b) New or expanded land use activity shall comply with Section B of the C-3 zone.

### 3. Parking.

- a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
- b) New or expanded parking shall comply with Sections B and C.2 of the C-3 zone.

### Illustrative examples of the C-3 Zone:



*Above: Large regional shopping centers provide necessary services along major streets*



*Above: Coordinating storefront design within a large shopping center.*

### B. Land Use Standards

**1. Allowed Land Use Types.** Only those land uses identified in Table 3.30.110 as allowable per the required permit shall be allowed, subject to the following:

- a) The required permit is obtained prior to establishing operations;
- b) All land use activity shall comply with the applicable requirements for parking, size or location, and special requirements identified in Table 3.30.110.

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.30.110.

General Commercial (C-3) Zone

3.30.110

Table 3.30.110. Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema	P	1/400
	Nightclub	P	1/400
	Health / Fitness	P	1/400
	Indoor/Outdoor Recreation	P	1/400
	Live/Amplified Music	CUP	n/a
	Meeting Facility, Amphitheater	P	1/400
Restaurant and Food	Drive-Through	P	1/400
	Pub / Bar, Micro-Brewery	P (1)	1/400
	Restaurant (may incl alcohol sales)	P	1/400
	Outdoor Dining	-	-
	Wine Tasting	P	1/400
Retail	Alcohol Sales (off-site)	P (1)	1/400
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	P	1/400
	Retail <2,000 square feet	P	1/400
	Retail <10,000 square feet	P	1/400
	Retail >10,000 square feet	P	1/400
	Secondhand Stores	P	1/400
Services	Care Facility for the Elderly <7	-	-
	Care Facility for the Elderly >7	-	-
	Day Care: Adult Day	-	-
	Day Care: Small House <7	-	-
	Day Care: Large House 7 to 14	-	-
	Day Care Center: Child > 15	P (1)	1/4
	Emergency Shelter	-	-
	Funeral Home	P	1/400
	Group Home < 7 clients	-	-
	Group Home > 7 clients	-	-
	Hotel / Motel	P	1/2R
	Inn (B&B)	P (1)	1/3R
	Laundromat/Dry Cleaning	P	1/400
	Medical Services	P	1/400
	Business and Personal Services	P	1/500
	Personal Services, Restricted	P	1/500
	Repair, Commercial (non-vehicular)	P	1/500
	Transitional and Supportive Housing	-	-
	Veterinary Clinic/Boarding	CUP(2)	1/400

Key

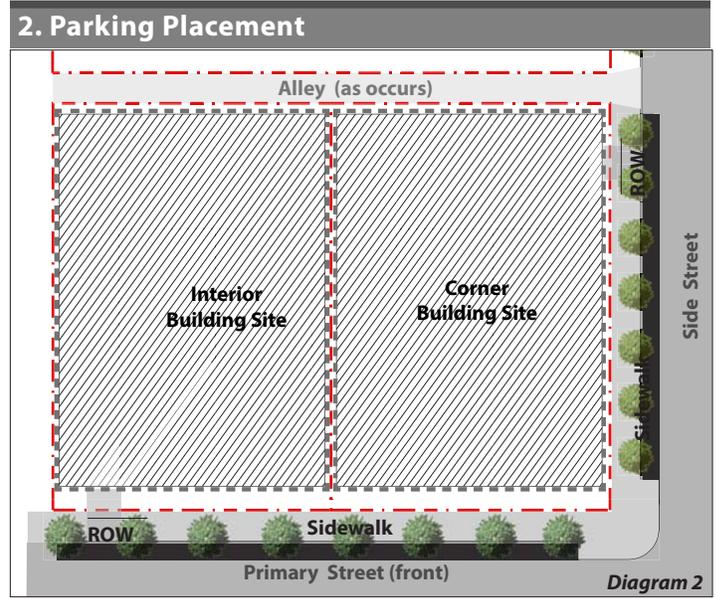
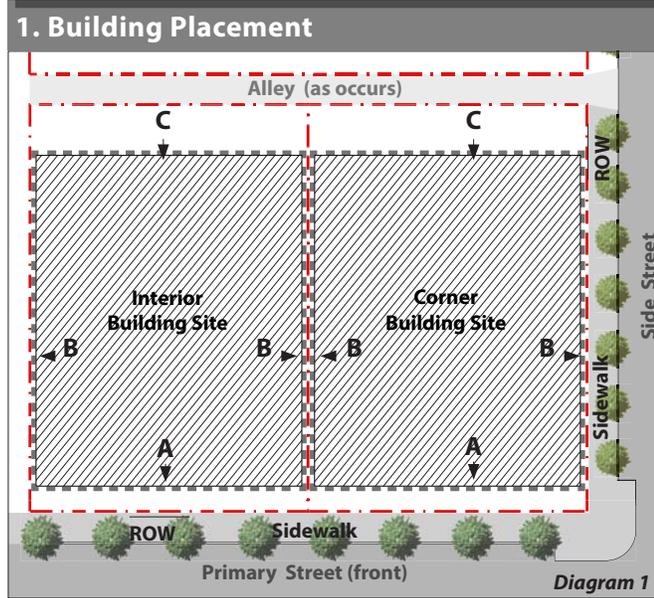
P	Permitted Use
MUP	Minor Use Permit Required
CUP	Conditional Use Permit Required
-	Use not allowed
(1)	See Article 6 "Specific to Uses"

Category	Use	Permit	Pkg
Office and Civic	Office	P	1/400
	Government, Civic, Library	P	1/400
	School, private	P	1:5
	Transit Station	P	25
Residential	Farmworker House	-	-
	Granny Flat (Secondary Dwelling)	-	-
	Ground Floor	-	-
	Home Occupation	-	-
	Mobile Home Park/Subdivision	-	-
	Multi Family Residential	-	-
	Rooming and Boarding House	CUP	1/U
	Single Family Residential	-	-
Single Room Occupancy	MUP	1/2 U	
Industrial	Manufacturing	-	-
	Power / Electrical Substation	P	0
	Reverse Vending Machine	P	0
	Small Collection Facility	P	0
Motor-Vehicle Related	Car Wash	P	1/400
	Gas Station (non-commercial vehicles) <50,000 sq ft site area	P (1)	10
	Gas Station (commercial vehicles)	CUP (1)	5
	Motor Vehicle Sales, new	P	1/400
	Motor Vehicle Rentals	P	1/400
	Recreational Vehicle Park	CUP	
	Repair (motor vehicles)	-	-
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	P	1/400
Other	Temporary Use	MUP (1)	0
	Nature (see 8.10.060)	P	0
	Agriculture	-	-
	Greenway (see 8.10.080)	CUP	0
	Green (see 8.10.090)	P	0
	Plaza (see 8.10.100)	P	0
	Square (see 8.10.110)	P	0
	Passage (see 8.10.120)	P	0
	Playground (see 8.10.130)	P	0
	Sportsfield	-	-
	Roof Garden	-	-

(2)	Indoor boarding only
1/400	1 parking space required for each 400 sq ft of floor area
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

### 3.30.110 General Commercial (C-3) Zone

#### C. Development Standards



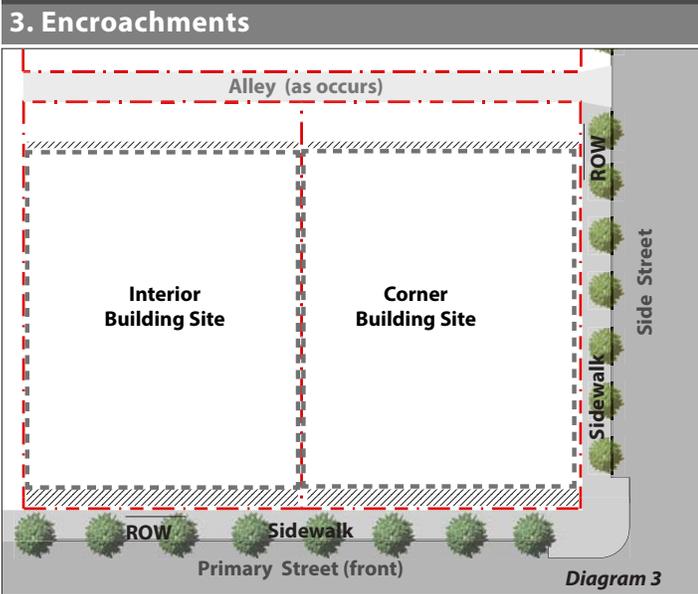
Building Site Boundary - - - - - Buildable Area [hatched pattern]

Building Site Boundary - - - - - Allowed Off-Street Parking Area [hatched pattern]  
Allowed On-Street Parking Area [solid black pattern]

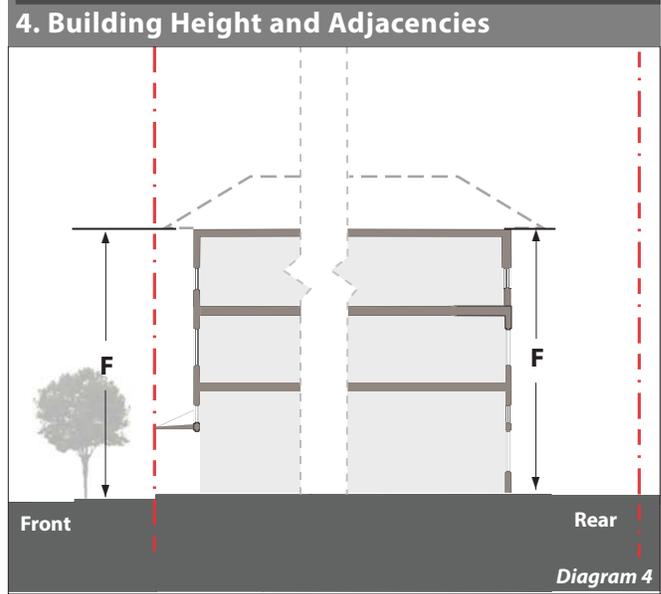
BUILDING SITE REQUIREMENTS		Min.
<b>A</b>	Front Setback	
	From Property Line	5' <sup>1</sup>
	From Center Line of Local Street	35' <sup>1</sup>
	From Center Line of Secondary Street	55' <sup>1</sup>
	From Center Line of Major Street	60' <sup>1</sup>
<b>B</b>	Side Setback	--
<b>C</b>	Rear Setback	20' <sup>2</sup>
-- None Required		
1 In determining front setback, it is whichever is greater between property line or street setback.		
2 If an alley exists at the rear of the lot, setback may be measured to the centerline of the alley.		
LOT REQUIREMENTS		Min.
<b>D</b>	Lot Size	7,500 sf

- 2.1** Parking shall be located on the building site per Diagram 2. All utilities shall be located underground.
- 2.2** Parking / service areas shall not be accessed from primary street unless alley or side street not present.
- 2.3** Parking entries shall be 20' max wide, designed as integral, decorative components of the building facade.
- 2.4** See Chapter 4.50 (Parking Standards).
- 2.5** See Section 4.40.080 (Fences and Screening).

C. Development Standards



Building Site Boundary - - - Encroachment Area / / / /  
(see 'E' for reqmts)



Building Site Boundary - - -

**3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards).

**3.2** Commercial rooftop equipment installations shall be screened from view from adjoining properties to the satisfaction of the administrative authority. The noise level from all rooftop equipment shall not exceed the ambient noise level at the surrounding property lines.

**4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).

**4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

**4.3** Airport compatibility issues have the potential to reduce the maximum attainable height in response to airport compatibility related height restrictions. A building may be erected to greater height to accommodate architectural additions when the cubage is not greater than that possible within the required height limit.

E Encroachments	Requirements
Encroachment into Front Setback	
Architectural Features	3' max.
Uncovered porches and necessary landings <sup>1</sup>	6' max.
Stairs and connected platforms or landings extending above the first floor of a building	6' max
Encroachment into Side or Rear Setback	
Uncovered stairs and necessary landings <sup>1</sup>	3' max.
<small>1 Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding three feet in height in residential structures and four feet in height in commercial.</small>	

Height Requirements	Max <sup>1</sup>	
	Stories	Ft
<b>F</b> Bldg Height	3	35
<small>1 Maximum stories shall not exceed maximum height (feet) from groundline.</small>		

## 3.30.120 Highway Commercial (C-4) Zone

### A. Intent and Purpose

The C-4 zone is applied to areas of Tehachapi adjacent to or in close proximity to major highways that are appropriate for a unified grouping of travel-oriented uses such as gas stations, restaurants, and motels. All property shall comply with the following applicable requirements:

**1. Physical Character.** Property shall comply with the development standards in Section C of the C-4 zone.

### 2. Land Use.

- a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
- b) New or expanded land use activity shall comply with Section B of the C-4 zone.

### 3. Parking.

- a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
- b) New or expanded parking shall comply with Sections B and C.2 of the C-4 zone.

### Illustrative examples of the C-4 Zone:



*Above: Gas stations are appropriate for Highway Commercial uses.*



*Above: Motels provide accommodation to travelers along major highways.*

### B. Land Use Standards

**1. Allowed Land Use Types.** Only those land uses identified in Table 3.30.120 as allowable per the required permit shall be allowed, subject to the following:

- a) The required permit is obtained prior to establishing operations;
- b) All land use activity shall comply with the applicable requirements for parking, size or location, and special requirements identified in Table 3.30.120.

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.30.120.

Highway Commercial (C-4) Zone

3.30.120

Table 3.30.120. Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema	P	1/400
	Nightclub	-	-
	Health / Fitness	P	1/400
	Indoor/Outdoor Recreation	P	1/400
	Live/Amplified Music	CUP	n/a
	Meeting Facility	-	-
Restaurant and Food	Drive-Through	P	1/400
	Pub / Bar, Micro-Brewery	P (1)	1/400
	Restaurant (may incl alcohol sales)	P	1/400
	Outdoor Dining	-	-
	Wine Tasting	P	1/400
Retail	Alcohol Sales (off-site)	P (1)	1/400
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	-	-
	Retail <2,000 square feet	P	1/400
	Retail <10,000 square feet	P	1/400
	Retail >10,000 square feet	P	1/400
	Secondhand Stores	-	1/400
Services	Care Facility for the Elderly <7	-	-
	Care Facility for the Elderly >7	-	-
	Day Care: Adult Day	-	-
	Day Care: Small House <7	-	-
	Day Care: Large House 7 to 14	-	-
	Day Care Center: Child > 15	-	-
	Emergency Shelter	-	-
	Funeral Home	-	-
	Group Home < 7 clients	-	-
	Group Home > 7 clients	-	-
	Hotel / Motel	P	1/2R
	Inn (B&B)	-	-
	Laundromat/Dry Cleaning	-	-
	Medical Services	-	-
	Business and Personal Services	CUP	1/500
	Personal Services, Restricted	CUP	1/500
	Repair, Commercial (non-vehicular)	MUP	1/500
	Transitional and Supportive Housing	-	-
	Veterinary Clinic/Boarding	CUP(2)	1/400

Category	Use	Permit	Pkg
Office and Civic	Office	P	1/400
	Government, Civic, Library	-	-
	School, College, University	CUP	1:5
	Transit Station	-	-
Residential	Farmworker Housing	-	-
	Granny Flat (Secondary Dwelling)	-	-
	Ground Floor	-	-
	Home Occupation	-	-
	Multi Family Residential	-	-
	Mobile Home Park/Subdivision	-	-
	Rooming and Boarding House	-	-
	Single Family Residential	-	-
Single Room Occupancy	-	-	
Industrial	Manufacturing	-	-
	Power / Electrical Substation	P	0
	Reverse Vending Machine	P	0
	Small Collection Facility	P	0
Motor-Vehicle Related	Car Wash	P	1/400
	Gas Station (non-commercial vehicles) <50,000 sq ft site area	P (1)	10
	Gas Station (commercial vehicles)	MUP(1)	5
	Motor Vehicle Rentals	P	1/10
	Motor Vehicle Sales, new	P	1/400
	Recreational Vehicles Park	CUP	
	Repair (motor vehicles)	-	-
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	P	1/400
Other	Temporary Use	MUP (1)	0
	Nature, Agriculture	-	-
	Greenway	P	0
	Green	-	-
	Plaza, Square, Passage	-	-
	Playground, Sportsfield	-	-
	Roof Garden	-	-

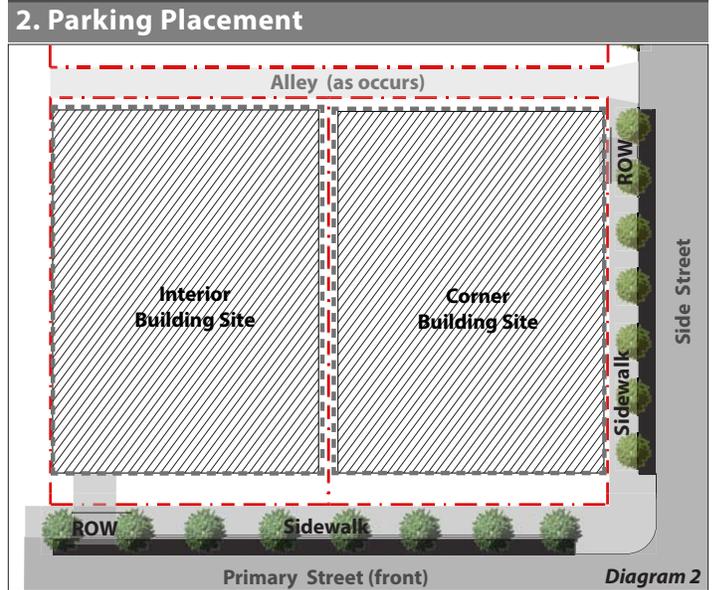
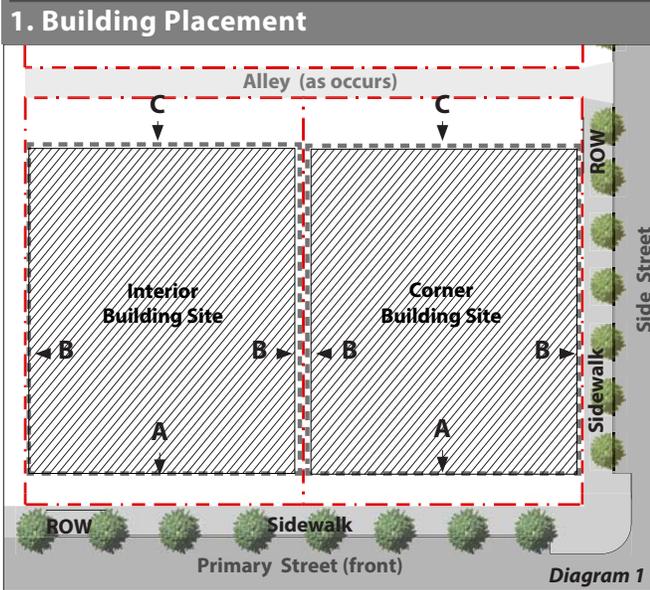
Key

P	Permitted Use
MUP	Minor Use Permit Required
CUP	Conditional Use Permit Required
-	Use not allowed
(1)	See Article 6 "Specific to Uses"

(2)	Indoor boarding only
1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

# 3.30.120 Highway Commercial (C-4) Zone

## C. Development Standards



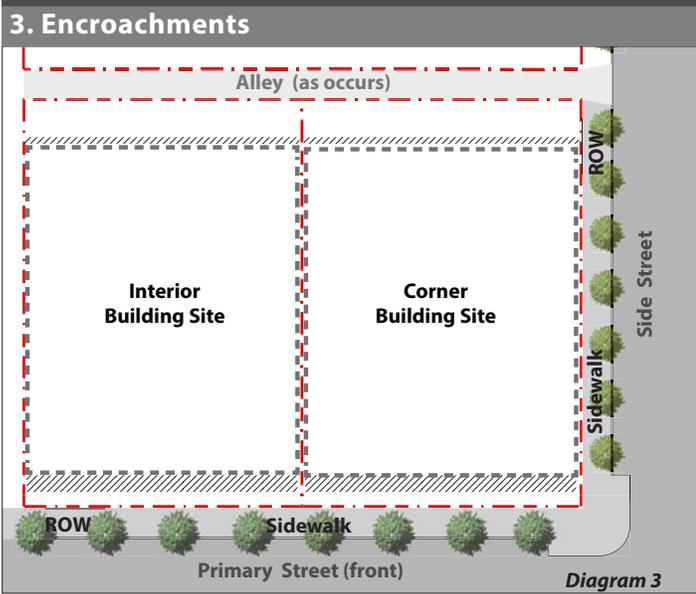
Building Site Boundary - - - Buildable Area [hatched pattern]

Building Site Boundary - - - Allowed Off-Street Parking Area [hatched pattern]  
Allowed On-Street Parking Area [solid black pattern]

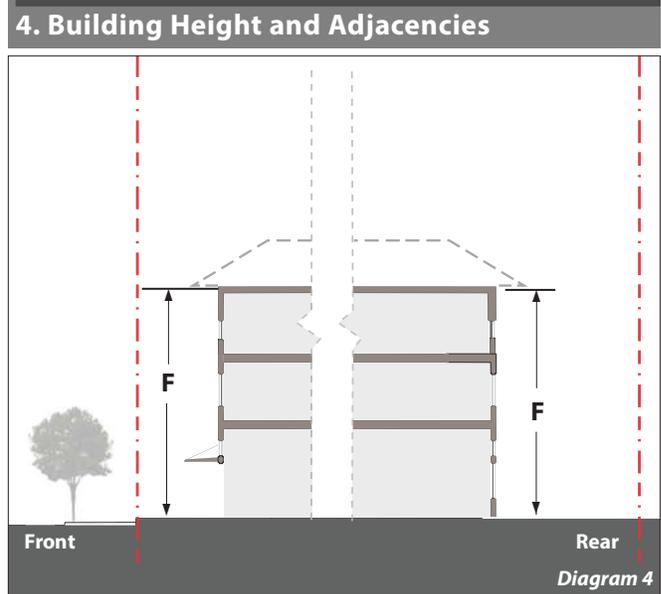
BUILDING SITE REQUIREMENTS		Min.
<b>A</b>	Front Setback	
	From Center Line of Local Street	35'
	From Center Line of Secondary Street	45'
	From Center Line of Major Street	55'
<b>B</b>	Side Setback	--
<b>C</b>	Rear Setback	20' <sup>1</sup>
-- None Required		
1 If an alley exists at the rear of the lot, setback may be measured to the centerline of the alley.		
LOT REQUIREMENTS		Min.
<b>D</b>	Lot Size	7,500 sf

- 2.1** Parking shall be located on the building site per Diagram 2. All utilities shall be located underground.
- 2.2** Parking / service areas shall not be accessed from primary street unless alley or side street not present.
- 2.3** Parking entries shall be 20' max wide, designed as integral, decorative components of the building facade.
- 2.4** See Chapter 4.50 (Parking Standards).
- 2.5** See Section 4.40.080 (Fences and Screening).

C. Development Standards



Building Site Boundary — — — — — Encroachment Area (see 'E' for reqmts)



Building Site Boundary — — — — —

**3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards).

**3.2** Commercial rooftop equipment installations shall be screened from view from adjoining properties to the satisfaction of the administrative authority. The noise level from all rooftop equipment shall not exceed the ambient noise level at the surrounding property lines.

E Encroachments	Requirements
Encroachment into Front Setback	
Architectural Features	3' max.
Uncovered porches and necessary landings <sup>1</sup>	6' max.
Stairs and connected platforms or landings extending above the first floor of a building	6' max
Encroachment into Side or Rear Setback	
Uncovered stairs and necessary landings <sup>1</sup>	3' max.
<sup>1</sup> Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding four feet in height.	

**4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).

**4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

**4.3** Airport compatibility issues have the potential to reduce the maximum attainable height in response to airport compatibility related height restrictions. A building may be erected to greater height to accommodate architectural additions when the cubage is not greater than that possible within the required height limit.

Height Requirements	Max <sup>1</sup>	
	Stories	Ft
<b>F</b> Bldg Height	3	35
<sup>1</sup> Maximum stories shall not exceed maximum height (feet) from groundline.		

## 3.30.130 Light Industrial (M-1) Zone

### A. Intent and Purpose

The M-1 zone is applied to areas of Tehachapi that are appropriate assembly-type manufacturing and other similar industrial uses that do not produce undesirable byproducts such as fumes, odor, dust or smoke. The M-1 zone provides a general industrial environment by providing an alternate choice for industrial uses that are neither objectionable nor detrimental to adjacent properties because of hazards, noise, or other disturbance. All property shall comply with the following applicable requirements:

I-3 **1. Physical Character.** Property shall comply with the development standards in Section C of the M-1 zone.

### 2. Land Use.

- a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
- b) New or expanded land use activity shall comply with Section B of the M-1 zone.

### 3. Parking.

- a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
- b) New or expanded parking shall comply with Sections B and C.2 of the M-1 zone.

### Illustrative examples of the M-1 Zone:



Above: A 2-story industrial building allows for a low disturbance to surrounding uses.



Above: Row of industrial units off an extended driveway

### B. Land Use Standards

**1. Allowed Land Use Types.** Only those land uses identified in Table 3.30.130 as allowable per the required permit shall be allowed, subject to the following:

- a) The required permit is obtained prior to establishing operations;
- b) All land use activity shall comply with the applicable requirements for parking, size or location, and special requirements identified in Table 3.30.130.

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.30.130.

Light Industrial (M-1) Zone

3.30.130

Table 3.30.130. Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema	P	1/400
	Nightclub	P	1/400
	Health / Fitness	-	-
	Indoor/Outdoor Recreation	MUP	1/400
	Live/Amplified Music	-	-
Restaurant and Food	Drive-Through	P	1/400
	Pub / Bar, Micro-Brewery	P (1)	1/400
	Restaurant (may incl alcohol sales)	P	1/400
	Outdoor Dining	-	-
	Wine Tasting	P	1/400
Retail	Alcohol Sales (off-site)	P (1)	1/400
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	P	1/400
	Retail <2,000 square feet	P	1/400
	Retail <10,000 square feet	P	1/400
	Retail >10,000 square feet	P	1/400
Secondhand Stores	P	1/400	
Services	Care Facility for the Elderly <7	P	1/4
	Care Facility for the Elderly >7	MUP	1/4
	Day Care: Adult Day	-	-
	Day Care: Small House <7	-	-
	Day Care: Large House 7 to 14	-	-
	Day Care Center: Child > 15	CUP (1)	1/4
	Emergency Shelter	-	-
	Funeral Home	P	1/400
	Group Home < 7 clients	-	-
	Group Home > 7 clients	-	-
	Hotel / Motel	-	-
	Inn (B&B)	-	-
	Laundromat/Dry Cleaning	P	1/400
	Medical Services	P	1/400
	Business and Personal Services	P	1/500
	Personal Services, Restricted	P	1/500
	Repair, Commercial (non-vehicular)	-	-
Transitional and Supportive Housing	-	-	
Veterinary Clinic/Boarding	P	1/400	

Category	Use	Permit	Pkg
Office and Civic	Office	P	1/400
	Government, Civic, Library	P	1/400
	School, College, University	-	-
	Transit Station	P	25
Residential	Farmworker Housing	-	-
	Granny Flat (Secondary Dwelling)	-	-
	Ground Floor	-	-
	Home Occupation	-	-
	Multi Family Residential	-	-
	Mobile Home Park/Subdivision	-	-
	Rooming and Boarding House	-	-
	Single Family Residential	-	-
Single Room Occupancy	-	-	
Industrial	Manufacturing (perishable: e.g.,cider, apple juice) <1,500 sq ft bldg	CUP	1/400
	Manufacturing (non-perishable) <1,500 sq ft bldg	CUP	1/400
	Power / Electrical Substation	P	0
	Reverse Vending Machine	P	0
	Small Collection Facility	P	0
Motor-Vehicle Related	Car Wash	P	1/400
	Gas Station (non-commercial vehicles) <50,000 sq ft site area	P (1)	10
	Gas Station (commercial vehicles)	P (1)	5
	Motor Vehicle Sales, new / used	P	1/400
	Motor Vehicle Rentals	P	1/10
	Recreation Vehicle Park	P	0
	Repair (motor vehicles)	P	1/2 bays
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	P	1/400
Other	Temporary Use	MUP (1)	0
	Nature	-	-
	Agriculture (see 8.10.070)	CUP	5
	Greenway, Green	-	-
	Plaza, Square, Passage	CUP	0
	Playground, Sportsfield	-	-
Roof Garden	-	-	

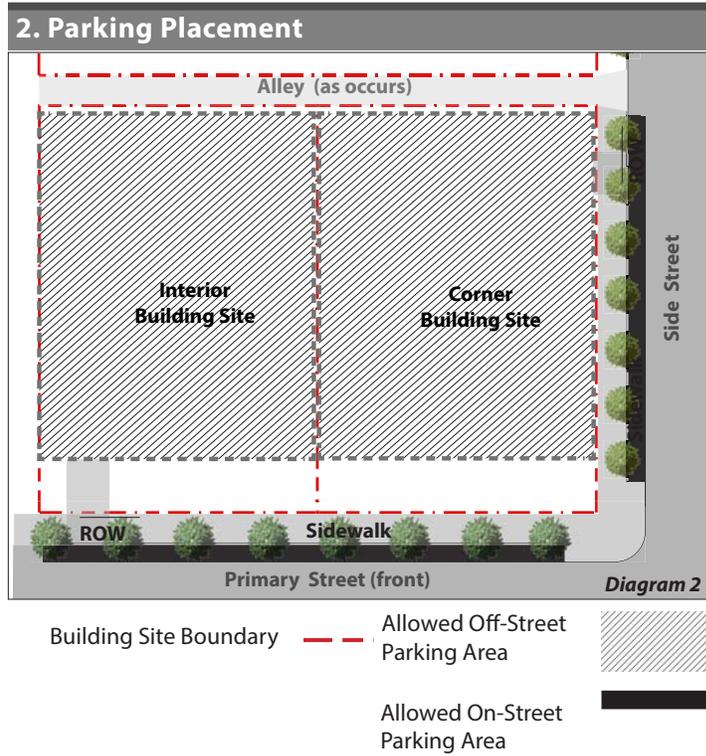
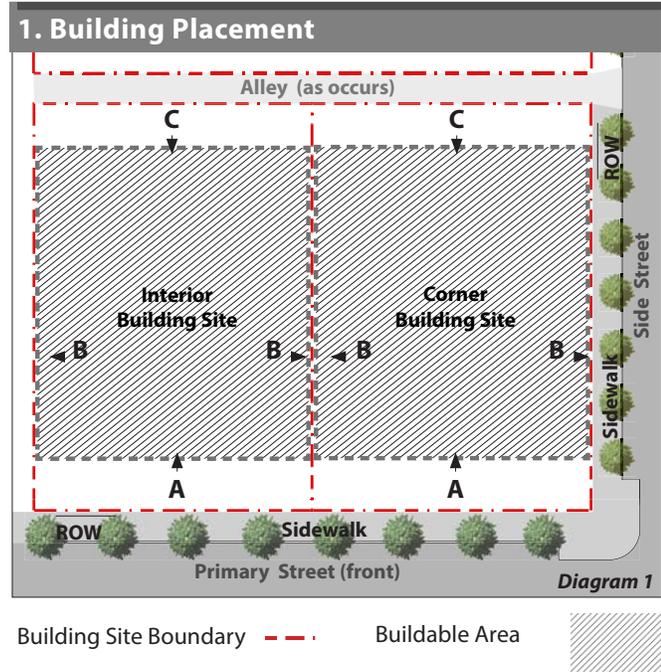
Key

P	Permitted Use
MUP	Minor Use Permit Required
CUP	Conditional Use Permit Required
-	Use not allowed
(1)	See Article 6 "Specific to Uses"

1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

# 3.30.130 Light Industrial (M-1) Zone

## C. Development Standards

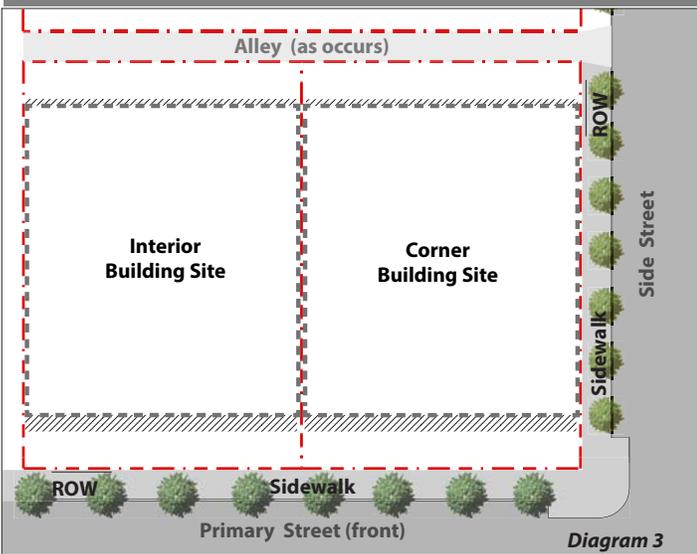


BUILDING SITE REQUIREMENTS		Min.
<b>A</b>	Front Setback	
	From Center Line of Local Street	35'
	From Center Line of Secondary Highway	40'
	From Center Line of Major Highway	45'
<b>B</b>	Side Setback	--
<b>C</b>	Rear Setback	20' <sup>1</sup>
-- None Required		
1 If an alley exists at the rear of the lot, setback may be measured to the centerline of the alley.		
LOT REQUIREMENTS		Min.
<b>D</b>	Lot Size	7,500 sf

- 2.1** Parking shall be located on the building site per Diagram 2. All utilities shall be located underground.
- 2.2** Parking / service areas shall not be accessed from primary street unless alley or side street not present.
- 2.3** Parking entries shall be 20' max wide, designed as integral, decorative components of the building facade.
- 2.4** See Chapter 4.50 (Parking Standards).
- 2.5** See Section 4.40.080 (Fences and Screening).

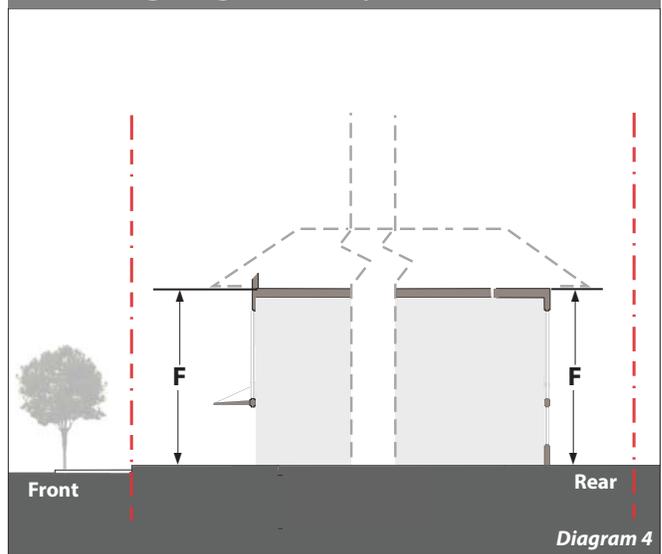
C. Development Standards

3. Encroachments



Building Site Boundary — — — — Encroachment Area (see 'E' for reqmts)

4. Building Height and Adjacencies



Building Site Boundary — — — —

**3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards).

**3.2** Commercial and Industrial rooftop equipment installations shall be screened from view from adjoining properties to the satisfaction of the administrative authority. The noise level from all rooftop equipment shall not exceed the ambient noise level at the surrounding property lines.

E Encroachments	Requirements
Encroachment into Front Setback	
Architectural Features	3' max.
Uncovered porches and necessary landings <sup>1</sup>	6' max.
Stairs and connected platforms or landings extending above the first floor of a building	6' max
Encroachment into Side or Rear Setback	
Uncovered stairs and necessary landings <sup>1</sup>	3' max.
<sup>1</sup> Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding four feet in height.	

**4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).

**4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

**4.3** Airport compatibility issues have the potential to reduce the maximum attainable height in response to airport compatibility related height restrictions. A building may be erected to greater height to accommodate architectural additions when the cubage is not greater than that possible within the required height limit.

Height Requirements	Max
F Bldg Height	30'

## 3.30.140 Medium Industrial (M-2) Zone

### A. Intent and Purpose

The M-2 zone is applied to areas of Tehachapi that are appropriate for heavy industrial uses that have the greatest potential for producing undesirable byproducts including noise, odor, dust, fumes and other industrial related pollution. All property shall comply with the following applicable requirements:

**1. Physical Character.** Property shall comply with the development standards in Section C of the M-2 zone.

### 2. Land Use.

- a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
- b) New or expanded land use activity shall comply with Section B of the M-2 zone.

### 3. Parking.

- a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
- b) New or expanded parking shall comply with Sections B and C.2 of the M-2 zone.

### Illustrative examples of the M-2 Zone:



*Above: Large industrial complex allows for heavy industrial uses.*



*Above: Industrial complex provides space for undesirable byproducts*

### B. Land Use Standards

**1. Allowed Land Use Types.** Only those land uses identified in Table 3.30.140 as allowable per the required permit shall be allowed, subject to the following:

- a) The required permit is obtained prior to establishing operations;
- b) All land use activity shall comply with the applicable requirements for parking, size or location, and special requirements identified in Table 3.30.140.

**2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.30.140.

Medium Industrial (M-2) Zone

3.30.140

Table 3.30.140. Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	CUP	1/400
	Cinema	-	-
	Nightclub	-	-
	Health / Fitness	-	-
	Indoor/Outdoor Recreation	-	-
	Live/Amplified Music	-	-
	Meeting Facility, Amphitheater	-	-
Restaurant and Food	Drive-Through	P	1/400
	Pub / Bar, Micro-Brewery	-	-
	Restaurant (may incl alcohol sales)	P	1/400
	Outdoor Dining	-	-
	Wine Tasting	-	-
Retail	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	-	-
	Retail <2,000 square feet	MUP	1/400
	Retail <10,000 square feet	-	-
	Retail >10,000 square feet	-	-
Secondhand Stores	-	-	-
	-	-	-
Services	Care Facility for the Elderly <7	P	1/4
	Care Facility for the Elderly >7	CUP	1/4
	Day Care: Adult Day	-	-
	Day Care: Small House <7	-	-
	Day Care: Large House 7 to 14	-	-
	Day Care Center: Child > 15	-	-
	Emergency Shelter	-	-
	Funeral Home	P	1/400
	Group Home < 7 clients	-	-
	Group Home > 7 clients	-	-
	Hotel / Motel	-	-
	Inn (B&B)	-	-
	Laundromat/Dry Cleaning	P	1/400
	Medical Services	-	-
	Business and Personal Services	-	-
	Personal Services, Restricted	-	-
	Repair, Commercial (non-vehicular)	-	-
Transitional and Supportive Housing	-	-	
Veterinary Clinic/Boarding	P	1/400	

Category	Use	Permit	Pkg
Office and Civic	Office	P	1/400
	Government, Civic, Library	P	1/400
	School, College, University	-	-
	Transit Station	P	25
Residential	Farmworker Housing	-	-
	Granny Flat (Secondary Dwelling)	-	-
	Ground Floor	-	-
	Home Occupation	-	-
	Mobile Home Park/Subdivision	-	-
	Multi Family Residential	-	-
	Rooming and Boarding House	-	-
	Single Family Residential	-	-
Single Room Occupancy	-	-	
Industrial	Manufacturing (perishable: e.g.,cider, apple juice) <2,000 sq ft bldg	P	1/500
	Manufacturing (non-perishable) <2,000 sq ft	P	1/500
	Power / Electrical Substation	P	0
	Reverse Vending Machine	P	0
	Small Collection Facility	P	0
Motor-Vehicle Related	Car Wash	P	1/400
	Gas Station (non-commercial vehicles) <50,000 sq ft site area	P (1)	10
	Gas Station (commercial vehicles)	P (1)	5
	Motor Vehicle Sales, new / used	CUP	1/400
	Motor Vehicle Rentals	P	1/10
	Recreational Vehicles Park	-	-
	Repair (motor vehicles)	P	1/2 bays
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	P	1/400
Other	Temporary Use	MUP (1)	0
	Nature, Agriculture	-	-
	Agriculture	CUP	5
	Greenway, Green	-	-
	Plaza, Square, Passage	-	-
	Playground, Sportsfield	-	-
	Roof Garden	-	-

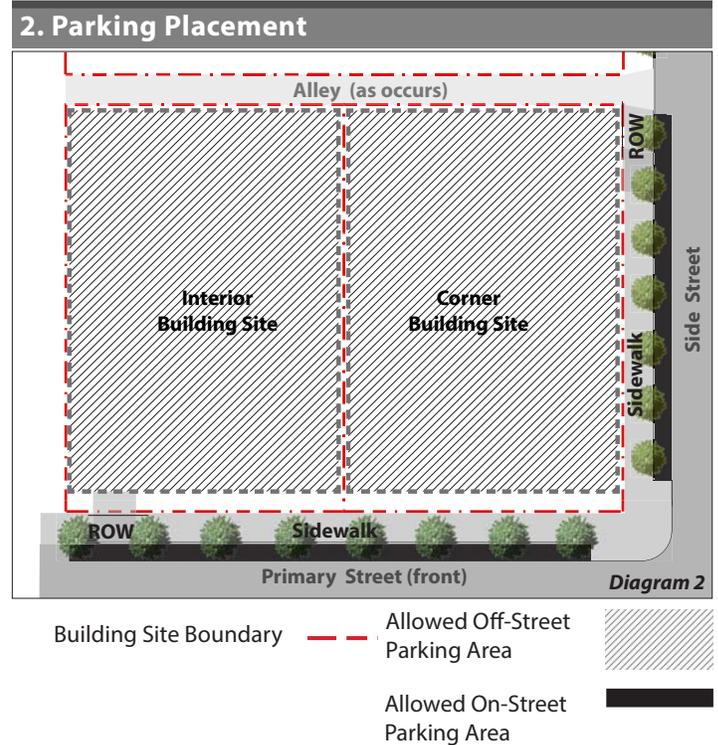
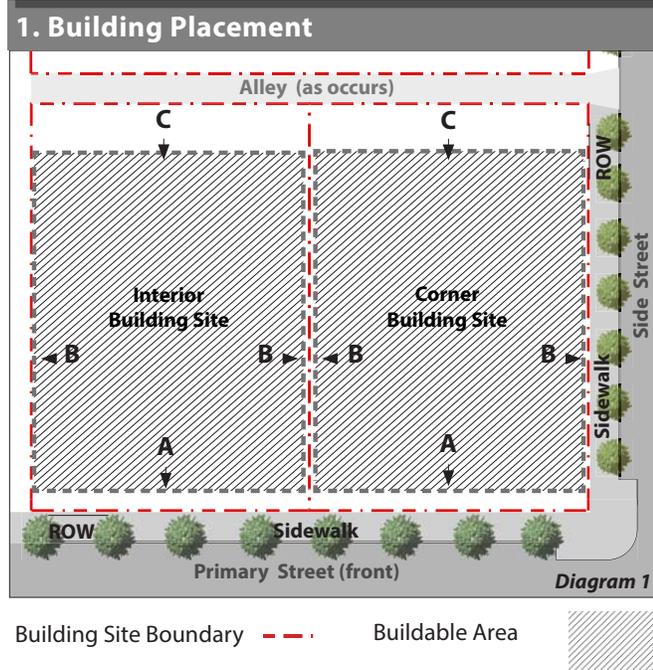
Key

P	Permitted Use
MUP	Minor Use Permit Required
CUP	Conditional Use Permit Required
-	Use not allowed
(1)	See Article 6 "Specific to Uses"

1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

# 3.30.140 Medium Industrial (M-2) Zone

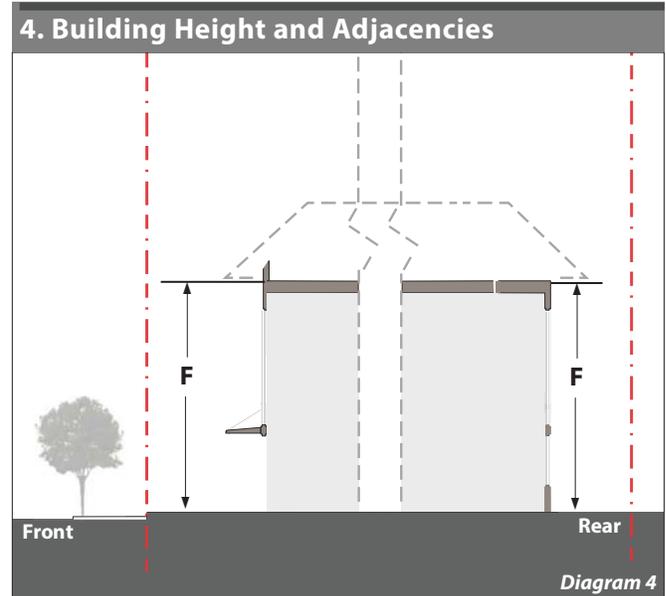
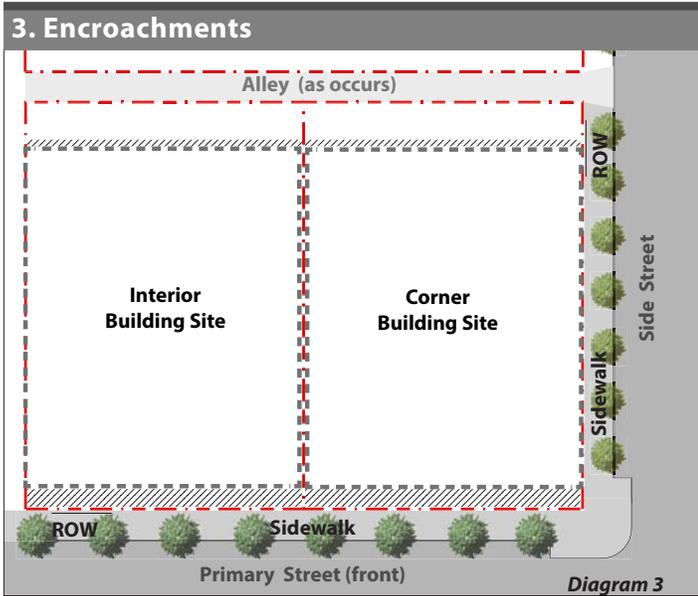
## C. Development Standards



BUILDING SITE REQUIREMENTS		Min.
<b>A</b>	Front Setback	
	From Property Line	5' 1
	From Center Line of Local Street	35' 1
	From Center Line of Secondary Street	55' 1
	From Center Line of Major Street	60' 1
<b>B</b>	Side Setback	--
<b>C</b>	Rear Setback	20' 2
-- None Required		
1 In determining front setback, it is whichever is greater between property line or street setback.		
2 If an alley exists at the rear of the lot, setback may be measured to the centerline of the alley.		
LOT REQUIREMENTS		Min.
<b>D</b>	Lot Size	Determined by Planning Commission

- 2.1** Parking shall be located on the building site per Diagram 2. All utilities shall be located underground.
- 2.2** Parking / service areas shall not be accessed from primary street unless alley or side street not present.
- 2.3** Parking entries shall be 20' max wide, designed as integral, decorative components of the building facade.
- 2.4** See Chapter 4.50 (Parking Standards).
- 2.5** See Section 4.40.080 (Fences and Screening).

C. Development Standards



Building Site Boundary ——— Encroachment Area (see 'E' for reqmts)

Building Site Boundary ———

- 3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards).
- 3.2** Commercial and Industrial rooftop equipment installations shall be screened from view from adjoining properties to the satisfaction of the administrative authority. The noise level from all rooftop equipment shall not exceed the ambient noise level at the surrounding property lines.

- 4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).
- 4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

Height Requirements		Max
F	Bldg Height	75

E	Encroachments	Requirements
Encroachment into Front Setback		
	Architectural Features	3' max.
	Uncovered porches and necessary landings <sup>1</sup>	6' max.
	Stairs and connected platforms or landings extending above the first floor of a building	6' max
Encroachment into Side or Rear Setback		
	Uncovered stairs and necessary landings <sup>1</sup>	3' max.
1 Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding four feet in height.		

## 3.30.150 Agriculture (A) Zone

### A. Intent and Purpose

The A zone is applied to areas of Tehachapi to preserve land best suited for agriculture and agricultural uses and to limit urban encroachment into agricultural areas. The A zone is intended to discourage premature conversion of agricultural land to nonagricultural uses. All property shall comply with the following applicable requirements:

- 1. Physical Character.** Property shall comply with the development standards in Section C of the A zone.
- 2. Land Use.**
  - a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
  - b) New or expanded land use activity shall comply with Section B of the A zone.
- 3. Parking.**
  - a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
  - b) New or expanded parking shall comply with Sections B and C.2 of the A zone.

### Illustrative examples of the A Zone:



*Above: Large properties with minimal development*



*Above: A local winery intended to preserve agricultural land*

### B. Land Use Standards

- 1. Allowed Land Use Types.** Only those land uses identified in Table 3.30.150 as allowable per the required permit shall be allowed, subject to the following:
  - a) The required permit is obtained prior to establishing operations;
  - b) All land use activity shall comply with the applicable requirements for parking, size or location, and special requirements identified in Table 3.30.150.
- 2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of Table 3.30.150.

Table 3.30.150. Land Use Standards

Category	Use	Permit	Pkg
Entertainment and Recreation	Adult Entertainment	-	-
	Cinema	-	-
	Nightclub	-	-
	Health / Fitness	-	-
	Indoor/Outdoor Recreation	CUP	1/400
	Live/Amplified Music	CUP	n/a
Restaurant and Food	Meeting Facility, Amphitheater	-	-
	Drive-Through	-	-
	Pub / Bar, Micro-Brewery	-	-
	Restaurant (may incl alcohol sales)	-	-
	Outdoor Dining	-	-
Retail	Wine Tasting	-	-
	Alcohol Sales (off-site)	-	-
	Artisan / Craft MFG (w/ on-site sales), Art Gallery / Exhibition	CUP	1/400
	Retail <2,000 square feet	P	1/400
	Retail <10,000 square feet	CUP	1/400
	Retail >10,000 square feet	-	-
Services	Secondhand Stores	-	-
	Care Facility for the Elderly 1-6	-	-
	Care Facility for the Elderly 7>	-	-
	Day Care: Adult Day	-	-
	Day Care: Small House <7	-	-
	Day Care: Large House 7 to 14	-	-
	Day Care Center: Child > 15	-	-
	Emergency Shelter	-	-
	Funeral Home	-	-
	Group Home < 7 clients	P	1/U
	Group Home > 7 clients	-	-
	Hotel / Motel	-	-
	Inn (B&B)	-	-
	Laundromat/Dry Cleaning	-	-
	Medical Services	-	-
	Business and Personal Services	-	-
Repair, Commercial (non-vehicular)	-	-	
Transitional and Supportive Housing	-	-	
Veterinary Clinic/Boarding	-	-	

Category	Use	Permit	Pkg
Office and Civic	Office	-	-
	Government, Civic, Library	CUP	1/400
	School, College, University	-	-
	Transit Station		25
Residential	Farmworker Housing	P	1/U
	Granny Flat (Secondary Dwelling)	P (1)	0.5/U
	Ground Floor	-	-
	Home Occupation	P	0
	Multi Family Residential	-	-
	Mobile Home Park/Subdivision	-	-
	Rooming and Boarding House	-	-
	Single Family Residential	P	2/U
Single Room Occupancy	-	-	
Industrial	Manufacturing (perishable: e.g.,cider, apple juice) <1,500 sq ft bldg	CUP	1/400
	Manufacturing (non-perishable)	-	-
	Power / Electrical Substation	-	-
	Reverse Vending Machine	-	-
	Small Collection Facility	-	-
Motor-Vehicle Related	Car Wash, Gas Station	-	-
	Recreational Vehicles Park	CUP	
	Repair (motor vehicles)	-	-
	Motor Vehicle Sales, new / used	-	-
	Motor Vehicle Rentals	-	-
Communi-cations	Telecommunications Facilities	CUP (1)	0
	Broadcasting / Recording Studio	CUP	1/400
Other	Temporary Use	MUP (1)	0
	Nature (see 8.10.060)	P	0
	Agriculture (see 8.10.070)	P	5
	Greenway	-	-
	Green (see 8.10.090)	P	0
	Plaza, Square, Passage	-	-
	Playground (see 8.10.130)	CUP	0
	Sportsfield (see 8.10.140)	CUP	0
	Roof Garden (see 8.10.150)	CUP	0

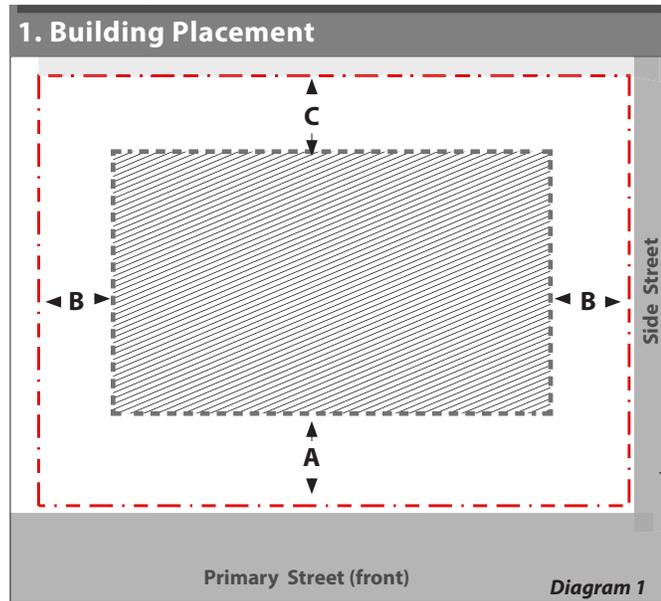
Key

P	Permitted Use
MUP	Minor Use Permit Required
CUP	Conditional Use Permit Required
-	Use not allowed
(1)	See Article 6 "Specific to Uses"

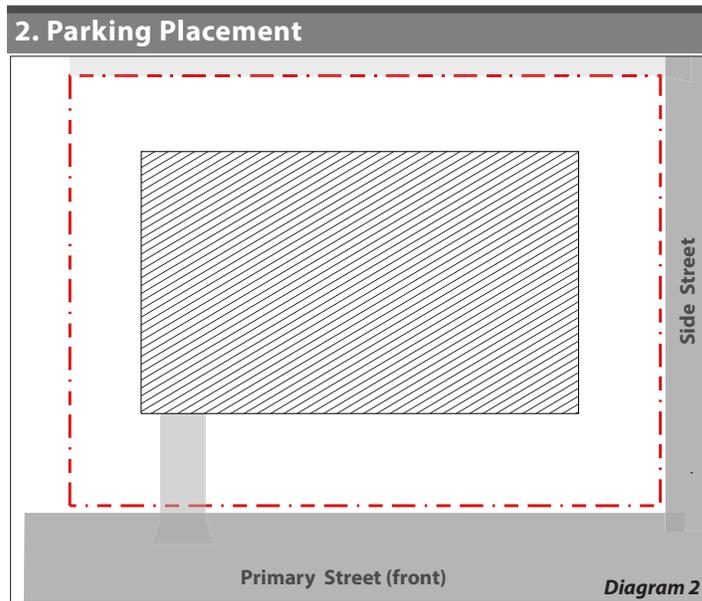
1/400	1 parking space required for each 400 sq ft of floor area
1/2R	1 parking space required for each 2 rooms
1:6	1 parking space required for each 6 students or seats
1/U	1 parking space required for each dwelling unit

# 3.30.150 Agriculture (A) Zone

## C. Development Standards



Building Site Boundary - - - Buildable Area



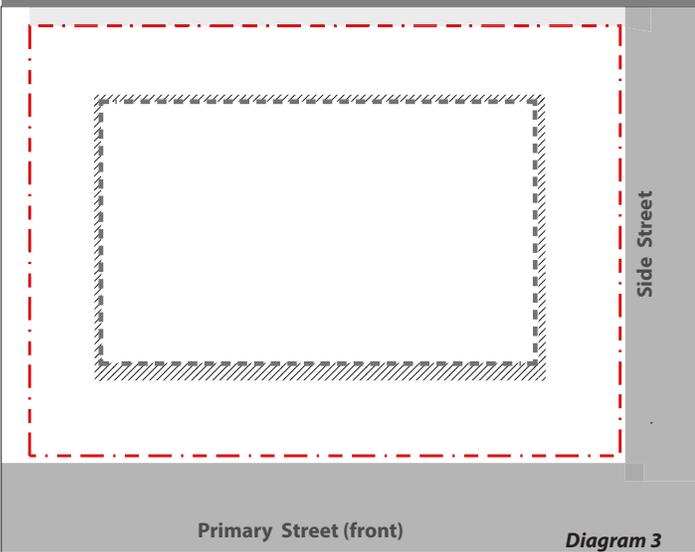
Building Site Boundary - - - Allowed Off-Street Parking Area

BUILDING SITE REQUIREMENTS		Min.
<b>A</b>	Front Setback	
	From Center Line of Local Street	55'
	From Center Line of Secondary Street	70'
	From Center Line of Major Street	80'
<b>B</b>	Side Setback	25'
<b>C</b>	Rear Setback	25'
LOT REQUIREMENTS		Min.
<b>D</b>	Lot Size	10 acres

- 2.1** Parking shall be located on the building site per Diagram 2. All utilities shall be located underground.
- 2.2** Parking / service areas shall not be accessed from primary street unless alley or side street not present.
- 2.3** Parking entries shall be 20' max wide, designed as integral, decorative components of the building facade.
- 2.4** See Chapter 4.50 (Parking Standards).
- 2.5** See Section 4.40.080 (Fences and Screening).

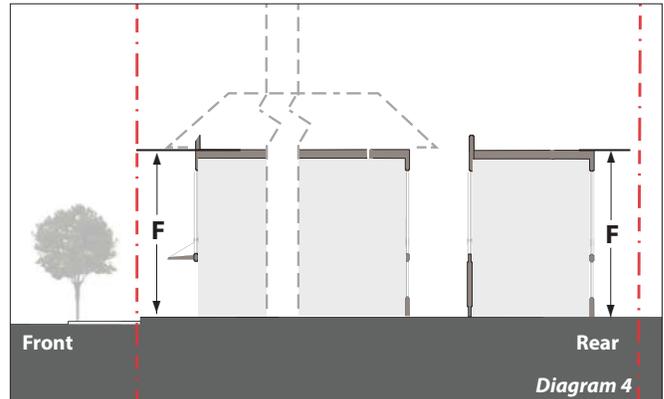
C. Development Standards

3. Encroachments



Building Site Boundary — — — — — Encroachment Area (see 'E' for reqmts)

4. Building Height and Adjacencies



Building Site Boundary — — — — —

**3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards).

**3.2** Commercial and Industrial rooftop equipment installations shall be screened from view from adjoining properties to the satisfaction of the administrative authority. The noise level from all rooftop equipment shall not exceed the ambient noise level at the surrounding property lines.

**4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).

**4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

Height Requirements		Max
<b>F</b>	Bldg Height	35'
<b>G</b>	Accessory Structure	35

E	Encroachments	Requirements
Encroachment into Front Setback		
	Architectural Features	3' max.
	Uncovered porches and necessary landings <sup>1</sup>	6' max.
	Stairs and connected platforms or landings extending above the first floor of a building	6' max
Encroachment into Side or Rear Setback		
	Uncovered stairs and necessary landings <sup>1</sup>	3' max.
<sup>1</sup> Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding three feet in height in residential structures and four feet in height in commercial.		

## 3.30.160 Planned Development (PD) Zone

### A. Intent and Purpose

The PD zone is applied to areas of Tehachapi's that are appropriate for the planned development of large parcels to allow comprehensive site planning and building design. The use of PD zones provides for a more flexible regulatory procedure by which the General Plan and Zoning Code may be accomplished. The use of PD zones also allows the applicant and City to respond to unique circumstances afforded by a given property. Other intended purposes of PD zones include:

1. Creative approaches for land use utilization and mix;
2. Promotion of public and private open space as an integral part of land development design;
3. Preservation of property with unique physical or historic features; and
4. Promotion of private development in older areas of the city. A PD zone may be established and development commenced only upon demonstration that the above purposes will be achieved and that the applicant and his successors are willing and able to implement a master development plan in accordance with conditions and time schedules agreed upon between the applicant and the city, as provided herein.

### B. Applicable Requirements

All property shall comply with the following applicable requirements:

- 1. Physical Character.** Property shall comply with the development standards of the underlying zone or those approved by the Commission.
- 2. Land Use.**
  - a) Existing land uses may remain per the requirements of Chapter 10.30 (Nonconforming Provisions);
  - b) New or expanded land use activity shall comply with those of the underlying zone, unless additional use are approved by the Commission.

### 3. Parking.

- a) Existing parking shall be improved when any of the following apply: a) new building or renovation/addition over 50%, b) modification of site access, or c) subdivision;
- b) New or expanded parking shall comply with those of the underlying zone, unless additional use are approved by the Commission.

### C. Land Use Standards

- 1. Allowed Land Use Types.** Land use types allowed and permit requirements in the planned development shall comply with the underlying zone, unless additional use are approved by the Commission.
- 2. Multiple Land Use Types.** A building or building site may utilize multiple land use types per the applicable requirements of the underlying zone, unless additional use are approved by the Commission.

### 3. General for Land Use

- a) Policies relative to the uses permitted in any planned development shall be determined in compliance with the general location, amounts and densities of such uses as set forth in the General Plan; or in specified plans adopted by the City. Planned developments may, under these circumstances, combine a variety of land uses.
- b) Mixed use may include any skilful combination of the range of permitted uses, and may occur among or within buildings as long as the uses are compatible with each other and with existing and potential uses surrounding the zone.

### D. General Standards

#### 1. Development and Operational Standards

- a) Standards for area, coverage, light, and air orientation, building height, sign placement and design, setback requirements, open spaces, off-street parking, and screening for planned development uses, shall be governed by standards that the Commission shall adopt from time to time.
- b) The Commission shall, upon adopting such standards, be guided by those standards and requirements of the zone most similar in nature and function to the

proposed planned development uses, and shall also be guided by the provisions of Article 9 (Procedures) and Article 4 (General to Zones).

## 2. Open Space

- a) The Commission shall recommend to the Council and the Council shall adopt principles and standards for the establishment, improvement and maintenance of required public and private open space in PD zones.
- b) The Council may require higher standards of open space for residential portions of a PD zone than are required elsewhere in the Zoning Code for residential uses.

**3. Public Improvements.** Standards for public improvements for the PD Zone shall be in accordance with adopted city ordinances and standards.

**E. Residential Densities.** Prior to or during the process of reviewing and acting upon the preliminary development plan, the Commission shall determine the allowable residential densities for the proposed development and shall be guided by the following:

1. All planned developments in which residential uses are proposed shall be governed by the residential densities set forth in the General Plan, or in any adopted specified plans or in official City plans and policies in process of preparation and adoption.
2. Residential planned developments may, and are encouraged to, depart from standard subdivision and housing design by providing a variety of lot sizes and housing types, provided that the overall residential density yield conforms with City policy as determined in Section 1 above, and provided residential amenities are provided in amounts and locations conducive to the establishment of a quality residential environment and/or residential environments of special social importance to the City.
3. Notwithstanding Section 1 above, whenever the proposed development contains two or more different dwelling types, including single family detached dwellings, single family semi-detached or attached dwellings, and not more than two-thirds of the total number of dwelling units are included in any one of such dwelling types, the maximum total number of dwelling

units permitted within the development may, at the discretion of the Commission, be increased to 100 percent of the number of dwelling units otherwise permitted under the provisions of Section 1, provided it is clearly demonstrated that the increased amenities provided within the proposed development are proportioned to the increased density.

## F. Application Requirements

### 1. Initiation

The planned development shall be initiated and completed by the applicant, or joint applicants as the case may be. Unless otherwise provided in the approval by the Commission, the developer may not divide and transfer units of the development.

### 2. Filing Requirements

Application for PD zoning shall be made on a form provided by, and shall be submitted in two copies to, the city planning commission. Submission of plans shall be in two stages: the first stage shall be submission of a preliminary development plan, and the second shall be the submission of a master development plan

Before detailed studies of any development plan shall be undertaken by the Commission, there shall be on file with the City the written consent of not less than 60 percent of the property owners in the proposed zone that such detailed studies be made. [18.46.050]

**3. City Subdivision Ordinance.** All of the provisions of the planned development are supplementary to the City Subdivision Ordinance.

**4. Concurrent Processing.** Any subdivision maps contemplated for the same property or for portions thereof, shall be processed concurrently with the development plans in compliance with this Section.

**5. Mapping [18.46.100].** Whenever a planned district has been established, its boundary shall be indicated on the official zoning map of the city.

## 3.30.160 Planned Development (PD) Zone

### 6. Fees [18.46.170]

- a) Upon the filing of a preliminary development plan fees in place shall be paid by the applicant to the City.
- b) Upon the filing of a master development plan fees in place shall be paid by applicant to the City.
- c) Upon filing of each precise development plan, fees in place shall be paid by the applicant to the city, plus three-and-one-half percent of the engineer's estimated cost of the proposed improvements as approved by the city engineer.

### G. Application Procedures

#### 1. Preliminary Development Plan [18.46.060]

- a) Approval of the Preliminary Development Plan shall be limited to the general concept, and to the general acceptability and intensity of land uses proposed and their interrelationships, and shall not be construed to endorse precise location of uses, configuration of parcels or engineering feasibility.

#### b) Review and Approval

- i. Upon application for approval of a Preliminary Development Plan and within sixty days after filing of the application, the Commission shall review the application and the accompanying preliminary development plan.
- ii. If the Commission finds that the proposal does not meet all applicable criteria and standards, it shall deny the application, giving its reasons therefor.
- iii. The Commission may, at its discretion, refer said plan to the Council for its review and comments, and the Council may so instruct the Commission to do so if it wishes to make its views known during the preliminary planning process.
- iv. Approval or denial shall become effective ten days after a decision is rendered unless an appeal in writing is made to the Council by the applicant on forms provided by the city planner.  
(Ord. 90-10-572 § 3E(part), 1990)

#### 2. Final Master Development Plan. [18.46.070]

- a) Within six months of the approval of the preliminary development plan by the Commission, or any extension by said Commission, the applicant shall submit ten copies of the master development plan, including maps and a written report, conforming in all major respects with the approved preliminary development plan.

#### b) Review

- i. A city staff meeting shall be called within fifteen days of receipt of the Master Development Plan to review the proposals contained therein. The Commission shall not act finally on any application until it has first received a report from the Director, which shall be submitted to the Commission within thirty days of the staff meeting.

#### c) Hearing and Decision

- i. Upon receipt of the Master Development Plan, the Commission shall, after notice, hold a public hearing in compliance with Chapter 10.40 (Public Hearings).
- ii. After such hearing and after examining the plan for conformity to the Preliminary Development Plan and all applicable criteria and standards, the Commission may recommend approval subject to specified modifications and conditions. The Commission may act upon a precise development plan for the first increment concurrently with action on the master plan, subject to the provisions of this article for approval of a precise development plan.  
(Ord. 90-10-572 § 3E(part), 1990)
- iii. The Council shall hold a public hearing in compliance with noticing and hearing procedures Chapter 10.40 (Public Hearings), to approve or deny the Master Development Plan, provided that in overruling a Commission recommendation for denial, the Council shall make the findings listed in subparagraph G.2.e, below. Approval of the master development plan shall be by ordinance.

#### d) Approval Criteria [18.46.080]

Before recommending approval, the Commission shall find that the proposed development conforms to the following criteria and specific city plan requirements as

may be applicable within the areas in which the proposed development is located:

1. The location and design of the proposed development shall be consistent with the goals and policies of the city general plan and with any other applicable official plan or policies adopted by the city council, or in the process of being prepared and adopted.
2. The proposed location shall allow the development to be well integrated with its surroundings.
3. All vehicular traffic generated by the development is to be accommodated safely and without causing any undue congestion on adjoining streets.
4. The proposed location and design shall allow residents and business establishments to be adequately serviced by existing or proposed public facilities and services.
5. In appropriate circumstances and as provided elsewhere in this title, the planning commission may require that suitable areas for schools, parks, playgrounds, pedestrian ways, or public open spaces shall be dedicated for public use, or reserved by deed covenant for the common use of all residents, establishments or operations in the development.
6. The overall design of the proposed planned development shall produce an attractive, healthful, efficient and stable environment for living, shopping or working.
7. The development shall be integrated with its setting, shall not require earthmoving or grading that would destroy desirable natural features, nor be visually obstructive, disharmonious with surrounding areas and facilities.
8. The uses proposed shall have a beneficial effect not obtainable under other existing zoning regulations. Any departure from other ordinance requirements shall be warranted by the design and amenities incorporated in the master development plan, in accord with the adopted policies of the planning commission and the city council.

9. Demonstration shall be made that each individual unit of development, and the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability.

(Ord. 90-10-572 § 3E(part), 1990)

#### **I. Master Plan Modifications** [18.46.090]

1. Minor changes of a technical nature to an approved Master Development Plan may be approved by the Commission, or its authorized representative, provided changes are consistent with the purposes and character of the master development plan. Such changes shall not change the densities heretofore established, nor the boundaries of the subject property, nor any use as shown on the approved master development plan, nor the location or amounts of land devoted to specific land uses.

2. All modifications or amendments to an approved plan other than said minor changes shall be processed as an original application and shall be subject to all applicable, substantive and procedural requirements of the planned district procedure, provided that the filing fee therefor shall be one-half the fee charged for filing an original application.

(Ord. 90-10-572 § 3E(part), 1990)

#### **J. Precise Plan Approval** [18.46.110]

##### **1. When Required**

- a) Within twelve months following approval of the final Master Development Plan, or concurrently with submission of the Master Development Plan, the applicant shall submit to the Commission an application for approval of a Precise Development Plan for the first increment of development.
- b) Precise Development Plan approval, valid for one year, shall be secured for each unit or increment of a planned district development as delineated on the Master Development Plan.

## 3.30.160 Planned Development (PD) Zone

c) No development, improvement, or building construction within any unit of the planned district area covered by a Master Development Plan approved by the Council shall be commenced until the Commission shall have approved the precise development plan for the unit.

### 2. Application Requirements

Precise Development Plans in a form and of such detail as is satisfactory to the City Engineer and Director planner shall set forth detailed specific features of each increment of development.

### 3. Approval

Within sixty days following receipt of the application for precise development plan approval, the planning commission shall approve, conditionally approve or disapprove the proposed precise development plan and shall notify the applicant of its action. Appeal may be made to the city council by the applicant on forms provided by the city planner.  
(Ord. 90-10-572 § 3E(part), 1990)

### 4. Appeal [86.46.160]

Within ten days following the date of a decision by the planning commission upon an application for approval of a Precise Development Plan, or for approval of modification or amendment of any authorized plan, or condition imposed therein, an appeal may be taken to the city council by the applicant or the owners

### 5. Conditions of Approval

#### a) Dedication of Open Space [86.46.120]

i. The planning commission may, as a condition of approval, require that suitable areas for schools, parks and playgrounds be set aside, improved and dedicated for public use, or be reserved for the owners, residents and establishments in the development by deed restrictions. Whenever group or common open space is provided, whether required or not, the planning commis-

sion shall, as a condition of approval, require that some provision be made for perpetual maintenance of such open space. The form of any instrument used to assure open space maintenance shall be approved by the city attorney as to its form and content. Agreements and covenants running with the land shall include provisions for charges to be levied for carrying out of the specified functions and administrative expenses of said perpetual maintenance. The city shall be a party in interest in any such development and may by mandatory injunction enforce the provisions of this chapter.

ii. To assure that open space shall be available for the entire developed planned district, public sites and development rights to required open spaces shall be dedicated in advance of development whenever such dedication is required. In any event, whether a subdivision map is required or not, any required dedication of public sites and development rights to required open spaces for the entire district shall be made as a condition of approval of the precise development plan.

iii. Other dedications for streets, utilities, flood control right-of-ways, and for easements and other public purposes may be required as a condition of approval of the precise development plan

#### b) Performance Conditions [86.46.130]

The Council shall require the applicant to furnish a completion bond or cash equivalent in an amount deemed sufficient by the city engineer to cover the costs of public improvements, incidental expenses, and to cover replacement and repair of existing streets and other improvements damaged in the development of the unit. All public improvements shall be constructed in accordance with standard specifications of the city.

**6. Time Limits and Expiration** [86.46.150]

If the applicant fails to submit a precise development plan for the first increment within twelve months after approval of the final master development plan or fails to proceed with subsequent increments in accordance with development schedules as submitted, the master development plan shall be considered void and a new application for master development plan must be initiated in accordance with the procedures of this chapter. Said time limits may be extended for just and exceptional cause upon mutual agreement between the city and applicant

## 3.30.160 Planned Development (PD) Zone

### D. Development Standards

1. Building Placement		2. Parking Placement	
1.1	PD zone may be established on parcels of land that are suitable for and of sufficient size to be planned and developed in a manner consistent with the purposes of Section 3.30.160.	2.1	See Chapter 4.50 (Parking Standards).
1.2	5 acres or more may be considered for a PD zone, provided that the property is owned, or its development controlled by a single individual or legally constituted corporation or partnership.	2.2	All utilities shall be placed underground. Costs shall be borne by the developer.
1.3	In the case of property held in various ownerships, the property may be considered for a PD zone when all parties owning and controlling the area proposed for the PD zone become parties to a legal agreement binding them to abide by the master development plan, as approved. The approved master development plan shall run with the land as a condition of future use, sale or lease.		
LOT REQUIREMENTS		Min.	
A	Lot Size	5 acres	

**C. Development Standards****3. Encroachments**

- 3.1** Trees, shrubs and similar landscaping materials may be located within front, side and rear setbacks in compliance with Chapter 4.40 (Landscape Standards), unless otherwise determined by the Commission.

<b>B Encroachments</b>	<b>Requirements</b>
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## Encroachment into Front Setback

Architectural Features	3' max.
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Uncovered porches and necessary landings <sup>1</sup>	6' max.
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Stairs and connected platforms or landings extending above the first floor of a building	6' max
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## Encroachment into Side or Rear Setback

Uncovered stairs and necessary landings <sup>1</sup>	3' max.
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- <sup>1</sup> Such stairs and landing shall not extend above the first floor of the building, except for a railing not exceeding three feet in height.

**4. Building Height and Adjacencies**

- 4.1** Buildings and additions shall comply with the requirements per Chapter 4.20 (Site and Structural Standards).

- 4.2** Building height shall be measured vertically from average sidewalk grade along frontage and per ADA requirements.

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# Article 4 General to Zones

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## Chapter 4.10 Introduction

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### Sections:

4.10.010 Purpose

4.10.020 Applicability

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### 4.10.010 Purpose [new]

This Chapter expands upon the zone standards of Article 3 (Specific to Zones) by addressing additional details of site planning, project design, and the operation of land uses. These standards are intended to ensure that proposed development is compatible with existing and future development on neighboring properties, and produces an environment of desirable character, consistent with the General Plan and any applicable specific plan..

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### 4.10.020 Applicability [new]

The requirements of this Chapter shall apply to proposed development and new land uses, and shall be considered in combination with the standards for the applicable zone in Article 3 (Specific to Zones) and those in Article 6 (Specific to Uses). As indicated in this Chapter, these regulations may apply differently in transect and non-transect zones. If there is a conflict between any standards, the provisions of Article 3 control over Article 4 (General to Zones) and the provisions of Article 6 control over Articles 3 and 4.

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## Chapter 4.20 Site and Structural Standards

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### Sections:

- 4.20.010 General Site and Structural Standards
- 4.20.020 Accessory Structures
- 4.20.030 Height Limits and Exceptions
- 4.20.040 Setbacks
- 4.20.050 Performance Standards
- 4.20.060 Related Lot Requirements
- 4.20.070 Hillside Development Standards

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### 4.20.010 General Site and Structural Standards

#### **A. Green Building Standards**

See the City's Code of Building Regulations Chapter 17.10 (Green Building Standards Code).

#### **B. Location of Dwelling**

Except where otherwise provided for in this Zoning Code, every dwelling shall face or have frontage upon a street or permanent means of access to a street by way of a public or private easement or passageway other than the alley [18.08.140].

#### **C. Resident Garage Capacity**

The capacity of single-family residential garages, whether attached or detached to the main dwelling unit, shall not exceed four automobiles. [18.08.250]

#### **D. Truck Parking as Residential Accessory Use**

Truck parking, when necessary and incidental to an established residential use, shall be permitted provided that there is no more than one truck which does not exceed a gross weight of two tons and which is driven to and from the resident's place of employment on a regular basis or which is utilized in conjunction with an approved home occupation in compliance with Chapter 9.40 (Home Occupation Permit). [18.08.252]

#### **E. Emergency Occupancy of Mobilehomes or Travel Trailers**

1. In the event a dwelling is destroyed or rendered uninhabitable by fire, earthquake, or similar calamity, the Director may authorize the temporary placement of a mobilehome or travel trailer for residential use on the property, regardless of the zone classification of the property, for a period not to exceed 180 days.
2. A request for such authorization shall be submitted in writing within 30 days from the time the dwelling is destroyed or rendered uninhabitable.
3. The Director may provide such authorization in writing and may stipulate any necessary conditions as determined by the Director for the protection of the public health and safety or for the protection of the personal health and safety of the proposed occupants. [18.08.280]

## 4.20.020 Accessory Structures

### A. Determination of Accessory Structures

If any question arises as whether any particular structure is accessory to the primary structure in question, it shall be resolved based on the definitions of accessory structure found in Article 11 (Definitions) and the following criteria:

1. Nature and size of the primary structure;
2. Nature and size of the accessory structure;
3. Relationship of the accessory structure to the primary structure. [18.08.110]

### B. Location of Accessory Structures

The following regulations shall apply to the location of accessory structures in the E, R-1, R-2, and R-3 zones unless otherwise provided by this Zoning Code.

1. No accessory structures on the rear of a reverse corner lot shall be located nearer to the side lot line on the street side of such reversed corner lot than the front setback depth required on the key lot in the rear.
2. No accessory structures shall be located within a required front, side, or rear setback.

3. Accessory structures may be considered a part of the main structure if:
  - a) Connected by a common wall of not less than five feet in length; or
  - b) If not more than 20 feet from the main structure and connected thereto by a roof of not less than five feet in width.
4. One detached accessory structure for use as a private garage may be permitted to occupy the required front setback of an interior lot when the slope of the front half of such lot is greater than one-foot rise or fall in the horizontal distance of four feet from the established street elevation at the front property line; provided, that:
  - a) No portion of any such structure shall be less than five feet from the side or front property line of the lot; and
  - b) No such structure shall exceed one story, not to exceed 12 feet, from groundline to top plate. [18.08.180]

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## 4.20.030 Height Limits and Exceptions

### A. Height of Structures

No penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment, towers, steeples, roof signs, or other structures shall exceed the height limit provided in specific zone. [18.08.150]

### B. Height of Structure Exception

1. Radio and television masts may extend not more than 35 feet and flagpoles, chimneys, and smokestacks may extend not more than 40 feet above the ground provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances.
2. All structures erected and existing structures that may be reconstructed, altered, moved or enlarged,

shall comply with the height regulations of the zone in which they may be located with the following exceptions:

- a) Roof structures for the housing of elevators, stairways, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, flagpoles, chimneys, or similar structures, when approved by the Commission, may be erected above the height limits herein prescribed; provided, that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances.
- b) No roof structures, or any space above the height limit shall be allowed for the purpose of providing additional living or floor space. [18.08.160]

## 4.20.030 Height Limits and Exceptions

### C. Height Limit at Street Corners [new]

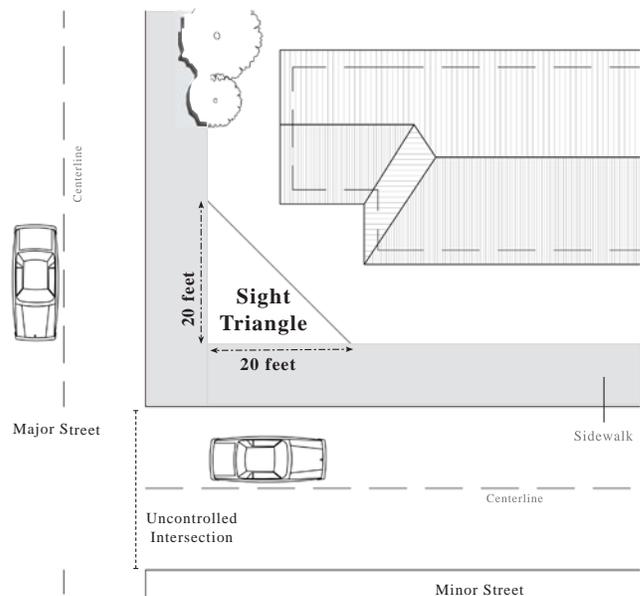
In non-transect zones, development proposed adjacent to any public or private street, or an alley intersection, shall be designed to provide a traffic safety visibility area for pedestrian and traffic safety. See Figure 4.20.030.

#### 1. Measurement of visibility area

- A traffic safety visibility area is a triangle measured as follows, and may include private property and/or public right-of-way.
- The visibility area shall be defined by measuring 20 feet from the intersection of the extension of the front and street side right-of-way lines (or 10 feet for driveways) and connecting the lines across the property.

- Height limit.** No structure, sign, or landscape element shall exceed 30 inches in height within the traffic safety visibility area, unless approved by the City Engineer, except for trees with their canopy trimmed to a minimum of eight feet above grade.

Figure 4.20.030 Restricted Height Visibility Area



## 4.20.040 Setbacks

### A. Front Setback Exception

The front minimum setback required in all of the Residential (non-transect) zones, established in Article 3 (Specific to Zones), may be reduced as followed:

- Where lots comprising 40 percent or more of the frontage on one side of a street between intersecting streets are developed with structures having an average front setback with a variation of not more than 10 feet.
- In such cases, per subsection 1 above, no structure newly erected or structurally altered may project beyond the average front lot line established by the existing structures.
- In making this determination, structures located more than 35 feet from the front lot line or structures facing a side street on a corner lot shall not be counted.
- In no case shall any structure be located within any planned future right-of-way. [18.08.120]

### B. Storage in Setback

Except as otherwise provided in Section 4.50.020 (General Parking Standards) and TMC Chapter 10.16 (Recreational Vehicles), no portion of any required front or side setback on the street side of a corner lot shall be used for the permanent storage of motor vehicles, trailers, airplanes, boats, parts of any of the foregoing or building materials, except building materials for use on the premises stored thereon during the time a valid permit is in effect for construction on the premises. [18.08.220]

### C. Recreational Vehicle Storage

With the exception of corner lots, a recreational vehicle parked on any premises other than an approved trailer park shall be parked within the required front, side or rear setback, or other required unoccupied spaces of a lot in the zone where such recreational vehicle is parked.

## 4.20.050 Performance Standards [new]

### A. Purpose

This Section provides performance standards that are intended to minimize various potential operational impacts of land uses and development and promote compatibility with adjoining areas and land uses.

### B. Applicability

The provisions of this Section apply to all new and existing land uses, including permanent and temporary uses in all zones, unless an exemption is specifically provided. Existing uses shall not be altered or modified to conflict with these standards.

### C. Air emissions

No visible dust, gasses, or smoke shall be emitted, except as allowed by the Eastern Kern Air Pollution Control District's Rules and Regulations manual as periodically updated or as necessary for the heating or cooling of structures, and the operation of motor vehicles on the site.

### D. Combustibles and Explosives

The use, handling, storage and transportation of combustibles and explosive materials shall comply with the City's building and fire codes, and all other applicable State and local regulations.

### E. Dust

Activities that may generate dust emissions (e.g., construction, grading, commercial gardening, and similar operations) shall be conducted to limit the emissions beyond the site boundary to the maximum extent feasible.

### F. Ground vibration

No ground vibration shall be generated that is perceptible without instruments by a reasonable person at the property lines of the site, except for vibrations from temporary construction or demolition activities, and motor vehicle operations.

### G. Liquid waste

No liquid shall be discharged into a public or private body of water, sewage system, watercourse, or into the ground, except in compliance with applicable regulations of the Regional Water Quality Control Board.

### H. Noise

No use shall be allowed that creates noise levels that exceed five decibels above the ambient noise level of

the area, in accordance with the Occupation Safety and Health Act of 1970, as amended over time.

### 1. Residential Uses

- a) Outdoor noise level. The noise level emanating from any residential use or operation shall not exceed 60 dBA CNEL in R-1, T2.5, and T3 zones and 65 dBA CNEL in the E, R-2, R-3, MP, T2, and T4 zones, as the acceptable outdoor noise exposure level when measured at the property line.
- b) Interior noise level. The interior noise levels shall not exceed 45 dBA CNEL for all residential uses.

**2. Schools, child day care centers, libraries, churches, hospitals, nursing homes, parks and recreation areas.** The outdoor acceptable exposure level shall not exceed 70 dBA CNEL when measured at the property line.

### I. Hours of Construction

1. No construction noise shall emanate from any site within the City limits after 6:00 p.m. or before 7:00 a.m. Monday through Friday.
2. There shall be no construction noise from any site before 8:00 a.m. nor after 5:00 p.m. on any Saturday.
3. No construction shall occur on any site within the City limits on Sundays.
4. Property owners working on the property at which they reside are exempt from the standards of this Sub-section.

### J. Odors

No obnoxious odor or fumes shall be emitted that are perceptible without instruments by a reasonable person at the property line of the site.

**K. Radioactivity, electrical disturbance or electromagnetic interference.** None of the following shall be emitted:

1. Radioactivity, in a manner that does not comply with all applicable State and federal regulations; or
2. Electrical disturbance or electromagnetic interference that interferes with normal radio or television reception or with the function of other electronic equipment

4.20.050 Performance Standards [new]

beyond the property line of the site; or that does not comply with all applicable Federal Communications Commission (FCC) and other applicable State and Federal regulations.

measures:

1. Cogeneration;
2. South facing widows;
3. Eave coverage for windows;
4. Double glazed windows;
5. Earth berming against exterior walls;
6. Green houses; and
7. Deciduous shade trees.

**L. Energy Conservation in Residential Uses**

For residential uses, energy conservation buildings shall be located on site to provide adjacent buildings adequate sunlight for solar access. All new construction and remodeling shall be preplumbed for solar hot water heating. Buildings shall be designed to minimize energy consumption requirements, and may include, but not necessarily be limited to, the following conservation

4.20.060 Related Lot Requirements

**A. Purpose**

1. The purpose of this Section is to delineate lot requirements in non-transect zones.
2. Lot standards are essential to the Zoning Code as they provide reasonable and necessary lot criteria to ensure adequate yard and space requirements are achieved.

3. The objective of these regulations is to promote compatibility of uses, public safety, and aesthetic.

**B. Space Between Buildings**

The minimum distance between structures in non-transect zones is established per Table 4.20.060.A. [18.100.020]

TABLE 4.20.060.A SPACE BETWEEN BUILDINGS

Zone	Space Between Residential Structures (Feet)	Space Between Residential Structures and Accessory Structures or Between Accessory Structures (Feet)	Space Between Residential Structures and Structures for Housing Animals (Feet)	Space Between Non-Residential Structures (Feet)
A Zone	10	6	100 (1)	--
E Zone	10	6	30 (2)	--
R-1 Zone	10	6	30 (2)	--
R-2 Zone	10	6	--	--
R-3 Zone	10	6	--	--
MHP Zone	10			
Side to Side	10 (3)	10 (4)	--	--
Side to Rear	8 (3)			
Rear to Rear	6 (3)			
RP, C-1, C-2, C-3 Zone	10	6	--	--
C-4, M-1, M-2 Zone	--	--	--	--

-- No minimum distance requirement

1 Includes animals, barns, corrals, other structures for housing livestock and buildings for processing, packing, or storing agricultural produce.

2 Structures for housing animals shall be least 100 feet from the front lot line, at least 25 feet from the street side lot line on a corner lot, and at least 100 feet away from any public park, school, hospital, or similar institution.

3. Distance between mobilehomes within a mobilehome subdivision.

4. Excepting mobilehome accessory structures

## 4.20.060 Related Lot Requirements

### C. Interpretation of minimum lot sizes

For the purpose of complying with the minimum lot size and minimum lot area per dwelling unit requirements and other provisions of this Zoning Code, any lot that is 1 acre or less is considered "net" and any lot that is greater than 1 acre shall be considered "gross". the lot sizes or lot areas shall have the meanings as established in Table 4.20.060.B.

1/4 acre	One-quarter acre or 10,890 net square feet
1/2 acre	One-half acre or 21,780 net square feet
1 acre	One net acre
2 1/2 acres	Two-and-one-half gross acres or one quarter of one quarter of one quarter of one quarter section of land containing not less than two gross acres.
5 acres	Five gross acres or one-half of one quarter of one quarter of one quarter section of land containing not less than four gross acres.
10 acres	10 gross acres or a quarter of one quarter of one quarter section of land containing not less than eight gross acres.
20 acres	20 gross acres or one-half of one quarter of one quarter section of land containing not less than 16 gross acres.
40 acres	40 gross acres or one quarter of one quarter section of land containing not less than 35 acres.
80 acres	80 gross acres or one-half of one quarter section of land containing not less than 70 gross acres.

## 4.20.070 Hillside Development Standards

### A. Purpose

1. The purpose of this Section is to provide for the reasonable use of hillsides and mountainous areas in non-transect zones while protecting the public health, safety, and welfare by ensuring that development will not induce soil erosion, result in excessive grading, create sewage disposal problems, increase wildfire danger and slope instability, or lead to a loss of aesthetic value.
2. This Section implements the goals and policies of the General Plan and various specific plans and sets specific standards and regulations for all grading and development of slopes up to 15 percent average natural slope. It is not the intent of this Section to apply to oil and gas operations. [18.88.010]

### B. Site Development Plan Required

No development shall occur, no use shall be established, and no building or grading permit shall be issued for any development in areas designated as steep slope until approval of Site Development Plan Review in compliance with Chapter 9.60 (Site Development Plan Review). [18.88.080]

### C. Average Natural Slope Calculations

1. For the purposes of this Section, slope is defined as the relationship between the change in elevation (rise) of land and the horizontal distance (run) over which the elevation occurs. The percent slope of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied by 100.

## 4.20.070 Hillside Development Standards

2. Average slope shall be calculated by using the following formula:  $S = \frac{I \times L \times (0.00229)}{A}$

A

S = average natural slope of the total parcel (in percent)

I = contour interval (in feet)

L = total length of all contour lines within the parcel boundaries (in feet) ie A,B, and C

A = gross area of the parcel (in acres)

0.00229 = a constant used to convert square feet into acres by 100 percent

3. The calculated average natural slope shall be rounded to the nearest whole number (see Figure 4.20.070). [18.88.020]

Figure 4.20.070 Calculation of Average Natural Slope



### D. Standards - Residential Density

Residential development shall not exceed the maximum density permitted by the General Plan land use category applicable to the area in which the property is located, except that:

1. No lot shall be created after the effective date of this Zoning Code on which the average natural slope exceeds 60 percent, except if the lot contains a contiguous area of 10,000 square feet within which there is no

slope greater than 10 percent and on which development is proposed.

2. One single-family dwelling may be built on any lot that was legally created prior to the effective date of this Zoning Code, regardless of slope, provided that all other requirements of this Section are met. [18.88.040]

### E. Standards - Grading

Grading shall respect the natural contour of the existing terrain wherever possible. The following grading standards shall apply to all land subject to this Section in addition to the grading requirements of Chapter 70 of the latest edition of the Uniform Building Code as adopted and modified, or as may be adopted or modified from time to time, by the Council.

1. Grading shall be limited to building pads and access drives thereto, and extensive grading shall be discouraged.
2. No cuts in excess of 16 feet in height from top to toe shall be allowed.
3. Where grading is necessary, the principles of contour grading should be employed:
  - a) Cut slopes shall not exceed two horizontal to one vertical. Shallower slopes may be required if indicated by soils and geologic investigations to be necessary;
  - b) Graded slopes should be rounded and shaped to stimulate the natural terrain;
  - c) Grading should follow the natural contours as much as possible;
  - d) Graded slopes should blend with naturally occurring slopes at a radius compatible with the existing natural terrain.
4. Graded slopes should be screened from view under or behind buildings or by landscaping or natural topographic features wherever possible.
5. Graded slopes shall be revegetated with a mixture of grass seed or shrubs as recommended by the USDA Soil Conservation Service. Planting may be waived by the city engineer for slopes that, due to the rock character of the material, will not support plant growth. [18.88.050]

## 4.20.070 Hillside Development Standards

### **F. Standards - Drainage**

All proposed drainage facilities shall respect the natural terrain, preserve major drainage channels in their natural state, and be designed in such a manner as to minimize soil erosion and to otherwise preserve the public health, safety, and welfare. The following standards shall apply to all lands subject to this Section in addition to the requirements of the Tehachapi Subdivision Ordinance.

1. To the maximum extent possible, all natural drainage courses serving major drainage areas, and containing significant perennial vegetation which may constitute a significant wildlife habitat, should remain in their natural state.
2. In the event that off-site drainage facilities will be required to handle increased runoff, interim drainage facilities which provide for no increase in peak runoff from a ten-year storm shall be constructed and maintained until such time as the permanent facilities are completed.
3. The overall drainage system shall be completed and made operational at the earliest possible time during construction or shall be otherwise provided for in a manner acceptable to the City. [18.88.060]

### **G. Standards - Driveways and Access Roads**

All proposed driveways and access roads shall be designed to provide convenient and safe access while minimizing the extent of grading. The following standards shall apply to all lands subject to this Section in addition to the requirements of the City's Subdivision Ordinance.

1. Driveways and access roads shall enter the fronting public road or street as nearly at right angle (or radial line, if on a curve) as physical features permit.
2. Driveways shall be designed and constructed in such a manner that stormwater runoff originating on the roadway will not drain down the drive, and stormwater runoff originating on the private property will not drain down the roadway, except in the ditch or gutter line.

3. Adequate and safe sight distance shall be provided for a design speed of 15 miles per hour.
4. Wherever feasible, driveways and access roads shall be installed parallel to elevation contours and shall not cut perpendicularly across contours. The maximum grade for driveways and access roads shall be 15 percent.
5. Driveways entering a public road or street shall have a minimum paved width of 12 feet and a maximum width of 20 feet and shall be improved with two inches of asphaltic concrete, three inches of rock dust on an aggregate base, three inches of road mix, or three inches of concrete.
6. Driveways and access roads serving residential projects of three or more units shall be improved with a minimum of three inches of road mix and shall tie to a paved road (under encroachment permit from the public works superintendent, where applicable). The paving requirement may be waived by the Commission when site access is not obtained from a paved road.
7. Driveways and access roads shall comply with the requirements of the City Fire Department. [18.88.070]

## Chapter 4.30 Density Bonus

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### Sections:

- 4.30.010 Purpose and Intent
  - 4.30.020 General Affordable Housing Provisions
  - 4.30.030 Affordable Housing Density Bonuses and Incentives
  - 4.30.040 Application Procedures
- 

### 4.30.010 Purpose and Intent

#### A. Purpose

1. Implement the policies of the Housing Element for developing affordable housing for households with very low, low, and moderate incomes.
2. Encourage affordable housing units to be provided throughout the community and designed to be consistent with the surrounding neighborhood.
3. Implement the provisions of State Government Code Section 65915.
4. Increase affordable housing opportunities by offering incentives for smaller proposed housing projects that are less than the State's threshold of five residential units as set forth in State Government Code Section 65915.

### 4.30.020 General Affordable Housing Provisions

#### A. Availability

All designated affordable housing units shall be made available to qualified occupants at the same time as the market-rate housing units are made available within the same project.

**B. Median Income Levels.** For the purpose of determining the income levels for Households under Section 4.30.010, the City shall use the Kern County income limits found in Title 25, Section 6932 of the California Code of Regulations, and regularly updated and published by the State Department of Housing and Community Development, or other income limits adopted by the Council.

#### C. Density Bonus

The granting of a density bonus shall not, in and of itself, be interpreted to require an Amendment to the General Plan or Zoning Code, or other discretionary approval.

**D. Affordable Housing Agreement.** The owner of the affordable unit shall sign an Affordable Housing Agreement with the City, agreeing to the term, affordability, resale and any other topic deemed appropriate by the City.

**E. Applicability.** This Zoning Code is applicable to mixed use development projects that include a housing component. The concessions/incentives available herein apply to the entire project and are not limited to the residential component.

## 4.30.030 Affordable Housing Density Bonuses and Incentives

### A. Density bonus for five units or more

In application for projects meeting the State minimum threshold of five units or more, the provisions dealing with State Government Code Section 65915, as amended from time to time, shall apply, pursuant to State Government Code Section 65915.

**1. Applicability.** The provisions of this Subsection apply to the construction of five or more housing units that satisfy one or more of the following criteria:

- a) At least 10 percent of the units are designated for low-income households.
- b) At least five percent of the units are designated for very low-income households.
- c) 100 percent of the units are designated for seniors citizens as defined in Section 51.3 and 51.12 of the Civil Code or mobile home park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code.
- d) At least 10 percent of the units in a common interest development are designated for moderate-income households, provided that all units in the development are offered to the public for purchase.

**2. Calculating the density bonus.** The density bonus shall be calculated as shown in Table 4.30.030.A for very-low, low, and moderate-income households. For housing developments meeting the criteria of Subsection A.2. above, the density bonus shall be 20 percent of the number of senior housing units. All density calculations resulting in fractional units shall be rounded up to the next whole number.

### 3. Developer Incentives:

- a) Restrictions. When an applicant seeks a density bonus as prescribed by Government Code Section 65915, the City will grant the number of developer incentives as required by Subsection B below, unless it makes any of the following findings:
  - i) The developer incentives is not required in order to provide affordable housing, as defined in Section 50052.3 of the Health and Safety Code, or for rents for the targeted units to be set as

specified in Section 65915(c) of the Government Code.

- ii) The developer incentives would have a specific adverse impact, as defined in paragraph (2) of Subdivision (d) of Section 65589.5, upon public health and safety or the physical environment or an any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.
  - iii) The developer incentives would be contrary to State or Federal law.
- b) Number of developer incentives. The number of developer incentive shall be in compliance with Table 4.30.030.B.
- c) Developer incentives defined. For the purposes of Subsection A, concession or incentive means any of the following:
  - i) Reduced site development standards or modified Zoning Code or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient, and actual cost reductions.
  - ii) Approval of mixed-use zoning if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area; and
  - iii) Other regulatory developer incentives proposed by the developer or the City that result in identifiable, financially sufficient, and actual cost reductions.
- d) Proposals for waivers and modifications of development standards.
  - i) In accordance with Government Code Section 65915(e), an applicant may propose a waiver or modification of development standards if they would physically preclude the construction of a

### 4.30.030 Affordable Housing Density Bonuses and Incentives

- development meeting under the criteria of Subsection A.1 (Applicability), at the densities or with the developer incentives permitted by this Section.
- ii) A proposal for the waiver or reduction of development standards pursuant to this subdivision shall neither reduce nor increase the number of developer incentives to which the applicant is entitled pursuant to Table 4.30.030.B.
  - e) Grounds for denial for waivers and modifications of development standards. In accordance with Government Code Section 65915(e), the City may deny an applicant's request to waive or modify the City's development standards in any of the following circumstances:
    - i) The application does not conform with the requirements of this Section or Government Code Section 65915-65918.
    - ii) The applicant fails to demonstrate that the City's development standards physically preclude the utilization of a density bonus on a specific site.
    - iii) The waiver or reduction would have a specific, adverse impact, as defined in Government Code Section 65589.5(d)(2), upon health, safety, or the physical environment, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
    - iv) The waiver or reduction would have an adverse impact on any real property that is listed in the California Register of Historical Resources.
    - v) The waiver or reduction would be contrary to State or Federal law.
2. One or more units for Low Income. Two incentives may be requested from the following:
    - a) Any incentive listed under "Moderate Income" Subsection B.1, above.
    - b) Increased maximum lot coverage. (Up to percentage allowed in the applicable zone).
    - c) Increased in the allowable first to second floor square footage ratio from 80 to 100 percent.
    - d) Allowance for required guest parking requirement to be located in tandem to the garage or in a required setback.
  3. One or more units for Very Low Income. Three incentives may be requested from the following:
    - a) Any incentive listed under "moderate income" and "low income" Subsections B.1 and B.2, above.
    - b) Reduce minimum building setbacks from property lines and building separation requirements that exceed minimum building code and fire code standards.
    - c) Reduce minimum lot sizes and/or dimensions.

#### C. Parking reduction

Parking may be reduced from the City-required parking standards in compliance with Subsection 4.50.050.C (Reduction of Required Parking) on a case-by-case basis and shall not be considered as a development incentive. Granting of such reductions shall be by the review authority. A parking/traffic study may be required to ensure the parking reduction will not be detrimental to the surrounding area.

#### D. Intent

It is the intent of this Section to insure that all projects applying for the concessions and incentives of this Section provide for affordable housing units that are comparable in size, design and quality to the market units in the same project. The Planning Manager shall have the discretion and authority to enforce this provision during the application process.

#### B. Affordable housing options for less than five units

In application for projects not meeting the State minimum threshold of five units, the applicant may request specific incentives and/or concessions that would contribute significantly to the economic feasibility of providing affordable units as set forth below:

1. One or more units for Moderate Income. One incentive may be requested from the following:
  - a) Reduce minimum outdoor and/or private usable open space requirements in total square feet. (Up to 20 percent reduction).
  - b) Reduced minimum outdoor and/or private usable open space requirements in dimension. (Up to 20 percent reduction).

4.30.030 Affordable Housing Density Bonuses and Incentives

TABLE 4.30.030.A . PERCENTAGE OF SET-ASIDE UNITS AND CORRESPONDING DENSITY BONUS					
Very Low-Income Households Earning < 50% AMI		Low-Income Households Earning 50% - 80% AMI		Moderate-Income Persons/Families in Common Interest Development	
Very Low-Income Units	Percentage of Density Bonus <sup>1</sup>	Low-Income Units	Percentage of Density Bonus <sup>1</sup>	Moderate-Income Units	Percentage of Density Bonus <sup>1</sup>
5%	20.0%	10%	20.0%	10%	5.0%
6%	22.5%	11%	21.5%	11%	6.0%
7%	25.0%	12%	23.0%	12%	7.0%
8%	27.5%	13%	24.5%	13%	8.0%
9%	30.0%	14%	26.0%	14%	9.0%
10%	32.5%	15%	27.5%	15%	10.0%
11%	35.0%	16%	29.0%	16%	11.0%
		17%	30.5%	17%	12.0%
		18%	32.0%	18%	13.0%
		19%	33.5%	19%	14.0%
		20%	35.0%	20%	15.0%
				21%	16.0%
				22%	17.0%
				23%	18.0%
				24%	19.0%
				25%	20.0%
				26%	21.0%
				27%	22.0%
				28%	23.0%
				29%	24.0%
				30%	25.0%
				31%	26.0%
				32%	27.0%
				33%	28.0%
				34%	29.0%
				35%	30.0%
				36%	31.0%
				37%	32.0%
				38%	33.0%
				39%	34.0%
				40%	35.0%

<sup>1</sup> Density bonus is above the highest range of base density.

TABLE 4.30.030.B . NUMBER OF DEVELOPER INCENTIVES			
Number of Developer Incentives	Set Aside Units		
	Very Low-Income Units	Low-Income Units	Moderate Income Units in Common Interest Developments <sup>1</sup>
1	5%	10%	10%
2	10%	20%	20%
3	15%	30%	30%

<sup>1</sup> Common interest development includes common interest developments of, or in a planned development as defined in Subdivision (k) of Section 1351 of the Civil Code that are offered to the public for purchase.

## 4.30.040 Application Procedures

### **A. Application**

An application for a density bonus, developer incentive, or waiver or modification of development standards must include the following information:

1. The total number of base units;
2. The number of proposed affordable housing units;
3. The specific developer incentive(s) sought, if any;
4. The specific waiver or modification to development standards sought, if any;
5. If seeking an developer incentive, documentation regarding the necessity of the developer incentive in order to provide affordable housing costs or rents;
6. If seeking a waiver or modification of development standards, documentation regarding the necessity of the waiver or modification, including documentation demonstrating that the City's development standards physically preclude the utilization of a density bonus;
7. If requesting a density bonus based on land donation in accordance with Government Code Section 65915(g), information sufficient to permit the City to determine that the proposed donation conforms with the requirements of Section 65915 and this Code; and
8. If requesting a density bonus based on the provision of a child day care facility in accordance with Government Code Section 65915(h), the application must:
  - a) Provide the location of the proposed child day care facility and the proposed operator;
  - b) Agree to operate the child day care facility for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable;
  - c) Agree to have contracted with a child day care facility operator for operation of the child day care facility before the first building permit is issued; and
  - d) Agree that the child day care facility will be in operation when the first certificate of occupancy is issued.

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## Chapter 4.40 Landscape Standards

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### Sections:

- 4.40.010 Purpose
- 4.40.020 Applicability
- 4.40.030 Landscape and Irrigation Plans
- 4.40.040 General Standards
- 4.40.050 Parking Area Landscaping
- 4.40.060 Irrigation Requirements
- 4.40.070 Maintenance
- 4.40.080 Fences and Screening
- 4.40.090 Lighting
- 4.40.100 Lien

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### 4.40.010 Purpose

The purpose is to ensure that development is aesthetically pleasing and compatible with surrounding development, and to support the goals of the General Plan by:

A. Establishing requirements for landscaping to enhance the appearance of public street frontages and development projects, conserve water, control soil erosion and provide visual buffers where necessary.

B. Encouraging the use of natives, drought tolerant, and low water usage plants to reduce water usage.

C. Requiring the provision of adequate landscaping in connection with new development, the expansion of existing developments, and changes in uses.

D. Ensuring water landscaping practices are in compliance with AB 1881 Government Code §65597 (Water Efficient Landscape Ordinance).

[18.86.010 & new]

# Chapter 4.40 Landscape Standards

## 4.40.020 Applicability

The provisions of this Section shall apply to all land uses as follows:

**A. New Projects.** All new projects shall provide landscaping in compliance with this Section.

**B. Existing development**

The approval of a development application for minor additions (e.g., 25 percent or less of the existing floor area) and/or a change in use within an existing development may include conditions of approval requiring compliance with specific requirements of this Chapter.

**C. Timing of Installation**

Required landscape and irrigation improvements shall be installed prior to the final building inspection unless specified otherwise in the project’s Minor Use Permit or Use Permit.

**D. Alternatives to requirements**

The Review Authority may modify the standards of this Chapter to accommodate alternatives to required landscape materials or methods, where the Review Authority determines that the proposed alternative will be equally or more effective in achieving the purposes of this Section.

## 4.40.030 Landscape and Irrigation Plans [new]

**A. Landscape and Irrigation Plan Requirement.**

Landscape and Irrigation Plans shall be required for development in all residential, commercial, and industrial zones with the exception of the E, R-1, T2, T2.5, and T3 zones

**B. Conceptual Landscape Plan.** A Conceptual Landscape Plan shall be submitted as part of the planning application. If no planning application is required, a Final Landscape Plan shall be submitted (see Subsection C.).

**C. Final Landscape Plan**

A Final Landscape Plan shall be submitted as part of the building permit application. The Director shall approve the Final Landscape Plan if it is in substantial compliance with the landscaping requirements of this Section and the Conceptual Landscape Plan, if required to be submitted. All irrigation systems shall be designed to maximize water conservation.

**D. Compliance with State Model Water Efficient Landscape Ordinance.** All projects with greater than 2,500 square feet of landscaping shall comply with Government Code Section 65591 et seq. to provide water conservation.

## 4.40.040 General Standards

**A. Landscape Coverage**

1. All projects shall meet the minimum landscape coverage for lot area as established in Table 4.40.040:

**2.Exceptions.**

The minimum landscape coverage requirements may be reduced by the Review Authority as follows:

- a) In commercial and industrial zones if a finding is made that it is impractical or infeasible to meet the minimum standards and the proposed landscaping is in compliance with the purpose of this Section.
- b) In residential zones for non-residential uses (e.g., churches) if a finding is made that the proposed landscaping is in compliance with the purpose of this Chapter.

TABLE 4.40.040 . LANDSCAPE COVERAGE<sup>1</sup>

E, R-1, T2, T2.5, T3 Zones	40%	MHP Zone	5%
R-2 Zone	20%	C1, C2, C3, C4, T4, T4.5, T5, SD2.1 Zones	5%
R-3 Zone	20%	A Zone	50%
RP Zone	10%	PD Zone	Same as underlying zone
M1 and M2 Zones	10%		

<sup>1</sup> Percentage of the developed lot or all open space area, whichever is greater.

## 4.40.040 General Standards

### B. Hardscape [new]

1. Required planter or landscaped areas may be combined with pedestrian walks and similar hardscape areas provided that such hardscape areas do not cover more than 40 percent of any required planter or landscaped area.
2. Ornamental or landscaping rock and gravel areas, high quality (high face weight) artificial turf, or other areas covered with other artificial materials shall be considered hardscape areas for the purposes of this provision.
3. Artificial turf shall consist of a combination of green, yellow, and tan fibers to simulate the look of natural grass and shall be consistent with the type and species of natural turf located within the City. A sample piece of artificial turf must be submitted for review and approval by the Director prior to installation.
4. Paving shall be limited to a maximum of 50 percent of the front or street side setback areas of residential zones in order to limit the amount of hardscape paving in these areas; except that the Review Authority may allow an increase for irregularly shaped or small lot that lacks sufficient area for adequate driveway and pedestrian access.

Example Use of Hardscape in Required Landscaped Setback



### C. Approved Plant List

Landscaped materials and trees installed in planters or landscaped areas shall be selected from a list of approved plants established by the Commission and maintained by the City Planner.

### D. Specific to Multi-family Developments

The following standards apply to landscaping in multifamily developments:

#### 1. Setback Areas

- a) Front and street-side side setback areas, excluding approved driveway entrances, manoeuvring areas, and public sidewalks, shall be landscaped.
- b) Within the setback area per Subsection a. above, trees shall be planted no farther than 50 feet apart and no closer than five feet from the back of the sidewalks.

**2. Interior Open Space.** All interior open space areas shall be landscaped with live landscaping.

**3. Parking Landscaping.** Additional planters and landscaped areas shall be provided in off-street parking areas in compliance with 4.40.050 (Parking Area Landscaping). [18.86.030]

### E. Specific to R-1 and T3 Developments [new]

1. All front setback areas shall be landscaped with plant materials or a combination of plant materials and permeable surfaces and shall be permanently maintained in a neat and orderly manner.
2. In front setback non-living materials may be used as ground cover including but not limited to: wood chips, bark, decorative rock, and stone. Plant materials shall compose a majority (more than 50%) of the street setback areas, exclusive of permitted driveways.
3. Other than permitted hardscape, all areas not planted shall be covered (top dressed) with materials such as wood chips or approved alternative. Top dressing beneath tree canopies shall be to the satisfaction of the Director, and shall be calculated as area of live plant material.

### F. Specific to Mobile Home Parks

The following standards apply to landscaping in mobile home parks:

#### 1. Setback Areas

- a) Setback areas between streets and the perimeter fence of the mobilehome park could exceed five

## 4.40.040 General Standards

percent, excluding approved driveway entrances and public sidewalks, and shall be landscaped.

- b) Within setback area per Subsection a. above, trees shall be planted not farther than 50 feet apart and no closer than five feet from the back of the sidewalks.

- 2. Trees.** Within the interior of the mobile home park, at least one tree per mobile home space shall be planted at the time of or prior to development of each individual space. [18.86.040]

### **G. Specific to Commercial, Recreational, Industrial, and Institutional Uses**

The following standards apply to landscaping in commercial developments, recreation, entertainment, and tourist facilities, industrial developments, and institutional uses:

- 1. Determination of Planting Area.** No planting area shall be considered as such unless it contains at least 24 square feet and is a minimum of four feet in width.

### **2. Utilities**

A three-foot minimum distance shall be required between landscaping and utility and/or electrical cabinets.

- 3. Setback areas.** Setback areas that are not used for vehicular and pedestrian access shall be landscaped.

### **4. Trees**

- a) Trees shall be a minimum size of 15 gallons, shrubs shall be a minimum of five gallons.
- b) Trees shall be planted at a maximum of one tree per 30 lineal feet of street frontage.
- c) Along any interior or rear property line abutting residentially zoned lots, trees shall be planted at least every 10 feet in individual planters.
- d) Trees shall be a mix of deciduous and evergreen varieties.
- e) Trees planted under power lines shall not exceed a 24 foot maximum height. [18.86.050]

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## 4.40.050 Parking Area Landscaping

### **A. Applicability**

Parking areas for all non-residential uses shall be landscaped in compliance with this Section.

### **B. Adjacent to Streets** [new]

- 1. Landscaping shall be designed and maintained to screen parking areas from public streets. Screening materials may include a combination of plant materials, earth berms, fences/walls, raised planters, or other screening devices at a minimum height of two feet, in compliance with Section 4.40.080 (Fences and Screening).
- 2. Plant materials, signs, or structures within a traffic safety visibility area of a driveway shall comply with Section 4.20.030.C (Height Limit at Street Corners).

### **C. Interior Parking Lot Landscaping** [new]

- 1. Amount of landscaping.** The minimum landscape area within a parking area shall be 5 percent of the gross parking lot area. The Review Authority may

approve a reduction for small in-fill parking lots where compliance with this standard is not feasible without significantly reducing the number of parking spaces.

- 2. Location of landscaping.** Landscaping shall be dispersed throughout the parking area and include interior landscape planters and perimeter landscaping.

### **D. Groundwater Recharge** [new]

The design of parking lot landscape areas shall consider and may be required to include provisions for the on-site detention of stormwater runoff, pollutant cleansing, and groundwater recharge.

### **E. Plant material** [new]

Required landscape shall include trees, shrubs, and ground covers. Artificial plant material is prohibited. [new]

- 1. Plant List.** Landscaping materials and trees shall be selected from a list of approved plants established by the Commission and maintained by the Director.

## 4.40.050 Parking Area Landscaping

**2. Size at time of planting.** Plant materials shall be sized and spaced to achieve immediate effect and shall not be less than a 15-gallon container for trees, one-gallon container for shrubs, and one-gallon or less for perennials, vines, and mass planting, unless otherwise approved by the Review Authority on the basis that the alternate size will achieve the desired immediate and/or long-term effect equally well.

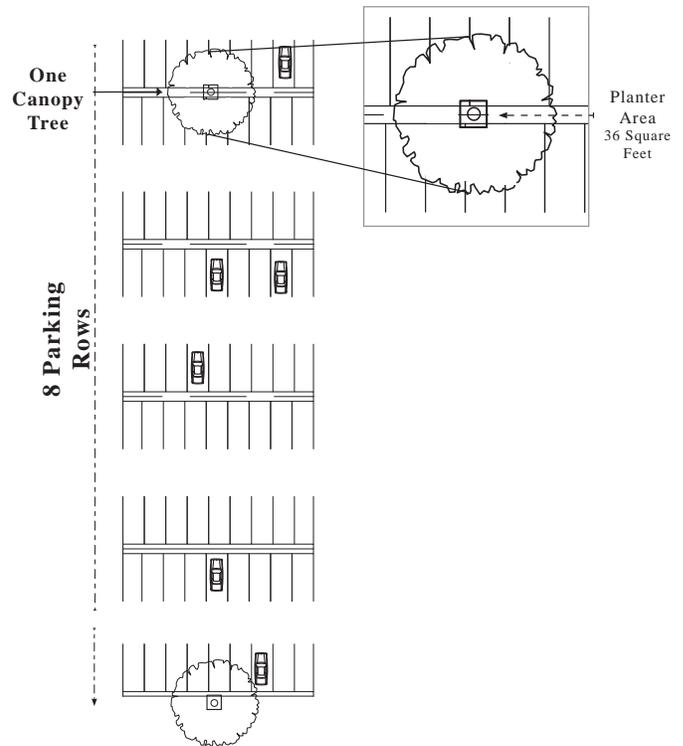
### 3. Trees

- Trees shall be planted and maintained throughout the parking area at a minimum ratio of one tree per 8 parking spaces.
- One canopy tree shall be planted within a minimum 36 square foot area at every eight rows of single row or double row of parking stalls (See Figure 4.40.050).
- Trees in landscape planters less than 10 feet in width or located closer than five feet from a permanent structure shall be planted with root barriers or root barrier panels to prevent damage to adjacent structures or pavement.
- Trees with large canopies are required in parking lots, with accent trees at entries.

**4. Groundcover and shrubs [new].** The majority of areas required for landscaped shall be covered with groundcover, shrubs, or other types of plants.

- Groundcover shall be provided throughout the landscaped area and shall be spaced to achieve full coverage within one year.
- Turf is discouraged.
- Crushed rock, redwood chips, pebbles, stone, and similar materials shall be allowed up to 15 percent of the total required landscape area.
- Landscaped areas shall be top dressed with a bark chip mulch or approved alternative to avoid exposed bare soil.

Figure 4.40.050 Parking Landscaping



## 4.40.060 Irrigation Requirements

Within each planter or landscaped area, an irrigation system and live landscaping shall be provided and maintained in compliance with Section 4.40.070 (Maintenance). [18.86.060]

## 4.40.070 Maintenance

A. Each property owner is responsible for the maintenance of all landscaped areas on site, as well as contiguous planted areas within the public right of way.

B. All landscaping (e.g., ground cover, hedges, lawns, shrubs, and trees) shall be maintained in a healthful and thriving condition at all times..

C. Irrigation systems and their components shall be maintained in a fully functional manner.

D. The landscaping shall regularly be kept clean and free of debris, litter, and weeds.

E. All dead or decaying material shall be replaced with new material within 30 days upon notice of the Department.

F. All fences and walls that have been incorporated into an approved landscaping plan shall regularly be maintained in an attractive and safe manner.

G Areas proposed for development in another phase occurring not within six months of the completion of the previous phase and that have been disturbed from its natural state shall be temporally seeded and irrigated for dust and soil control. [18.86.110]

## 4.40.080 Fences and Screening

### A. Applicability

The requirements of this Section apply to all fences, walls, and hedges unless otherwise stated.

### B. General Height Limits

Each fence, wall, or hedge shall comply with the height limits shown in Table 4.40.080.

TABLE 4.40.080. MAXIMUM HEIGHT OF FENCES OR WALLS	
Location of Fence or Wall	Max. Height
Within a front setback	4'
Within a street side setback	6' 1
Within an interior side or rear setback	6' 2
Outside of a required setback	6'
1. All fences and walls in all zones (transect and non-transect) shall comply with Section 4.20.030.C (Height Limit at Street Corners). A solid fence or wall up to six feet in height may be allowed for screening or security purposes subject to approval of a Minor Use Permit. 2. In residential zones, including T2, T3, and T4 zones, no fence, wall, or hedge located in the rear 25 feet of a through lot or a reversed corner lot shall exceed four feet in height.	

### C. Zone Specific Height Standards

1. Residential Zones (Including T2.5, T3, and T4 zones)

- a) Fences or structures over 6 feet in height, to enclose tennis courts or other games areas located within the rear half of the lot, shall be composed of wire mesh capable of admitting at least 90 percent of light as measured on a reputable light meter.

- b) Fences, per subsection a, above, shall be permitted in the required side or rear yard subject to Use Permit approval in compliance with Chapter 9.30 (Use Permit and Minor Conditional Use Permit).

2. Commercial and Manufacturing Zones

- a) When adjacent to property zoned for any estate or residential purposes, a six-foot high solid masonry wall shall be constructed for screening between the proposed development and the adjacent property. The screening shall be in compliance with the following criteria:
  - i) The screening height shall be reduced to four feet within the required front-yard setback.
  - ii) The design and materials shall be approved by the Commission prior to construction of required screening (per Subsection a, above).
  - iii) Exterior appearance shall be ornamental.
  - iv) Screening shall not exceed six feet in height, and where the same are located within 15 feet of any access drives entering into any public street or any private street used for vehicular access, the same shall not exceed 36 inches in height.
- b) All screening fences proposed within these districts shall be reviewed and approved by the planning commission.
- c) Open storage of materials and equipment shall be permitted only within an area surrounded and screened by a solid fence, not less than six feet in height, provided that no materials or equipment shall be stored to a height greater than that of the fence

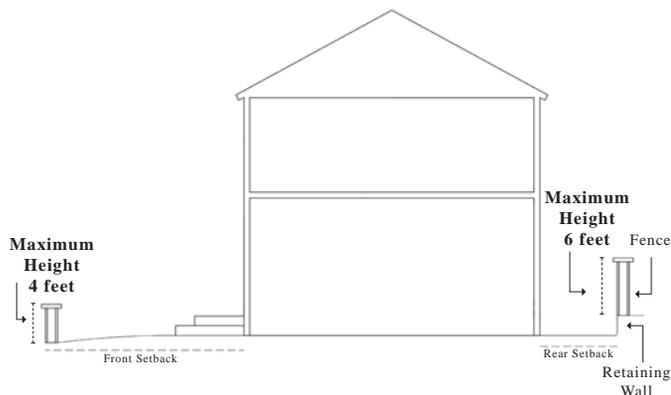
### 4.40.080 Fences and Screening

d) This Section shall not be interpreted so as to apply to the storage of commercial vehicles in operable condition. [18.100.030]

#### C. Measurement of Fence and Wall Height

1. Fence, wall and/or hedge height shall be measured as the vertical distance between the finished grade at the base of the fence and the top edge of the fence material. (see Figure 4.40.080a).
2. That portion of a wall, fence, or hedge functioning as a retaining wall shall not be counted in determining overall wall, fence, or hedge height.

Figure 4.40.080a  
Height Measurement



#### D. Screening

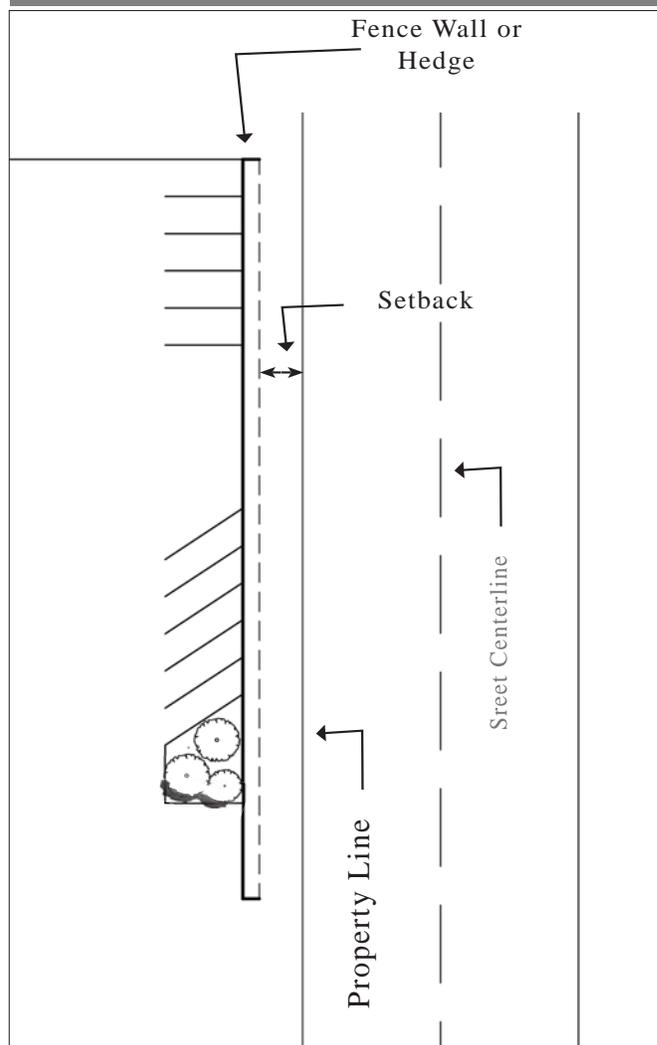
In non-transect zones, non-residential uses adjacent to residential zones shall be screened at property line as follows:

1. The screen shall consist of a masonry wall or similar durable material, six feet in height. The Review Authority may require a wall up to eight feet in height, if necessary, to screen the use from the residential use.
2. In industrial zones, a minimum of 10 feet of dense landscaping shall be planted adjacent to residential zones.
3. In commercial zones, a minimum of five feet of dense landscaping shall be planted adjacent to residential

zones.

4. Where a parking facility containing five or more spaces includes diagonal or perpendicular parking spaces that abut a public street or road, an ornamental fence, wall, or evergreen hedge of not more than four feet in height shall be erected between the parking facility and the street or road to eliminate headlight glare (see Figure 4.40.080b). [18.82.090.J]

Figure 4.40.080b  
Parking Facility Abutting a Public Street or Road



### 4.40.080 Fences and Screening

5. The Review Authority may waive or approve a substitute for the requirements of this Section if the Review Authority determines that:

- a) The relationship of the proposed uses make the required screening unnecessary;
- b) The intent of this Subsection can be successfully met by means of alternative screening methods;
- c) Physical constraints on the site make the required screening infeasible; or
- d) The physical characteristics of the site or adjoining lots make the required screening unnecessary.

#### **E. Mechanical equipment, loading docks, and refuse areas.**

1. Roof or ground mounted mechanical equipment shall be screened from public view and residential uses. This equipment includes air conditioning, heating, ventilation ducts, and exhaust vents, loading docks, refuse storage areas, and utility services, electrical transformers, gas meters, etc.

2. The colors, materials, and architectural style of screening shall be architecturally compatible with other on-site development.

#### **G. Regulated Materials**

The following fencing materials are prohibited as follows.

1. Razor or concertina wire unless approved by a Conditional Use Permit.
2. Chain link fencing within a front or street side setback.
3. In residential zones, no barbed wire shall be used or maintained as part of or on any fence, wall, or hedge located along the front, side, or rear lines of any lot, or within three feet of said lines, and no sharp wire or points shall project at the top of any fence or wall less than six feet in height.
3. No electrified fences shall be permitted, regardless of location.

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### 4.40.090 Lighting

#### **A. Purpose and Intent**

1. This Section provides standards for outdoor lighting of non-residential uses to minimize light and glare on adjacent properties.
2. The intent of these standards is to limit outdoor lighting to the minimum necessary for safety and security.

#### **B. Development Standards**

##### **1. Fixture Height**

- a) Outdoor light fixture shall be limited to 20 feet or the height of the nearest building, whichever is less.
- b) The Review Authority may approved a fixture in excess of 20 feet if it determines that the additional height will provide lighting that still complies with all other requirements of this Section.

**2. Fixture Energy-efficiency.** Outdoor lighting shall utilize energy-efficient (high pressure sodium, low pressure sodium, hard-wired compact florescent, or other lighting technology that is of equal or greater energy efficiency) fixtures/lamps.

##### **3. Light and Glare**

- a) Lighting fixtures shall be shielded or recessed to minimize light bleed to adjoining properties, by ensuring that the light source (e.g., bulb, etc.) is not visible from off the site and confining glare and reflections within the boundaries of the site to the maximum extent feasible.
- b) Each light fixture shall be directed downward and away from adjoining properties and public rights of-way, so that no on-site light fixture directly illuminates an area off the site.

### 4.40.100 Lien

#### A. Lien Claim

1. If, after 30 days from the mailing of the notice referred to, the person for whom the landscaping or maintenance was performed refuses or neglects to pay into the treasury of the City the cost of the work, then the City Treasurer shall file and record the same as an assessment against the lot.
2. Failure of the City Treasurer to record such lien claim or to mail such notice, or the failure of the person or corporation who is the owner or occupant of the premises to receive such a notice shall not affect the right to foreclose the lien for such charges as provided in Subsection B.

B. Property subject to a lien for the foregoing shall be sold for nonpayment of the same and the proceeds of such sale shall be applied to pay the charges after deducting costs as is the case in the foreclosure of statutory liens. Such foreclosures shall be in equity in the name of the city.

C. The City Attorney is authorized and directed to initiate such proceedings in the name of the city in any court having jurisdiction over such matter against any property for which such bill has remained unpaid 60 days after it has been rendered. [18.86.140]

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## Chapter 4.50 Parking Standards

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### Sections:

- 4.50.010 Purpose and Application
- 4.50.020 General Parking Standards
- 4.30.030 Number of Parking Spaces Required
- 4.40.040 Bicycle Parking
- 4.40.050 Adjustment of Parking Requirements
- 4.40.060 Parking Alternative
- 4.50.070 Parking Design
- 4.50.080 Development and Maintenance of Parking Lots
- 4.50.090 Off-street Loading Spaces
- 4.50.100 Off-street Parking Site Development Plan Review

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### 4.50.010 Purpose and Application

#### **A. Purpose**

The purpose of this Chapter is to reduce street congestion and promote the safety and convenience of the residents of the City by requiring the provision of adequate and well-designed parking in connection with the land uses authorized by this Zoning Code.

#### **B. Application**

1. Parking required by this Chapter shall be provided at the time any main building or structure is erected or enlarged, or use is established, changed, or expanded.

2. Parking required by this Chapter shall be provided when development involving individual or cumulative expansion constituting 50 percent or more of the development existing on the effective date of this Zoning Code for both the existing and proposed development, except that existing parking facilities shall be exempt from the landscaping requirements.

3. The standards in this Chapter are minimum standards.  
[18.82.010]

## 4.50.020 General Parking Standards

### A. General to All Zones

1. Parking must be accessed by an alley, when available.
2. Tandem parking shall be allowed in all residential zones and commercial zones where residential is permitted, when both tandem spaces are for a single residential unit.
3. Vehicular access through residential properties for non-residential uses shall be prohibited.
4. Parking or storage of commercial trucks, buses, sign trailers, trailers or semi-trailers for freight, luggage, or the like shall not be permitted in any residential zones or in any transect zones (except Special Districts (SD)).
5. Parked vehicles on driveways shall meet standards set forth in Municipal Code Chapter 8.28 (Property Maintenance) and may not encroach onto the public right-of-way.
6. Parking facilities on adjoining lots may share access points and driveways subject to a recorded covenant running with the property/properties on which the facilities are located.
7. Up to twenty percent of the spaces in a parking facility with ten or more spaces may be designed and designated for compact cars. [18.82.040]
8. Handicapped parking
  - a) Parking spaces for the handicapped shall be provided and designed in accordance with the requirements of Chapter 2-71 of Title 24 of the California Administrative Code.
  - b) When less than five total parking spaces are provided, one of these spaces shall be 14 feet wide and lined to provide a nine-foot parking area and a five-foot loading and unloading area. However, there is no requirement that the space be reserved exclusively for handicapped use.

- c) All handicapped parking spaces and access between the handicapped parking spaces and the primary entrances of associated buildings or facilities shall be surfaced in a manner to facilitate wheelchair use. [18.82.050]
9. Off-street parking
  - a) Required residential off-street parking facilities shall be located on the premises they are intended to serve and shall have dimensions consistent with Table 4.50.020
  - b) Except in the T5 zone, off-street parking for other than residential uses shall be located on the premises they are intended to serve or within 500 feet thereof.
  - c) All parking spaces shall be at least 10 feet by 20 feet, except that compact automobile parking spaces shall be at least eight feet by 18 feet.
  - d) Where required parking is provided on a site other than that of the principal use, the property owner shall file with the County recorder's office a covenant, on a form provided by the Director and approved by the City Attorney, that provides for the maintenance of the parking facility as long as the associated principal use is maintained. [18.82 revised]

TABLE 4.50.020. RESIDENTIAL OFF-STREET PARKING MINIMUM STANDARD VEHICLE SPACE REQUIREMENTS			
Type of Parking	Space Width 1,2	Space Length 1,3	Height Clear
Enclosed	8'6"	19'	7'
Covered	8'6"	18'	7'
Uncovered	8'6"	18'	n/a

1. One additional foot in width shall be provided on each side abutting any wall, fence, property line or other fixed obstruction that restricts vehicle access.

2. Minimum side-by-side or double parking space width is 16 feet (double the minimum single width minus one foot). Additional width or length for obstructions, as listed above, is applicable.

3. Minimum front to back space depth is double minimum single space length. Additional width or length for obstructions, as listed above, is applicable.

### 4.50.030 Number of Parking Spaces Required

For number of parking spaces required base on land use type see the land use type tables in Article 3 (Specific to Zones)

### 4.50.040 Bicycle Parking [new]

A. For each 10 bicycle parking stalls provided, there shall be permitted a reduction of one required automobile parking stall to a maximum of 15 percent of the required automobile parking stalls, at the discretion of the Director or Commission.

B. Bicycle stalls shall be improved in accordance with the following requirements:

1. Provided with a device to be approved by the City and capable of supporting a bicycle in an upright or hanging position and having a means that will enable a user to lock his bicycle to such a device.
2. Areas containing stalls shall be surfaced with hardscape or paving.
3. When located within a parking area, spaces shall be protected by curbs, fences, planter areas, bumpers, or similar barriers for the mutual protection of bikes, automobiles and pedestrians, unless deemed by the City to be unnecessary.

USE	REQUIRED STALLS	LOCATION
Entertainment/ Recreation, Restaurant/ Food, Retail, Services, Office/Civic	4 stalls or 20% of required off-street automobile parking stalls, whichever is greater (up to a maximum of 30 bicycle stalls).	Adjacent to bicycle paths and pedestrian walks ≤ 50' of public entrance.
Residential: Multi-family	1 per 4 bedrooms	Must be secure.
Industrial	10% of required off-street automobile or truck parking stalls (up to a maximum of 30 bicycle stalls).	Adjacent to bicycle paths and pedestrian walks ≤ 50' of public entrance.

### 4.50.050 Adjustment of Parking Requirements

In the case that more than one parking adjustment may apply, applicant may choose only one of the following adjustments:

#### A. Proximity to Transit

1. A parking reduction of up to 10 percent may be approved by the Director for any use within a quarter mile of transit. Within a half mile of transit a parking reduction of up to 5 percent may be approved by the Director.

#### B. Joint Use of Parking Areas

1. If more than one use, required to provide parking spaces in compliance with this Chapter, occupies the same building or premises; then off-street parking shall

be provided in an amount equal to the total number of spaces required for the separate uses;

2. Upon written request the Commission can reduce the number of spaces required, per Subsection B.1, by up to 20 percent if the Commission determines that it is unlikely the combination of uses in the same building or premises will, at periods of peak use, necessitate provision of the number of parking spaces that would be required if the uses were developed independently. [18.82.080]

#### C. Reduction of Required Parking

The Review Authority may reduce the number of parking spaces required in the land use type tables of Article 3 (Specific to Zones), through the granting of a

### 4.50.050 Adjustment of Parking Requirements

Conditional Use Permit or Minor Use Permit (depending on the amount of reduction requested) in compliance with Chapter 9.30 (Conditional Use Permits and Minor Use Permits), based on the following:

1. Quantitative information provided by the applicant that documents the need for fewer spaces (e.g., sales receipts, documentation of customer frequency, information on parking standards required for the proposed land use by other cities, etc.);
2. The use or project design creates an integrated whole wherein the parking reduction will not adversely affect other businesses or uses on the same property or within the boundaries of the project; or
3. The proposed parking requirement is consistent with other uses of similar intensity established elsewhere in the parking regulations and does not represent a grant of special privilege inconsistent with the intent of the parking regulations to provide.

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### 4.50.060 Parking Alternative [new]

The owner of any property upon which a development project is proposed may pay an in lieu parking fee if the City approves it as part of the site plan review. A request to pay the in lieu fee for more than 15 parking spaces must be approved by the Council. The approving body must make the following findings for any proposed in lieu fee:

A. There is available or planned public parking capacity to offset this demand; and

B. The public parking will be made available within a reasonable time period of approval of this project.

1. Downtown. In the T-5 Zone, parking may be provided by the payment of an in lieu fee. The amount of the in lieu fee is established by Council resolution. The city shall establish a separate fund for the collection of in lieu fees and shall use the collected fees only to provide new or improved parking spaces in the downtown

2. Other Areas. In any area other than the downtown, the fee option is available only if an existing or planned parking facility exists within 600 feet of the site. The fee is the current value of land and parking construction costs per space needed, as determined by City staff.
3. Fee Deferral. Parking in-lieu fees shall be collected at the issuance of the first building permit. The Council may, by Resolution, adopt administrative guidelines to provide a special fee deferral program in response to unprecedented conditions such as extraordinary economic changes.

## 4.50.070 Parking Design

### A. Location of Parking

In no case shall off-street parking be located in a required front or required side setback abutting a street.

### B. Parking Aisle Width

Parking aisles shall comply with the minimum standards as follows:

PARKING AISLES	
ARRANGEMENT	MINIMUM AISLE WIDTH
30 degree, single row	11'
45 degree, single or multiple row	14'
60 degree, single or multiple row	18'
90 degree, single or multiple row	25', except where parking is perpendicular to and abuts an alley.

### C. Parking Spaces

Off-street parking facilities shall be designed so that each space can function independently of any other parking space, except in the case of lots containing only one single-family dwelling.

### D. Driveways

1. Driveways for residential development shall be a minimum of 12 feet (includes three-foot taper on each side) in width with 15 feet of unobstructed vertical clearance.
2. Driveways for commercial and industrial developments shall be a minimum of 18 feet (includes three-foot taper on each side) in width with 15 feet of unobstructed vertical clearance. These requirements may be reduced by the city planner upon recommendation of the fire chief.

### E. Right-of-way Restrictions

Parking spaces requiring backing into a street or road right-of-way are prohibited, except in the case of driveways for lots containing only one single-family dwelling.

### F. Adjacent Uses

**1. Abutting Residential.** Where a parking facility containing five or more spaces abuts property zoned residential, the parking facility shall be separated from the abutting property by a solid masonry wall six feet in height.

**2. Exception.** From the front property line to a depth equal to the required front setback on the abutting residentially zoned property, the wall shall be four feet in height.

### H. Landscaping, Fences, and Screening

Landscaping, fences, and screening shall be installed in compliance with Chapter 4.40 (Landscape Standards).

## Chapter 4.50 Parking Standards

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### 4.50.080 Development and Maintenance of Parking Lots

**A. Surfacing Materials.** All off-street parking areas and ingress and egress to parking areas shall be surfaced with the following materials:

**1. Parking areas.** For all residential, recreation, entertainment and tourist facilities, commercial, industrial, institutional, and other high intensity uses parking areas shall be surfaced with two inches A.C. three-and-one-half inches Portland cement, except driveways serving single-family residential dwellings.

**2. Parking Area Base.** Parking areas shall be built on a suitable base so as to provide a durable and dustless surface and shall be so graded and drained as to properly dispose of all surface water accumulated within the area.

**3. Discretionary Approval.** In the case of uses subject to discretionary approval, the required parking areas shall be surfaced with the materials specified in accordance with the conditions of approval.

**B. Barriers**

Barriers or curbs shall be provided where a parking lot abuts any structure or boundary of an adjacent property.

**C. Traffic Controls**

Traffic controls at ingress and egress points and directional signs shall be provided as may be deemed necessary by the City in the interest of public safety.

**D. Striping**

All stalls and, when required, aisles, loading zones, pedestrian walks and crossings, visitors' parking, fire lanes, no parking areas, and driveways shall be striped or otherwise designated to provide for the safe loading, unloading, and parking and storage of vehicles and shall be so installed as to be in accordance with the standards of the City for such improvements.

**E. Parking Lot Lighting**

1. Any lighting used to illuminate a parking lot shall be directed and shielded as to not illuminate surrounding properties.
- 2 Light standards shall be in scale with the project setting; however, in no case shall light standards exceed 18 feet in height measured from top of grade to the highest point of the equipment. In instances where it can be established that additional height is required for health and safety reasons, an additional five feet in height is allowed subject to review and approval by the Director.

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### 4.50.090 Off-street Loading Spaces

Except for T4.5 and T5 zones, for every structure occupied by manufacturing, storage, warehouse, wholesale or retail store, market, passenger terminal, theater, hotel, motel, restaurant, hospital, laundry, dry

cleaning plant, or other similar use requiring the receipt or distribution of vehicles or merchandise, adequate space for standing, loading, and unloading shall be provided and maintained on the same lot in addition to the automobile parking required by this Chapter. [18.82.060]

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### 4.50.100 Off-street Parking Site Development Plan Review

No use shall be established or changed, no development shall occur or be expanded, and no building or grading permit or business license for any use or development shall be issued until approval of Site Development Plan Review in compliance with Chapter 9.60 (Site Development Plan Review). [18.82.100]

## Chapter 4.60 Site Specific Standards

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### Sections:

- 4.60.010 Purpose
  - 4.60.020 General Site Specific Standards
  - 4.60.030 Specific to Multifamily Residential
  - 4.60.040 Specific to Industrial
  - 4.60.050 Waived Standards
- 

### 4.60.010 Purpose

The purpose of this Chapter is to provide development standards for residential and non-residential uses in non-transect zones.

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### 4.60.020 General Site Specific Standards

#### A. Applicability

The standards of this Section apply to all multifamily residential, commercial and industrial developments in the non-transect zones.

#### B. Standards

1. Except for transect zones, street and road dedications shall be made to the City, in a manner prescribed by the Department, for all existing or proposed local, secondary, and major streets. Except for transect zones, the required dedication shall be 30 feet from the centerline of a local street, 45 feet from the centerline of a secondary street, and 55 feet from the centerline of a major street, or as required by any adopted official or specific plan line. In cases where a street is on the boundary of a development, a minimum dedication of 40 feet shall be made.
  2. Obstructions within street rights-of-way shall be removed.
  3. Curb, gutter, and sidewalk shall be constructed as required by the City when required as part of street improvements.
  4. All access drives, parking areas, and vehicle maneuvering areas shall be surfaced with a minimum of two inches of asphaltic concrete paving or material of higher quality.
  5. All new on-site utility services shall be placed underground.
  6. Prior to the issuance of any building permits, a plan for the disposal of drainage waters originating on-site and from adjacent road rights-of-way shall be approved by the city engineer, if required. Easements or grant deeds shall be given to the city for drainage purposes or access, as necessary.
  7. Prior to the issuance of any building permits, the method of water supply and sewage disposal shall be as required and approved by the county health department.
  8. Fire flows, fire protection facilities, and access ways shall be as required and approved by the City's fire department.
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## 4.60.020 General Site Specific Standards

9. All trash receptacles shall be screened, in compliance with Section 4.40.080 (Fences and Screening), so that they are not visually obtrusive from any off-site location. The location and method of screening for all trash receptacles shall be approved by the Commission.
10. Architectural design of all proposed buildings shall be compatible with the surrounding neighborhood. [18.80.020 & 18.80.030]

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## 4.60.030 Specific to Multifamily Residential

### A. Windows

When construction in excess of one story is proposed adjacent to property zoned for single-family residential use, all windows above the first story and adjacent to the property zoned for single-family residential use shall contain glass that is opaque or translucent or shall be screened in a manner as approved by the Commission.

### B. Common Usable Open Space

1. In non-transect zones, developments with 10 or more dwelling units, a minimum of five percent of the net lot area shall be designated and developed as common usable open space; provided, however, no less than 400 square feet of common usable open space shall be provided.

2. The required common usable open space area may be divided into more than one location, provided that no single location shall contain less than 400 square feet.
3. No structures shall occupy areas designated for common usable open space except structures designed exclusively for recreational purposes.
4. Parking and manoeuvring areas shall not be utilized for the required common usable open space. [18.80.020]

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## 4.60.040 Specific to Industrial

A. For industrial developments utilizing outside storage, the areas devoted to outside storage shall be paved as required by the Commission.

B. Screening, if required by the base zone, shall be provided around outside storage in compliance with Section 4.40.080 (Fences and Screening). [18.80.030]

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## 4.60.050 Waived Standards

A. The Commission may waive any of the standards of this Chapter where a documented hardship, not involving economics, exists or where there are unusual circumstances that prevent compliance with any of the required development standards.

B. Street improvements and construction of curb, gutter, and sidewalks will not be required for individual or cumulative additions constituting less than 25 percent expansion of development existing on the effective date of this Zoning Code. [18.80.020 & 18.80.030]

# Article 5 Building and Frontage Standards

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## Chapter 5.10 Building Standards

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SECTIONS:

- 5.10.010 Purpose of Building Standards
- 5.10.020 Frontage Standards
- 5.10.030 Small Town-Scale Buildings and Intended Physical Character
- 5.10.040 Required Criteria
- 5.10.050 Requirements by Zone
- 5.10.060 Lined Building Standards
- 5.10.070 Flex Building 'Large' Standards
- 5.10.080 Flex Building 'Small' Standards
- 5.10.090 Barn Standards
- 5.10.100 Rowhouse Block-Form (BF) Standards
- 5.10.110 Rowhouse House-Form (HF) Standards
- 5.10.120 Courtyard Building Standards
- 5.10.130 Bungalow Court Standards
- 5.10.140 Villa Standards
- 5.10.150 Duplex - Quadplex Standards
- 5.10.160 House Type Standards
- 5.10.170 Estate Standards

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### 5.10.010 Purpose of Building Standards

This chapter of the Tehachapi Code is intended to generate new buildings or the revitalization and/or modification of existing buildings to successfully implement the Tehachapi General Plan.

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### 5.10.020 Building Standards

Any parcel or building subject to the Tehachapi Code shall be developed in compliance with the standards identified in Table 5.10 as applicable. All buildings shall be in compliance with the requirements of Section C.1, "Building Site and Placement Standards," of the appli-

cable zone. Applications, or portions thereof, that do not comply with the applicable requirements shall be considered inconsistent with the intent and purpose of the Tehachapi Code.

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### 5.10.030 Small Town-Scale Buildings and Intended Physical Character

Property subject to the Tehachapi Code is intended to generate and support the small town-scale and physical character intended by the Tehachapi General Plan as described below.

Design Objectives. Buildings and their additions shall be designed and maintained to:

1. Generate small town-scale buildings through block-form or house-form building design as identified by the zone.
  - a. Block-Form Buildings. These are buildings that are larger than houses and intended for a wide variety of land use activities. These buildings tend to use most of their building site and can occupy large portions of a block or an entire block in some cases. See Tables 5.10.060 through 5.10.100.
  - b. House-Form Buildings. These are buildings that are the size of houses and intended for primarily residential activities with some

non-residential activities as allowed by the zone. These buildings range from single to multiple dwelling buildings that always have the form and size of houses and that are compatible with the neighborhood. See Tables 5.10.110 through 5.10.170.

2. Support the intended physical character of the zone;
3. Generate pedestrian-oriented buildings in how buildings are accessed and how their size and mass are scaled to the small-town context; and
4. Express small-town physical character through the design of appealing buildings comprised of simple volumes, facades and decorative parapets and/or pitched roofs as required by this code.

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### 5.10.040 Required Criteria

Chapter 5.10 Building Standards. In order to be approved, each application shall be consistent with the following, as applicable. "The proposed application..."

1. Generates or maintains a small-town streetscape of house-form or block-form buildings, as required by this code;

2. Generates or maintains an appropriate transition between each new building, its additions and existing buildings;
3. Is in compliance with the requirements of the applicable building type(s); and
4. Expresses creativity in designing buildings per the allowed types identified in Table 5.10.

# Chapter 5.10 Building Standards

## 5.10.050 Requirements by Zone

In support of the intended physical environment for each zone, Table 5.10 identifies the allowed building types in each zone.

- Requirements for Buildings.** All buildings and their additions shall comply with the requirements of Table 5.10.
- Types.** The allowed building types in each zone are for the general purpose of supporting or generating the range of intended physical environments and land use activity.
- Building Size.** All buildings and their additions shall comply with the size and massing requirements of each building type. Each building site is allowed up to one building with accessory buildings as allowed by each building type.
- Stories and Height.** Building height is specified in Table 5.10 as the maximum stories and as feet to the top plate of the highest story on the building, not counting the roof in the overall height dimension.

Where partial numbers are shown for a building (e.g., '2.5'), this identifies that the building may only have two full floors with occupied space within the roof volume of the second story. From the street, such an arrangement is visible through dormers on the roof, expressing only two stories to the street.

- Multiple Building Types.** As allowed by Section C.1 of the zone "Building Site and Placement Standards," a site may utilize multiple building types subject to compliance with the applicable requirements and City review and approval.

### TABLE 5.10 ALLOWED BUILDING TYPES BY ZONE

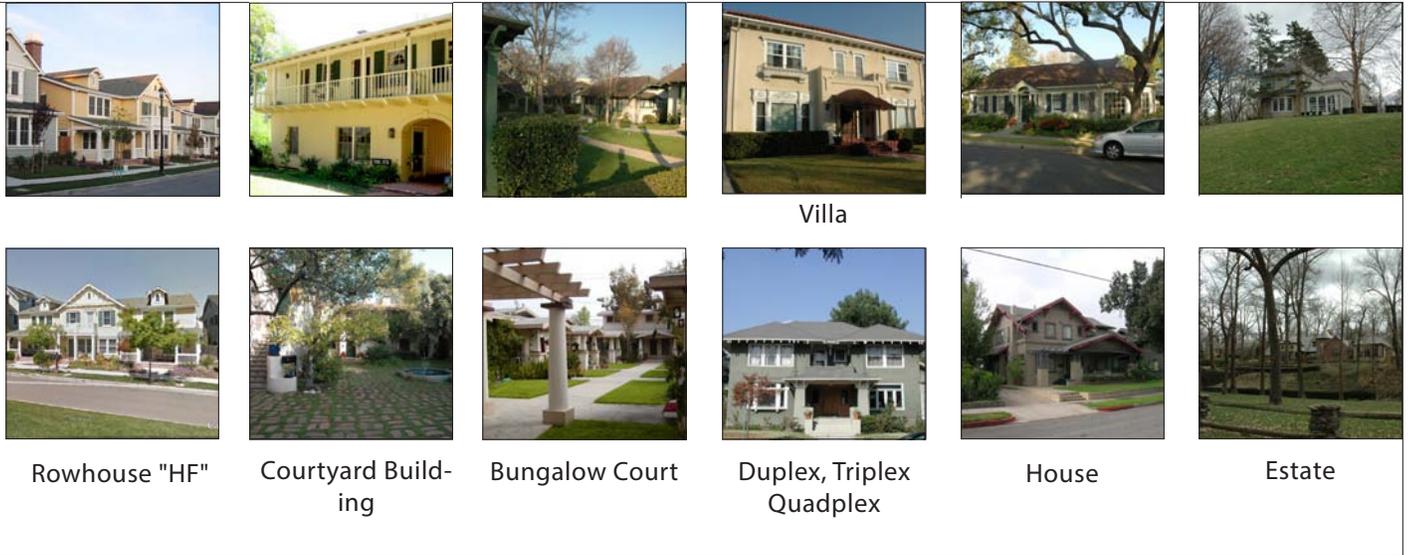


TYPES	DOWNTOWN (T5)		NEIGHBORHOOD CENTER (T4.5)	
	MAX STORIES / FT		MAX STORIES / FT	
<b>BLOCK - FORM TYPES</b>				
Lined Building	3/35(G)	Lined Building See 5.10.060 (T)		
Flex Building Large	3/35(G)	Flex Bldg-L See 5.10.070		
Flex Building Small			2.5 / 26	Flex Bldg-S See 5.10.080
Barn (B)				
Rowhouse 'BF'	3/30(G)	Rowhouse-BF See 5.10.100		
<b>HOUSE - FORM TYPES</b>				
Rowhouse 'HF'			2.5 / 26	Rowhouse-HF See 5.10.110
Courtyard Building	2.5 / 30	Courtyard See 5.10.120	2.5 / 26	Courtyard See 5.10.120
Bungalow Court			2.5 / 24	Bungalow Ct See 5.10.130
Villa	2.5 / 26	Villa See 5.10.140 (T)	2.5 / 26	Villa See 5.10.140
Duplex - Quadplex			2.5 / 26	Duplex See 5.10.150
House	2.5 / 26	House See 5.10.160 (T)	2.5 / 26	House See 5.10.160
Estate				

#### KEY TO NOTES FOR TABLE 5.10

- SEE 5.10.090 Type allowed in zone, see reference for requirements
- blank Type not allowed in zone
- 2 / 26 Maximum stories and height in feet to top plate of highest story

**ALLOWED BUILDING TYPES BY ZONE TABLE 5.10**



NEIGHBORHOOD GENERAL (T4)		NEIGHBORHOOD EDGE (T3)		RURAL GENERAL (T2.5)		RURAL EDGE (T-2)		TEHACHAPI BLVD WEST (SD-2.1)	
MAX STORIES / FT		MAX STORIES / FT		MAX STORIES / FT		MAX STORIES / FT		MAX STORIES / FT	
								3 / 35(G)	Flex Bldg-L See 5.10.070
				1.5 / 15	Flex Bldg-S (1A) See 5.10.080	1.5 / 15	Flex Bldg-S (1B) See 5.10.080	2 / 26	Flex Bldg-S See 5.10.080
				1.5 / 18	Barn See 5.10.090	1.5 / 26	Barn See 5.10.090		
								2.5 / 30	Rowhouse BF See 5.10.100
MAX STORIES / FT		MAX STORIES / FT		MAX STORIES / FT		MAX STORIES / FT		MAX STORIES / FT	
2 / 24	Rowhouse-HF See 5.10.110								
2 / 24	Courtyard See 5.10.120							2.5 / 30	Courtyard See 5.10.120
2 / 22	Bungalow Ct See 5.10.130								
2 / 22	Villa See 5.10.140							2.5 / 26	Villa See 5.10.140
2 / 22	Duplex See 5.10.150	2 / 22	Duplex See 5.10.150					2.5 / 24	Duplex See 5.10.150
2 / 22	House See 5.10.160	2 / 22	House See 5.10.160						
		2 / 24	Estate See 5.10.170	2.5 / 26	Estate See 5.10.170	2.5 / 26	Estate See 5.10.170		

2.5 Maximum of three stories with 3rd story as occupied space within the 2nd story roof volume

(1A) Only within 250 ft of the intersection of two 'Road' thoroughfare types (8.20.080)

(1B) Only within 100 ft of the intersection of two 'Road' thoroughfare types (8.20.080)

(G) 3-story facades require 1-story Gallery along at least 2/3 of facades within Facade Layer. At least 25 percent of 3rd story shall be setback 15 ft from Ground Floor facade.

(T) Type not allowed on north side of Tehachapi Boulevard

## 5.10.060 LINED BUILDING STANDARDS

### A. Description and Intent

1. Description. A combined building that consists of two components: an interior building such as a parking garage, movie theater, or "big box" store, and an exterior building(s) that conceals the interior building from the street. The exterior building(s) is designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors configured for retail, service, office, and/or residential uses.
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Lined Building type in the zones allowed by this Code.



*Above: Lined Building type on a corner site with a public parking garage concealed from the street by smaller exterior mixed-use buildings and a plaza on the primary and side streets.*



*Above: Single or multi-story exterior buildings with a plaza at the primary street corner conceal the larger interior building from view along the streetscape.*

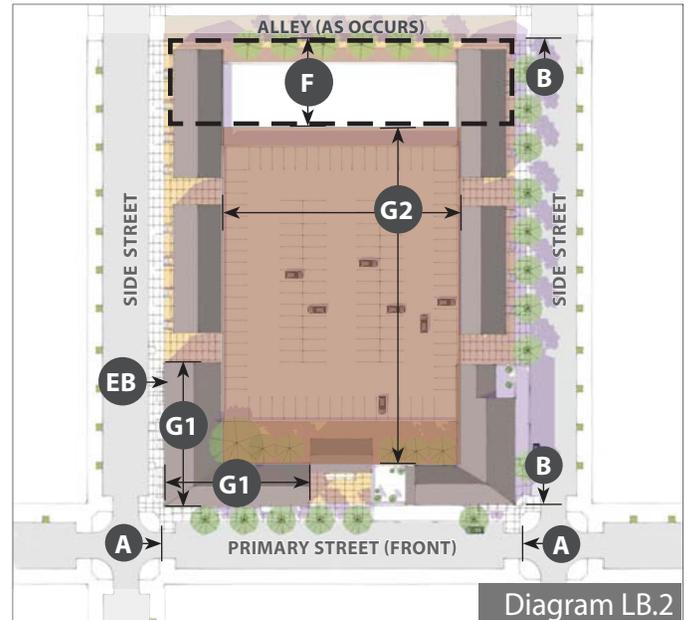
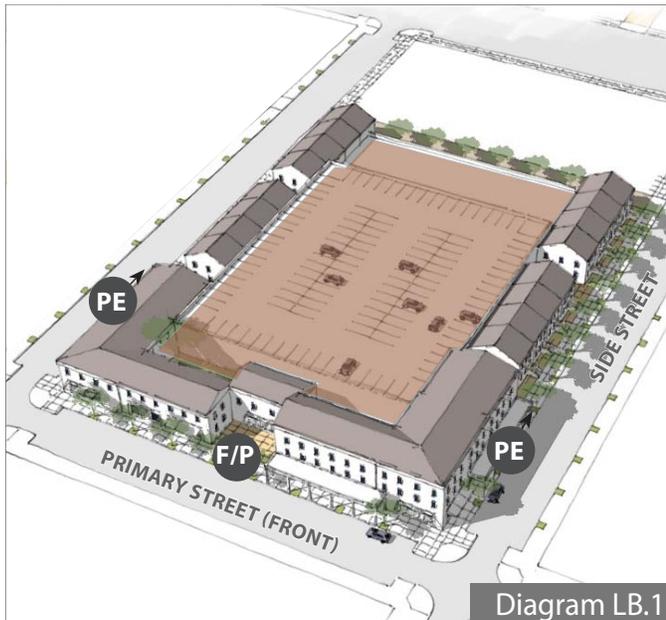


*Above: Exterior building of shops presents a 1-story streetscape while concealing the large interior 3-story building to be compatible with the small-town character of the street.*



*Above: Entry to theater is prominently located at street corner with taller interior building concealed from the street by smaller exterior buildings along sidewalk frontage of both streets.*

B. Design Standards



Lined Building types are subject to the following as applicable.

		T5
<b>Building Site</b>		
A	Width	125-250
B	Depth	150-200
<b>Facade Location</b>		
C	Front	0 or 10
D	Street Side	0 or 10
E	Side Yard	Setback to upper stories- adjacent to T5: min 10 adjacent to T4 or T4.5: min 50
F	Rear Yard Transition	
<b>Building Size</b>		
G1	Exterior Building	1-3 stories, 18-35 ft; max 100 ft long (FL)
G2	Interior Building	max 3 stories, 35 ft; max 150 ft long (FL)
Individual volumes up to this size may abut if each is offset from the other by a 5 foot plane-break and an 8 foot height difference.		
FL	Facades exceeding 75 feet shall have the appearance of multiple attached buildings. Facades shall be composed of increments of 50 ft or less. Increments shall be created through projecting or recessing wall surfaces, changes in roofline and/or placement of piers and pilasters.	

	Facades along frontage lines as defined by the zone shall apply frontage types per Section C.3 of the zone.
	Building entries shall be at grade along the adjacent sidewalk. Where ramps are required, their design shall be per the ADA requirements and the frontage requirements in Section C.3 of the zone standards.
F/P	A Forecourt per 5.20.080 or Plaza per 8.10.100 shall be located along the primary frontage or at the primary street corner.
	Along any frontage, exterior buildings shall include a decorative parapet and/or a pitched roof with a visible eave from the sidewalk.
	3-story facades shall include a gallery along at least 2/3 of the facade along frontages.
	3rd-story facades shall not exceed 3/4 of the ground floor facade length.
	Buildings on corner sites shall be designed with two facades of equal architectural expression.
EB	Exterior buildings shall be at least 35 feet in depth except: a) along alleys or other access drives, and b) along parking garages for up to 130 linear feet on side streets when at least 30 ft from a street corner.
PE	Parking access driveways and spaces shall be located per Section C.2 of the zone standards.

## 5.10.070 FLEX BUILDING 'LARGE' STANDARDS

### A. Description and Intent

1. Description. A building designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors configured for retail, service, office, and/or residential uses. Ground floor units are accessed directly from the street. Upper floor units may be directly accessed from the street through stairs that serve multiple units or through a street level lobby. The building may be configured for 'work-live' occupancy in which case, the primary use is the non-residential space on the ground floor and the secondary use is the upper story dwelling. Each non-residential space has its own entry from the sidewalk with the combination of work space and dwelling typically being owned or leased by the same person(s). Parking is located along the rear of side frontages or behind buildings.
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Flex Building 'Large' type in the zones allowed by this Code.



*Above: Large Flex Building with parking in rear.*



*Above: Large Flex Building at corner designed with two distinct facades to fit in the pattern of individual buildings along the streetscape.*

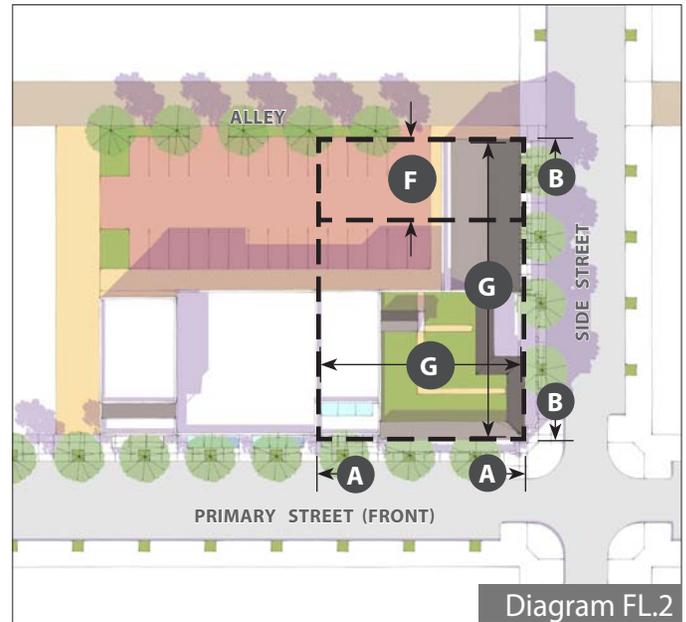
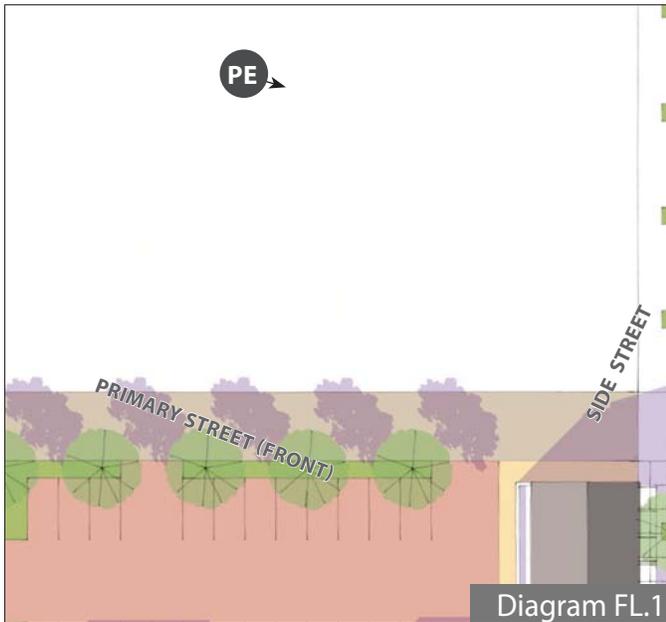


*Above: Large Flex Building with decorative parapet providing visual interest and distinction to the building.*



*Above: Large Flex Building with tallest portion at corner and use of balconies to bring down the scale of the building into Tehachapi's small-town character.*

B. Design Standards



Flex Building Large types are subject to the following as applicable.		T5	SD2.1
<b>Building Site</b>			
A	Width	100-200	200-400
B	Depth	150-200 (min 80 north side of Tehachapi Blvd)	200-400
<b>Facade Location</b>			
C	Front	0 or 10	10-30
D	Street Side	0 or 10	10-30
E	Side Yard	0 or 10	10-25
F	Rear Yard Transition (setback to third story)	adjacent to T4 or T4.5: min 25	adjacent to T5: min 20
<b>Building Size</b>			
G	Building Length	max 100ft (FL)	max 150ft (FL)
FL	Individual volumes up to this size may abut if each is offset from the other by a 5 foot plane-break and an 8 foot height difference. Facades exceeding 50 feet shall have the appearance of multiple attached buildings. Facades shall be composed of increments of 50 ft or less. Increments shall be created through projecting or recessing wall surfaces, changes in roofline and/or placement of piers and pilasters.		

	Building entries shall be at grade along the adjacent sidewalk. Where ramps are required, their design shall be per the ADA requirements and the frontage requirements in Section C.3 of the zone standards.
	Facades along frontage lines as defined by the zone shall apply frontage types per Section C.3 of the zone.
F/P	Buildings longer than 90 feet shall include a Forecourt per 5.20.080 or Plaza per 8.10.100 along the primary frontage or at the primary street corner.
	Along any frontage, the building shall include a decorative parapet and/or a pitched roof with a visible eave from the sidewalk.
	3-story facades shall include a gallery along at least 2/3 of the facade along frontages.
	At least 25 percent of 3rd-story facades shall be setback 15 feet from the ground floor facade along frontages.
	Buildings on corner sites shall be designed with two facades of equal architectural expression.
PE	Parking access driveways and spaces shall be located per Section C.2 of the zone standards.
	When required by Section A.2d of the zone standards, open space shall be provided at grade in a plaza or forecourt or in a roof garden.
	Along primary and side streets, retail or office space rather than service rooms shall be oriented toward the street. On side streets where ground floor residential is allowed, first floor living areas rather than sleeping or service rooms shall be oriented toward the street.

## 5.10.080 FLEX BUILDING 'SMALL' STANDARDS

### A. Description and Intent

1. Description. A building substantially smaller than the Large Flex Building and often only single-story, designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors configured for retail, service, office, and/or residential uses. Ground floor units are accessed directly from the street. Upper floor units may be directly accessed from the street through stairs that serve multiple units or through a street level lobby. The building may be configured for 'work-live' occupancy in which case, the primary use is the non-residential space on the ground floor and the secondary use is the upper story dwelling. Each use has its own entry from the sidewalk with the combination of work space and dwelling typically being owned or leased by the same person(s). Parking is located along the rear side frontage or behind buildings.
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Flex Building 'Small' type in the zones allowed by this Code.



*Above: 1.5-story Small Flex Building with shopfronts.*



*Above: Single-story Small Flex Building along one edge of a plaza.*



*Above: Single-story Small Flex Building along a side street near an alley.*



*Above: Small Flex Building at crossroads is set back far enough for informal parking and access to very limited additional services.*

B. Design Standards



Flex Building Small types are subject to the following as applicable.

	T2	T2.5	T4.5	SD2.1
<b>Building Site</b>				
A Width	150-200	150-200	50-100	50-100
B Depth	150-250	150-250	100-150	100-150
<b>Facade Location</b>				
C Front	15 or 50	10 or 30	0 w/in 75 ft of corner;	10-15
D Street Side	15 or 50	10 or 30	10-15 beyond 75 ft of corner	10-15
E Side Yard	15 or 50	10 or 30	0 or 5	7
F Rear Yard	35	50	15	20
<b>Building Size</b>				
G Building Length	40-80	40-80	40-60	50-90
<p>Facades shall be composed of increments of 25 ft or less. Increments shall be created through projecting or recessing wall surfaces, changes in roofline and/or placement of piers and pilasters.</p> <p>Building entries shall be at grade along the adjacent sidewalk. Where ramps are required, their design shall be per the ADA requirements and the frontage requirements in Section C.3 of the zone standards.</p>				

- Facades along frontage lines as defined by the zone shall apply frontage types per Section C.3 of the zone.
- Along any frontage, the building shall include a decorative parapet and/or a pitched roof with a visible eave from the sidewalk.
- Buildings on corner sites shall be designed with two facades of equal architectural expression.
- PE Parking access driveways and spaces shall be located per Section C.2 of the zone standards.
- When required by Section A.2d of the zone standards, open space shall be provided at grade in a plaza or forecourt or in a roof garden.
- Along primary and side streets, retail or office space rather than service rooms shall be oriented toward the street. On side streets where ground floor residential is allowed, first floor living areas rather than sleeping or service rooms shall be oriented toward the street.

## 5.10.090 BARN STANDARDS

### A. Description and Intent

1. **Description.** A building designed for occupancy by agricultural uses and associated storage as well as limited retail and service commercial uses as allowed by the zone and in compliance with Uniform Fire Code requirements. Barn Buildings also accommodate loading and/or staging areas as well as support areas often needed by agricultural activities. Parking is located either to the side or the rear of the building. The Barn type may be located on the same building site as the Estate type when separated as required by these standards.
2. **Examples of Intended Physical Character.** The following examples are illustrative of the range of physical character for the Barn type in the zones allowed by this Code.



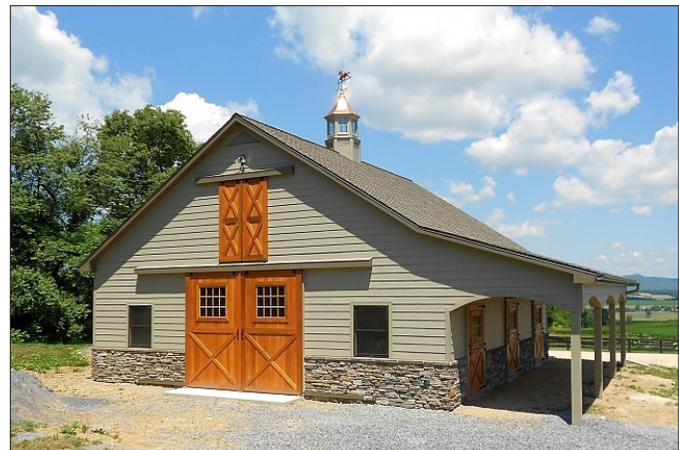
*Above: Example of small barn used primarily for animals.*



*Above: Example of a former barn, now used for special events.*

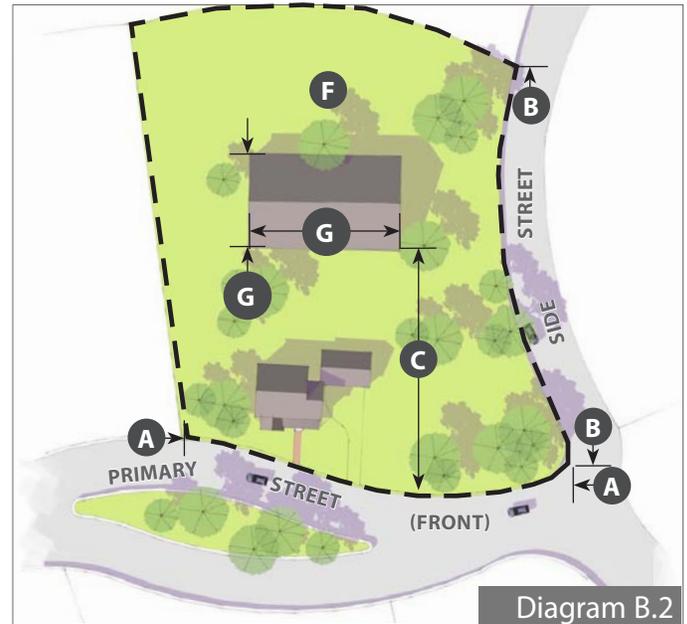


*Above: Example of taller barn used to store agricultural products and vehicles.*



*Above: Example of Barn featuring a porch.*

B. Design Standards



Barn types are subject to the following as applicable.			
		T2	T2.5
<b>Building Site</b>			
A	Width	800	300
B	Depth	800	400
<b>Facade Location</b>			
C	Front (min)	150	150
D	Street Side (min)	100	100
E	Side Yard (min)	100	100
F	Rear Yard (min)	100	100
<b>Building Size</b>			
G	Building Length	max 150	max 150
<p>Facades shall be composed of increments of 50 ft or less. Increments shall be created through projecting or recessing wall surfaces, changes in roofline and/or placement of piers and pilasters.</p> <p>Building entries shall be at grade. Where ramps are required, their design shall be per the ADA requirements and the frontage requirements in Section C.3 of the zone standards.</p>			

The Barn type is exempt from the requirement to apply frontage types per Section C.3 of the zone.
When combined on the site of an Estate type, the Barn shall be at least 100 feet from the Estate building.
The building shall include a gable roof that spans the entire width and length of the building.
Parking access driveways and spaces shall be located per Section C.2 of the zone standards.
Outdoor assembly areas shall not be visible from the street and shall comply with the land use requirements of the zone.

## 5.10.100 ROWHOUSE BLOCK-FORM (BF) STANDARDS

### A. Description and Intent

1. Description. A building comprised of three to five attached two- to three-story dwellings arranged side by side, with the ground floor raised above grade to provide some visual privacy for ground floor rooms near the sidewalk. The building is located at the front of the property, with the garage(s) at the rear, separated from the primary building by a rear yard. The front elevation and massing of the building is asymmetrical and unique, expressing each individual unit through design and through the use of porches, terraces and stoops on some or all of the dwellings. Each dwelling is directly accessed from the street.
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Rowhouse Block-Form type in the zones allowed by this Code.



*Above: Streetscape of two- and three-story Rowhouse BF buildings with stoop frontages.*



*Above: A 3-story Rowhouse BF building with stoop and terrace frontages. Three of the five dwellings have an occupied attic which does not count as an entire story.*



*Above: View along sidewalk with fenced yards and stoop frontages as a transition to the three-story Rowhouse BF building.*



*Above: A 2.5 Rowhouse BF building with fenced yards and stoop frontages.*

ROWHOUSE BLOCK-FORM (BF) STANDARDS 5.10.100

B. Design Standards



Rowhouse Block-form types are subject to the following as applicable.

	T5	SD2.1
<b>Building Site</b>		
A Width	86-170	86-170
B Depth	80-150	90-150
<b>Facade Location</b>		
C Front	0 or 10	10-15
D Street Side	0 or 5	10-15
E Side Yard	10 at each end of building	
F Rear Yard	15	15
<b>Building Size</b>		
G1 Building Length (max)	150	150
G1.1 Building Length (max)	75	75
G2 Building Wings (max)	20x30	20x30
FL	Facades shall be composed of increments of 30 ft or less. Increments shall be created through projecting or recessing wall surfaces, changes in roofline and/or placement of piers and pilasters.	

	Facades along frontage lines as defined by the zone shall apply frontage types per Section C.3 of the zone.
	Along any frontage, the building shall include a decorative parapet and/or a pitched roof with a visible eave from the sidewalk.
	3-story facades shall include a gallery along at least 2/3 of the facade along frontages.
	At least 25 percent of 3rd-story facades shall be setback 15 feet from the ground floor facade along frontages.
	Buildings on corner sites shall be designed with two facades of equal architectural expression.
	Building entries for non-residential activity shall be at grade along the adjacent sidewalk. Building entries for residential shall be raised 1.5 ft from the adjacent sidewalk grade to provide some privacy for occupants. Where ramps are required, their design shall be per the ADA requirements and the frontage requirements in Section C.3 of the zone standards.
PE	Parking access driveways and spaces shall be located per Section C.2 of the zone standards.
	Along primary and side streets, retail or office space rather than service rooms shall be oriented toward the street. On side streets where ground floor residential is allowed, first floor living areas rather than sleeping or service rooms shall be oriented toward the street.

## 5.10.110 ROWHOUSE HOUSE-FORM (HF) STANDARDS

### A. Description and Intent

1. Description. A building comprised of three to four attached two- to two and one half-story dwellings arranged side by side, with the ground floor raised above grade in order to provide some visual privacy for ground floor rooms near the sidewalk. The building is located at the front of the property, with the garage(s) at the rear, separated from the primary building by a rear yard. The front elevation and massing of each Rowhouse House-Form building may be either symmetrical or asymmetrical, repetitive or unique, as long as the delineation of each individual unit is evident. This is typically accomplished through house-scale massing and the use of porches, terraces and stoops on some or all of the dwellings. Each dwelling is directly accessed from the street.
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Rowhouse House-Form type in the zones allowed by this Code.



*Above: Each Rowhouse building is separated from adjacent buildings by side yards that give the appearance of large houses next to one another..*



*Above: Streetscape along a Rowhouse HF Building with a recessed porch on one unit and covered stoops with balconies over the other two units.*

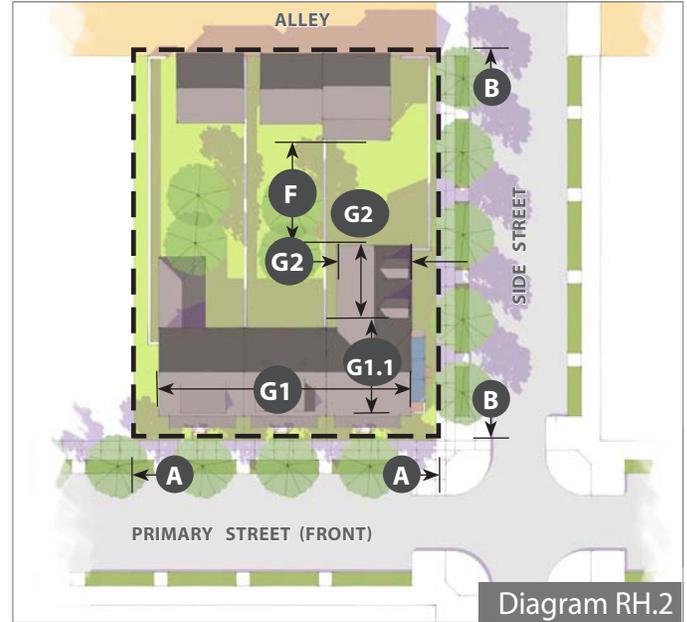


*Above: Each building gives the appearance of a large house and can be located near or adjacent to duplexes and single-family houses.*



*Above: A Rowhouse HF building with three attached dwellings with stoop frontages designed to look like one building.*

B. Design Standards



Rowhouse House-form types are subject to the following as applicable.

	T4.5	T4
<b>Building Site</b>		
A Width	86-130	86-140
B Depth	90-150	100-150
<b>Facade Location</b>		
C Front	5 or 10	min 10
D Street Side	5-10	min 10
E Side Yard	10 at each end of building	
F Rear Yard	min 20	min 20
<b>Building Size</b>		
G1 Building Length (max)	110	120
G1.1 Building Length (max)	70	60
G2 Building Wings (max)	25x35	25x35

Facades shall be composed of increments of 30 ft or less. Increments shall be created through projecting or recessing wall surfaces, changes in roofline and/or placement of piers and pilasters.

	Facades along frontage lines as defined by the zone shall apply frontage types per Section C.3 of the zone.
	Along any frontage, the building shall include a decorative parapet and/or a pitched roof with a visible eave from the sidewalk.
	Buildings on corner sites shall be designed with two facades of equal architectural expression.
	Building entries for non-residential units shall be at grade along the adjacent sidewalk. Building entries for dwellings shall be raised 1.5 ft from the adjacent sidewalk grade to provide some privacy for occupants. Where ramps are required, their design shall be per the ADA requirements and the frontage requirements in Section C.3 of the zone.
PE	Parking access driveways and spaces shall be located per Section C.2 of the zone standards.
	Along primary and side streets, retail or office space rather than service rooms shall be oriented toward the street. On side streets where ground floor residential is allowed, first floor living areas rather than sleeping or service rooms shall be oriented toward the street.

## 5.10.120 COURTYARD BUILDING STANDARDS

### A. Description and Intent

1. Description. A building designed to give the appearance of a large house, comprised of attached units arranged to share one or more courtyards. Pedestrian access to the building's entrances is from the courtyard and/or fronting street(s). The courtyard is intended to be an outdoor room that can be seen from the adjacent public realm. Parking is located at the rear of the site and may occur along the street-access driveway. Courtyard buildings may accommodate non-residential uses in either a live-work configuration or as solely commercial/retail space facing the primary street as allowed by the zone.
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Courtyard Building type in the zones allowed by this Code.



*Above: Courtyard Building with front yard frontage designed to appear as a large single-family house. Entry to the courtyard is through the zaguan in center of photo.*



*Above: Courtyard building with stoop frontage leading to central entry to courtyard through zaguan in center of photo. Street facing units are entered from the street and from the courtyard.*



*Above and right: Courtyards may be landscape or hardscape and feature outdoor furniture. Courtyards are shaped by ground floors with direct access and views of the courtyard.*

B. Design Standards



Courtyard types are subject to the following as applicable.

		T4	T4.5	T5	SD2.1
<b>Building Site</b>					
A	Width	140-200	130-200	125-175	150-250
B	Depth	150-225	150-225	150-200	150-200
<b>Facade Location</b>					
C	Front	10-15	5-15	0 or 10	10-20
D	Street Side	10-15	5-15	0 or 10	10-15
E	Side Yard	15	10	0 or 10	10-15
F	Rear Yard Transition	60-75	60-75	25-75	75-125
<b>Building Size</b>					
G1	Building Length (max)	100	100	125	125
G2	Building Wings (max)	20 x 30	20 x 30	40 x 40	40 x 40

Facades exceeding 60 feet shall be designed with a vertical setback from the base of the building to the roof line, at least 18" wide and 18" deep, giving the building an appearance of multiple attached buildings. Facades shall be composed of increments of 25 feet or less. Increments shall be created through projecting or recessing wall surfaces, changes in roofline and/or placement of piers and pilasters.

	<p>Facades along frontage lines as defined by the zone shall apply frontage types per Section C.3 of the zone.</p> <p>Along any frontage, the building shall include a decorative parapet and/or a pitched roof with a visible eave from the sidewalk.</p> <p>Buildings on corner sites shall be designed with two facades of equal architectural expression.</p> <p>Building entries for non-residential units shall be at grade along the adjacent sidewalk. Building entries for dwellings shall be raised 1.5 feet from the adjacent sidewalk grade to provide some privacy for occupants. Units along side streets may have a second entry from the courtyard. Where ramps are required, their design shall be per the ADA requirements and the frontage requirements in Section C.3 of the zone.</p>
PE	<p>Parking access driveways and spaces shall be located per Section C.2 of the zone standards.</p> <p>Where ground floor residential is allowed, first floor living areas rather than sleeping or service rooms shall be oriented toward the street. Where the zone allows non-residential activity, retail or office space rather than service rooms shall be oriented toward the street.</p>
CY	<p>One or more separated or interconnected courtyards of at least 25 by 30 feet and not exceeding 100 feet shall be provided.</p> <p>Units along side streets may enclose private open space only through the Walled Yard type (5.20.110).</p>

## 5.10.130 BUNGALOW COURT STANDARDS

### A. Description and Intent

1. Description. A grouping of three or more detached House buildings arranged to share a courtyard with pedestrian access to the buildings from the courtyard and fronting street(s). The courtyard is intended to be an outdoor room that can be seen from the public realm. Parking is located at the rear of the lot. Each House building may accommodate up to four dwellings or non-residential uses in either a live-work configuration or as solely commercial/retail space facing the primary street as allowed by the zone.
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Bungalow Court type in the zones allowed by this Code.



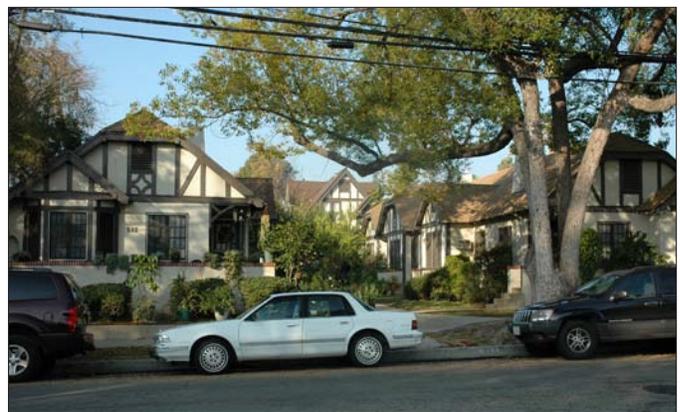
*Above: Single-story Bungalow Court with courtyard open to the street and aligned with porch frontages.*



*Above: Two-story Bungalow Court with a two and one-half story building at the rear of the site.*



*Above: Single-story Bungalow Court with courtyard open to and visible from the street.*



*Above: Bungalow Court featuring office space in the units near the street.*

B. Design Standards



Bungalow Court types are subject to the following as applicable.

	T4	T4.5
<b>Building Site</b>		
A Width	120-200	120-150
B Depth	150-200	150-200
<b>Facade Location</b>		
C Front	10-15	5-10
D Street Side	10-15	5-10
E1 Side Yard btwn bldgs	12	10
E2 Side Yard btwn bldg sites	15	12
F Rear Yard Transition	50-75	50-75
<b>Building Size</b>		
G1 Building Length (max)	40	60
G2 Building Wings (max)	20 x 20	30 x 30

Facades exceeding 60 feet shall be designed with a vertical setback from the base of the building to the roof line, at least 18" wide and 18" deep, giving the building an appearance of multiple attached buildings. Facades shall be composed of increments of 25 ft or less. Increments shall be created through projecting or recessing wall surfaces, changes in roofline and/or placement of piers and pilasters.

- Facades along frontage lines as defined by the zone shall apply frontage types per Section C.3 of the zone.
- Each building shall include a pitched roof that spans the entire width and length of the building.
- Buildings on corner sites shall be designed with two facades of equal architectural expression.
- Building entries for non-residential units shall be at grade along the adjacent sidewalk. Building entries for dwellings shall be raised 1.5 ft from the adjacent sidewalk grade to provide some privacy for occupants. Units along side streets may have a second entry from the courtyard. Where ramps are required, their design shall be per the ADA requirements and the frontage requirements in Section C.3 of the zone.
- PE Parking access driveways and spaces shall be located per Section C.2 of the zone standards.
- Where ground floor residential is allowed, first floor living areas rather than sleeping or service rooms shall be oriented toward the street. Where the zone allows non-residential activity, retail or office space rather than service rooms shall be oriented toward the street.
- CY One or more separated or interconnected courtyards of at least 25 by 30 feet and not exceeding 100 feet shall be provided.
- Units along side streets may enclose private open space only through the Walled Yard type (5.20.110).

## 5.10.140 VILLA STANDARDS

### A. Description and Intent

1. Description. A building with the appearance of a large house, containing up to eight dwellings. The building has a central lobby that provides access to individual units. On-site open space is provided through individual patios in addition to the rear yard. The building may accommodate ground floor non-residential uses in either a live-work configuration or as solely commercial/retail space facing the primary street as allowed by the zone.
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Villa type in the zones allowed by this Code.



*Above: Villa with central entry to small lobby and four units facing the street. Parking is accessed by a driveway at left.*



*Above: Villa with a raised front yard, central entry to small lobby and several units facing the street.*



*Above: Villa along side street presenting a scale transition to adjacent single family houses.*



*Above: Villa with side driveway from street providing access to parking in rear of building site.*

B. Design Standards



Villa types are subject to the following as applicable.		T4	T4.5	T5	SD2.1
<b>Building Site</b>					
A	Width	80-125	80-125	65-125	80-125
B	Depth	150-175	150-175	150-200	150-200
<b>Facade Location</b>					
C	Front	12-20	5-15	0 or 10	10-20
D	Street Side	10-15	5-15	0 or 10	10-20
E	Side Yard	10	10	0 or 10	10
F	Rear Yard Transition	65	65-80	65-80	75-100
<b>Building Size</b>					
G1	Building Length (max)	60	60	80	80
G2	Building Wings (max)	30 x 30	30 x 30	30 x 50	40 x 40
<p>Facades shall be composed of increments of 25 ft or less. Increments shall be created through projecting or recessing wall surfaces, changes in roofline and/or placement of piers and pilasters.</p> <p>Facades along frontage lines as defined by the zone shall apply frontage types per Section C.3 of the zone.</p>					

	Along any frontage, the building shall include a decorative parapet and/or a pitched roof with a visible eave from the sidewalk.
	Buildings on corner sites shall be designed with two facades of equal architectural expression.
	Building entries for non-residential units shall be at grade along the adjacent sidewalk. Building entries for dwellings shall be raised 1.5 ft from the adjacent sidewalk grade to provide some privacy for occupants. Where ramps are required, their design shall be per the ADA requirements and the frontage requirements in Section C.3 of the zone.
PE	Parking access driveways and spaces shall be located per Section C.2 of the zone standards.
	Where ground floor residential is allowed, first floor living areas rather than sleeping or service rooms shall be oriented toward the street. Where the zone allows non-residential activity, retail or office space rather than service rooms shall be oriented toward the street.
	The main entrance to each unit shall be from a common lobby within the main facade and accessed directly from the street.
	Units along side streets may enclose private open space only through the Walled Yard type (5.20.100).
	In T5, zero interior sideyard setback allowed if natural light provided to dwellings along the interior side of the building site. Otherwise, minimum 10 feet required.

## 5.10.150 DUPLEX - QUADPLEX STANDARDS

### A. Description and Intent

1. Description. 'Duplex' buildings consist of duplexes, triplexes, and quadplexes which are buildings with the appearance of houses that contain two, three, or four dwellings, respectively, and may contain dwelling units and/or commercial uses as allowed by the zone. As allowed by the requirements of this section, this building type can be adjusted to accommodate up to six dwellings. On-site open space is provided through a side yard (street side or interior) that serves all the dwellings or through individual yards for each dwelling.
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Duplex type in the zones allowed by this Code.



*Above: Duplex in the form of a house with a porch frontage and parking in the rear accessed by a driveway from the street.*



*Above: Quadplex with a stoop frontage and two dwellings per side of the building.*



*Above: Streetscape of Duplexes and Quadplexes with stoop and porch frontages to give each building the appearance of a large house.*



*Above: Streetscape of Duplexes, Triplexes, and Quadplexes with parking in the rear accessed by a driveway from the street.*

B. Design Standards



Duplex types are subject to the following as applicable.					
		T3	T4	T4.5	SD2.1
<b>Building Site</b>					
A	Width	65-80	50-60	50-65	50-65
B	Depth	120-160	130-150	125-150	135-170
<b>Facade Location</b>					
C	Front	25-30	12-20	5-15	15-20
D	Street Side	15-25	10-20	5-15	15-20
E	Side Yard (min)	10	10	7	10
F1	Rear Yard (min)	15	15	12	15
F2	Parking Area	20-50	65-80	65-80	65-100
<b>Building Size</b>					
G1	Building Length (max)	60	50	55	55
G2	Building Wings (max)	25 x 25	25 x 35	20 x 20	20 x 20
<p>Facades shall be composed of increments of 25 ft or less. Increments shall be created through projecting or recessing wall surfaces, changes in roofline and/or placement of piers and pilasters.</p> <p>Facades along frontage lines as defined by the zone shall apply frontage types per Section C.3 of the zone.</p>					

	Along any frontage, the building shall include a decorative parapet and/or a pitched roof with a visible eave from the sidewalk.
	Buildings on corner sites shall be designed with two facades of equal architectural expression.
	Building entries for non-residential units shall be at grade along the adjacent sidewalk. Building entries for dwellings shall be raised 1.5 ft from the adjacent sidewalk grade to provide some privacy for occupants. Where ramps are required, their design shall be per the ADA requirements and the frontage requirements in Section C.3 of the zone.
PE	Parking access driveways and spaces shall be located per Section C.2 of the zone standards.
	Where ground floor residential is allowed, first floor living areas rather than sleeping or service rooms shall be oriented toward the street. Where the zone allows non-residential activity, retail or office space rather than service rooms shall be oriented toward the street.
	The main entrance to each unit shall be directly from the street.
	Units along side streets may enclose private open space only through the Walled Yard type (5.20.110).
	Max 2 units allowed in the T3 zone.

## 5.10.160 HOUSE TYPE STANDARDS

### A. Description and Intent

1. Description. A building that contains only one dwelling unit and/or non-residential uses as allowed by the zone. On-site open space is provided through a rear yard. As an option where allowed by the zone, the House type sometimes contains a small dwelling as part of a detached garage.

2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the House Building type in the zones allowed by this Code. Each example is coordinated with the zones where it is allowed.



*Above: House Building on corner lot with 2.5 story massing and porches on primary and side street facades.*



*Above: House Building with porch, 2.5 stories, and side drive to parking along side of building away from the facade.*



*Above: Single-story House Building with large porch, in use as restaurant.*



*Above: Single-story House Building with side drive to parking at rear of site.*

B. Design Standards



Diagram H.1



Diagram H.2

House types are subject to the following as applicable.

	T3	T4	T4.5	T5
<b>Building Site</b>				
A Width	60-75	40-60	40-50	40-50
B Depth	125-160	100-160	90-160	80-150
<b>Facade Location</b>				
C Front	25-40	15-20	5-15	0 or 10
D Street Side	15-25	10-15	5-10	0 or 10
E Side Yard (min)	12	7	5	5
F Rear Yard (min)	25	15	15	12
<b>Building Size</b>				
G1 Building Length (max)	60	50	40	40
G2 Building Wings (max)	20 x 40	20 x 40	30 x 40	30 x 40
<p>Facades shall be composed of increments of 25 ft or less. Increments shall be created through projecting or recessing wall surfaces, changes in roofline and/or placement of piers and pilasters.</p> <p>Facades along frontage lines as defined by the zone shall apply frontage types per Section C.3 of the zone.</p>				

	Along any frontage, the building shall include a decorative parapet and/or a pitched roof with a visible eave from the sidewalk.
	Buildings on corner sites shall be designed with two facades of equal architectural expression.
	Building entries for non-residential units shall be at grade along the adjacent sidewalk. Building entries for dwellings shall be raised 1.5 ft from the adjacent sidewalk grade to provide some privacy for occupants. Where ramps are required, their design shall be per the ADA requirements and the frontage requirements in Section C.3 of the zone.
PE	Parking access driveways and spaces shall be located per Section C.2 of the zone standards.
	Where ground floor residential is allowed, first floor living areas rather than sleeping or service rooms shall be oriented toward the street. Where the zone allows non-residential activity, retail or office space rather than service rooms shall be oriented toward the street.
	The main entrance to the house shall be directly from the street.
	In T4, T4.5, T5, and SD2.1 zones, yards along side streets may be enclosed private open space only through the Walled Yard type (5.20.110).
	A dwelling ('carriage house') of up to 600 sq ft may be allowed adjacent to or above a detached garage if the dwelling has at least one parking space.

## 5.10.170 ESTATE STANDARDS

### A. Description and Intent

1. Description. A building that contains only one dwelling and/or non-residential use as allowed by the zone. The Estate building is characterized by very large front, side, and rear yards, and may contain a guest house as allowed by the zone. A guest house is distinct from a carriage house in that the guest house is a House type but not a permanent residence. On-site open space is provided through the required yards.
  
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Estate type in the zones allowed by this Code.



*Above: Two and one-half story Estate building with large front yard as viewed from the street.*



*Above: Two-story Estate building with very large front and side yards as viewed from the street.*

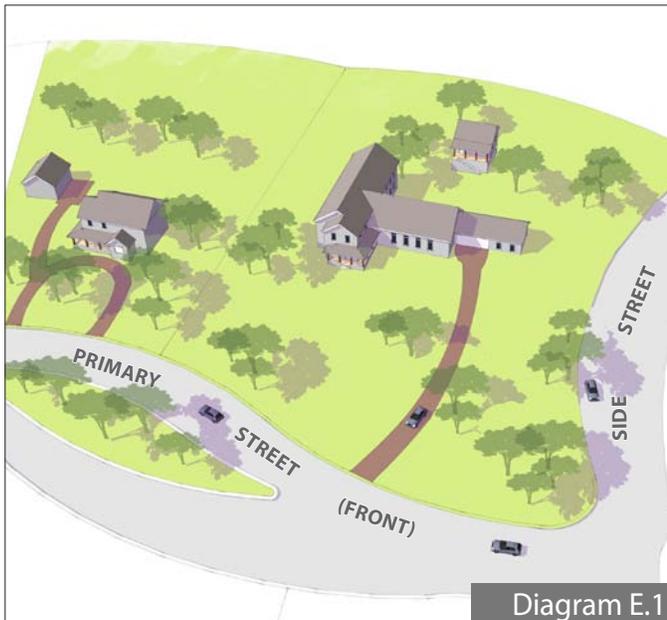


*Above: Two and one-half story Estate building.*



*Above: Two and one-half story Estate building with very large yards surrounding the building.*

B. Design Standards



Estate types are subject to the following as applicable.				
		T2	T2.5	T3
<b>Building Site</b>				
A	Width	min 800	min 300	150-200
B	Depth	min 800	min 300	160-200
<b>Facade Location</b>				
C	Front	125-200	80-125	40-80
D	Street Side	125-200	50-125	30-50
E	Side Yard	min 200	min 80	min 40
F	Rear Yard	min 200	min 100	min 50
<b>Building Size</b>				
G1	Building Length (max)	150	100	80
G2	Building Wings (max)	60 x 80	60 x 80	35 x 50
<p>Facades exceeding 60 feet shall be designed with a vertical setback from the base of the building to the roof line, at least 18" wide and 18" deep, giving the building an appearance of multiple attached volumes. Facades shall be composed of increments of 25 ft or less. Increments shall be created through projecting or recessing wall surfaces, changes in roofline and/or placement of piers and pilasters.</p>				

<p>Facades along frontage lines as defined by the zone shall apply frontage types per Section C.3 of the zone.</p>	
<p>Along any frontage, the building shall include a decorative parapet and/or a pitched roof with a visible eave from the sidewalk.</p>	
<p>Buildings on corner sites shall be designed with two facades of equal architectural expression.</p>	
<p>Building entries for non-residential units shall be at grade along the adjacent sidewalk. Building entries for dwellings shall be raised 1.5 ft from the adjacent sidewalk grade to provide some privacy for occupants. Where ramps are required, their design shall be per the ADA requirements and the frontage requirements in Section C.3 of the zone.</p>	
<p>Parking access driveways and spaces shall be located per Section C.2 of the zone standards.</p>	
<p>Service rooms shall be oriented away from the street.</p>	
<p>The main entrance to the house shall be on the front facade.</p>	
<p>A guest house of up to 600 sq ft is allowed if located in the rear 1/3 of the building site per the applicable zone standards.</p>	
P	<p>Parking is allowed within the front yard when in the form a residential parking court not to exceed a width of 25 feet for a distance of 75 feet.</p>
<p>A Barn building may be combined on the building site if at least 100 feet behind the Estate building and per the Barn standards in 5.10.090.</p>	

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## **Chapter 5.20 Frontage Standards**

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### Sections:

- 5.20.010 Purpose of Frontage Standards
- 5.20.020 Frontage Standards
- 5.20.030 Small Town-Scale Frontages and Intended Physical Character
- 5.20.040 Required Criteria
- 5.20.050 Requirements by Zone
- 5.20.060 Gallery Standards
- 5.20.070 Shopfront Standards
- 5.20.080 Forecourt Standards
- 5.20.090 Parking Court Standards
- 5.20.100 Terrace Standards
- 5.20.110 Walled Yard Standards
- 5.20.120 Stoop Standards
- 5.20.130 Porch Type Standards
- 5.20.140 Front Yard Standards
- 5.20.150 Common Yard Standards

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## 5.20.010 Purpose of Frontage Standards

This chapter of the Tehachapi Code is intended to provide standards for how buildings individually shape the streetscape, including the framing of views of surrounding hillsides and mountains.

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## 5.20.020 Frontage Standards

Any parcel or building subject to the Tehachapi Code shall be developed in compliance with the standards identified in Table 5.20, as applicable. All frontages shall be in compliance with Section C.2, "Frontages and Encroachments," of the applicable zone. Applications, or portions thereof, that do not comply with the applicable requirements shall be considered inconsistent with the intent and purpose of the Tehachapi Code.

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## 5.20.030 Small Town-Scale Frontages and Intended Physical Character

Property subject to the Tehachapi Code is intended to generate and support the small town-scale and physical character intended by the General Plan as described below.

Design Objectives. Frontages shall be designed and maintained to:

1. Support the intended physical character of the zone;
2. Support active and continuous pedestrian-oriented environments, per the intended physical character of each zone;
3. Express creativity in frontage design per the requirements of Chapter 5.20; and
4. Express small-town physical character through the appropriate design of property and building frontages that are visually in balance with the intended buildings and streetscapes.

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## 5.20.040 Required Criteria

Chapter 5.20 Frontage Standards. In order to be approved, each application shall be consistent with the following, as applicable. "The proposed application..."

1. Generates or maintains an active and continuous small-town streetscape along all required frontages;
2. Generates or maintains an appropriate transition from the public streetscape to each building and its site;
3. Is in compliance with the requirements of the applicable frontage type(s); and
4. Expresses creativity in designing frontages per the allowed types identified in Table 5.20.

# Chapter 5.20 Frontage Standards

## 5.10.050 Requirements by Zone

In support of the intent and intended physical environment for each zone, Table 5.20 identifies the allowed frontage types and requirements in each zone.

### 1. Requirement for Frontage.

Section C.3 of the Zone Standards identifies the minimum amount of ground floor facade that must be located within the facade layer. As allowed by Table 5.20, each building site shall apply one or more frontage types within the facade layer for the minimum amount specified.

2. **Types.** The allowed frontage types in each zone are for the general purpose of supporting or generating streetscapes aimed at the range of intended physical environments.

3. **Multiple Types.** As identified in Table 5.20, a building site may utilize multiple frontage types subject to City review and approval.

If after applying the selected type(s) there remains an amount of ground floor facade to locate in the facade layer per C.3.2 of the zone standards, additional types shall be applied as allowed by Table 5.20.

## TABLE 5.20 ALLOWED FRONTAGE TYPES BY ZONE



TYPES	DOWNTOWN (T5)		NEIGHBORHOOD CENTER (T4.5)	
	ALLOWED	SEE REF	ALLOWED	SEE REF
Gallery	Gallery	5.20.060	Gallery (3)	5.20.060
Shopfront	Shopfront	5.20.070	Shopfront (3)	5.20.070
Forecourt	Forecourt	5.20.080		
Parking Court	Parking Court (2)	5.20.090		
Terrace	Terrace	5.20.100		
Walled Yard	Walled Yard	5.20.110	Walled Yard	5.20.110
Stoop			Stoop	5.20.120
Porch			Porch	5.20.130
Front Yard			Front Yard	5.20.140
Common Yard				

### KEY TO NOTES FOR TABLE 5.20

SEE 5.20.090	Type allowed in zone, see reference for requirements
<i>blank</i>	Type not allowed in zone
(1)	Only on Flex Building "Small" at intersection of two 'Road' thoroughfare types (8.20.080)
(1A)	Only on Tehachapi Blvd within 100 ft of street corner
(2)	Only on side streets
(2A)	Only on Tehachapi Blvd not within 150 ft of street corner
(3)	Only when across from or immediately adjacent to an allowed open space type

ALLOWED FRONTAGE TYPES BY ZONE TABLE 5.20



NEIGHBORHOOD GENERAL (T4)		NEIGHBORHOOD EDGE (T3)		RURAL GENERAL (T2.5)		RURAL EDGE (T-2)		TEHACHAPI BLVD WEST (SD-2.1)	
ALLOWED	SEE REF	ALLOWED	SEE REF	ALLOWED	SEE REF	ALLOWED	SEE REF	ALLOWED	SEE REF
				Gallery (1)	5.20.060	Gallery (1)	5.20.060	Gallery (1A)	5.10.060
				Shopfront (1)	5.20.070	Shopfront (1)	5.20.070	Shopfront (1A)	5.10.070
								Forecourt	5.10.080
								Parking Court (2A)	5.10.090
Walled Yard	5.20.110							Walled Yard	5.10.110
Stoop	5.20.120							Stoop	5.20.120
Porch	5.20.130	Porch	5.20.130	Porch	5.20.130	Porch	5.20.130		
Front Yard	5.20.140	Front Yard	5.20.140	Front Yard	5.20.140	Front Yard	5.20.140	Front Yard	5.20.140
		Common Yard	5.20.150	Common Yard	5.20.150	Common Yard	5.20.150		

## 5.20.060 GALLERY STANDARDS

### A. Description and Intent

1. Description. The gallery frontage provides shade and protection from the rain, enabling shopping, offices, and restaurants. The gallery consists of the building facade being aligned on or near the front property line, and including an attached cantilevered shed or a roof or deck supported by a colonnade overlapping the sidewalk. Galleries contain ground floor storefronts, making them ideal for retail use. The roof of the gallery may be used for a second floor gallery as allowed by the zone. Railing on top of the gallery is only required if the gallery roof is accessible as a deck.

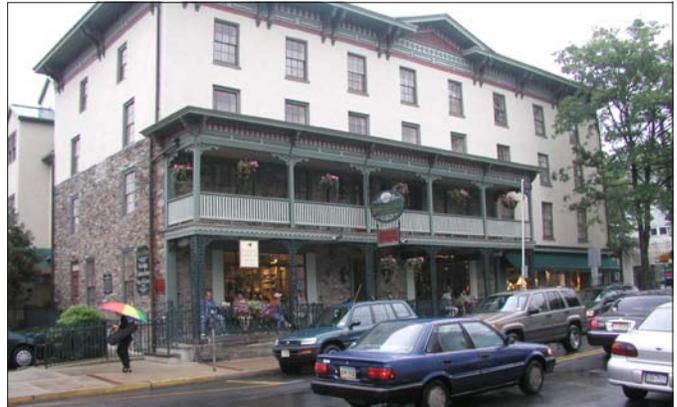
Landscaping may be located at the gallery columns and if present, shall be planted on grade in vine pockets located between the columns and street curb. Planter boxes or pots may be placed in between columns to provide enclosure for such uses as cafe seating provided that adequate pedestrian access is maintained.

Signage is located within the storefront and / or hanging from the gallery ceiling, as allowed.

2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the gallery type in the zones allowed by this Code.



*Above: Example of galleries on individual buildings, shaping the streetscape while having slightly different overall heights and detailing.*



*Above: Two-story gallery along majority of street facade, adding shade and relief from the weather while adding visual interest. (Note: fourth story not allowed in this code.)*

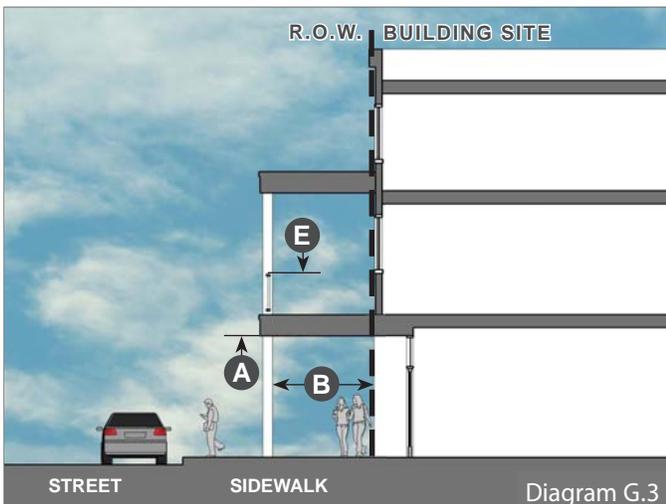
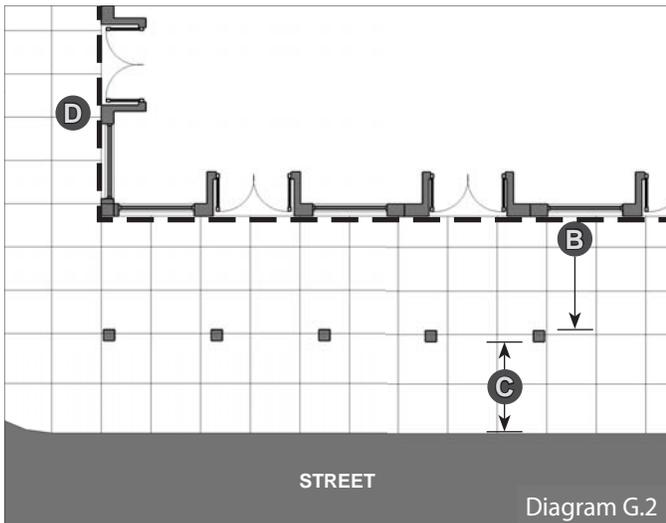


*Above: Galleries provide shelter from the weather while bringing the scale of buildings to the pedestrian scale and offering additional landscape opportunities.*



*Above: View along gallery with sidewalk wide enough for strolling and viewing of shopfronts.*

B. Design Standards



Gallery frontages are subject to the following as applicable.

	IN ALL ALLOWED ZONES		SHOPFRONT	
	GALLERY			
	MIN (FT)	MAX (FT)	MIN	
A	Height from sidewalk grade to ceiling of gallery	12	16	12
B	Depth from facade to interior column face	8	20	na
C	Distance between curb and exterior column face	2	10	na
D	Storefront on secondary frontage	not required		1 in 25 ft beginning at front

Walls without openings shall not exceed 5 linear feet (max 20 ft on side streets).

E	Height of deck railing	3	4	na
---	------------------------	---	---	----

Allowed in T4.5 only on Flex Building Small when across from or immediately adjacent to an allowed open space type

Galleries shall extend along frontage per C.3.2 of the zone standards.

Galleries encroach over the sidewalk in the public right-of-way, subject to the issuance of an encroachment permit or license agreement prior to issuance of a building permit.

Galleries may have a parapet or may be roofed. When roofed, the materials, style and design shall be consistent with the building.

Galleries shall be combined with the Shopfront type (Table 5.20.070).

Column height shall be four to five times the space between columns. Column spacing and colonnade detailing, including lighting, shall be consistent with the style of the building to which it is attached.

Columns shall be placed in relation to curbs to allow passage around and for passengers of cars to disembark.

Doors along the shopfront shall not encroach into the public right-of-way.

## 5.20.070 SHOPFRONT STANDARDS

### A. Description and Intent

1. Description. The shopfront is the frontage type for buildings with ground floor commercial/retail uses. Large openings are inserted along ground level facades and filled with transparent windows. Depending on the zone, most or all of the facade is located near or at the property line. The building entrance is at sidewalk grade and provides direct access to ground commercial/retail uses. The basic architectural elements comprising the shopfront are large windows, doors with glass, clerestory glass, and a solid base (bulkhead). Optional elements include awnings, cantilevered shed roof or canopy, signage, lighting, and cornices. Awnings, shed roofs, or canopies may encroach into the public right-of-way and cover the sidewalk within a few feet of the curb.

Landscaping may be provided in vine pockets or planter boxes at the building facade as allowed by the zone. Signage may be located in a variety of places ranging from the storefront and wall to awnings. In addition, signs that project over the sidewalk as well as sidewalk signs occur as allowed by the zone.

2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the shopfront type in the zones allowed by this Code.



*Above: Example of large windows able to display a wide variety of merchandise and to let natural light further into the store, office or restaurant.*



*Above: Example of increasing available window space by recessing the entry between flanking shopfronts while remaining visible and connected with the sidewalk.*

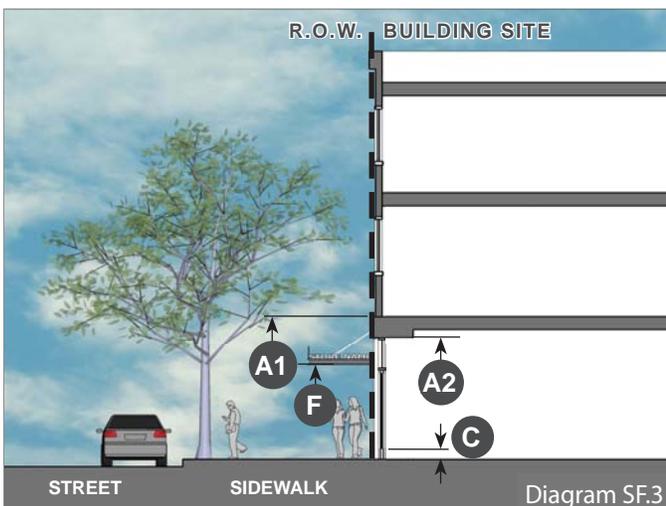
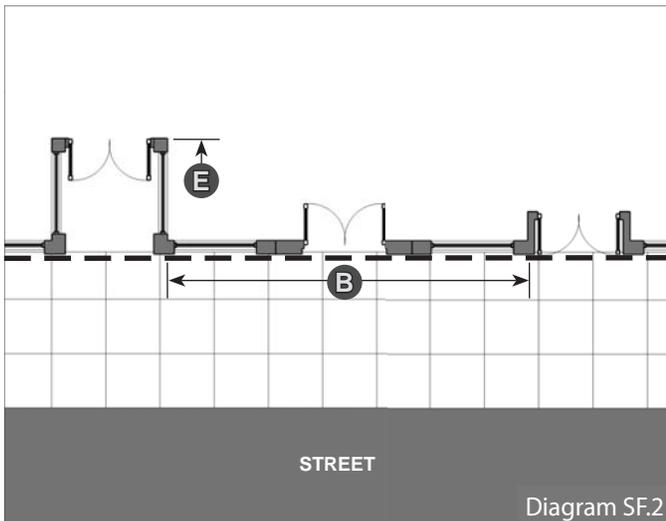


*Above: Shopfronts can elevate their display areas up to a certain vertical distance from the sidewalk grade (see 'B. Design Standards' for requirements).*



*Above: Shopfront windows nearest the grade of the sidewalk are larger than windows located higher on the facade.*

B. Design Standards



Shopfront frontages are subject to the following as applicable.

	T2, T2.5	T4.5	T5	SD2.1
A1 Height	min 12	12-14	12-16	12-16
A2 Height from sidewalk to top of openings	min 10	10-12	10-16	10-16
B Width (min)	12	15	20	20
Height of bulkhead.	24 in	8-30 in	8-42 in	8-42 in
C	Storefront bulkhead shall be of material similar or complementary to main materials of the building.			
	The horizontal area of the facade that is between 2 feet and 12 feet from the sidewalk grade shall contain storefront glass as follows:			
	Glass area as % of ground floor facade.	50-90%	70-80%	70-90%
D	Storefront glass shall be clear without reflective glass frosting or dark tinting.			
	Storefront windows may have clerestory windows (horizontal panels) between the storefront and second floor/top of single-story parapet. Glass in clerestory windows may be of a character to allow light, while moderating it such as stained glass, glass block, painted or frosted glass.			
	Allowed in T4.5 only on Flex Building Small when across from or immediately adjacent to an allowed open space type			
	Shopfront frontages shall be located within the facade layer per C3.2 of the zone standards.			
	Storefront on secondary frontage	25	no max	
E	Depth of recessed entry	0 or 3; 10 for up to 50% of facade		
	The entry may be located anywhere within the shopfront.			
	Walls without openings shall not exceed 5 linear feet on primary frontages and 25 linear feet on secondary frontages.			
	Awnings and canopies shall provide at least 8 feet of vertical clearance along sidewalks.			
F	Awnings and canopies may encroach into the public right-of-way up to three feet from the adjacent curb face.			
	The design of awnings and canopies shall be consistent with the design and style of the building.			

## 5.20.080 FORECOURT STANDARDS

### A. Description and Intent

1. Description. The forecourt frontage consists of open or semi-enclosed areas, decoratively paved or landscaped, adjacent to the sidewalk made by setting back a portion of the building facade from the front property line. Forecourts are allowed on side streets. Typically the setback portion is the middle section, which creates a small entry court. This can also be achieved by setting back the facade when a building's neighboring structures have zero setback at their respective property lines.

Forecourts may be combined with other frontage types as allowed by Section 5.20. Forecourts may be further defined by low walls or landscape between the sidewalk and adjacent property line. Landscape ranges from lawn, grasses, small shrubs, and accent trees with sufficiently transparent canopies to allow views of the building facade. Signage is located within storefronts, awnings, walls and within the sidewalk, as allowed by the zone.

2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Forecourt type in the zones allowed by this Code.



*Above: A large building with wings that extend to the sidewalk shapes the forecourt and highlights the theater at the end of the forecourt.*



*Above: The forecourt is shaped by one or more buildings on 3 sides and often features a low wall that can include planters to define outdoor dining areas.*



*Above: A small hotel uses a forecourt with galleries as part of its identity for visitors and to enhance the use of the lobby.*



*Above: Three individual buildings are organized to shape this forecourt that features galleries.*

B. Design Standards



Diagram FC.1

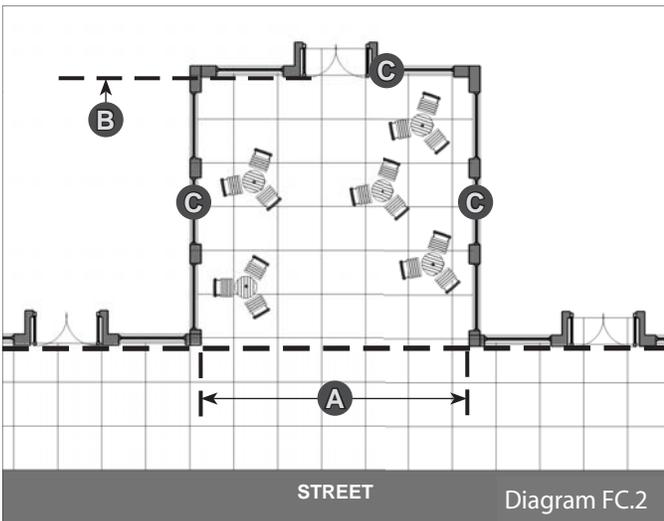


Diagram FC.2



Diagram FC.3

Forecourt frontages are subject to the following as applicable.

	T5	SD2.1
A Width along primary frontage	25-75	35-75
B Depth perpendicular to primary frontage	min 15	min 25

Forecourt frontages shall extend along frontages per C.3.2 of the zone standards.

Forecourts may be elevated from the adjacent sidewalk by up to 4 feet. An elevated forecourt shall meet accessibility code for access to the building and the sidewalk. Required ramps shall be integrally designed to visually integrate required handrails to visually complement the building and adjacent streetscape.

When used on hotels and commercial buildings, forecourts shall be combined with the Shopfront type (Table 5.20.070).

C When used on buildings with ground floor residential, the ground floor shall either be raised from the adjacent sidewalk grade by 1.5 feet or it shall incorporate stoops per Table 5.20.120.

Galleries, balconies, awnings, shed roofs or canopies may encroach into the forecourt for a cumulative 1/2 of the forecourt width and depth, respectively.

Entries to forecourts may be expressed through a decorative wall or low fence with a gateway provided that the wall, fence and gateway are designed as an extension of the immediately adjacent facade and does not extend for more than 75% across the frontage. The wall or fence shall be between 3 and 10 feet tall.

### A. Description and Intent

1. Description. The parking court frontage consists of a portion of the building façade being at or near the frontage line and the other portion set back from the front property line with a small parking lot between the building and the frontage line. The parking lot is enclosed by a low wall or hedge at or near the property line for visual compatibility with the adjacent streetscape. The wall or hedge includes pedestrian entrances from the sidewalk and vehicular driveways from either the primary or secondary street(s).

Landscaping typically separates the low wall from the adjacent sidewalk through planters (raised or at grade) or in decorative containers. When walls are used in lieu of a hedge, the materials and finishes are consistent with those of the primary building on the site. Signage is from the allowed types for the zone and is either on the building or integrated with the low wall or hedge.

2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the parking court type in the zones allowed by this Code.



*Above: Example of parking court with on-site parking parallel to street to allow more building area while providing convenience parking.*



*Above: Parking court frontage provides small amount of convenience parking while maintaining pedestrian scale and pattern of buildings along the sidewalk.*

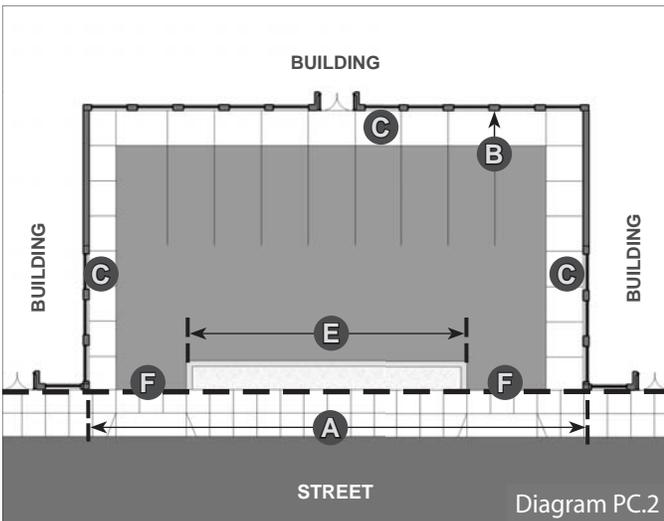


*Above: Example of the flexibility of a parking court to be temporarily converted to outdoor dining or retail sales area.*



*Above: The forecourt is shaped by one or more buildings on 3 sides and often features a low wall that can include planters to define outdoor dining areas.*

B. Design Standards



Parking Court frontages are subject to the following as applicable.

	T5	SD2.1
A Width along primary frontage	not allowed	25-50%
Length along secondary frontage	25-50%	not allowed
B Depth	42-75	42-75
C Sidewalk along interior edge of parking court	7-15	7-10
D Height of Wall / Hedge	2-4	2-4
E Length of Wall / Hedge	along frontage clear of sw and driveways	
F Driveways providing ingress and egress to the Parking Court	max 15 wide, max 15 radius	max 20 wide, max 20 radius

Parking Courts shall be designed to provide for safe vehicular and pedestrian access within the intended physical environment.

Parking Courts shall have no more than two rows of parking between the building and the street.

Landscaping shall be placed on each side of the driveway(s) at grade or in raised planters.

Low walls and/or hedges shall screen the parking along the sidewalk. When walls are used, the materials and design shall be compatible with the architectural style of the building.

Subject to a temporary use permit and compliance with all applicable requirements, the parking court may be used for outdoor events including sales of merchandise

## 5.20.100 TERRACE STANDARDS

### A. Description and Intent

1. Description. Terraces are frontages made by setting back the building facade from the front property line and placing an elevated terrace in that setback. Terraces are enclosed by a low fence or wall along the edge of the elevated area with a stair or ramp from the sidewalk up onto the terrace. The building activities are slightly separated from the adjacent sidewalk through the buffer provided by the height and depth of the terrace. The buffer provides clear area distinctions for commercial uses such as dining patios, and provides secure buffers for private yards and residences from public encroachment.

Signage may be located within a storefront, on awnings, projecting from the building and within the front setback, as allowed by the zone.

2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the terrace type in the zones allowed by this Code.



*Above: Example of Large Flex building using the terrace frontage as a transition from the street activity.*



*Above: Example of terrace on part of front and along an entire side of this Barn used as a restaurant and bakery.*



*Above and right: Example of terrace along entire front of a Large Flex Building serving multiple tenants.*

B. Design Standards



Diagram T.1

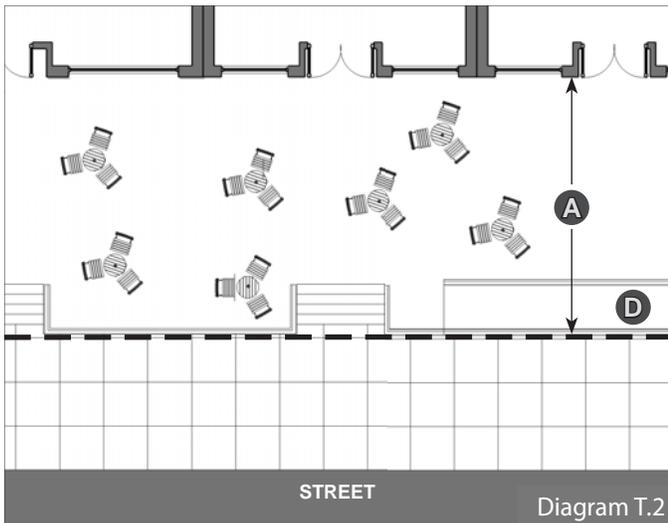


Diagram T.2

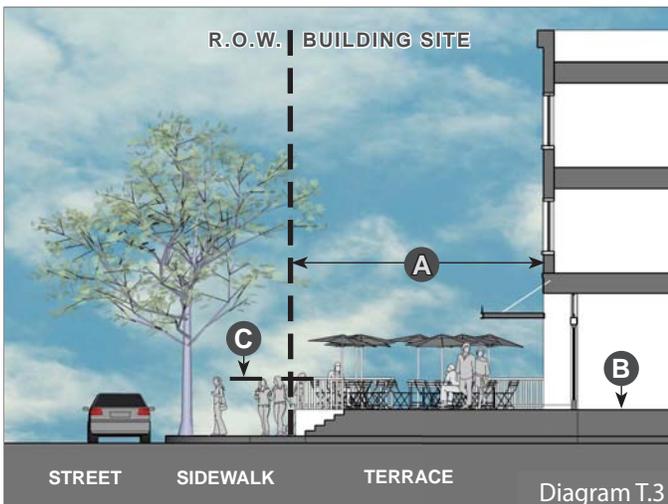


Diagram T.3

Terrace frontages are subject to the following as applicable.

	T5
A Depth	12-30
B Height of finished terrace surface from sidewalk	2-4
C Height of Wall/Fence	3-5

- Terrace frontages shall extend along frontages per C.3.2 of the zone standards.
- Walls and/or fences shall be consistent with the architectural style of the building in their design, materials, and finishes.
- Stairs shall be behind the public right-of-way and designed to be integral to the terrace design and details.
- Where ramps are used, handrails visible from the sidewalk shall be integrally designed to visually complement the building and adjacent streetscape.

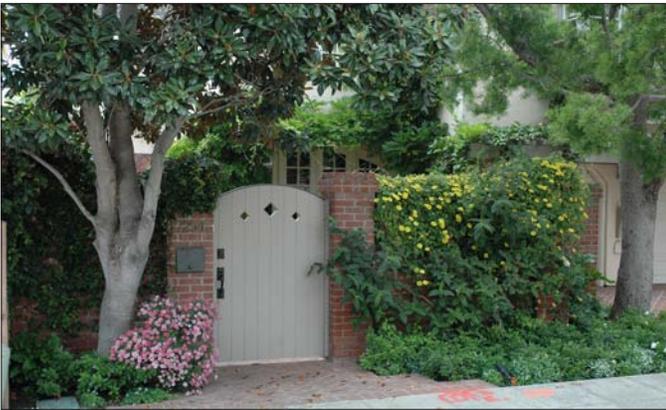
## 5.20.110 WALLED YARD STANDARDS

### A. Description and Intent

1. Description. Walled yard frontages consist of decorative and thematic walls along side streets at or near the side street frontage line and along the rear of a site for the purpose of enclosing an open space or service areas. Often, a building or entry associated with this frontage is joined with the wall to visually extend the architecture of the building and to demarcate the property boundary while positively shaping the adjacent streetscape.

Signage, as allowed by the zone, may be located on the wall itself, on the wall or storefront of an associated building or, on the overhead structure of a gate/entry.

2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the walled yard type in the zones allowed by this Code.



*Above and below: Walled yard frontages provide visual privacy along side streets and along alleys and rear lanes while contributing to the streetscape.*



*Above and below: Examples of prominent entry ways on side streets, alleys and rear lanes along walled yard frontages which provide visual interest and identity to the individual properties.*



B. Design Standards



Diagram WY.1

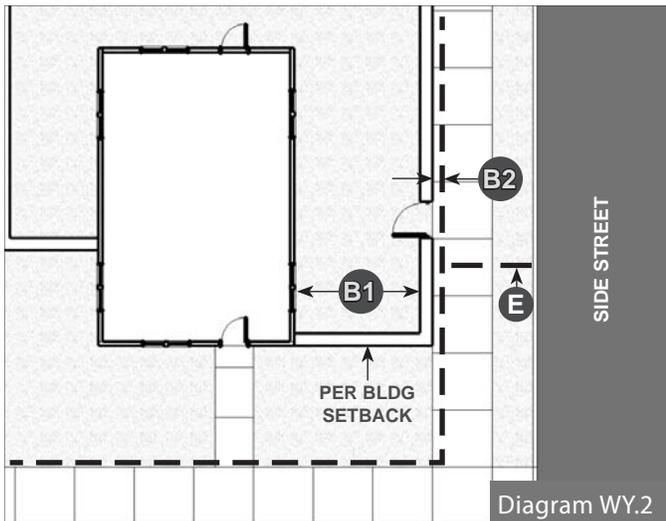


Diagram WY.2

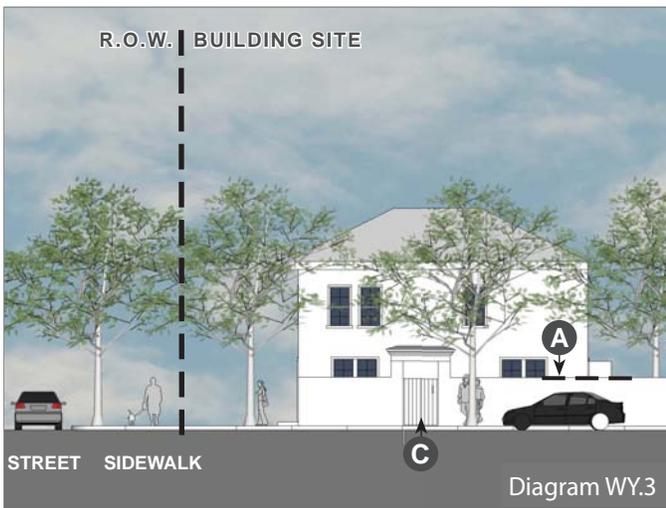


Diagram WY.3

Walled Yard frontages are subject to the following as applicable.

	T4	T4.5	T5	SD2.1
A Height within 5 ft of sw	3-5	3-6	3-8	3-8
Height beyond 5 ft of sw	3-6	3-8	3-10	3-10
B1 Distance between wall and building (min)	8	7	5	5
B2 Distance between wall and sidewalk	3-12	3-12	1.5-10	5-15
Width of wall	8 in to 3 ft			
C Width of entry/gateway	3-6	3-6	3-10	3-10
D Height of arched/covered entry gateway	7-10	7-12	8-12	8-12
E Integral seating bench required along side streets within 75 feet of primary street.	2 x 5 to 3.5 x 15			
Integral benches or other types of approved seating shall be used along this frontage type instead of individual benches. Seating edges shall be finished with anti-skateboard features.				
Walled yard frontages shall be located within the side street facade layer per Diagram 1 of the zone standards or along the rear.				
Wall and gate materials, finishes and details shall match those of the primary building on the building site.				
The wall shall incorporate a decorative top/cap consistent with the architectural style and details of the primary building.				
Where a building facade, including accessory buildings, is within 4 feet of the walled yard frontage, the walled yard frontage shall be coplanar with the building facade and be designed as an extension of the building architecture.				
Landscaping in decorative containers or planters is allowed along the wall. Decorative containers may encroach up to 24 inches into the sidewalk if the minimum width for pedestrian access is maintained.				

## 5.20.120 STOOP STANDARDS

### A. Description and Intent

1. Description. Stoops are exterior stairs with landings which provide access to buildings located near or at their primary frontage lines. The ground floor of the building is raised to provide some visual privacy for the rooms facing the public street. This frontage is ideal for ground floor offices or housing that is near the street.

Landscaping typically flanks the stairs in planters or grade or in decorative containers. Demarcating garden walls are allowed subject to the applicable requirements for height and materials.

Signage may be located on the wall, projecting from the building and within the front setback, as allowed.

2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the stoop type in the zones allowed by this Code.



*Above: Streetscape of Rowhouse BF buildings with stoop frontages.*



*Above: Stoop frontage with decorative metal gate at entry to a house in a central neighborhood near shops and services.*



*Above: Example of covered stoops to Rowhouse BF building that features a low fence to enclose the small area between the building and the sidewalk.*



*Above: Stoop recessed into site of a former house converted to a retail shop.*

B. Design Standards



Diagram S.1

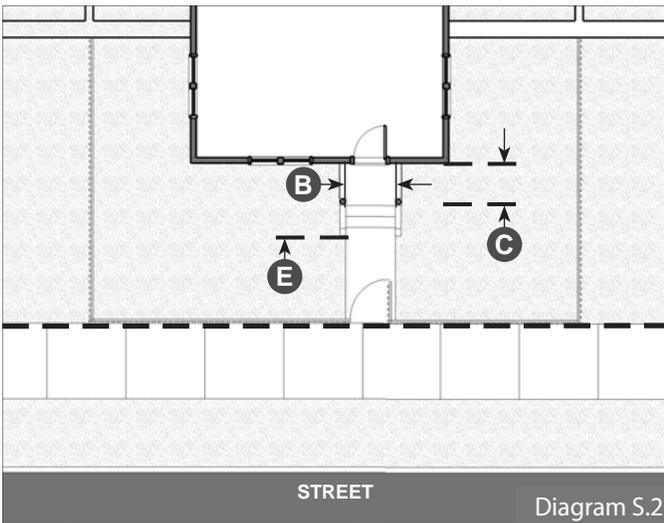


Diagram S.2

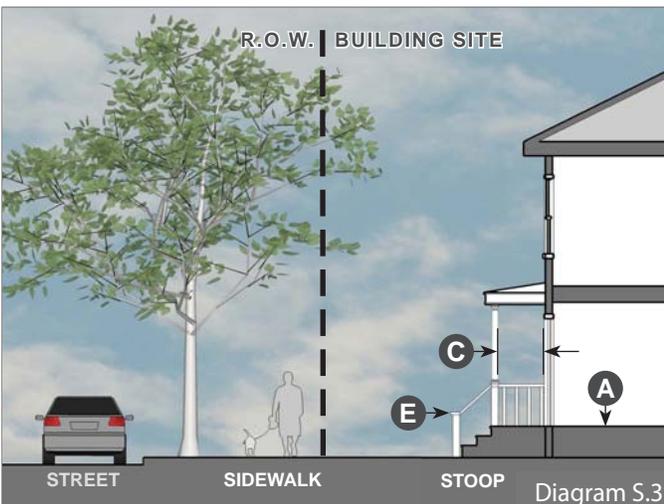


Diagram S.3

Stoop frontages are subject to the following as applicable.

	T4	T4.5	SD2.1	
A	Height of finished floor of stoop within 5 ft of sw	1.5-3	1.5-3	1.5-3
	Height of finished floor of stoop beyond 5 ft of sw	1.5-5	1.5-6	1.5-6
B	Width (may serve multiple units)	min 3	min 5	min 5
C	Depth (not incl stair)	min 3	min 4	min 4
D	Wall / Fence	max 3.5	max 3.5	max 3.5
E	Location of Stoop	within 6 ft of sw	within 4 ft of sw	within 7 ft of sw

The exterior stairs can be perpendicular or parallel to the adjacent sidewalk. The landing may be covered or uncovered.

At least one opening is required along every 25 feet on secondary frontage.

Landscaping, not including turf, shall be placed on the sides of the stoop at grade or in raised planters.

Low walls and/or fences may be located within the front and/or side street setbacks provided that they are in compliance with all applicable requirements and that the materials and design are compatible with the architectural style of the building.

## 5.20.130 PORCH TYPE STANDARDS

### A. Description and Intent

1. Description. The porch frontage consists of a building set back from the frontage line with a porch attached to it within the setback area. The porch is a non-enclosed area that provides sufficient room for exterior types of furniture and pedestrian access to the building. Porches may occur in rear yards per the standards of this section.

Porches provide the necessary physical separation for the private lot from the public sidewalk, while maintaining visual connection between buildings and the public space of the street. This frontage may include balconies which extend into the front yard and side street yard as well as a low fence or wall at or near the frontage line(s).

Signage may be located on the wall, within a storefront or porch, projecting from the building, and within the front setback as allowed by the zone.

2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the porch type in the zones allowed by this Code.



*Above: Example of a house-form building with a porch frontage converted to a restaurant.*



*Above: A house with a porch frontage that has a moderate distance between the porch and the sidewalk (frontage line).*



*Above: Example of a house with a porch frontage converted to a restaurant along with the front yard converted to a dining area.*



*Above: A house with a porch frontage that has a large distance between the porch and the sidewalk (frontage line).*

B. Design Standards



Diagram P.1

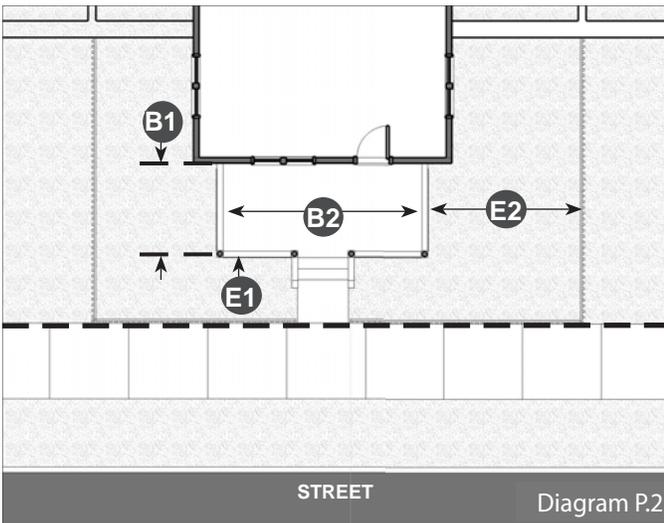


Diagram P.2



Diagram P.3

Porch frontages are subject to the following as applicable.

	T2, T2.5	T3	T4	T4.5	
A	Height of finished floor of porch within 15 ft of sw	no reqmt	1.5-3	1.5-3	1.5-3
	Height of finished floor of porch beyond 15 ft of sw	min 1.5	1.5-6	1.5-6	1.5-6
B1	Depth of porch (face of building to inside face of porch columns)	min 10	min 8	min 8	min 10
B2	Width of porch (face of building to inside face of porch columns)	no reqmt	min 10	min 10	min 12
C	Porch height btwn porch surface and top of porch columns	min 8	min 8	8-12	8-14
D	Height of wall or fence	no min	max 3.5	max 3.5	max 3.5
	Wall or fence along edge of sw	n.a.	1 to 3	1 to 3	1 to 4
	Width of gate along edge of sw	min 3	min 3	3 to 6	4 to 8
E	Location of Porch (front)	per C.3.3 of zone standards			
	Location of Porch (side street and side yard)	per C.3.3 of zone standards			
	Location of Porch (rear yard)	per C.3.3 of zone standards			

The porch surface may be enclosed by a low wall or fence per all applicable requirements and if the materials and design are compatible with the architectural style of the building.

Porch openings shall only be enclosed by insect screens that do not reduce visibility from the sidewalk, as determined by the City. The insect screens shall be mounted to be recessed at least 2 inches from the outer face of the porch columns.

Signage is allowed on the porch or in the front yard per the signage requirements for the zone in Chapter 5.30.

The porch, stairs, ramps and all porch materials shall be designed to be compatible with the architectural style, materials, finishes and colors of the building.

## 5.20.140 FRONT YARD STANDARDS

### A. Description and Intent

1. Description. The front yard frontage consists of the building facade being set back from the frontage line in a dimension that results in larger, landscaped areas than all of the other frontages except common yard. Front yards are fenced or unfenced, and in general, create a visually continuous landscape along the block. Landscape ranges from fully landscaped to a combination of hardscape and landscape. In response to site topography, front yards may be raised while maintaining a pedestrian-oriented streetscape.

Signage is located on the building wall, within a porch, on awnings, projecting from the building, and within the front setback as allowed by the zone.

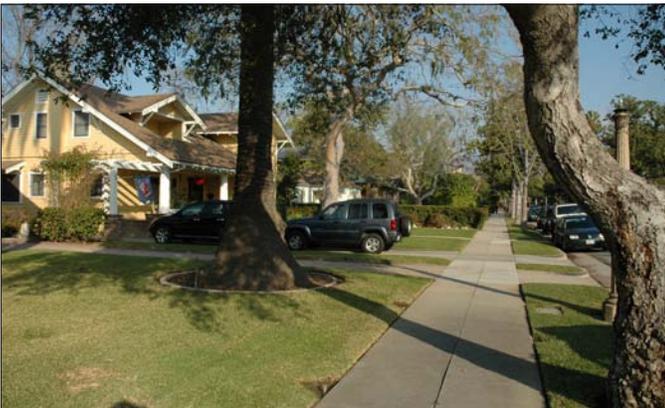
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the front yard type in the zones allowed by this Code.



*Above: Moderately sized front yard frontage defined by a decorative low fence and piers, maintaining visibility to and from the house.*



*Above: Example of a front yard raised in response to the site topography while presenting a pedestrian-oriented streetscape.*

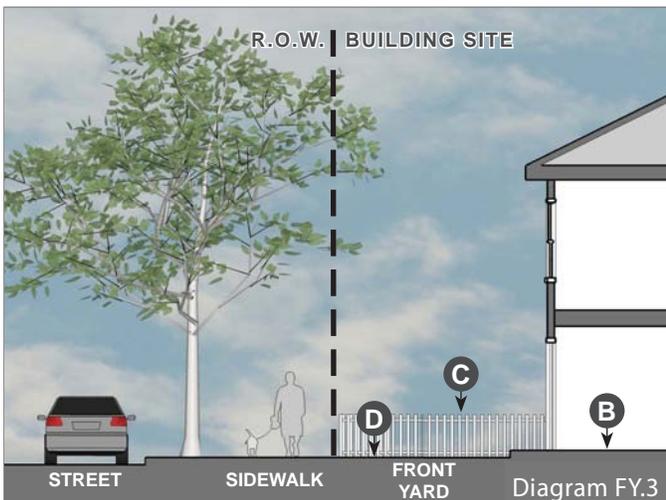
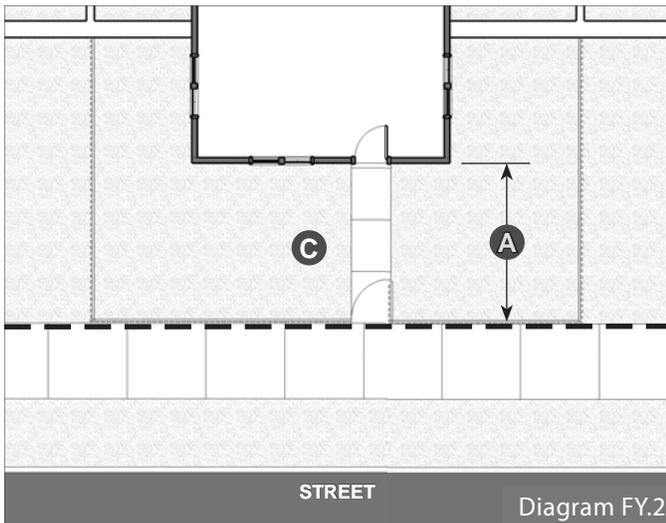


*Above: Front yards that emphasize an open landscape and visual connection to the parkway adjacent to the curb while accommodating vehicle access along the side.*



*Above: Example of a large front yard with plantings that minimizes the amount of turf.*

B. Design Standards



Front Yard frontages are subject to the following as applicable.

	T2	T3	T4	T4.5	SD2.1
	T2.5				
A Size of front yard	per Building Type standards				
B Height of finished floor of bldg from sw	no reqmt	min 1.5	min 1.5	min 2	min 1.5
C Height of fencing, decorative elements, walls, hedges	n.a.	max 36 in	max 42 in	max 42 in	max 48 in
Fences, walls, and gateways shall be designed to be compatible with the architectural style, materials, finishes and colors of the building.					
D Height of Front Yard from sw	no reqmt	max 4	max 4	max 3	max 3
Front Yards shall be at similar elevations to the adjacent sidewalk grade, and contain similar landscape to create consistency within a block. In response to site topography along frontage lines, cut-and-fill slopes shall be avoided and front yards may be raised from the adjacent sidewalk as identified above.					
Driveways may project through the Front Yard in compliance with the applicable width requirements of the zone and may only connect in the allowed parking area identified by C.2 of the zone standards.					

## 5.20.150 COMMON YARD STANDARDS

### A. Description and Intent

1. Description. The common yard frontage consists of the building facade being set back from the frontage line in a dimension that results in the largest landscaped areas of all frontages. Common yards are unfenced, and in general, create a visually continuous landscape along the block because they are perceived as a larger horizontal area together with adjacent building sites. Landscape may be formal or natural.

Signage is located on the building wall, within a porch, on awnings, projecting from the building, and within the front setback as allowed by the zone.

2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the front yard type in the zones allowed by this Code.



*Above: The common yard frontage spans between adjacent building sites to generate the sense of a larger and continuous space along the fronts and sides of buildings.*

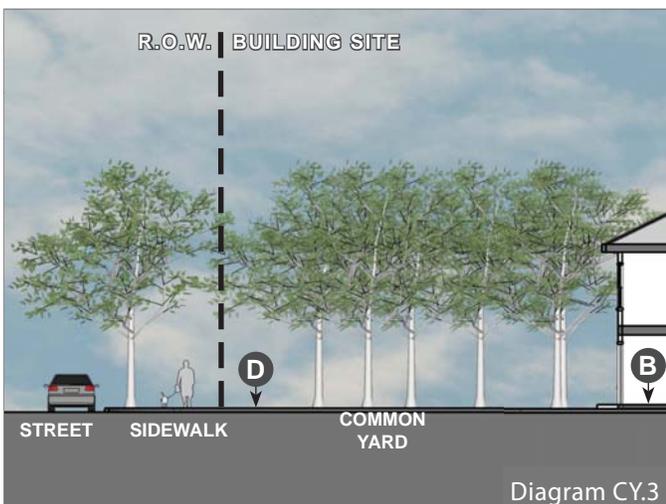
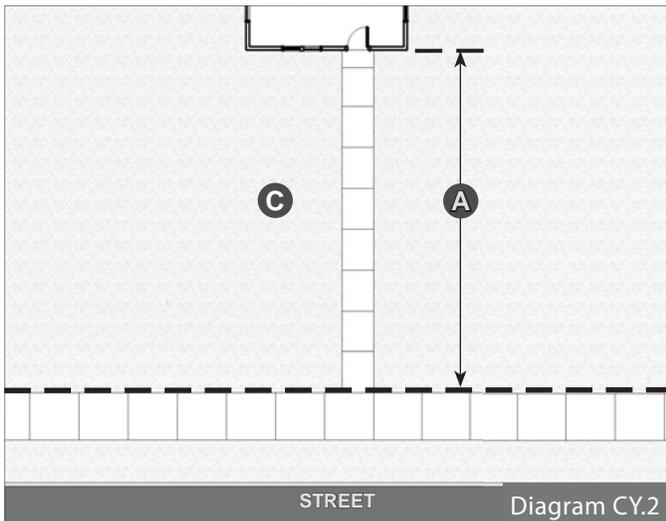


*Above and below: The common yard frontage is the largest of all frontages and often provides a dramatic setting for the building through the depth of the yard and/or by keeping the natural terrain on a site.*



*Above and Right: The common yard frontage emphasizes the natural terrain of an area with occasional decorative elements as highlights.*

B. Design Standards



Common Yard frontages are subject to the following as applicable.

	T2	T2.5	T3
A Size of common yard (min)	125	80	40
B Height of finished floor of bldg from front building site line	min 1.5	min 1.5	min 1.5
C Height of fencing, decorative elements, walls, hedges	n.a.	n.a.	max 36 in

Fences, walls, and gateways shall be designed to be compatible with the architectural style, materials, finishes and colors of the building.

D Height of common yard from sw	n.a.	n.a.	max 5
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Common yards shall be at similar elevations to the adjacent sidewalk grade, and contain similar landscape to create consistency within a block. In response to site topography along frontage lines, cut-and-fill slopes shall be avoided and common yards may be raised from the adjacent path as identified above.

Driveways may project through the Common Yard in compliance with the applicable width requirements of the zone and may only connect in the allowed parking area identified by C.2 of the zone standards.

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# Article 6 Specific to Uses

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# Chapter 6.10 Introduction

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## Sections:

### 6.10.010 Intent and Applicability

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#### 6.10.010 Intent and Applicability

##### A. Intent

Article 6 provides site planning, development, and operating standards for certain land uses where allowed by Article 3 (Specific to Zones) and for activities that require special standards to ensure their compatibility with site features and existing uses. For land uses that are not discussed in the following sections, refer to Article 11 (Definitions).

##### B. Organization

The standards in Article 6 are organized in two sections: those applicable to all zones see Chapter 6.20 (Applicable to All Zones) and those applicable to non-transect zones see Chapter 6.30 (Applicable to Non-Transect Zones Only).

##### C. Applicability

1. The land uses and activities covered by Article 6 shall comply with the provisions of Article 6 and all other applicable provisions of the Zoning Code.
2. In the event of any conflict between the requirements of this Article and those of Article 3 (Specific to Zones), Article 4 (General to Zones) or Article 5 (Building, Frontage, and Sign Types), the requirements of Article 6 shall control.

APPLICABLE TO ALL ZONES
Bed and Breakfast
Family Day Care Facilities
Home Occupations
Live/Work/
Telecommunication Facilities

APPLICABLE TO NON-TRANSECT ZONES
Big Box Stores, Discount Clubs, and Discount Superstores
Data Centers
Emergency Shelters
Historic and Cultural Heritage Murals
Mobile Home Parks
Pub, Bar, and Off-site Alcohol Sales
Secondary Dwelling Units
Temporary Uses

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## Chapter 6.20 Applicable to all Zones

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### Sections:

- 6.20.010 Bed and Breakfast Inns
- 6.20.020 Family Day Care Facilities
- 6.20.030 Gas Station
- 6.20.040 Home Occupation
- 6.20.050 Live/Work
- 6.20.060 Temporary Use
- 6.20.070 Telecommunication Facilities
- 6.20.080 Temporary Use

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### 6.20.010 Bed and Breakfast Inns

#### **A. Operation**

Bed and breakfast inns shall be operated by the property owner/manager living on the site.

#### **B. Size**

Bed and breakfast inns shall be limited to a maximum of six guest rooms for lodging, plus accommodations for the property manager/owner.

#### **C. Additions, modifications, and new construction**

Additions, modifications, and new construction of bed and breakfast inn structures shall be sensitive to and compatible with the surrounding neighborhood.

#### **D. Food service**

Food may only be served to registered overnight guest.

Guest room cooking facilities prohibited.

#### **E. Fencing**

A six-foot high fence or wall shall be constructed on all property lines that abut a residential zone. All fences or walls shall be solid and decorative in compliance with Section 4.40.080 (Fences and Screening).

#### **F. Signs**

Signs are limited to a maximum of four square feet and are subject to the sign permit approval and provisions of Article 7 (Signs).

#### **G. Parking**

Parking shall be provided in compliance with Section 4.50.030 (Number of Parking Spaces Required).

### 6.20.020 Family Day Care Facilities

#### A. Purpose

1. Section 6.20.020 establishes standards for City review of family day care facilities, in conformance with State law (Health and Safety Code Section 1596.78), including the limitations on the City's authority to regulate these facilities.
2. These standards apply in addition to all other applicable provisions of this Zoning Code and any requirements imposed by the California Department of Social Services through its facility licensing procedures. Licensing by the Department of Social Services is required for all family day care facilities. Evidence of the license shall be presented to the Department prior to establishing any family day care facility.

#### B. Small family day care

A small family day care is allowed in all residential zones as allowed by Health and Safety Code Sections 1597.44 et seq.

#### C. Large family day care

As allowed by Health and Safety Code Sections 1597.465 et seq., a large family day care shall be approved if it complies with the following standards:

1. **Fire.** The facility shall comply with all applicable State and fire codes.
2. **Location requirements.** A separation of 300 feet shall be required from any other large family day care home.
3. **Fencing.** A six-foot high fence or wall shall be constructed on all property lines or around the outdoor activity areas, except in the front yard or within a traffic safety visibility area, in compliance with Section 4.40.040 (Fences and Screening).
4. **Noise standards.** The facility shall not exceed noise limits as established by Section 4.20.050 (Performance Standards).
5. **Outdoor lighting.** On-site exterior lighting shall be allowed for safety purposes only, shall consist of low wattage fixtures and shall be directed downward and shielded.

**6. Parking.** Parking shall be provided in compliance with Chapter 4.50 (Parking Standards).

**7. Swimming pools/spas prohibited.** No swimming pool/spa shall be installed on the site after establishment of the family day care center, due to the high risk and human safety considerations. Any pool/spa existing on the site prior to application for approval of a family day care center shall be removed prior to establishment of the use, unless the Director determines that adequate, secure separation exists between the pool/spa and the facilities used by the children.

#### D. Day care centers

The following standards apply to family day care centers:

1. **Fire.** The facility shall comply with all applicable State and fire codes.
2. **Fencing.** A six-foot high fence or wall shall be constructed on all property lines or around the outdoor activity areas, except in the front yard or within a traffic safety visibility area, in compliance with Section 4.40.080 (Fences and Screening),
3. **Noise.** Noise sources shall be identified through the Use Permit approval process. The facility shall not exceed noise limits as established by Section 4.20.050 (Performance Standards).
4. **Outdoor lighting.** On-site exterior lighting shall be allowed for safety purposes only, shall consist of low wattage fixtures, and shall be directed downward and shielded.
5. **Parking.** Parking shall be provided in compliance with Chapter 4.50 (Parking Standards).

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## 6.20.030 Gas Station

Automotive repair garages and fueling (gas) stations shall comply with the following:

1. Except in the Special Districts (such as SD2.1), all repair activities shall be enclosed within a building.
2. Access-drives from the primary street shall be at least 100 feet from the street corner and at least 25 feet from the adjacent property along side streets when an alley is not present.
3. No automotive service station structure, equipment or apparatus shall be permitted within 50 feet any T3 or T4 zone.
4. When adjacent to a T3 or T4 zone, each automotive service station shall provide an eight-foot high decorative masonry wall on property lines, except in required front yards.

5. Automotive service stations may be authorized in conjunction with a permitted or conditionally-permitted, commercial or industrial use, if all of the following findings can be made:
  - a) Traffic generation, fumes, noise, light and glare, and similar effects generally associated with automotive service station will not be detrimental to adjacent residential areas.
  - b) The land use is compatible with the site size, shape, design, access, on-site circulation, required parking and is restricted to minimize conflicts with public access, public safety, or adjoining properties.
  - c) The proposed land use, site, and architecture promote a design consistent with and appropriate for the location, and consistent with the intended physical environment of the zoning district.

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## 6.20.040 Home Occupation

### A. Intent

Home occupations, which are clearly secondary to the principal use of a dwelling, conform to City ordinances, and do not adversely affect the public safety, health and general welfare of the neighborhood shall be permitted. In addition to special conditions that may be imposed to accomplish these objectives, home occupations shall conform to the locational, developmental, and operational standards of Section 6.20.020.

### B. Signs

No signs are permitted in conjunction with the use, either affixed to the premises or to any vehicle parked on the premises. Easily removable (magnetic) signs are permitted so long as they are removed while parked in view of the neighborhood.

### C. Employees

No persons are to be employed to do work appurtenant to the use on the premises other than members of the immediate family residing in the home.

### D. Vehicle Storage

In the event outside persons are employed to perform functions of this business away from the premises, parking or storage of employees' vehicles in the neighborhood is prohibited.

### E. Traffic of Goods

No noticeable movement of products, materials, machinery, or equipment in and out of the premises is permitted in conjunction with the use.

### F. Storage

Storage of stock shall be limited to 100 cubic feet (approximately the size of a typical residential bedroom closet).

### G. Hazard or nuisance

No home occupation shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy in the district in question under normal circumstances wherein no home occupation exists.

### H. Vehicles

Vehicles connected with this business are limited to one vehicle not exceeding an unladen vehicle weight of 4,500 pounds.

## 6.20.040 Home Occupation

### I. Prohibited services

Vehicle related services such as, but not limited to, repair, cleaning, tune-ups, couriers, delivery or transport of goods or people and services requiring employees, customers or clients to visit the residence shall be prohibited.

### J. Exempt services

Instructional services, such as tutoring or musical instruction, shall be exempt from home occupation requirements with approval from the Director.

### K. On-site clients

The home occupation shall involve no on-site clients except for:

1. Home occupations in live/work units in the Transect zones;
2. Tutoring or instruction of children by appointment; and
3. Applicants with a demonstrated mobility handicap.

### L. Exterior storage

There shall be no on-site exterior storage of equipment, vehicles (in excess of the single vehicle), materials or supplies connected with this business. Equipment. Tools or equipment connected with the business shall be operated so as to be imperceptible at or beyond the property line.

### M. Permit

A Home Occupation Permit shall be obtained in compliance with Chapter 9.40 (Home Occupation Permits).

### N. Prohibited uses

The following uses shall be considered prohibited:

PROHIBITED USES UNDER HOME OCCUPATION PERMIT
Adult business
Animal hospitals (and related services)
Barber/beauty/nail shops
Dance/night clubs
Food preparation for commercial purposes
Fortune telling (psychics)
Repairs upholstery (small engine, television/radio, appliance, vehicle, upholstery)
Massage (on-site)
Medical/dental offices/laboratories
Photography studios (not including photo processing)
Plant nursery
Retail or wholesale sales of products stored at the residence, except that mail order businesses may be allowed where there is no stock-in-trade on the site
Party-type sales, except when done at client's location
Automotive detailing and/or painting
Welding and machining
Other uses determined by the Director not to be incidental to or compatible with residential activities

## 6.20.050 Live/Work

### A. Purpose

Section 6.20.040 provides standards for the operation of new live/work units and for the reuse of existing commercial and industrial structures to accommodate live/work opportunities where allowed by Article 3 (Specific to Zones). A live/work unit shall function predominantly as work space with incidental residential accommodations that meet basic habitability requirements. The standards of Section 6.30.060 do not apply to mixed use projects.

### B. Application requirements

In addition to the information and materials required for a Conditional Use Permit application by the Zoning Code, the Review Authority may require a Conditional Use Permit application for a live/work unit to include a Phase I Environmental Assessment for the site, including an expanded site investigation to determine whether lead based paint and asbestos hazards are present in an existing structure proposed for conversion to live/work. The purpose of this requirement is to assess whether there

## 6.20.050 Live/Work

are any hazardous or toxic materials on the site that could pose a health risk to the residents. If the Phase I assessment shows potential health risks, a Phase 2 Environmental Assessment shall be prepared and submitted to the Department in order to determine if remediation may be required.

### C. Limitations on use

The nonresidential component of a live/work project shall only be a use allowed within the applicable zone. A live/work unit shall not be established or used in conjunction with any of the following activities:

1. Adult-oriented businesses;
2. Vehicle maintenance or repair (e.g., body or mechanical work, including boats and recreational vehicles), vehicle detailing and painting, upholstery, etc.);
3. Storage of flammable liquids or hazardous materials beyond that normally associated with a residential use;
4. Welding, machining, or any open flame work; and
5. Any other activity or use, as determined by the Director to not be compatible with residential activities and/or to have the possibility of affecting the health or safety of live/work unit residents, because of the potential for the use to create dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or would be hazardous because of materials, processes, products, or wastes.

### D. Occupancy requirement

The residential space within a live/work unit shall be occupied by at least one individual employed in the business conducted within the live/work unit.

### E. Operating Requirements

**1. Sale or rental of portions of unit.** No portion of a live/work unit may be separately rented or sold as a commercial or industrial space for any person not living in the premises or as a residential space for any person not working in the same unit.

**2. Notice to occupants.** The owner or developer of any structure containing live/work units shall provide written notice to all live/work occupants and users that the surrounding area may be subject to levels of dust, fumes, noise, or other effects associated with commercial and industrial uses at higher levels than would be expected in more typical residential areas. State and Federal health regulations notwithstanding, noise and other standards shall be those applicable to commercial or industrial properties in the applicable zone.

**3. On-premises sales.** On-premises sales of goods is limited to those produced within the live/work unit; provided, the retail sales activity shall be incidental to the primary production work within the unit. These provisions shall allow occasional open studio programs and gallery shows.

**4. Nonresident employees.** Up to two persons who do not reside in the live/work unit may work in the unit, unless this employment is prohibited or limited by the Conditional Use Permit. The employment of three or more persons who do not reside in the live/work unit may be allowed, subject to Conditional Use Permit approval, based on an additional finding that the employment will not adversely affect parking and traffic conditions in the immediate vicinity of the unit. The employment of any persons who do not reside in the live/work unit shall comply with all applicable Uniform Building Code (UBC) requirements.

**5. Client and customer visits.** Client and customer visits to live/work units are allowed subject to any applicable conditions of the Conditional Use Permit to ensure compatibility with adjacent commercial or industrial uses, or adjacent residentially-zoned areas.

## 6.20.050 Live/Work

### F. Changes in Use

After approval, a live/work unit shall not be converted to either entirely residential use or entirely business use unless authorized through Conditional Use Permit approval. No live/work unit shall be changed to exclusively residential use in any structure where residential use is not allowed, where two or more residential units already exist, or where the conversion would produce more than two attached residential units.

### G. Required findings

The approval of a Conditional Use Permit for a live/work unit shall require that the Review Authority first make all of the following findings, in addition to those findings required for Conditional Use Permit approval by Section 9.30.070 (Conditions of Approval):

1. The proposed use of each live/work unit is a bona fide commercial or industrial activity consistent with Section C (Limitations on use);
2. The establishment of live/work units will not conflict with nor inhibit commercial or industrial uses in the area where the project is proposed;
3. The structure containing live/work units and each live/work unit within the structure has been designed to ensure that they will function predominantly as work spaces with incidental residential accommodations meeting basic habitability requirements in compliance with applicable regulations; and
4. Any changes proposed to the exterior appearance of the structure will be compatible with adjacent commercial or industrial uses where all adjacent land is zoned for commercial or industrial uses.

### H. Additional Standards Applicable to Non-Transect Zones

**1. Floor area requirements.** The floor area of the work space shall be at least 30 percent of the total floor area. All floor area other than that reserved for living space shall be reserved and regularly used for working space.

**2. Separation and access.** Each live/work unit shall be separated from other live/work units or other uses in the structure. Access to each live/work unit shall be provided from a public street, or common access areas, corridors, or halls. The access to each unit shall be clearly separate from other live/work units or other uses within the structure.

**3. Facilities for commercial or industrial activities, location.** A live/work unit shall be designed to accommodate commercial or industrial uses as evidenced by the provision of flooring, interior storage, ventilation, and other physical improvements of the type commonly found in exclusively commercial or industrial facilities used for the same work activity. The ground floor of a live/work unit shall be used only for non-residential purposes.

**4. Integration of living and working space.** Areas within a live/work unit that are designated as living space shall be an integral part of the live/work unit. The living space of a live/work unit shall be accessed only by means of an interior connection from the work space, and shall have no exterior access except as required by the Building Code.

**5. Mixed occupancy structures.** If a structure contains mixed occupancies of live/work units and other non-residential uses, occupancies other than live/work shall meet all applicable requirements for those uses, and proper occupancy separations shall be provided between the live/work units and other occupancies, as determined by the Building Official.

**6. Parking.** Each live/work unit shall be provided with at least two off-street parking spaces. The review authority may modify this requirement for the use of existing structures with limited parking.

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## 6.20.060 Outdoor Dining

Restaurant activity may occur within a public sidewalk or open space per the following:

1. Furniture such as tables, chairs, umbrellas and portable heaters are allowed to be placed within the sidewalk if the furniture is:
  - a) located either adjacent to the building or near the curb;
  - b) clear of required ADA access;
  - c) maintained in a manner that does not become detrimental to the function and appearance of the sidewalk or that presents potential safety hazards;
  - d) approved by the Director as being compatible with the building's facade and the general streetscape.
2. If alcohol is served, the area where alcohol is to be consumed shall be delineated by decorative stanchions and/or potted plants or other such approved method;
3. If alcohol is served, such activity shall be in compliance with FMC 12-326;
4. The area along the sidewalk shall not be enclosed with any feature taller than 4 feet except for landscaping which shall not obscure views into the sidewalk dining area;
5. Music is allowed when it does not become detrimental to the function of the sidewalk;
- f) The area shall be kept free of debris or other such trash.

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## 6.20.070 Telecommunication Facilities

### A. Purpose

Section 6.20.050 establishes development standards consistent with Federal law to regulate the placement and design of communication facilities by Use Permit so as to preserve the unique visual character of the City, promote the aesthetic appearance of the City, and to ensure public health, safety and welfare; pursue additional benefits from the facilities to the public by encouraging the leasing of publicly owned properties where feasible for the development of communication facilities; and to acknowledge and provide the community benefit associated with the provision of advanced communication services within the City.

### B. Applicability

The location, permit requirements, and other provisions of Section 6.20.050 shall apply to all communications facilities, except for City owned telecommunications facilities. All communication facilities shall also comply with all applicable requirements of State and Federal law.

### C. Permit Requirements

**1. Use Permit or Minor Use Permit.** Use Permit approval is required for all communication facilities subject to Section 6.20.050, except for the following, which shall

require approval of a Minor Use Permit. The Director shall ensure through the Minor Use Permit approval that each of the following facilities complies with all applicable requirements of Section 6.20.050. The Director may also choose to defer action and refer any of the following facilities to the Commission for consideration as a Use Permit application.

- a) An antenna that is installed, placed, and maintained under the roofline of an existing structure, or above, behind, and below an existing approved roof screen and does not extend above the highest point of the structure, or is camouflaged within an existing structure so as not to be visible from a public right-of-way or other property.
- b) A communication facility in which the antenna is mounted on a mast less than 10 feet high and is not visible from a public right-of-way.
- c) An amateur and/or citizens band antenna operated by a person holding a license issued by the FCC in compliance with 47 C.F.R. Part 97, and used solely in connection with that license, and which shall be subject to the "minimum practicable regulation to accomplish the local authority's legitimate purpose," in keeping with the order of

## 6.20.070 Telecommunication Facilities

the FCC known as "PRB 1," FCC 85 506, released September 19, 1985; provided that there shall be no more than one antenna support structure on a single lot and that the antenna structure complies with the height limits of the applicable zone.

**2. Exemptions from Use Permit requirements.** The following communication facilities shall be exempt from Use Permit requirements.

- a) Replacement or modification of previously allowed facilities or equipment determined by the Director to be of a minor nature that does not increase the number or height of antennas or significantly change or enlarge the ancillary related equipment at the site.
- b) An antenna that is one meter (39.37 inches) or less in diameter or diagonal measurement, that is designed:
  - (i) To receive direct broadcast satellite service, including direct-to-home satellite service, as defined by Section 207 of the Telecommunications Act of 1996, Code of Federal Regulations Title 47, and any interpretive decisions thereof issued by the Federal Communications Commission; or
  - (ii) For subscribing to a multipoint distribution service.
- c) A satellite earth station (SES) antenna of two meters (78.74 inches) or less in diameter or diagonal measurement, located in a commercial or industrial zone, that is designed to transmit or receive radio communications by satellite or terrestrial communications antenna. These antennas may require a Building Permit and approval of the placement by the Director to ensure maximum safety is maintained and promote the aesthetic appearance of the City. These antennas shall be placed, whenever possible, on the top of buildings as far from the edge of rooftops as possible.

**3. Application requirements.** In addition to the information required for a Use Permit and/or Minor Use Permit application by Article 9 (Procedures), an application for a communication facility shall include:

- a) Consistent with all limitations imposed by Federal law, certification by a licensed engineer that is acceptable to the Director that the proposed facility will at all times meet standards set by the Federal Communication Commission (FCC) and comply with all applicable health requirements

and standards pertaining to electromagnetic and/or radio frequency emissions.

- b) A report, if required by the Police Department, to evaluate the potential for interference (e.g., HF, UHF, VHF, 800 MHz) with public safety communication equipment. The applicant shall be responsible for paying any costs incurred by the City, including the costs of retaining consultants, to review and analyze the report.
- c) The applicant shall submit a visual impact analysis, which may include photomontage, field mock-up, or other techniques, which demonstrates the visual impacts of the proposed facility. Consideration shall be given to views from public areas. The analysis shall assess the cumulative impacts of the proposed facility and other existing and foreseeable telecommunication facilities in the area, and shall identify and include all feasible mitigation measures consistent with the technological requirements of the proposed telecommunication service. The analysis shall also consider the potential of future utility undergrounding construction. All costs for the visual analysis, and applicable administrative costs, shall be borne by the applicant.
- d) A Master Plan of all existing facilities and planned future facilities within the City and surrounding area. The Master Plan shall consist of the following components:
  - (i) A written description of the type of technology the company/carrier will provide to its customers over the next five years (i.e. Cellular, PCS, etc) and a description of consumer services to be offered (i.e. voice, video and data transmission);
  - (ii) A description of the radio frequencies to be used for each technology;
  - (iii) A map of the City and surrounding area showing the five year plan cell sites and planned coverage;
  - (iv) A written list of existing, proposed and anticipated cell sites of the service provider over a five year period;
  - (v) A description of the location of the cells and the types of installations, including antennas and equipment;
  - (vi) A site plan of the lot, right-of-way, premises or lot showing the exact location of the proposed facility (including all related equipment and cables), exact location and dimensions of all buildings, parking lots, walkways, trash enclosures, and property lines.

## 6.20.070 Telecommunication Facilities

(vii) Co-location/Height Justification: The applicant shall provide justification as to why the proposed height is necessary and why co-location on an existing site is not feasible or desirable (if applicable).

(viii) Building elevations and roof plan (for building and/or rooftop-mounted facilities) indicating exact location and dimensions of equipment proposed. For freestanding facilities, indicate surrounding grades, structures, and landscaping from all sides.

(ix) Proposed landscaping and/or non-vegetative screening (including required safety fencing) plan for all aspects of the facility.

e) Documentation certifying the applicant has obtained all applicable licenses or other approvals required by the Federal Communication Commission to provide the services proposed in connection with the application.

f) A service provider who intends to establish multiple wireless Telecommunications Facilities within the City is encouraged to apply for the approval of all facilities under a Use Permit. Under this approach, all proposed facilities requiring a Use Permit may be acted upon by the City as a single Use Permit application, ensuring feasibility of long range company projections.

**4. Communications consultant may be required.** In the event that the City needs assistance in understanding the technical aspects of a particular proposal, the services of a communications consultant may be requested to determine the engineering or screening requirements of establishing a specific wireless communications facility. This service will be provided at the applicant's expense.

**5. Required findings for Use Permit approval.** The approval of a Use Permit or Minor Use Permit for a communication facility shall require that the Review Authority make the following findings, in addition to those required for Use Permit approval by Section 9.30.070 (Use Permit):

- a) The communication facility complies with all applicable requirements of Section 6.20.050; and
- b) The communication facility will not adversely impact the character and aesthetics of any public right-of-way.

**6. Co-location required.** A new communication facility shall be co-located with existing facilities and with other planned new facilities whenever feasible, and whenever determined by the Review Authority to be aesthetically desirable. A service provider shall co-locate a new communication facility with non-communications facilities (e.g., light standards, water tanks, and other utility structures) where the Review Authority determines that this collocation will minimize the overall visual impact.

- a) A service provider shall exhaust all reasonable measures to co-locate their communications facilities on existing towers or with or within existing ancillary support equipment facilities before applying for a new communication facility site.
- b) Each service provider shall provide the City with evidence that they have contacted all other potential providers who have, or who are reasonably likely to be installing facilities within the vicinity of the proposed facility and have offered to participate in a joint installation project on reasonable terms.
- c) In order to facilitate collocation, Use Permit conditions of approval for a new facility shall require each service provider to cooperate in the siting of equipment and antennas to accommodate the maximum number of operators at a given site where determined by the Review Authority to be feasible and aesthetically desirable.

**7. City-owned property.** Consistent with all limitations imposed by Federal law, a communication facility shall not adversely affect the public health, safety or welfare. In order to best benefit the citizens of Tehachapi from this necessary community impact, the Review Authority shall always consider City-owned sites as the highest priority for the location of communication facilities.

### D. Facility Design and Development Standards

1. Each proposed communication facility shall comply with the following standards:
  - a) Facility placement
    - (i) A roof-mounted antenna on a structure that complies with applicable height limits shall be set back from the nearest roof edge the equivalent of the height of the tower or a minimum of 10 feet, whichever is greater.

### 6.20.070 Telecommunication Facilities

- (ii) A ground-mounted communication facility (including towers and antennas) shall be located as far as possible from all property boundaries, and set back from the property line at a ratio of 1.5 horizontal feet for every one foot of height, where feasible unless a location closer to property boundaries reduces visual impacts as viewed from public areas.
  - (iii) A tower or antenna shall be set back from any site boundary or public right-of-way by a minimum of 25 feet, if feasible. No part of any tower shall extend into a required setback or beyond a property line of the site.
  - (iv) Communication facilities other than towers and antennas shall be located either within a structure, underground, in a rear yard (not visible from a public right-of-way) or on a screened roof top area. A ground-mounted facility that is located within a front or side setback or within a public right-of-way shall be underground so that the facility will not detract from the image or appearance of the City.
- b) Height limitations
- (i) All ground mounted communication equipment, antennas, poles, or towers shall be of a minimum functional height.
  - (ii) The height of a tower located on the ground shall not exceed 60 feet, except the Review Authority may grant an exception to allow towers of up to 80 feet where it determines that the increased height is necessary for adequate coverage, and the tower will co-locate service providers.
  - (iii) The height of a communications facility located on a structure other than a dedicated support tower shall not exceed 20 feet above the highest point of the structure and shall at no time exceed the height allowed by the applicable zone unless approved with a Use Permit.
  - (iv) An antenna mounted on the side of a structure shall not extend above the structure's parapet so that it is visible from below against the sky.
- c) Colors and materials. All antennas, poles, towers, or equipment, including ancillary support equipment, shall have a non-reflective finish and shall be painted or otherwise treated to match or blend with the primary background and minimize visual impacts. Antennas attached to a structure shall be painted or otherwise treated to match the exterior of the structure or the antenna's background color. All ground-mounted equipment shall be covered with a clear anti-graffiti type material of a type approved by the Director or shall be adequately secured to prevent graffiti.
  - d) Screening, landscaping. All ground mounted equipment, antennas, poles, or towers shall be sited to be screened by existing development, topography, or vegetation. Ground mounted facilities shall be located within structures, underground, or in areas where substantial screening by existing structures or vegetation can be achieved. Additional new vegetation or other screening may be required by the Review Authority. The applicant shall use the smallest and least visible antennas possible to accomplish the owner/operator's coverage objectives.
  - e) Additional screening and landscaping. As part of project review, the Review Authority may require additional screening and/or landscaping, undergrounding, an alternative color scheme, or relocation of a tower or ancillary equipment to a less obtrusive area of the site where it would have a less prominent visual presence due to slope, topography, size, or relationship to public right-of-ways.
  - f) Power lines. All power lines to and within a communication facility site shall be underground.
  - g) Backup power supplies. Backup generators shall only be operated during periods of power outages.
2. All building and roof-mounted wireless telecommunication facilities and antennae shall be designed to appear as an integral part of the structure where feasible and located to minimize visual impacts.
  3. The placement of new antennae and facilities shall not be physically obstructive or visually intrusive and shall be designed to be visually compatible with the character of the surrounding area.

## 6.20.070 Telecommunication Facilities

### E. Operation and Maintenance Standards

**1. Contact and site information.** The owner or operator of any facility shall submit and maintain current at all times basic contact and site information. The applicant shall notify the City of any changes to the information submitted within 30 days of any change, including change of the name or legal status of the owner or operator. This information shall include the following:

- a) Identity, including name, address, and telephone number, and legal status of the owner of the facility including official identification numbers and FCC certification, and if different from the owner, the identity and legal status of the person or entity responsible for operating the facility;
- b) Name, address, and telephone number of a local contact person for emergencies;
- c) Type of service provided; and
- d) Identification signs, including emergency phone numbers of the utility provider, shall be posted at all communication facility sites.

**2. Facility maintenance.** All communication facilities and related equipment, including lighting, fences, shields, cabinets, and poles shall be maintained in good repair, free from trash, debris, litter, graffiti, and other forms of vandalism, and any damage from any cause shall be repaired as soon as reasonably possible.

**3. Landscaping maintenance.** All trees, foliage, and other landscaping elements on a communication facility site, whether or not used as screening, shall be maintained in good condition at all times in compliance with the approved landscape plan. The facility owner or operator shall be responsible for replacing any damaged, dead, or decayed landscaping as promptly as reasonably possible. Amendments or modifications to the landscape plan shall require approval by the Planning Manager. The Review Authority may also require a landscape maintenance agreement.

**4. Site inspection required.** Each owner or operator of a facility shall routinely and regularly inspect each site to ensure compliance with the standards identified in Section 6.20.050.

**5. Exterior lighting.** Lighting of antenna structures and their electrical support equipment is prohibited, except as required by any order or regulation of the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA). The lighting shall be constructed or located so that only the intended area is illuminated and off site glare is fully controlled. Light fixtures shall be low wattage, hooded, and downward directed.

### F. Discontinuance and Site Restoration

All equipment associated with a communication facility shall be removed within 30 days of the discontinuance of the use and the site shall be restored to its original pre-construction condition, subject to the approval of the Planning Manager. The service provider shall provide the City with a notice of intent to vacate a site a minimum of 30 days before site vacation. This removal requirement, and appropriate bonding requirements, shall be included in the terms of a lease for a facility on public property. A private lease for a facility located on private property is encouraged to include terms for equipment removal, since the property owner shall be ultimately responsible for removal of the equipment.

## 6.20.080 Temporary Use

### A. Purpose

The purpose of Section 6.30.080 is to establish standards for short term activities that would be compatible with adjacent and surrounding uses when conducted in compliance with Article 3 and Section 6.30.080.

### B. Applicability

**1. Short term activities.** A Temporary Use allows short term activities that might not meet the normal development or use standards of the applicable zone, but may otherwise be acceptable because of their temporary nature.

**2. Categories of land uses.** The following two categories of temporary land uses identify the level of permit required, if any, based on the proposed duration, size, and type of use:

- a) Exempt temporary uses. Exempt temporary uses are identified in Section C, below; and
- b) Temporary uses requiring a Temporary Use Permit. Temporary uses requiring a Temporary Use Permit are identified in Section D, below.

### C. Exempt Temporary Use

The following minor and limited duration temporary uses are exempt from the requirement for a temporary use permit (Chapter 9.70). Uses that do not fall within the categories defined below shall comply with Section D, below.

#### 1. Contractors' construction yards – on-site

- a) On-site contractors' construction/storage yard(s), in conjunction with an approved construction project on the same parcel.
- b) The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the companion Building Permit, authorizing the construction project, whichever first occurs.

**2. Emergency facilities.** Emergency public health and safety needs/land use activities, as determined by the Council.

**3. Garage/yard sales.** Garage/yard sales (e.g., personal property sales) only when conducted on residentially zoned property in compliance with the following standards:

- a) Only one garage/yard sale may be conducted within any four-month period and the sale shall be limited to not more than three consecutive days or to two consecutive weekends not to exceed four days in all.
- b) All signs advertizing a garage/yard sale shall be in compliance with Article 7 (Signs). All garage/yard sale signs shall be removed within 24 hours following the final close of the sale.
- c) The sale shall not be conducted between the hours of 8:00 p.m. of any day and 7:00 a.m. of the following day.
- d) The sales shall not encroach or be made on or from public streets or rights-of-way.
- e) No licensed retail or wholesale dealer shall be allowed to consign or offer for sale any goods or merchandise or participate in any private sale authorized by Section 3.
- f) Any garage/yard sale not in compliance with the conditions specified in Section 3 is hereby declared to be unlawful and a public nuisance.

### D. Allowed Temporary Use

The following temporary uses are allowed on private property, subject to the issuance of a temporary use permit, in compliance with Chapter 9.70.

**1. Contractors' construction yards – off-site.** The temporary use of a site for an off-site contractor's construction/storage yard(s). The permit may be effective for up to 12 months, or the expiration of the companion Building Permit, authorizing the construction project, whichever first occurs.

#### 2. Events

- a) Entertainment events. Amusement rides, arts and crafts exhibits, auctions, carnivals, circuses, concerts, fairs, festivals, flea markets, food events, outdoor entertainment/sporting events, and other similar events as determined by the Director for a period not to exceed 10 days twice per year, separated by at least 30 days between uses. These events shall be conducted at least 200 feet away from any residence.

## 6.20.080 Temporary Use

- b) Outdoor sales displays. Outdoor sales displays, except in the downtown, conducted by a retail business holding a valid Business License, issued in compliance with Municipal Code Chapter 5.04 (Business Permits), may be allowed a maximum of four outdoor sale events (excluding City sponsored activities). For purposes of this Subsection an outdoor sales display shall be no longer than four consecutive days in duration.
- c) Outdoor sales events. Outdoor sales events conducted by a retail business holding a valid business permit at a single fixed location, issued in compliance with Municipal Code Chapter 5.04 (Business Permits), may be allowed a maximum of four outdoor sale events (excluding City sponsored activities). For purposes of this Subsection an outdoor sales event shall be no longer than four consecutive days in duration.
- c) Outdoor sales events. Outdoor sales events conducted by a retail business holding a valid business permit at a single fixed location, issued in compliance with Municipal Code Chapter 5.04 (Business Permits), may be allowed a maximum of four outdoor sale events (excluding City sponsored activities). For purposes of this Subsection an outdoor sales event shall be no longer than four consecutive days in duration.
- d) Seasonal sales events. Seasonal sales (i.e., Halloween pumpkin sales and Christmas tree sale lots) only by businesses holding a valid business permit, in compliance with Municipal Code Chapter 5.04 (Business Permits) not to exceed 40 days for pumpkin and tree sales. All other seasonal sales shall not exceed four events per year with a maximum of five days for each event.

**3. Storage of structures or equipment.** Temporary storage structures within residential areas, not to exceed 30 days.

**4. Mobile homes.** A mobile home to be utilized as a temporary dwelling in a residential zone while a single family dwelling is under construction on the same parcel shall be allowed subject to all of the following provisions:

- a) The mobile home may only be located and occupied while actual construction activities are taking place upon the parcel. In no case may the period of placement and use exceed 12 months.
- b) The mobile home may only be occupied by the prop-

erty owner; who is also the builder designated on the building permit, and the owner's/builder's family.

- c) City may require surety adequate to ensure the timely removal and compliance with all conditions of approval may be required in compliance with Section 9.90.050 (Performance Guarantees).
- d) The minimum yards for the zone shall be maintained.
- e) Additional conditions necessary and appropriate to ensure compatibility with surrounding development, existing and contemplated, may be imposed on the approved permit.

**5. Temporary real estate sales office and model home complex.** One temporary real estate office may be located in any approved subdivision in any zone in the City.

- a) The office shall be used only for the sale of property located within the subdivision in which the office is located.
- c) The temporary real estate office shall be removed at the end of two years following the date of the recording of the final map of the subject subdivision in which the office is located.
- d) If any parcels within the subdivision have not been sold at the end of the original two-year period, the Director may approve extensions.

### **E. Permit Required**

No temporary use shall be allowed without first obtaining a Temporary Use Permit in compliance with Chapter 9.80 and with Municipal Code Chapter 5.04 (Business Permits).

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## Chapter 6.30 Applicable to Non-Transect Zones

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### Sections:

- 6.30.010 Big Box, Discount Clubs, and Discount Superstores
- 6.30.020 Data Centers
- 6.30.030 Emergency Shelters
- 6.30.040 Historic and Cultural Heritage Murals
- 6.20.050 Mobile Home Parks and Subdivisions
- 6.30.060 Pub, Bar, and Off-Site Alcohol Sales
- 6.30.070 Secondary Dwelling Units

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### 6.30.010 Big Box, Discount Clubs, and Discount Superstores

#### A. Allowed façade treatments

Architectural elements shall be incorporated into the facades of the building creating visual interest and achieving compatibility within the design of the surrounding commercial structures.

1. Building forms shall be designed to create visual interest on all sides of the structure and the architectural concept shall be consistent on all sides of the building
2. Second and third story volumes shall be stepped, sloped or grouped with one-story volumes to reduce the apparent mass to human scale.
3. Entries to individual building and public spaces between buildings, shall be emphasized with highlighted massing and articulated roof forms.
4. Building facades shall be recessed or projected at a minimum of every sixty feet.
5. The building height/roof pitch shall be varied.
6. Building facade colors shall be earth-toned; muted colors, building trim may be accented with brighter and contrasting colors.

7. Where appropriate, courtyards and/or outdoor seating areas shall be incorporated into the site plan design.

#### B. Prohibited façade treatments

The following architectural elements and treatments are prohibited:

1. Large scale uninterrupted walls, not otherwise articulated by form fenestration, or materials.
2. Massive building elements, such as timber beams and/or columns that are out of scale with the architectural style.
3. False facades and other applied ornamentation unrelated to the rest of the building or structure.
4. High contrast color, brightly colored glazed tile or highly reflective surfaces.
5. Bold application of colors such as stripes, accents or super graphics.
6. Use of the following materials is prohibited:
  7. Heavy textured stucco, such as Spanish lace, swirl or heavy trowel;

### 6.30.010 Big Box, Discount Clubs, and Discount Superstores

8. Vinyl, corrugated metal or aluminium siding;
9. Common plywood or masonite siding;
10. Standard concrete block;
11. Rustic materials utilized as primary wall surfaces and dark earth tone colors; and
12. Over application of bright accents or trim colors.

#### **C. Building Entrance**

Commercial structures subject to this Section shall provide customers with at least two building entrances in order to encourage greater distribution of parking activity. Additional entrances can be located at one of the two sides of the building and/or the rear of the building. If multiple entries are not practical the structure shall have the appearance of having two entries and in this regard the distinction between the front and rear of the structure shall be blurred through the application of similar architectural treatments.

#### **D. Pedestrian Linkage**

The site plan shall reflect and facilitate safe pedestrian access linking the building to sidewalks adjacent to project street(s).

1. The site plan shall reflect the off-street parking requirements per Chapter 4.50 (Parking Standards).
2. To avoid the appearance of a vast expanse of park-

ing lot paving no more than 60 percent of the total required parking shall be located between the front facade of the building and the street frontage, unless the configuration of the site in question precludes this parking arrangement.

3. Lighting within the parking lot shall be shielded and designed so as not to spill over to the adjacent properties.
4. At least five percent of the total interior area devoted to parking shall be landscaped.
5. A landscaped area shall be provided at a minimum of every 8 parking spaces.
6. Landscaping shall be provided at the building entrance between the parking lot and the front of the building.
7. Landscaping shall be provided in compliance with Chapter 4.40 (Landscape Standards).

#### **E. Property Maintenance**

Commercial properties supporting a big box store as defined by this Section, whether occupied or vacant, shall be maintained so that the structure and surrounding property are not allowed to fall into a state of deferred maintenance and neglect. This includes the building exterior, parking lot maintenance and landscaping on the property.

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### 6.30.020 Data Centers

#### **A. Visual Interest**

Building forms shall be designed to create visual interest on all sides of the structure and the architectural concept shall be consistent on all sides of the building.

#### **B. Color**

Exterior facade colors shall be earth-toned; muted colors, building trim may be accented with brighter and contrasting colors.

#### **C. Fencing and Screening**

A six-foot high fence or wall shall be constructed on all property lines that abut a residential district. All fences or walls shall be solid and decorative in compliance with Section 4.40.080 (Fences and Screening).

## 6.30.030 Emergency Shelters

### A. Applicability

An emergency shelter shall meet the development and performance standards of Section 6.30.030.

### B. Management and Security

On-site management and on-site security shall be provided during hours when the emergency shelter is in operation.

### C. Lighting

Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed downward and shielded so as not to produce off-site glare.

### D. Common Facilities

The development may provide one or more of the following specific common facilities for the exclusive use of the residents and staff:

1. Central cooking and dining room(s);
2. Recreation room;
3. Counseling center;
4. Child day care facilities; and
5. Other support services.

### E. Security

Parking and outdoor facilities shall be designed to provide security for residents, visitors, employees and the surrounding area.

### F. Parking

Parking shall be based on demonstrated need, however required parking shall not exceed parking requirements for residential or commercial zone in which the facility is located.

### G. Operator requirements

The agency or organization operating the shelter shall comply with the following requirements:

1. Temporary shelter shall be available to residents for no more than six months.
2. Staff and services shall be provided to assist residents in obtaining permanent shelter and income.
3. The provider shall have a written management plan including, as applicable, provisions for staff training, neighborhood outreach, security, screening of residents to insure compatibility with services provided at the facility, and for training, counseling, and treatment programs for residents.

### H. Location requirements

No emergency shelter shall be located within 300 feet of another emergency shelter site.

### I. Licenses

The facility shall be in, and shall maintain at all times, good standing with City and/or State licenses, if required by these agencies for the owner(s), operator(s), and/or staff of the proposed facility.

### J. Occupancy

In residential zones, the maximum number of residents of the facility shall not exceed six persons for each 1,600 square feet of lot area on the site; with the exception of those homeless shelters developed in an individual dwelling unit format, in which case the underlying zone's maximum unit density standard shall apply.

### 6.30.040 Historic and Cultural Heritage Murals

#### A. Purpose

To promote the local economy, tourism, and the historical and cultural heritage of the city and for the purpose of beautifying the City.

#### B. Mural Permit and Approval Authority

No mural shall be painted or otherwise applied without the property owner of the property that will contain the mural having first received a mural permit in compliance with Chapter 9.110 (Mural Permit).

#### C. Mural Design

The following criteria shall apply to the design of murals:

1. Murals shall not be materially detrimental to the health, safety and welfare of the public or to property and residents in the vicinity.
2. Murals shall be non-commercial in content and shall have artistic, historic, cultural or natural history themes related to the City or the greater Tehachapi area.

3. Murals shall be located only on the exterior walls of a structure or freestanding wall or on affixed panels.
4. Paints and other materials used for murals shall be appropriate for outdoor use and artistic rendition and shall be of a permanent or long lasting variety.
5. Murals shall be designed and painted or otherwise created by a mural artist.
6. Murals shall be identical to the color rendering approved by the Commission as to content, colors and design and shall be a size approved by the Commission.

#### D. Permit

A Mural Permit shall be obtained in compliance with Chapter 9.110 (Mural Permit).

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### 6.30.050 Mobile Home Parks and Subdivisions

#### A. Conformance to Provisions

Mobile homes, mobile home parks, trailer parks, travel trailer parks and recreation vehicle parks, where allowed, shall conform to Title 25 of the California Administrative Code, the residential development standards in Chapter 3.30 (Non-Transect Zones), and the additional provisions of Section 6.30.050. The following standards also apply to mobile home subdivisions, unless otherwise specified.

#### B. Standards

The following requirements apply to mobile home parks and subdivisions to help integrated the development with adjoining neighborhoods in a way that will ensure the optimum benefit of residents of the mobile home park or subdivision and of the larger community.

**1. Consistency with the General Plan.** All development shall be consistent with the goals and policies of the General Plan and with the uses and density/intensity standards of the applicable General Plan designations.

- 2. Maximum site area.** 50 acres or as may be imposed under permit approval to assure compatibility of the use within the area or to assure that the size of a park or subdivision is not so great as to preclude the proper development of the surrounding area.
- 3. Maximum density.** Maximum density for mobile home park or subdivision shall not exceed 4,500 square feet per space.
- 4. Completion of construction.** Prior to occupancy of the first mobile home, not less than 50 mobile home lots shall be prepared and available for occupancy.
- 5. Parking requirements.** The overall parking ratio shall be two parking spaces for each mobile home lot. At least one parking space shall be provided on, or immediately adjoining to, each mobile home lot, in compliance with Chapter 4.50 (Parking Standards).
- 6. Access, Access Drives**
  - a) All access drives within a mobilehome park shall be not less than 40 feet in width.

## 6.30.050 Mobile Home Parks and Subdivisions

- b) All vehicular parking areas and drives shall be surfaced and graded in accordance with the requirements for local streets as contained in the Title 17 (Subdivisions).
- c) All mobilehome spaces shall have frontage on internal private drives. No mobilehome space shall have direct access to a public street or public alley.
- d) All mobilehome sites shall have access from an abutting improved and dedicated city street or highway.
- e) All points of vehicular access to and from public streets shall be approved by the Commission.

**7. Pedestrian access.** There shall be provided a system of landscaped pathways to be used exclusively by pedestrians. Pathways shall serve all mobile home lots and all buildings used in common. In the event such pathways are provided adjacent to driveways, the pedestrian pathway shall be at a grade height at least four inches higher than the adjacent driveway.

**8. Setbacks.** All structures and mobile homes shall be set back at least 20 feet from all property lines and streets or public rights-of-way. If a greater building line has been established by ordinance, it shall be observed. The setback area shall be landscaped and maintained in compliance with Chapter 4.40 (Landscape Standards).

**9. Utilities.** All utility transmission lines and utility connections shall be installed underground.

### 10. Enclosures

- a) Each mobilehome park and subdivision shall be completely enclosed within a fence and/or hedge, in compliance with Section 4.40.080 (Fences and Screening).
- b) Enclosure may have driveway or pedestrian way openings, subject to approval by the Review Authority.

**11. Height limits.** The maximum height for:

- a) Mobile homes shall be 17 feet;
- b) Accessory structures shall be 17 feet; and
- c) Service facilities shall be 30 feet.

### 12. Drainage

- a) A drainage system shall be installed prior to occupancy of the park or subdivision and shall be continuously maintained in compliance with a plan approved

by the City engineer.

b) The plan shall include, but is not limited to, the following provisions:

- (i) All drainage originating on the site shall be contained on the same site, unless a plan for acceptance of such drainage to off-site sumps or other facilities has been approved by the City engineer.
- (ii) The method for transporting off-site drainage through a mobilehome park or subdivision shall be in compliance with the criteria for the 100-year flood.
- (iii) In the event that any drainage sump area located within the park has a water holding capacity of more than 18 inches in depth, the area shall be completely enclosed within a chain-link fence, six feet in height with vertical redwood slats.

### 13. Water distribution and sewage disposal systems

- a) All mobilehome parks and subdivisions shall be served by the city water system.
- b) A water distribution system shall be installed prior to occupancy of the park or subdivision and shall be continuously maintained, in compliance with a plan approved by the City engineer and the City fire department.
- c) All mobilehome parks and subdivisions shall be connected to the City sewer system.
- d) A sewage disposal system shall be installed prior to occupancy of the park or subdivision and shall be continuously maintained, in accordance with a plan approved by the City engineer.

**14. Other laws, regulations and ordinances.** All applicable County and State laws and regulations concerning the development and operation of mobile home parks and subdivisions shall be observed. Nothing contained in this Section shall be construed to abrogate, void, or minimize other pertinent requirements of law.

## 6.30.050 Mobile Home Parks and Subdivisions

### C. Standards Specific to Mobile Home Subdivisions

**1. Street Widths.** All internal streets within the mobilehome subdivision, either privately owned or publicly dedicated, shall not be less than 50 feet in width.

**2. Access, Access Drives.** A minimum of two means of ingress and egress to a public street shall be provided

### D. Public Street and Highway Dedications and Improvements

**1. Dedications.** Street and highway dedications adjacent to mobilehome parks and subdivisions may be required by the Commission in accordance with the following standards:

- a) If the park or subdivision is adjacent to a major street, as shown on the General Plan Mobility Plan, the owner shall dedicate or make an irrevocable offer of dedication of all property lying within 55 feet of the centerline of such highway for public highway purposes, at no cost to the City.
- b) If the park or subdivision is adjacent to a secondary street, as shown on the General Plan Mobility Plan, the owner shall dedicate or make an irrevocable offer of dedication of all property lying within 45 feet of the centerline of such street for public street purposes, at no cost to the City.
- c) If the park or subdivision lies adjacent to the projected alignment of a planned local street which is necessary for circulation within the general area or neighborhood, the owner shall dedicate or make an irrevocable offer of dedication of all that property lying within 30 feet of the centerline of such street for public street purposes, at no cost to the City.
- d) If the park or subdivision is adjacent to an adopted specific plan or official plan line, the owner shall dedicate or make an irrevocable offer of dedication of all property lying within the specific right-of-way line for public street purposes, at no cost to the City.

### 2. Improvements.

- a) Improvements may be required by the Commission at no cost to the City, in accordance with Title 17 (Subdivisions).
- b) Required street and highway improvements shall include any necessary tie to existing pavement and shall be under permit of the City or the state division of highways as appropriate.

### E. Recreational Areas and Facilities

#### 1. Mobilehome parks

- a) If a mobilehome park contains 10 or more mobilehome spaces, or if a mobilehome park combined with a recreational vehicle park as a secondary use contains a combination of 10 or more mobilehome spaces and recreational vehicle spaces, an open area of land devoted to, and landscaped for, recreational use shall be provided within the park.
- b) Such recreational area shall be no less than 5,000 square feet, plus an additional 100 square feet for each space in excess of 25 spaces.

2. Required recreational areas may be divided into more than one location, provided no single location contains less than 1,000 square feet.

3. No building or mobilehome shall occupy a required recreational area, excepting buildings and structures necessary or used and devoted to recreational uses, such as recreation buildings, swimming pools, swimming pool accessory buildings, saunas, playgrounds with or without equipment, picnic areas, or other improved open space areas.

4. No required front, side, or rear setback of the park, or any mobilehome space, recreational vehicle space, or storage area may be counted toward the requirement for recreational space.

5. The required recreational space shall be accessible to all occupants of the park and shall not be used for any purpose other than recreational use of the occupants of the park.

6. All required open space areas shall be maintained consistent to a landscaping plan in compliance with Chapter 4.40 (Landscape Standards).

## 6.30.060 Pub, Bar, and Off-Site Alcohol Sales

### A. Purpose

There shall be no more than one second dwelling per lot.

### B. Locational Requirements

In compliance with Section 22 of Article XX, California Constitution:

1. No pub, bar, or off-site alcohol sales establishment shall be located within the immediate vicinity of churches and hospitals.

2. No pub, bar, or off-site alcohol sales establishment shall be permitted within 600 feet schools, public playgrounds and nonprofit youth facilities.

3. The use shall not be permitted where there is evidence that normal operation of the premises could adversely affect the public safety, health and general welfare of the neighborhood.

## 6.30.070 Secondary Dwelling Units

### A. Purpose and Application

1. The purpose of Section 6.30.070 is to provide for the establishment of new secondary dwelling units on existing lots in any zones allowing single family residences.

2. To develop a secondary dwelling unit the lot shall already contain a legally established principal dwelling unit.

3. The secondary dwelling unit may be occupied by family members, guests, servants, or employees of the property owner or used as a rental unit.

4. Pursuant to Government Code Section 65852.2 (b), secondary residential units are deemed to be in conformance with the density limitations established by the general plan land use category applicable to the area within which the unit is located.

### B. Limitation on Use

There shall be no more than one second dwelling per lot.

### C. Timing of Construction

A second dwelling may be constructed simultaneously with, or after the primary residence. An existing residence that complies with the standards for a second dwelling in this Section may be considered a second dwelling, and a new primary residence constructed.

### D. Owner Occupied

Prior to building permit issuance, the property owner shall either sign a covenant to be recorded that requires the owner to occupy either the primary or second dwell-

ing, or enter into an affordable housing agreement requiring that one of the dwellings be rented at the lower-income household. The restricted rental rate of one of the dwellings shall be for a period of 30 years. The Affordable Housing Agreement may be rescinded if the owner agrees to record a covenant that one of the dwellings shall be owner occupied.

### E. Development Standards

A second dwelling shall comply with all development standards of the zone, except for density and as provided in Section 6.30.070.

**1. Maximum size.** The maximum area for a detached second dwelling shall not exceed 1,000 square feet. The maximum area for a second dwelling attached to the primary residence shall not exceed 30 percent of the existing living area.

**2. Utilities.** Water and sewer services shall be adequate to serve the second dwelling.

**3. Off-street parking.** All parking shall be in compliance with Chapter 4.50 (Parking Standards).

### F. Design Standards

The second dwellings shall be subordinate in size and appearance to the primary residence. The architectural design, materials, and color shall be compatible with the existing primary residence or a superior design.

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# Article 7 Signs

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## **Chapter 7.10 Downtown Signs**

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### Sections:

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- 7.10.200 Nonconforming Signs
- 7.10.210 Fees
- 7.10.220 Enforcement - Penalties

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## 7.10.010 Purpose

The purpose of this chapter is to promote the orderly and attractive construction, placement, and display of signs in the downtown area consistent and in conformance with development for downtown described in the Downtown Master Plan. Chapter 7.20 of this title shall be inapplicable to regulation of signs in the downtown area except as otherwise specifically described herein.

[18.83.010]

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## 7.10.020 Definition

As used in this chapter, the term "downtown area" shall mean the area bounded on the west by Mill Street, on the east by Snyder Avenue, on the north by Tehachapi Boulevard, and on the south by C Street.

[18.83.020]

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## 7.10.030 General Standards

Signs in the downtown area shall comply with the following general standards:

A. Signs shall not cause unnecessary distractions to motorists, or differ aesthetically from the surrounding architecture.

B. Signs shall not detract from the downtown experience by having incompatible colors, sizes or materials; and must be carefully placed and presented as a portion of the surrounding architecture.

C. Signs shall reflect the type of business through design and shape, integrate with the architectural style, and align with the height of the surrounding signs.

D. Historically significant buildings shall use signs that are typical to the era of the buildings.

E. Signs shall be constructed of durable materials.

F. Lights on the signs shall be directional to illuminate the lettering, but not produce glare on public areas or surrounding buildings.

G. Signs shall match the surrounding architectural motif and character of the structures.

[18.83.030]

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## 7.10.040 Application Requirements

### A. Filing Requirements.

Except as otherwise described herein, all sign plans shall be submitted to the City for review and approval by the Director in compliance with Chapter 9.10 (Application Processing Procedures).

### B. Required Findings.

All signs shall be approved in accordance with standards of this chapter before installation.

All signs shall also be subject to the requirements of the uniform building code.

No signs shall be placed within road rights-of-way without City approval.

### C. Required Data.

All sign applications shall include a scale drawing and be prepared in such a manner as to accurately reflect the final product.

[18.83.040]

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## Chapter 7.10 Downtown Signs

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### 7.10.050 Awning or Canopy Signs

Signs on entry awnings or canopies above business entries are encouraged. Signs on awnings or canopies shall comply with the following standards: the awning's imprinted signage shall have lettering, which is in scale with the awning, and in the style of the surrounding architecture. [18.83.080]

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### 7.10.060 Freestanding Signs other than Monument Signs

The permitted framework for a free standing sign shall include a four foot by four foot post along with a four foot by four foot mast arm extension or two four foot by four foot posts on both sides of the sign. A single four foot by foot post is not allowed to support a free standing sign. Free standing signs shall not exceed thirty square feet in size or five feet in height.

[18.83.060]

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### 7.10.070 Hanging Signs

Hanging signs shall comply with the following standards:

A. Hanging signs are generally hung off the roof overhang, arcade, trellis or porch. The signs are usually parallel or perpendicular with the building.

B. Hanging signs shall not exceed twelve inches below the beam it is connected to and shall maintain a minimum seven feet of vertical clearance to the ground along pedestrian or vehicular corridors.

C. A hanging sign shall not exceed nine square feet in size, subject to the limitations described in Section 7.10.140

D. The method of attachment for hanging signs shall be an integrated and appealing system, and be well designed and detailed.

E. Hanging sign illumination guidelines shall be the same as wall mounted and painted signs.

F. Hanging signs shall respect the historical character of Tehachapi and shall be or have the appearance of being multi dimensional such as having the appearance of carved or sandblasted wood.

[18.83.120]

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### 7.10.080 Monument Signs

Freestanding monument signs shall comply with the following standards:

A. Monument signs shall be located outside the right-of-way, and be at least ten feet away from any common property line.

B. Monument signs shall not exceed thirty square feet in size or a maximum height of five feet including the monument base.

C. Monument signs shall respect the historical character of Tehachapi and shall be or have the appearance

of being multidimensional such as having the appearance of carved or sandblasted wood.

D. Monument signs shall not be placed any closer than twenty feet apart from another monument sign, and shall have landscaping integrated around the base of the sign.

E. External lighting may be provided for the signs, but shall not produce any glare onto surrounding properties. Monument signs shall not be internally illuminated.

[18.83.050]

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### 7.10.090 Projecting Signs

Projecting signs shall comply with the following standards:

- A. Projecting signs are typically hung from brackets, which are attached to buildings, and are placed perpendicular to the building.
- B. Projecting signs shall not exceed nine square feet in size, subject to the limitations described in Section 7.10.140, or project more than three feet from the face of the building.
- C. Projecting signs shall respect the historical character of Tehachapi and shall be, or have the appearance of being, multi dimensional such as having the appearance of carved or sandblasted wood.
- D. Projecting signs shall be installed according to the uniform building code.

E. Projecting signs shall only be attached to a building, and shall not be placed on poles or other signs.

F. The method of attachment for projecting signs shall be an integrated and appealing system, and be well designed and detailed.

G. Signs shall be constructed of lightweight high-density foam material, which resembles wood, or other natural materials.

H. No internal illumination shall be allowed on projecting signs.

[18.83.110]

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### 7.10.100 Roof Mounted Signs

Roof mounted signs are permitted where it is demonstrated that a wall mounted sign is not feasible. The sign area of roof mounted signs shall not exceed two square feet for each lineal foot of the building face toward which the sign is oriented, except as otherwise described in Section 7.10.140. Roof mounted signs shall be structurally integrated into the building as opposed to being supported by kickers.

[18.83.070]

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### 7.10.110 Sandwich Boards

Sandwich boards are permitted adjacent to the businesses advertised on them provided access remains open and unimpaired along the city's right-of-way and into the business that is advertised on the sandwich board and for handicap accessibility. Sandwich boards shall not exceed twenty-four inches by thirty-six inches in size, may be displayed only during business hours, and shall be professionally made and of such heavy and durable material, as determined to the satisfaction of the city, to maintain its shape and to not be moved about in and by the weather.

[18.83.125]

## Chapter 7.10 Downtown Signs

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### 7.10.120 Wall Mounted Signs

Signs attached to a wall shall comply with the following standards:

A. No building shall have more than one wall sign per fascia. The size of the wall sign shall not exceed two square feet of sign area for each lineal foot of a building face, provided however that a wall sign may be at least twenty square feet in size notwithstanding the foregoing size restriction. The size limitations described herein shall be subject to the limitations described in Section 7.10.140

B. Wall mounted signs shall consist of letters or panels attached onto the structure.

C. Wall mounted signs shall be attached flush against the wall, and shall not extend more than twelve inches off the wall surface.

D. Wall mounted signs shall not exceed four feet in height or project over the peak of the roof of a building.

E. Wall mounted signs shall respect the historical character of Tehachapi and shall be, or have the appearance of being, multi dimensional such as having the appearance of carved or sandblasted wood.

F. Lighting may be provided for wall mounted signs, but shall not produce any glare. The source of the light shall not be visible to the surrounding properties.

[18.83.100]

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### 7.10.130 Window Signs

Window signs shall comply with the following standards:

A. Signs shall be applied to storefront windows, but they shall not cover more than twenty percent of the overall combined window and door areas (the "Coverage Calculation") or obscure views into the building interior or its merchandise.

B. Self-contained illuminated neon signs may be placed in the storefront windows only. The area of the self-contained illuminated sign shall be included in the twenty percent coverage calculation.

C. Window signs shall display the business name only.

[18.83.090]

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### 7.10.140 Maximum Signage

The total sign area on any building which has one or more of the signs described in Sections 7.10.070, 7.10.090, 7.10.100, and 7.10.120 shall not exceed two square feet of total sign area for each lineal foot of the building face.

[18.83.130]

### 7.10.150 Temporary Signs

A. No temporary sign may be displayed without first obtaining a temporary use permit in compliance with Chapter 9.70 (Temporary Use Permits). The TUP may include such terms and conditions deemed appropriate or necessary by staff including, but not limited to, a limitation on the size and the location of the display. A temporary use permit shall not allow the display of a temporary sign for more than fourteen consecutive days and no individual applicant may receive temporary use permits allowing displays of temporary signs for more than four weeks in a calendar year.

B. Notwithstanding the foregoing, temporary signs that are banners that do not exceed twenty-four square feet in size may be displayed on the fascia of the building, below the roof line, or as approved by the Director and may be allowed for up to thirty consecutive days for a newly opened business.

C. A temporary use permit issued to a sponsor or co-sponsor for the purpose of promoting a community celebration such as the Mountain Festival or to promote

events with broad community appeal such as the Farmer's Market, may allow for the display of temporary signs for periods longer than those described herein as determined by the Director.

D. Notwithstanding the foregoing, a temporary use permit shall not be required for displays of up to fourteen consecutive days coinciding with the following days:

1. President's Day;
2. Mother's Day;
3. Fourth of July;
4. Labor Day;
5. The Christmas Holiday Period defined as the day after Thanksgiving through January 3.

[18.83.140]

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### 7.10.160 Prohibited Signs

The following signs are prohibited in the downtown area:

A. Pole signs, provided, however, that notwithstanding this prohibition or any other prohibition in this chapter, each property may display the American flag or the flag of the state of California on a flag pole or wall mounted support provided the flag does not exceed twenty square feet in size;

B. Internally illuminated canister signs;

C. Pennants;

D. Billboards;

E. Inflatable signs;

F. Spinning or rotating signs;

G. Off-premises signs;

H. On and off-site human held signs also known as sign walkers;

I. Wire stake signs in commercial or industrial zones;

J. Searchlights;

K. Banners displayed on poles;

L. All signs described in Section 7.10.170 not otherwise specifically allowed herein.

[18.83.150]

## Chapter 7.10 Downtown Signs

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### 7.10.170 Exempt Signs

The following existing signs contribute to the character and history of the downtown area and are therefore exempt from this chapter:

- A. Hitching Post Theaters;
- B. Kelcy's;
- C. BeeKay Theater;
- D. Santa Fe Motel;

E. Burger Spot;

F. Main Street promotional banners;

G. All signs described in Section 7.20.160 (except those described in subsection 7.20.160.I) not otherwise specifically prohibited herein.

[18.83.160]

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### 7.10.180 Abandoned Signs

Signs remaining in place at a vacated premises shall be removed within sixty days of the vacation of the premises. If such signs are not so removed, the city may remove them at the expense of the property owner.

[18.83.170]

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### 7.10.190 Incorporation

In the administration of this section, the following provisions of Chapter 7.20 are incorporated herein: Sections 7.20.030, 7.20.120, 7.20.130, 7.20.140, 7.20.150

[18.83.180]

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### 7.10.200 Nonconforming Signs

Chapter 10.30 (Nonconforming Provisions) shall not apply to this chapter. Any signs described herein which are regulated under the Outdoor Advertising Act, Division 3, Chapter 2 of the California Business and Professions Code, commencing with Section 5200, in existence upon the effective date of the Ordinance codified in this section and not otherwise illegal, shall be subject to the following:

A. Except as otherwise provided in this title, any sign lawfully in use on the effective date of the ordinance from which this title derives but made nonconforming thereby may continue to be used for a period of five years.

B. Nonconforming signs in existence beyond five years, as provided for in Subsection A of this section, are declared illegal signs and a public nuisance and shall be abated as provided for in Chapter 10.60 (Penalties). Nonconforming signs shall be kept in good repair during the five year period the sign may be used. Alterations or modifications to any nonconforming sign are prohibited, except for structural repair resulting in the same size or shape.

C. A requirement for a nonconforming sign to be removed or altered so as to comply with the requirements of this title may be imposed as a condition for the approval of a subdivision, conditional use permit, variance, or other discretionary development approval.

[18.83.190]

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### 7.10.210 Fees

A fee for application and issuance of sign approval or a temporary use permit may be charged by City and payable at the time of submittal of the application.

[18.83.200]

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### 7.10.210 Enforcement - Penalties

Violations of this chapter constitute a misdemeanor punishable by a fine of not more than five hundred dollars or by imprisonment in the county jail not to exceed six months or by both such fine and imprisonment.

[18.83.210]

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## Chapter 7.20 Signs Outside Downtown

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### Sections:

- 7.20.010 Purpose
  - 7.20.020 Application Requirements
  - 7.20.030 Computation of Area
  - 7.20.040 Agricultural Signs
  - 7.20.050 Banners
  - 7.20.060 Center Identification Signs
  - 7.20.070 Institutional Identification Signs
  - 7.20.080 Monument Signs
  - 7.20.090 Off-site Advertising Signs
  - 7.20.100 Permanent Subdivision Area Identification Signs
  - 7.20.110 Signs Attached to Buildings
  - 7.20.120 Temporary Campaign Signs
  - 7.20.130 Temporary Construction Signs
  - 7.20.140 Temporary Real Estate Signs
  - 7.20.150 Temporary Subdivision Signs
  - 7.20.160 Prohibited Signs
  - 7.20.170 Exempt Signs
  - 7.20.180 Special Sign Provisions
  - 7.20.190 Nonconforming Signs
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## 7.20.010 Purpose

The purpose of this chapter is to promote the orderly and attractive construction, placement, and display of signs throughout the City except for the downtown area.

Chapter 7.10 provides for the construction, placement, and display of signs in the downtown area and nothing herein shall apply to the downtown area except as specifically described in 7.10.

It is the policy of the city that the primary purpose of signs is identification and public information. Signs that cause distraction and represent potential safety hazards as well as aesthetic problems are either discouraged or prohibited. These general provisions serve as specific development standards to be applied in addition to the basic sign provisions within each zoning district. [18.84.010]

## 7.20.020 Application Requirements

### A. Filing Requirements

All sign plans shall be submitted to the Commission for review and approval in compliance with Chapter 9.10 (Application Processing Procedures) .

### B. Required Findings

All signs shall be approved in accordance with standards of this chapter before installation. All signs shall also be subject to the requirements of the uniform building code. In general, no private advertising signs may be placed within road rights-of-way.

All signs shall be of sufficient durability to prevent rapid deterioration.

### C. Required Data

All sign applications shall include a scale drawing and be prepared in such a manner as to accurately reflect the final product.

### D. Responsibility

It is the responsibility of the applicant to attend the Commission hearing if the sign is to be approved.

[18.84.020]

## 7.20.030 Computation of Area

The following methods will be used to compute the area of sign copy.

A. The area of a monument sign is to be computed by multiplying the total height by the total length of the sign or signs for one-sided signs, excluding framework of separate single wood post or masonry column and single wood or masonry beam. The base of a monument sign shall not be considered part of the sign when constructed of wood or masonry (see Figure 7.20.030).

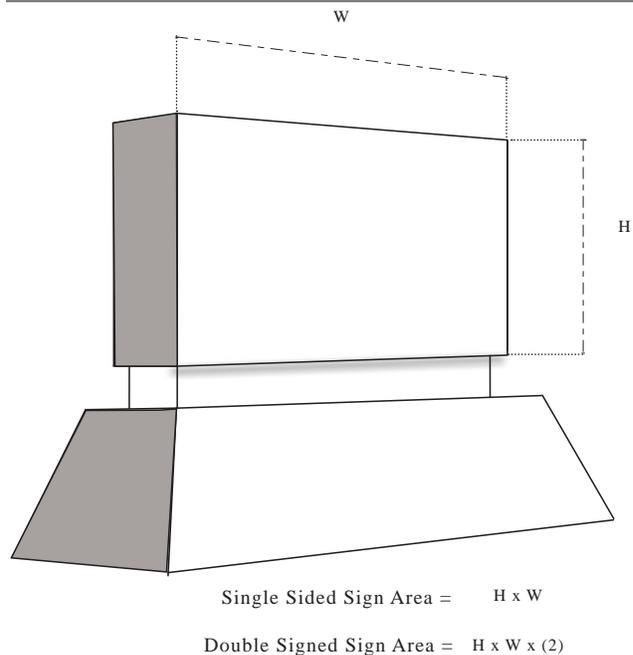
B. Where a two-sided monument sign contains identical copy on each side, the area of the sign shall be computed by multiplying the total height by the total length of only one side (see Figure 7.20.030)

C. The area of a freestanding sign which has three or more faces shall be computed by adding the areas of each face of the sign.

D. The area of a freestanding sign that is an object or statuary shall be computed by the appropriate mathematical equation for determining total surface of an object.

[18.84.160]

Figure 7.20.030 Calculation of Monument Sign Area



## Chapter 7.20 Signs

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### 7.20.040 Agricultural Signs

Agricultural signs advertising agricultural products raised or produced on the subject property may be erected in all agricultural zoning districts, provided they comply with the following standards:

A. There shall be no more than one agricultural sign per legal lot.

B. The permanent on-site sign shall not exceed sixteen square feet in area for parcels less than five acres nor exceed twenty-four square feet for parcels exceeding five acres. The sign shall not exceed six feet in height.

C. The sign shall not be within any street right-of-way, nor cause a visual hazard.

D. The sign shall not be illuminated.

E. The sign shall be stationary.

F. Off-site directional signs may be permitted from August 1st to December 31st when approved by the planning commission subject to the following standards. Signs shall not exceed thirty-two square feet in area and a height of eight feet and only one agricultural directional sign shall be permitted on any legal lot of record.

[18.84.110]

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### 7.20.050 Banners

Notwithstanding any other provision in this Chapter, banners may be permitted through obtaining a temporary use permit in the manner described in Section 7.10.150 (Temporary Signs). [18.84.105]

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### 7.20.060 Center Identification Signs

Signs identifying commercial shopping centers may be considered for approval by the Commission if they meet the following standards.

A. The sign does not exceed fourteen feet in height and eighty-four square feet in area.

B. The sign shall be of a monument style designed in an architectural style similar to the shopping center buildings.

C. The shopping center shall be a minimum of one acre in net area. [18.84.140]

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### 7.20.070 Institutional Identification Signs

Signs identifying churches, public and private schools, colleges, hospitals, universities, or fraternal, benevolent, and social service organizations located on the same property shall comply with the following standards, except that when such institutions are located in a commercial zoning district, the sign regulations applicable to signs in the commercial district shall govern.

A. There shall be no more than two institutional identification signs per each street frontage, not to exceed a total of six such signs on a lot.

B. Each sign shall not exceed thirty-two square feet in area.

C. Lighting of institutional identification signs shall be indirect and nonflashing and shall not produce glare

on other properties in the vicinity.

D. The signs shall not extend into any existing or proposed road or street right-of-way.

E. Freestanding signs shall not exceed six feet in height. Signs attached to buildings shall not extend above the roof line or parapet wall of the building.

F. All signs shall be stationary.

G. Generally recognized and acceptable religious symbols that are freestanding or are attached to or part of a church (or attached to or part of a freestanding sign) may be exempted by the planning commission from the provisions herein regarding height, area, and number of signs.

[18.84.120]

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### 7.20.080 Monument Signs

Freestanding monument signs shall comply with the following standards:

- A. No monument sign shall be located within any existing or designated future road right-of-way line.
- B. The monument sign face and supports for a single tenant shall not exceed forty-eight square feet in area nor a maximum height of six feet as measured from grade to the highest point of the sign face or sign supports. The monument sign face and supports for multi-tenant shall not exceed fifty-six square feet in area nor a height of eight feet as measured from grade to the highest point of the sign face or sign supports. Monument signs shall include a minimum two-foot decorative monument base or, in lieu thereof, decorative pilasters incorporated in the

monument sign as approved by the Director. A monument sign may be approved for a stand alone business occupying a legal parcel or stand alone pad within a commercial strip center.

C. Monument signs shall be a minimum of ten feet from any common property line and shall be a minimum of twenty feet apart.

D. Lighting of monument signs shall be arranged so as not to produce a glare on other properties in the vicinity.

[18.84.030]

### 7.20.090 Off-site Advertising Signs

A. Except as provided in Subsection B, below, Off-site advertising signs are not permitted in this title, unless specifically permitted under another section of this title.

B. Notwithstanding the foregoing, professionally made and secured sandwich boards are permitted adjacent to a building provided an adequate handicap accessibility is

maintained and they are located out of the public right-of-way and not to exceed twenty-four inches by thirty-six inches in size.

[18.84.050]

### 7.20.100 Permanent Identification Signs

Permanent identification signs, including signs identifying a subdivision, mobilehome park, apartments, townhouses, condominiums, or any other residential project, shall comply with the following standards:

- A. Permanent subdivision identification signs may be either attached to an entrance fence or structure or be a monument sign.
- B. The sign shall not exceed four feet in height or thirty square feet in size
- C. The sign shall be located in a maintained landscaped area on a parcel within the subdivision at a primary entrance.

D. The sign attached to entry fences may be permitted at a greater height if determined appropriate by the Commission.

E. The sign shall not be illuminated except for low silhouette spotlighting that does not create glare on other properties in the vicinity.

F. The design and materials of the sign shall be approved by the Commission and shall be of materials of sufficient durability to prevent rapid deterioration, such as metal or tile.

[18.84.080]

## Chapter 7.20 Signs

### 7.20.110 Signs attached to buildings

Signs attached to a building or wall shall comply with the following standards:

A. All signs attached to a building shall be attached flat against the building and parallel thereto and shall not extend more than twelve inches from the wall of the building. For the purpose of this subsection, a wall is a surface not less than sixty degrees from the horizontal. Exceptions to this provision are as follows:

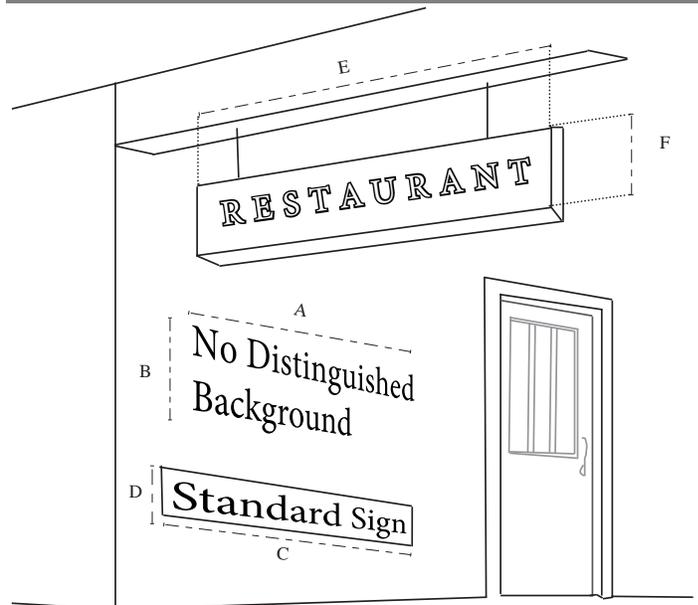
1. Signs may be attached to a building providing that the sign does not exceed four feet in height and that the sign does not project above the peak of the roof of the building, except that a wall sign exceeding the four-foot maximum height may be considered for larger structures providing the size of the sign is to scale with the structure and at the discretion of the community development director.

2. Signs may be mounted below the soffit of a canopy, overhang, or porch and may be perpendicular to the building providing that they do not exceed twelve inches below the soffit or beam and maintain a minimum of seven feet vertical clearance along corridors or exit courts below.

B. Lighting of signs attached to buildings shall be arranged so as not to produce a glare on other properties in the vicinity, and the source of light shall not be visible from adjacent property or a public street.

C. Sign copy which is applied on the building in such a manner that no background is distinguishable from the overall architectural motif of the building shall be counted at seventy-five percent of the area within straight lines enclosing the copy. All other signs shall be computed at one hundred percent (see Figure 7.20.110).

Figure 7.20.110 Calculation of Wall Sign Area



$$\text{Area} = A \times B \times (0.75)$$

$$\text{Area} = C \times D$$

$$\text{Area} = E \times F \times (2)$$

D. Sign area shall not exceed three square feet for each linear foot of street frontage. E. Signs projecting from the face of a building may be permitted provided they are installed in accordance with the uniform building code, do not project more than three feet from the face of the building, do not exceed four square feet in area, and the city is named as an insured party by the business owner.

[18.84.040]

### 7.20.120 Temporary Campaign Signs

Temporary political, religious and civic campaign signs may be erected for a period not to exceed ninety days and shall comply with the following standards:

A. Each sign shall be removed on the earlier of (i) the ninetieth day from which it was erected and (ii) fifteen days following the conclusion of the campaign to which it pertains.

B. In residential districts, each sign shall not exceed

nine square feet in area or a height of four feet as measured from the surface of the ground to the bottom of the sign.

C. In commercial and industrial districts, each sign shall not exceed thirty-two square feet in area or a height of six feet as measured from the surface of the ground to the bottom of the sign.

D. No signs shall be placed on property owned by the City or on which the City has an easement or a right-of-way.

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## 7.20.120 Temporary Campaign Signs

E. Any sign for a political, religious or civic campaign on an off-site advertising sign specifically permitted under any chapter of this title except Chapter 7.20 shall be exempt from this section.

[18.84.100]

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## 7.20.130 Temporary Construction Signs

Where a building is under construction, temporary signs may be erected to identify the project owner, architect, landscape architect, contractor, builder, proposed business, or lender, provided they comply with the following standards:

A. There shall be no more than three such temporary construction signs per project.

B. The sign shall not exceed eighteen square feet in area.

C. The sign shall not be illuminated.

D. If attached to the building, the sign shall not extend above the roof line or parapet wall of the building. If freestanding, the maximum height is six feet.

E. The sign shall be stationary.

F. The sign shall be removed at the time of final inspection of the job.

[18.84.090]

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## 7.20.140 Temporary Real Estate Signs

Temporary real estate signs advertising the particular property on which the sign is located shall comply with the following standards:

A. Not more than one temporary real estate sign shall be placed on the lot; provided, however, that an auxiliary rider sign shall be allowed if attached to the same sign support, and further provided that where the lot is bounded by more than one street, one sign with an auxiliary rider sign shall be allowed along each adjacent street frontage.

B. Temporary real estate signs shall not be illuminated.

C. Temporary real estate signs shall not be located within a public right-of-way.

D. If attached to a building, the temporary real estate sign shall not extend above the roof line or parapet wall of the building.

E. If freestanding, the sign shall not exceed six feet in height and an area of thirty-two square feet in commercial, industrial and agricultural zone districts or four square feet in residential zone districts.

F. This subsection shall not restrict the number or size of temporary real estate signs erected out-of-doors within courtyard or mall spaces below the height of the enclosed buildings within the buildable area of the lot, provided that the signs are not visible from a public street or adjoining property.

G. Notwithstanding the prohibition in Section 7.20.090 (Off-site Advertising Signs) temporary off-site directional real estate signs may be used in conjunction with open house real estate sales activity provided that each portable directional sign does not exceed an overall size of sixteen square feet, including support, does not exceed a height of six feet, and is not located within a road or street right-of-way. Signs shall be on display only when property is open for inspection.

H. Real estate signs shall be removed within ten days after sale of the property or immediately after close of escrow.

I. Temporary real estate signs less than four square feet in area shall not be subject to sign plan review.

[18.84.060]

## Chapter 7.20 Signs

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### 7.20.150 Temporary Subdivision Signs

Temporary subdivision signs shall be displayed only on a kiosk provided by the City at designated locations.

[18.84.070]

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### 7.20.160 Prohibited Signs

The following signs are prohibited in all zoning districts:

- A. Moving or rotating signs;
- B. Signs with flashing, moving, or animated illumination except as specified in subsection A of Section 7.20.180 (Special Sign Provisions);
- C. Off-site advertising signs unless specifically permitted;
- D. Any sign displaying an obscene, indecent, or immoral matter;
- E. Advertising signs that include the words, "Stop," "Look," or "Listen" or any other word, phrase, symbol, lights, motion, sound, fumes, mist, or other effluent that may interfere with, mislead, or confuse the driving public;
- F. Portable signs, except for temporary real estate signs as provided in Section 7.20.140 (Temporary Real Estate Signs);
- G. Inflatable signs or signs on inflatable advertising devices when the device is attached or secured to the ground;
- H. Signs extending above roof signs, except where specifically provided for under the provisions of this title for signs attached to buildings;
- I. Signs projecting from buildings, except where specifically provided for;
- J. Wind activated signs;
- K. Any other advertising device attached to a building, fence, pole, or vehicle on display not specifically authorized by this title;
- L. Temporary signs as defined in Article 11 (Definitions) except as otherwise described in this chapter;
- M. Canister signs affixed to the fascia of a structure;
- N. Searchlights;
- O. Pennants (except when displayed during a grand opening or special community event through a temporary use permit in the manner described in Section 7.10.150 of this Chapter);
- P. Signs displayed on utility poles, street signs, or within the public right-of-way;
- Q. Banners displayed on poles;
- R. Wire stake signs in commercial or industrial zones.

[18.84.150]

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### 7.20.170 Exempt Signs

The following signs, except as provided elsewhere in this title, are exempt from the provisions of this chapter:

- A. Approved highway directional signs;
  - B. Railroad signal signs;
  - C. Signs prohibiting trespassing and hunting, provided that they do not exceed four square feet in area;
  - D. Warning signs required by law or erected by public agencies;
  - E. Utility company signs identifying cables, conduits, or hazards;
  - F. Public notices and announcements authorized by courts and public officials;
  - G. Advertising signs on buses and taxis;
-

## 7.20.170 Exempt Signs

H. Signs on automobiles and trucks that are painted on or attached flat against the vehicle to identify or advertise the associated business, provided that the vehicle is primarily used for the business and is parked on private property as a normal function;

I. Window display signs limited to painted signs on glazing, poster paper signs, and placards attached to the inside of glazing of store fronts, provided that the store front glazing is not covered in excess of fifty percent;

J. Signs that are painted on or attached to the windshield of a vehicle or boat, properly located for display;

K. Public telephone identification;

L. Signs of an instructive nature or which include information required by county, state or federal enforcement agencies including: telephone booth, gas pump use instructions, instructions for recreational vehicle dump station, brake and smog certification, restroom identification, no smoking, propane tank identification, gas pump identification, air and water, drive to forward pump, cashier, hours of operation, required gallon to liter conversion, full-service and self-service signs at each island not exceeding four square feet in area, and traffic directional signs as approved by enforcement agencies for necessary traffic control and direction, provided that they do not exceed four square feet in area each and do not exceed thirty inches in height in front or side street yard and no symbol, name, or other message is on said signs;

M. Signs erected inside enclosed malls;

N. Signs erected out-of-doors within courtyards and mall spaces (below the height of enclosed buildings) within the buildable portion of the lot where signs are not visible from a public street or adjacent parcel;

O. Directional, warning, or identification signs for petroleum drilling and extraction activities not exceeding two square feet in area;

P. Residential name and address signs not exceeding two square feet in area;

Q. Seasonal decorations;

R. Hospital directional signs;

S. Murals are more particularly described in Chapter 18.85

T. The American flag, the flag of the State of California, or other noncommercial flags may be displayed on one flag pole or wall-mounted support provided the flag does not exceed twenty square feet in size. The American flag shall be illuminated at night and follow proper flag protocol.

[18.84.130]

## 7.20.180 Special Sign Provisions

A. Electronic time and temperature signs as part of an on-site advertising sign are permitted as regulated by development standards provided that they are in good working order.

B. Exit, entrance, or other on-site traffic directional signs are permitted, provided that the signs do not exceed six feet in height and contain no advertising or message other than for traffic directions.

C. Illuminated signs in storefront window glazing visible from a public street shall be considered signs and shall comply with the requirements of this chapter.

D. Special signing required for drive-in windows for drive-in restaurants, banks, or similar businesses is permitted, provided the sign copy is necessary for information, instruction, or directions and specifically related to the special use subject to review and approval of the planning commission.

E. Signs for uses approved in conjunction with a Conditional Use Permit shall be as specified in the conditions of approval for that Conditional Use Permit.

[18.84.170]

## 7.20.190 Nonconforming Signs

Nonconforming signs shall be subject to the requirements of Chapter 10.30 (Nonconforming Provisions).

[18.84.180]

# Article 8 Open Space and Street Standards

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## Chapter 8.20 Street Type Standards

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## **Chapter 8.10 Standards Specific to Open Spaces**

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### Sections:

- 8.10.010 Purpose of Open Space Standards
- 8.10.020 Open Space Standards
- 8.10.030 Small Town-Scale Open Spaces and Intended Physical Character
- 8.10.040 Required Criteria
- 8.10.050 Requirements by Zone
- 8.10.060 Nature Standards
- 8.10.070 Agriculture Standards
- 8.10.080 Greenway Standards
- 8.10.090 Green Standards
- 8.10.100 Plaza Standards
- 8.10.110 Square Standards
- 8.10.120 Passage Standards
- 8.10.130 Playground Type Standards
- 8.10.140 Sportsfield Standards
- 8.10.150 Roof Garden Type Standards

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## 8.10.010 Purpose of Open Space Standards

This chapter of the Tehachapi Code is intended to provide standards that generate new open space or the revitalization and/or modification of open space to successfully implement the Tehachapi General Plan.

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## 8.10.020 Open Space Standards

Any parcel subject to the Tehachapi Code shall be developed in compliance with the open space standards identified in Table 8.10, as applicable. Applications, or portions thereof, that do not comply with the applicable requirements shall be considered inconsistent with the intent and purpose of the Tehachapi Code.

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## 8.10.030 Small Town-Scale Open Spaces and Intended Physical Character

Property subject to the Tehachapi Code is intended to generate and support the small town-scale and physical character intended by the Tehachapi General Plan as described below.

**Design Objectives.** Open spaces and their improvements shall be designed and maintained to generate small town-scale open spaces as follows:

**Natural.** These are open spaces that are intended as part of Tehachapi's system of nature and agriculture to sup-

port the zone. See Tables 8.10.060 and 8.10.070;

**Civic.** These are open spaces that are intended to serve as civic, gathering space within neighborhoods, districts or corridors to support the zone. See Tables 8.10.080 through 8.10.150.

Support the intended physical character of the zone;

Express small town physical character through the design of appropriate civic spaces and their plantings and architectural details.

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## 8.10.040 Required Criteria

In order to be approved, each application shall be consistent with the following, as applicable.

"The proposed application..."

1. Supports or maintains the intended character as identified by the zone;
  2. Supports or maintains the pedestrian-oriented streetscape as identified by the zone;
  3. Supports or maintains compatible adjacencies with neighboring buildings and neighborhoods;
  4. Provides for vehicular and service access without adversely affecting the pedestrian-orientation of the open space;
  5. Is in compliance with the requirements of the applicable zone(s).
-

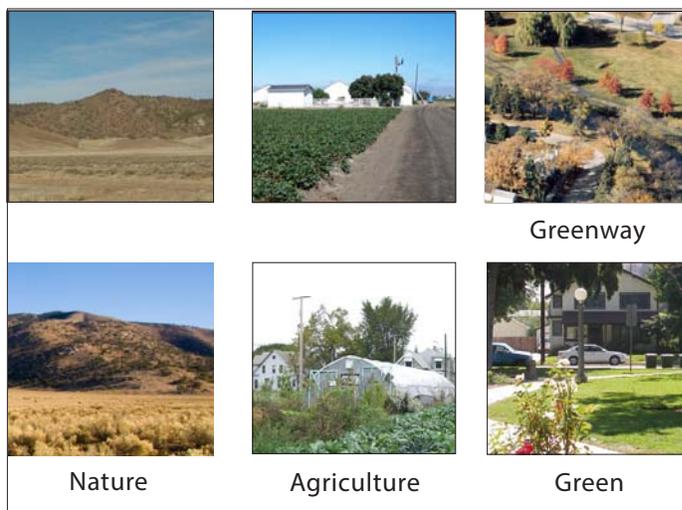
# Chapter 8.10 Standards Specific to Open Spaces

## 8.10.050 Requirements by Zone

In support of the intent and intended physical environment for each zone, Table 8.20 identifies the allowed open space types in each zone.

1. **Requirement for Open Space.** When required by Section A.2d of the zone standards, open space shall be provided per the requirements of Table 8.10.
2. **Types.** The allowed types in each zone are for the general purpose of supporting or generating open space for the range of intended physical environments. All open space shall be provided as one or more of the allowed types in the zone.
3. **Multiple Types.** As allowed by Section 8.10, a site or building may utilize multiple open space types subject to City review and approval.

TABLE 8.10 ALLOWED OPEN SPACE TYPES



Greenway

Nature

Agriculture

Green

TYPES	DOWNTOWN (T5)		NEIGHBORHOOD CENTER (T4.5)	
	ALLOWED	SEE REF	ALLOWED	SEE REF
Nature				
Agriculture	Agriculture	8.10.070	Agriculture	8.10.070
Greenway			Greenway	8.10.080
Green			Green	8.10.090
Plaza	Plaza	8.10.100	Plaza	8.10.100
Square	Square	8.10.110	Square	8.10.110
Passage	Passage	8.10.120	Passage	8.10.120
Playground	Playground	8.10.130	Playground	8.10.130
Sportsfield				
Roof Garden	Roof Garden	8.10.150	Roof Garden	8.10.150

SEE 8.10.090 Type allowed in zone, see reference for requirements

blank

Type not allowed in zone

# Chapter 8.10 Standards Specific to Open Spaces

ALLOWED OPEN SPACE TYPES TABLE 8.10



NEIGHBORHOOD GENERAL (T4)		NEIGHBORHOOD EDGE (T3)		RURAL GENERAL (T2.5)		RURAL EDGE (T-2)		TEHACHAPI BLVD WEST (SD-2.1)	
ALLOWED	SEE REF	ALLOWED	SEE REF	ALLOWED	SEE REF	ALLOWED	SEE REF	ALLOWED	SEE REF
Nature	8.10.060	Nature	8.10.060	Nature	8.10.060	Nature	8.10.060		
Agriculture	8.10.070	Agriculture	8.10.070	Agriculture	8.10.070	Agriculture	8.10.070	Agriculture	8.10.070
Greenway	8.10.080	Greenway	8.10.080	Greenway	8.10.080	Greenway	8.10.080	Greenway	8.10.080
Green	8.10.090	Green	8.10.090	Green	8.10.090			Green	8.10.090
								Plaza	8.10.100
Square	8.10.110							Square	8.10.110
Passage	8.10.120							Passage	8.10.120
Playground	8.10.130							Playground	8.10.130
Sportsfield	8.10.140	Sportsfield	8.10.140						
Roof Garden	8.10.150	Roof Garden	8.10.150	Roof Garden	8.10.150	Roof Garden	8.10.150	Roof Garden	8.10.150

**KEY TO NOTES FOR TABLE 8.10**

**TABLE 8.10.060 NATURE STANDARDS**

## A. Description and Intent

1. **Description.** Areas that are to remain undeveloped and that generate their physical character through their natural topography, trees and plants. This type of open space generally surrounds and helps visually define Tehachapi and sometimes occurs within the town itself. This type is preserved from any development except for occasional utility-oriented buildings as allowed by the zone.
2. **Examples of Intended Physical Character.** The following examples are illustrative of the range of physical character for the Nature type in the allowed zones.



*Above: Example of natural open space with a water storage tank.*



*Above: Example of natural open space including foot-hill areas.*

## B. Design Standards

Natural open space is subject to the following as applicable.		
ALL ALLOWED ZONES		
<b>Size and Location</b>		
Width	no min	no max
Acreage	no min	no max
<b>Physical Character</b>		
Overall: Natural		
Shape: Irregular		
Ground Surface: Natural landscape, occasional road		
Trees and Plants: Native, occurring naturally		
Buildings: Few, utility-oriented, as allowed by zone		
Lighting: none		
Parking: none required; when provided, parking shall not exceed 25 spaces in a non-paved lot and shall be at least 20 feet from the nearest parking area		
<b>Range of Allowed Uses (per zone standards)</b>		
Passive, unstructured		
Hiking, trailheads, off-road bicycling, other passive activities		
Utilities as allowed by zone		
<b>Stormwater Management Techniques</b>		
Natural percolation, dry wells, french drains, swales		

**A. Description and Intent**

1. **Description.** Areas in some form of cultivation such as row crops, orchards, and greenhouses. These areas generally surround Tehachapi and are referred to as 'out of town' areas. Areas within town are referred to as 'in-town' agriculture. In-town agriculture consists of areas producing agricultural produce within or adjacent to neighborhoods, districts and corridors. In-town agricultural areas are smaller than regular agricultural areas and do not contain the typical agricultural equipment and operations of the regular agricultural areas. Regular agricultural areas may include some limited, rural development as allowed by the zone.
2. **Examples of Intended Physical Character.** The following examples are illustrative of the range of physical character for the Agriculture type in the allowed zones.



Above: Typical 'Out of Town' agricultural area with row crops and supporting agricultural operations buildings, including a house.



Above: Typical 'In-Town' agricultural area within a neighborhood.

**B. Design Standards**

Agriculture spaces are subject to the following as applicable.				
	T2, T2.5	T3	T4	T4.5, T5, SD2.1
<b>Size and Location</b>				
Width 'Out of Town'	min 400			
Width 'In-Town'		min 100	no min	no min
Acreage: 'Out of Town'	3 ac	n/a	n/a	n/a
Acreage: 'In-Town'	n/a	10,000 sq ft to 3 ac		
<b>Physical Character</b>				
Cultivated row crops	allowed	allowed	allowed	allowed
Greenhouses: (max)	1 ac	25% of site	50% of site	60% of site
Shape	Irregular or Regular		Regular	Regular

Ground Surface: Primarily food production plants and trees with supporting non-food producing landscape; farm operations area as allowed by zone
Trees and plants: Occasional
Buildings: Few, utility- or agriculturally-oriented as allowed by the zone
Lighting: for agricultural buildings and house per General Standards Section 4.40.090 (Lighting).
Parking: only required for house per applicable zone
<b>Range of Allowed Uses (per zone standards)</b>
Agriculture and supporting operations
Fruit/Produce stand as allowed by zone
<b>Stormwater Management Techniques</b>
Natural percolation, dry wells, french drains, swales

**TABLE 8.10.080 GREENWAY STANDARDS**

## A. Description and Intent

1. **Description.** Large community gathering places that provide natural, open space for passive recreation, with areas available for playgrounds and bicycle/pedestrian paths. Parks and greenways have their own character as they can span the entire length of a neighborhood or of multiple neighborhoods. Greenways may contain an amphitheater.
2. **Examples of Intended Physical Character.** The following examples are illustrative of the range of physical character for the Greenway type in the allowed zones.



*Above: Example of a greenway that spans several neighborhoods and includes a playground.*



*Above: Example of a path within a greenway.*

## B. Design Standards

Greenways are subject to the following as applicable.			
	T2, T2.5	T3, T4	T4.5, SD2.1
<b>Size and Location</b>			
Width along street (min)	100	75	50
Width (min)	avg 75	avg 50	avg 25
Acreage (min)	0.30	0.30	0.25
<b>Physical Character</b>			
Overall: Natural or formal			
Shape: Regular or irregular			
Ground Surface: Primarily natural landscape, meadows, woodlands			
Trees and plants: Native			
Buildings: Few, limited to open shelters			
Lighting: Decorative poles with lighting along pathways			
Parking: none required; where provided shall not exceed 25 spaces and shall be at least 150 feet from nearest parking area			
<b>Range of Allowed Uses (per zone standards)</b>			
Passive/Active			
Playground(s) located to complement natural park setting			
<b>Stormwater Management Techniques</b>			
Natural percolation, dry wells, french drains, swales			

**A. Description and Intent**

1. Description. Informal community gathering places that provide open space for unstructured recreation at the neighborhood scale. Greens are located within a neighborhood or may define the edges between neighborhoods. Greens may contain an amphitheater.
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Green type in the zones allowed by this code.



Above: Example of a formally arranged green that terminates the view at the end of a street.



Above: Example of the open character and views to and from adjacent buildings and sidewalks.

**B. Design Standards**

Greens are subject to the following as applicable.			
	T2.5	T3, T4	T4.5, SD2.1
<b>Size and Location</b>			
Width along street (min)	150	100	75
Width (min)	avg 100	avg 75	avg 50
Acreage (min)	0.75	0.50	0.25
<b>Physical Character</b>			
Overall: Natural or formal			
Shape: Regular or irregular			
Ground Surface: Primarily natural landscape, non-formal groupings of plants and trees			
Trees and plants: Native			
Buildings: Few, limited to open shelters			
Lighting: Decorative poles with lighting along pathways			
Parking: none allowed off street; on-street parking allowed			
<b>Range of Allowed Uses (per zone standards)</b>			
Passive/Active			
Playground(s) located to complement natural park setting			
<b>Stormwater Management Techniques</b>			
Natural percolation, dry wells, french drains, swales			

**TABLE 8.10.100 PLAZA STANDARDS**

## A. Description and Intent

1. Description. Open spaces available for civic purposes and commercial activities intended to add to the vibrance of streets within downtown or neighborhood center areas. Building frontages define the edges of these spaces. The landscape consists of primarily hardscape. If trees are included, they are formally arranged and of appropriate scale to the space. Plazas may contain an amphitheater.
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Plaza type in the allowed zones.



*Above: Example of a plaza serving downtown with central hardscape and areas of landscape for passive use and for civic activities.*



*Above: Example of a smaller plaza with a balance of hardscape of landscape that incorporates the public sidewalk into the plaza's edge along the street.*

## B. Design Standards

Plazas are subject to the following as applicable.			
	T4.5	T5	SD2.1
<b>Size and Location</b>			
Width along street (min)	50	75	75
Width (min)	avg 50	avg 75	avg 75
Area (min)	2,000 sq ft	2,000 sq ft	2,000 sq ft
<b>Physical Character</b>			
Overall: Natural or formal			
Shape: Regular			
Ground Surface: Primarily hardscape with landscape through informal or formal planting and trees with an emphasis on providing gathering space			
Trees and plants: Native			
Buildings: Few, limited to open shelters			
Lighting: Decorative poles along sidewalk, within the plaza; Lighting mounted on adjacent buildings			
Parking: none allowed off-street; on-street allowed			
<b>Range of Allowed Uses (per zone standards)</b>			
Passive/Active			
Civic activities			
<b>Stormwater Management Techniques</b>			
Natural percolation, french drains, swales			

**A. Description and Intent**

1. **Description.** A formal gathering place within or at the edges of neighborhoods, smaller than a Green that provides open space for unstructured recreational or civic activities. The square is the neighborhood version of the Plaza as it provides a gathering place for a community focus at the neighborhood scale. Squares are typical with a neighborhood center either within or at the neighborhood's edges. Squares may contain an amphitheater.
2. **Examples of Intended Physical Character.** The following examples are illustrative of the range of physical character for the Square type in the zones allowed by this code.



*Above: Example of a square with a large landscape area flexible for a variety of events and a substantial perimeter of hardscape for vehicular access.*



*Above: Example of a larger square with a large landscape area accented by formal plantings and an open shelter along the perimeter.*

**B. Design Standards**

Squares are subject to the following as applicable.			
	T4	T4.5	SD2.1
<b>Size and Location</b>			
Width along street (min)	100	75	100
Width (min)	avg 75	avg 50	avg 75
Area (min)	3,500 sq ft	3,000 sq ft	3,500 sq ft
<b>Physical Character</b>			
Overall: Formal			
Shape: Regular			
Ground Surface: Primarily turf with formal planting and trees; combination pathway / service drive along edges of square allowed			
Trees and plants: Native			
Buildings: Few, limited to open shelters			
Lighting: Decorative poles along sidewalk, within the plaza; Lighting mounted on adjacent buildings			
Parking: none allowed off-street; on-street allowed			
<b>Range of Allowed/Typical Uses (per zone)</b>			
Passive/Active			
Civic activities			
<b>Stormwater Management Techniques</b>			
Natural percolation, french drains, swales			

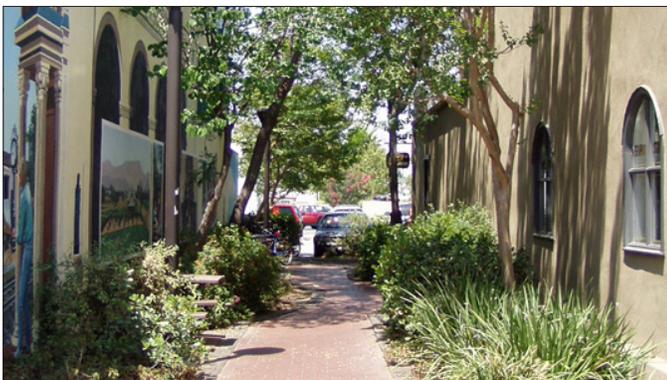
**TABLE 8.10.120 PASSAGE STANDARDS**

**A. Description and Intent**

1. **Description.** An informal or formal community gathering place that serves equally as a pedestrian connector between other gathering places or between streetscapes. Passages are near the middle of a block, providing easy walking access through the block. A passage provides additional frontage opportunities for the shops and/or houses along its edges.
2. **Examples of Intended Physical Character.** The following examples are illustrative of the range of physical character for the Passage type in the allowed zones.



*Above: Example of a passage between several buildings with each building providing interest by having windows and / or doors accessible from the passage.*



*Above: Example of a passage between a main street and the rear parking areas. The adjacent buildings feature murals and operable windows and doors.*

**B. Design Standards**

Passages are subject to the following as applicable.				
	T4	T4.5	T5	SD2.1
<b>Size and Location</b>				
Width along street (min)	20	15	15	20
Width (min)	avg 20	avg 15	avg 15	avg 20
Length (max)	150 ft to alley or other public area			
<b>Physical Character</b>				
Overall: Informal or Formal				
Shape: Regular				
Ground Surface: Primarily hardscape with landscape through informal or formal planting and trees with an emphasis on providing visible space for pedestrian access to nearby destinations.				
Trees and plants: Native				
Buildings: Along the edges of the Passage as allowed by the zone				
Lighting: Decorative street lights along middle of Passage or mounted on sides of adjacent buildings.				
Parking: none allowed				
<b>Range of Allowed Uses (per zone standards)</b>				
Temporary vendors as allowed				
Pedestrian and bicycle access				
<b>Stormwater Management Techniques</b>				
Natural percolation, french drains, swales				

**A. Description and Intent**

1. Description. An informal community gathering place primarily designed and equipped for the recreation of children. A playground is typically interspersed within neighborhoods to provide easy walking access. A playground may be located on a vacant lot between houses or at a street corner and may also be included within a Greenway, Green, Square, or Sportsfield. Playgrounds are sometimes fenced for safety with fencing that is visually compatible with the adjacent streetscape and park setting.
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Playground type in the allowed zones.



Above: Example of a playground within a Sportsfield type featuring activity areas for small children.



Above: Example of a playground on a small site.

**B. Design Standards**

Playgrounds are subject to the following as applicable.				
	T4	T4.5	T5	SD2.1
<b>Size and Location</b>				
Width along street (min)	50	35	35	50
Depth (min)	50	35	35	50
<b>Physical Character</b>				
Overall: Informal				
Shape: Regular or irregular				
Ground Surface: Combination of hardscape and landscape, planting and trees with an emphasis on providing area for activity areas and equipment for children and limited areas for organized sports activities.				
Trees and plants: Native				
Buildings: an open shelter and playground equipment				
Lighting: Decorative street lights along paths and adjacent sidewalk.				
Parking: none allowed off-street; on-street allowed				
<b>Range of Allowed Uses (per zone standards)</b>				
Passive and Active open space				
Pedestrian and bicycle access				
<b>Stormwater Management Techniques</b>				
Natural percolation, french drains, swales				

**TABLE 8.10.140 SPORTSFIELD STANDARDS**

**A. Description and Intent**

1. **Description.** A space or series of open spaces designed for sports activities. Sportsfields often accommodate several individual sports games at the same time and may feature a concession area and seating for spectators. Because of the larger amounts of people attracted to this type, Sportsfields are located to maintain compatibility with adjacent neighborhoods.
2. **Examples of Intended Physical Character.** The following examples are illustrative of the range of physical character for the Sportsfield type in the allowed zones.



*Above: Example of a Sportsfield with baseball diamond and areas for spectators.*



*Above: Example of a Sportsfield with multiple fields for several types of sports activities along with areas for spectators and concession stands.*

**B. Design Standards**

Sportsfields are subject to the following as applicable.		
	T4	T3
<b>Size and Location</b>		
Site Area	1 - 15 ac	1 - 20 ac
<b>Physical Character</b>		
Overall: Informal or Formal		
Shape: Regular		
Ground Surface: Primarily turf with planting and trees at edges of spectator or parking areas with an emphasis on providing unobstructed sports areas.		
Trees and plants: Native		
Buildings: Concession stand(s), seating for spectators, and utilities		
Lighting: Decorative street lights along paths, in areas for concession stand(s), and in parking areas		
Parking: 50 spaces per sportsfield; max 100 spaces per parking area; each parking area to be at least 50 feet from nearest parking area; on-street allowed		
<b>Range of Allowed Uses (per zone standards)</b>		
Temporary vendors as allowed		
Sports activities, civic events		
Playground(s) located to complement the areas adjacent to sportsfields.		
<b>Stormwater Management Techniques</b>		
Natural percolation, french drains, swales		

**A. Description and Intent**

1. Description. A gathering space on the roof of a building as allowed by the zone. Roof Gardens may be for private use as part of a civic building or activity, restaurant. On large civic buildings, Roof Gardens may have recreational space such as tennis or basketball enclosed by appropriate and decorative fencing.
2. Examples of Intended Physical Character. The following examples are illustrative of the range of physical character for the Roof Garden type in the allowed zones.



Above: Example of Roof Garden on the front half of the roof of this house with direct access to the space from a room.



Above: Example of Roof Garden on a large building with a portion of the roof featuring a shade structure and outdoor seating areas.

**B. Design Standards**

Roof Gardens are subject to the following as applicable.						
	T2	T3	T4	T4.5	T5	SD2.1
	T2.5					
<b>Size and Location</b>						
Width (min)	no min	no min	no min	20	30	30
Depth (min)	no min	no min	no min	20	30	30
Size (max)	Area of roof					
<b>Physical Character</b>						
Overall: Informal or Formal						
Shape: Regular or irregular						
Ground Surface: Combination of hardscape and landscape, planting and trees in containers						
Trees and plants: Native						
Buildings: open shelter or small enclosed pavilion as allowed by the zone						
Lighting: Decorative pole(s) or lighting mounted to shelter or pavilion						
Parking: none allowed; none required for restaurants, civic or other such activities						
<b>Range of Allowed Uses (per zone standards)</b>						
Passive open space						
Recreational area or restaurant as allowed by the zone						
<b>Stormwater Management Techniques</b>						
Downspouts to rainwater collection; filter through turf on roof through to rainwater collection system						

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## **Chapter 8.20 Street Type Standards**

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### Sections:

- 8.20.010 Purpose
- 8.20.020 Street Type Standards
- 8.20.030 Small Town-Scale Street Types and Intended Physical Character
- 8.20.040 Boulevard
- 8.20.050 Avenue
- 8.20.060 Commercial Street
- 8.20.070 Neighborhood Street
- 8.20.080 Road
- 8.20.090 Drive
- 8.20.100 Alley/Lane
- 8.20.110 Complete Streets
- 8.20.120 Retrofits and Transitions

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## 8.20.010 Purpose

This section of the Tehachapi Code is intended to generate new streets, or the revitalization and/or modification of existing streets, to successfully implement the Tehachapi General Plan.

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## 8.20.020 Street Type Standards

Any public or private street subject to the Tehachapi Code shall be developed in compliance with the standards provided in this Chapter. The design of each new or modified street shall be based on an applicable Street Type, as identified in the General Plan and in Table 8.20.

Individual design elements shall be applied to Street Types in accordance with the Applicability Tables in Section 8.20.110 (Complete Streets)..

Applications, or portions thereof, that do not comply with the applicable requirements of this Section shall be considered inconsistent with the intent and purpose of the Tehachapi Code.

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## 8.20.030 Small Town-Scale Street Types and Intended Physical Character

Through its configuration and design, Tehachapi's network of public and private streets is intended to generate the public realm framework for the community's small town-scale and physical character, as intended by the Tehachapi General Plan and described below.

Design Objectives: Tehachapi's public and private streets - through their layout, design, detailing and operation - are intended to provide both the primary mobility network and the public space framework for Tehachapi's sustainable, livable, pedestrian-oriented public realm. Each street - whether newly constructed or modified over time - should:

1. Support the formation of town-scale blocks, in conformance with the policies of the General Plan and the regulations of this Code.
2. Accommodate and appropriately balance all modes of travel - including pedestrian, bicycle, automobile and transit - in accordance with the applicable Street Type and function, and in rela-

tion to the intended urban (or rural) character of the Zone and General Plan Designation;

3. Provide and/or support appropriate, useful frontages for adjoining properties, facilitating comfortable and safe pedestrian access to buildings and properties fronting that street.
4. Contribute to Tehachapi's small-town landscape, reinforcing and adding value to adjacent public and private development.
5. Modifications and improvements to existing established streets, and segments thereof, shall employ streetscape elements as described in Section 8.20.110 (Complete Streets) and as directed by the City Engineer, based on and related to the nature and scope of the proposed development.

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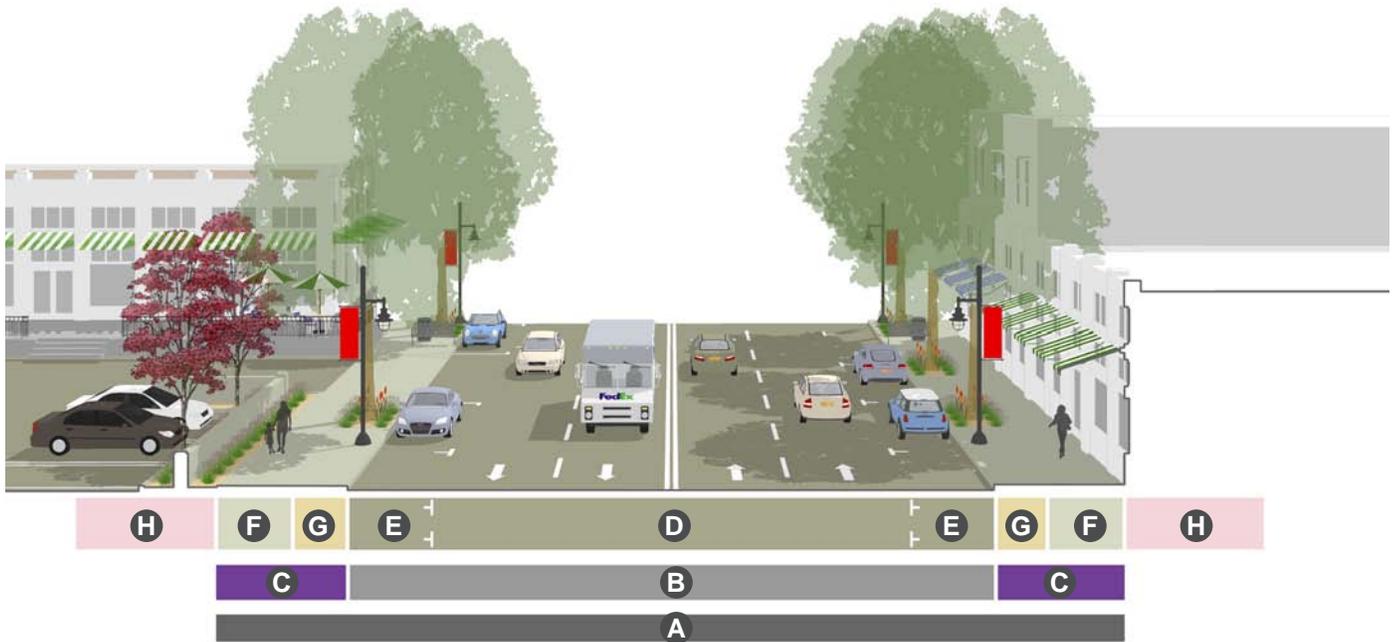
Type 1 - <b>Boulevard</b> <i>(See Section 8.20.040)</i>	STREETS	CHARACTERISTICS
 <p>A Thoroughfare designed for high vehicular capacity (up to 35,000 VTH), and moderate to high speeds (25-45 mph). Because of higher traffic speeds and volume, includes slip/frontage road for local traffic and a buffer for adjoining sidewalks and buildings.</p>	Tucker Rd Tehachapi Blvd	<ul style="list-style-type: none"> <li>- 80-100' R.O.W</li> <li>- 2-5 lanes</li> <li>- 25-45 mph</li> <li>- up to 35,000 ADT</li> </ul>
<b>Type 2 - Avenue</b> <i>(See Section 8.20.050)</i>		
 <p>A highly landscaped thoroughfare designed for relatively high vehicular capacities (up to 15,000 VTH), and low to moderate speeds (25-35 mph) that acts as a connector between urban centers.</p>	Valley Blvd Curry St	<ul style="list-style-type: none"> <li>- 80-100' R.O.W</li> <li>- 2-3 lanes</li> <li>- 25-35 mpg</li> <li>- up to 15,000 ADT</li> </ul>
<b>Type 3 - Commercial Street</b> <i>(See Section 8.20.060)</i>		
 <p>A Commercial thoroughfare designed for low to moderate capacity (up to 10,000 VTH), and low speeds (15-25 mph) providing access and convenient parking for urban centers.</p>	Any number of streets in Town Center	<ul style="list-style-type: none"> <li>- 76-90' R.O.W</li> <li>- 2 Lanes</li> <li>- On-street Parking</li> <li>- 15-25 mph</li> <li>- up to 10,000 ADT</li> </ul>
<b>Type 4 - Neighborhood Street</b> <i>(See Section 8.20.070)</i>		
 <p>A local urban thoroughfare designed for low to capacity (up to 5,000 VTH), and low speeds (10-25 mph) the accommodates a flexible range of activities and development intensities.</p>	Any number of neighbor- hood streets	<ul style="list-style-type: none"> <li>- 60' R.O.W</li> <li>- 2 lanes</li> <li>- 15-25 mph</li> <li>- up to 5,000 ADT</li> </ul>
<b>Type 5 - Road</b> <i>(See Section 8.20.080)</i>		
 <p>A local, rural (sometimes suburban) thoroughfare; low to moderate vehicle speeds (20-35 mph) and capacities (up to 2,500 VT/H).</p>	High Line Dennison Century Rd Valley Blvd Curry St	<ul style="list-style-type: none"> <li>- 60' R.O.W</li> <li>- 20-35 mph</li> <li>- up to 2,500 ADT</li> <li>- Rural character- istic</li> </ul>
<b>Type 6 - Drive</b> <i>(See Section 8.20.090)</i>		
 <p>A thoroughfare along the boundary between and urbanized and a natural condition, usually along a body of water, a park, or a promontory. One side has the urban character of the thoroughfare, while the other has the qualities of a road or parkway, with naturalistic plantings and rural details.</p>	Typically for roads edging parks or open space	<ul style="list-style-type: none"> <li>- 60' R.O.W</li> <li>- 2 lanes</li> <li>- 15-25 mph</li> </ul>
<b>Type 7 - Alley / Lane</b> <i>(See Section 8.20.100)</i>		
 <p>A vehicular way located to the rear of lots providing access to service areas, parking, and outbuildings, and containing utility easements. Rear lanes/alleys may be paved lightly to driveway standards with the streetscape consisting of gravel or landscaped edges, no raise curb, and drained by percolation</p>		<ul style="list-style-type: none"> <li>- 20-28' R.O.W</li> <li>- 1-lane</li> <li>- 5-10 mph</li> <li>- primarily for service</li> </ul>

# Chapter 7.10 Thoroughfare Standards

## 8.20.040 BOULEVARD STANDARDS

### Type 1- Boulevard

#### A. Tehachapi Blvd- 84' R.O.W



#### A. Description and Intent

A Thoroughfare designed for high vehicular capacity (up to 35,000 VTH), and moderate to high speeds (25-45 mph). Because of higher traffic speeds and volume, includes slip/frontage road for local traffic and a buffer for adjoining sidewalks and buildings.

[1] If vehicular lane is directly adjacent sidewalk, 12' minimum lane width is required.

Intended Character



#### 1. Public Right-of-Way (R.O.W)

<b>A</b>	Right-of-Way	88-100'
<b>B</b>	Curb-to-Curb	60'
<b>C</b>	Public Frontage	12'; See Section 8.20.110

#### 2. Curb-to-Curb

<b>D</b>	Vehicular Lanes	4 (2 each way); 11'-12' lane width [1]
	Median	none
	Bicycle Facilities	where occurs; see Section 8.20.110
	Bicycle Buffer	where occurs; see Section 8.20.110
<b>E</b>	Parking Facilities	Parallel, both sides, 7'-8'

#### 3. Public Frontage

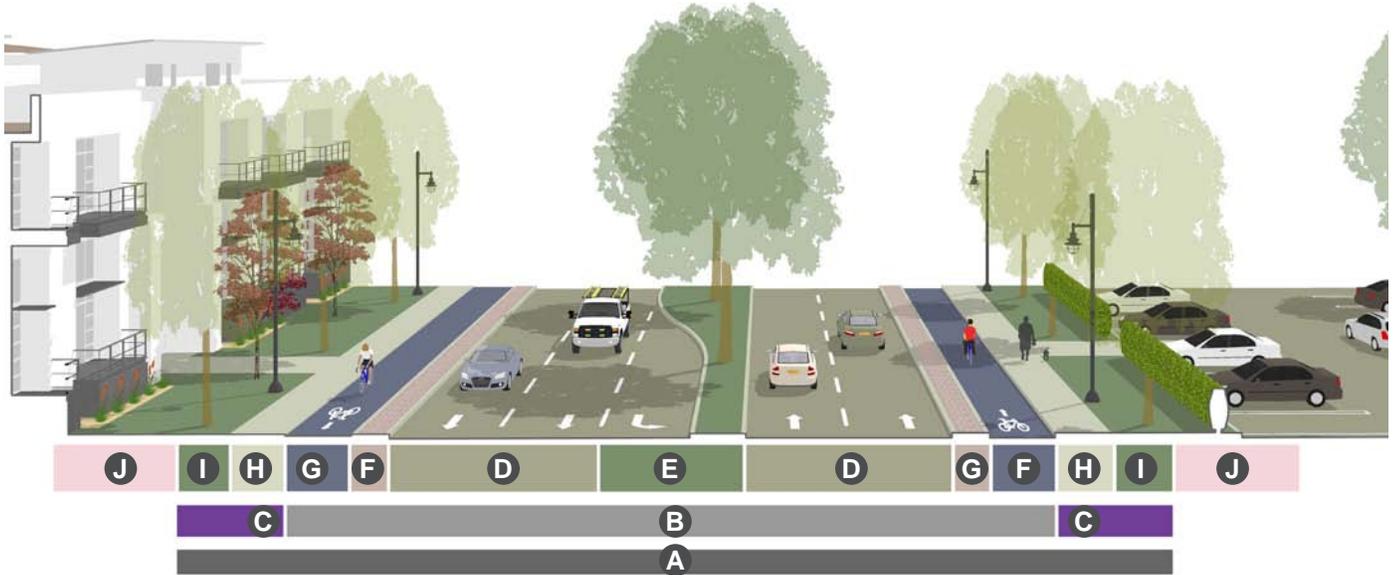
<b>F</b>	Sidewalk	10'-12'
<b>G</b>	Planter(s)	Tree wells, 5'x5' minimum
	Landscaping	See Section 4.40.040 (Approved Plant List)
	Lighting	See Section 4.40.090
	Drainage Type(s)	Curb & gutter

#### 4. Private Frontage

<b>H</b>	Frontage Type(s)	See Section 5.20.050
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**Type 1. Boulevard**

**B. Typical Blvd - 90'-100' R.O.W**



**A. Description and Intent**

A Thoroughfare designed for high vehicular capacity (up to 35,000 VTH), and moderate to high speeds (25-45 mph). Because of higher traffic speeds and volume, includes slip/frontage road for local traffic and a buffer for adjoining sidewalks and buildings.

[1] If vehicular lane is directly adjacent sidewalk, 12' minimum lane width is required.

Intended Character



**1. Public Right-of-Way (R.O.W)**

<b>A</b>	Right-of-Way	90'-100'
<b>B</b>	Curb-to-Curb	70'-86'
<b>C</b>	Public Frontage	10-20'; See Section 8.20.110

**2. Curb-to-Curb**

<b>D</b>	Vehicular Lanes	4 (2 each way); 10-12' lane width [1]
<b>E</b>	Median	12'-16', raised, with left-turn pockets
<b>F</b>	Bicycle Facilities	where occurs; see Section 8.20.110
<b>G</b>	Bicycle Buffer	where occurs; see Section 8.20.110
	Parking Facilities	may occur in place of bicycle facilities

**3. Public Frontage**

<b>H</b>	Sidewalk	6'-8'
<b>I</b>	Planter(s)	Parkway or landscape setback; 6'-14'
	Landscaping	See Section 4.40.040 (Approved Plant List)
	Lighting	See Section 4.40.090
	Drainage Type(s)	Curb & gutter

**4. Private Frontage**

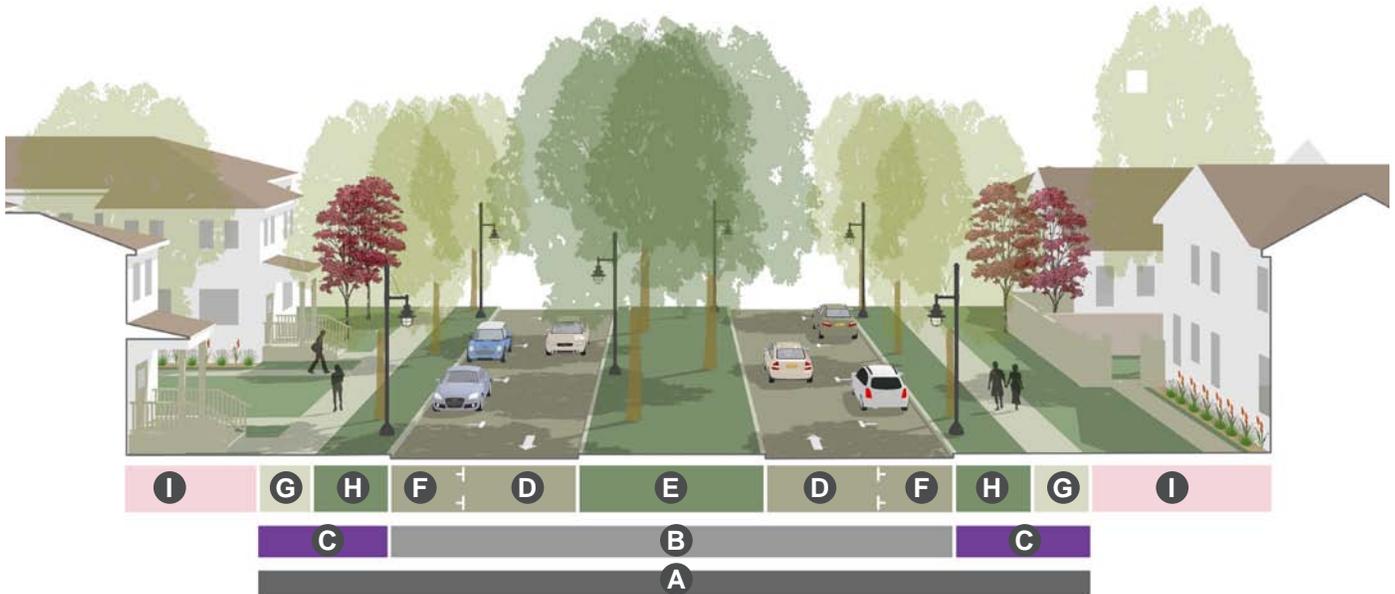
<b>J</b>	Frontage Type(s)	See Section 5.20.050
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# Chapter 8.20 Street Type Standards

## 8.20.050 AVENUE STANDARDS

### Type 2. Avenue

#### A. Typical Avenue - 80'-100' R.O.W



#### A. Description and Intent

A highly landscaped thoroughfare designed for relatively high vehicular capacities (up to 15,000 VTH), and low to moderate speeds (25-35 mph) that acts as a connector between urban centers.

[1] If vehicular lane is directly adjacent sidewalk, 12' minimum lane width is required.

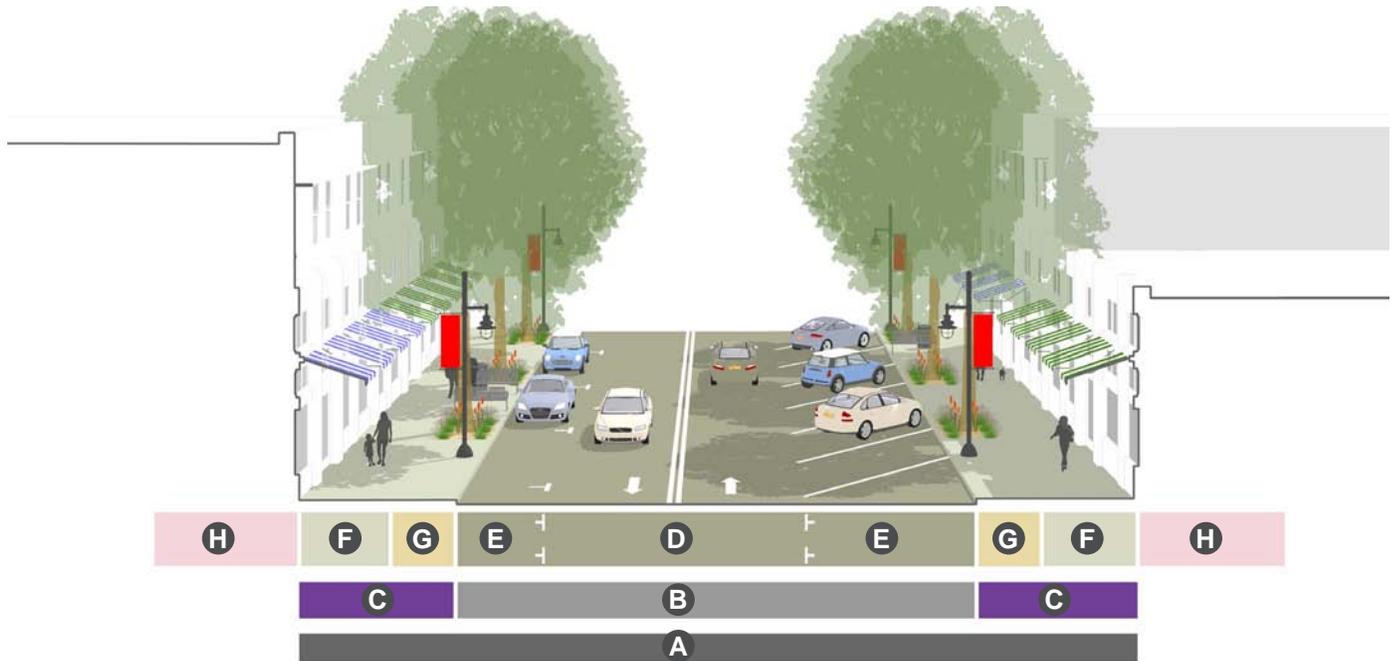
Intended Character



1. Public Right-of-Way (R.O.W)		
<b>A</b>	Right-of-Way	80-100'
<b>B</b>	Curb-to-Curb	50-60'
<b>C</b>	Public Frontage	10-20'; see Section 8.20.110
2. Curb-to-Curb		
<b>D</b>	Vehicular Lanes	2 (1 each way); 10'-12' lane width [1]
<b>E</b>	Median	Planted; 10'-20'
	Bicycle Facilities	where occurs; see Section 8.20.110
	Bicycle Buffer	where occurs; see Section 8.20.110
<b>F</b>	Parking Facilities	Parallel, both sides, 7'-8'
3. Public Frontage		
<b>G</b>	Sidewalk	6'-8'
<b>H</b>	Planter(s)	Parkway; 6'-8'; wider than sidewalk
	Landscaping	See Section 4.40.040 (Approved Plant List)
	Lighting	See Section 4.40.090
	Drainage Type(s)	Curb & gutter
4. Private Frontage		
<b>I</b>	Frontage Type(s)	See Section 5.20.050

**Type 3. Commercial Street**

**A. Typical Commercial Street- 76'-90' R.O.W**



**A. Description and Intent**

A Commercial thoroughfare designed for low to moderate capacity (up to 10,000 VTH), and low speeds (15-25 mph) providing access and convenient parking for urban centers.

This type could correspond with any number of streets in the town center.

Intended Character



**1. Public Right-of-Way (R.O.W)**

<b>A</b>	Right-of-Way	76'-90'
<b>B</b>	Curb-to-Curb	48'-60'
<b>C</b>	Public Frontage	14'-16'; see Section 8.20.110
<b>2. Curb-to-Curb</b>		
<b>D</b>	Vehicular Lanes	2 (1 each way); 10-12' lane width
	Median	none
	Bicycle Facilities	where occurs; see Section 8.20.110
	Bicycle Buffer	where occurs; see Section 8.20.110
<b>E</b>	Parking Facilities	Parallel, Diagonal, or Mixed; 7'-18'

**3. Public Frontage**

<b>F</b>	Sidewalk	12'-16'
<b>G</b>	Planter(s)	Tree wells, 5'x5' minimum
	Landscaping	See Section 4.40.040 (Approved Plant List)
	Lighting	See Section 4.40.090
	Drainage Type(s)	Curb & gutter

**4. Private Frontage**

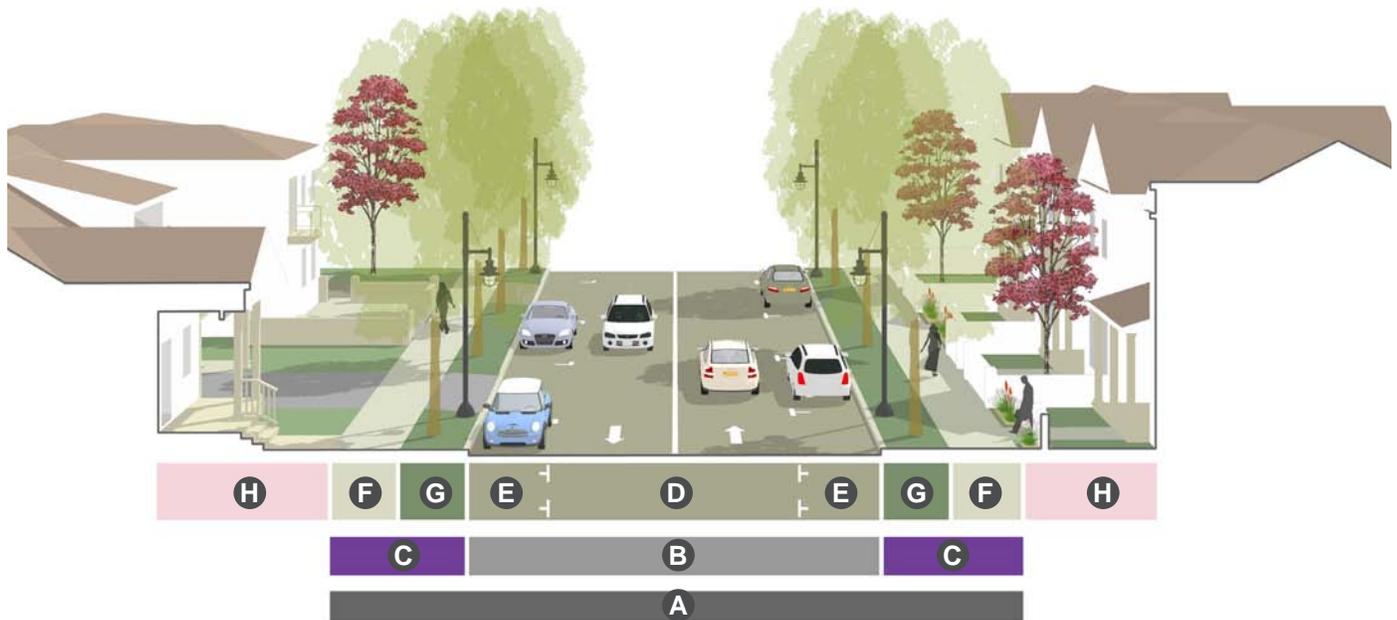
<b>H</b>	Frontage Type(s)	See Section 5.20.050
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# Chapter 8.20 Street Type Standards

## 8.20.070 NEIGHBORHOOD STREET STANDARDS

### Type 4. Neighborhood Street

#### A. Typical Neighborhood Street- 60' R.O.W



#### A. Description and Intent

A local urban thoroughfare designed for low to capacity (up to 5,000 VTH), and low speeds (10-25 mph) the accommodates a flexible range of activities and development intensities.

Intended Character



#### 1. Public Right-of-Way (R.O.W)

<b>A</b>	Right-of-Way	60'
<b>B</b>	Curb-to-Curb	34'-36'
<b>C</b>	Public Frontage	12-14'; see Section 8.20.110
<b>2. Curb-to-Curb</b>		
<b>D</b>	Vehicular Lanes	2 (1 each way); 10-11' lane width
	Median	none
	Bicycle Facilities	where occurs; see Section 8.20.110
	Bicycle Buffer	none
<b>E</b>	Parking Facilities	Parallel, both sides, 7'-8'

#### 3. Public Frontage

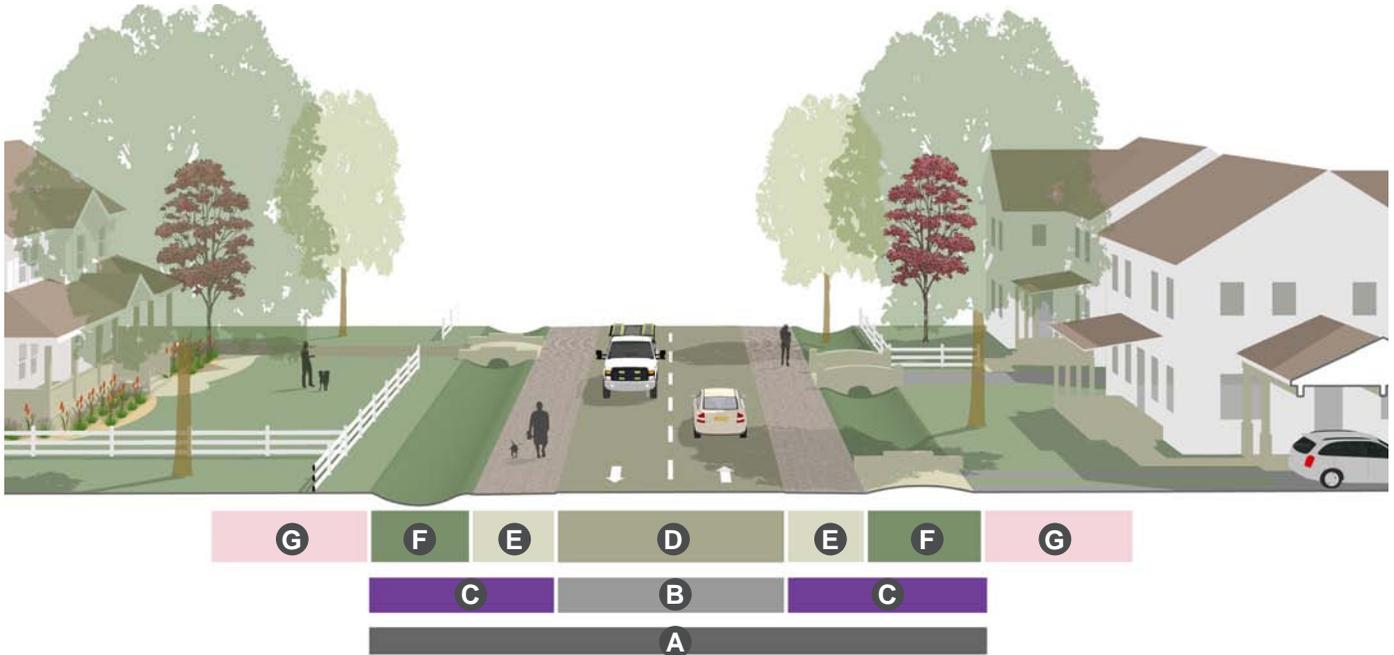
<b>F</b>	Sidewalk	6'-8'
<b>G</b>	Planter(s)	Parkway; 6'-8'; wider than sidewalk
	Landscaping	See Section 4.40.040 (Approved Plant List)
	Lighting	See Section 4.40.090
	Drainage Type(s)	Curb & gutter

#### 4. Private Frontage

<b>H</b>	Frontage Type(s)	See Section 5.20.050
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**Type 5. Road**

**A. Typical Rural Road - 60' R.O.W**



**A. Description and Intent**

A local, rural (sometimes suburban) thoroughfare; low to moderate vehicle speeds (20-35 mph) and capacities (up to 2,500 VT/H).

Intended Character



**1. Public Right-of-Way (R.O.W)**

<b>A</b> Right-of-Way	60'
<b>B</b> Curb-to-Curb	Rolled curb, 20'-24' pavement width
<b>C</b> Public Frontage	18-20'; see Section 8.20.110
<b>2. Curb-to-Curb</b>	
<b>D</b> Vehicular Lanes	2 (1 each way); 10'-12' lane width
Median	none
Bicycle Facilities	where occurs; see Section 8.20.110
Bicycle Buffer	none
<b>E</b> Parking Facilities	Parkable gravel shoulder; 7'-8'

**3. Public Frontage**

Sidewalk	none
Planter(s)	none
Landscaping	See Section 4.40.040 (Approved Plant List)
Lighting	See Section 4.40.090
<b>F</b> Drainage Type(s)	Rolled curb, and natural ditch

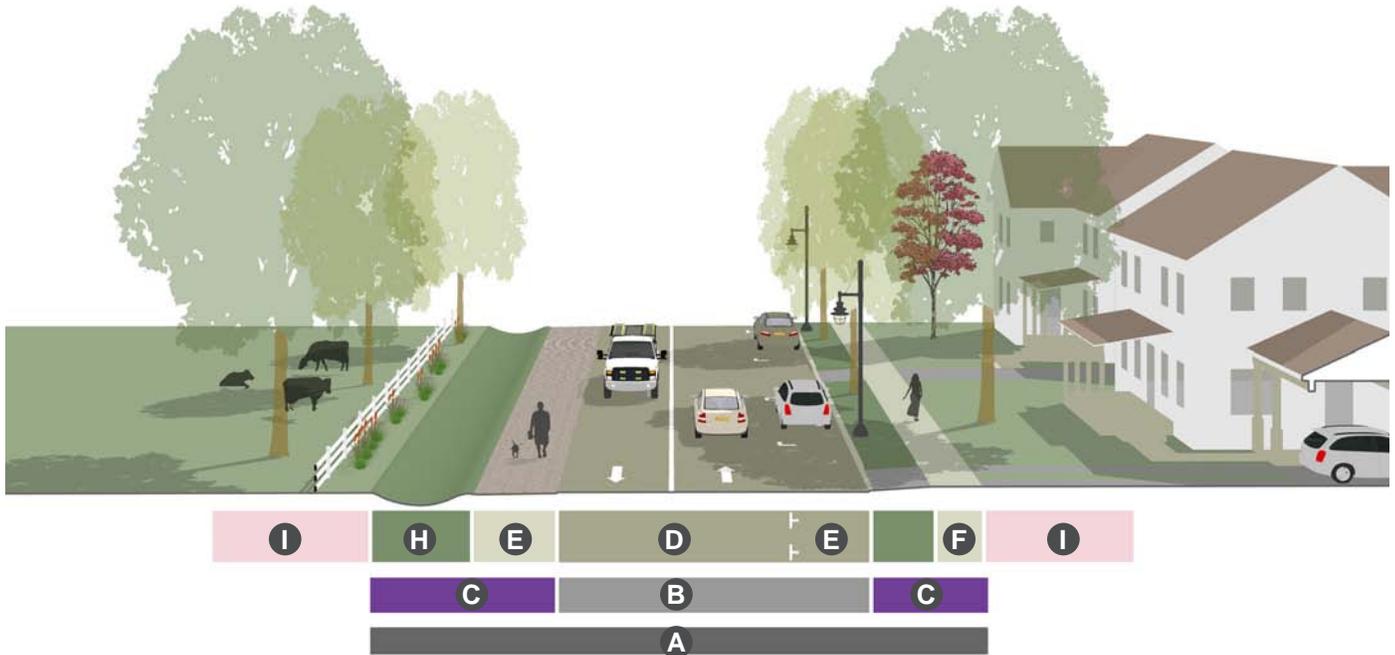
**4. Private Frontage**

<b>G</b> Frontage Type(s)	See Section 5.20.050
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## 8.20.090 DRIVE STANDARDS

### Type 6. Drive

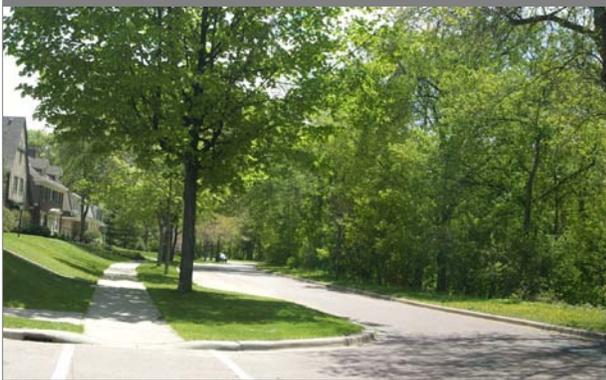
#### A. Typical Edge Drive - 60' R.O.W



#### A. Description and Intent

A thoroughfare along the boundary between and urbanized and a natural condition, usually along a body of water, a park, or a promontory. One side has the urban character of the thoroughfare, while the other has the qualities of a road or parkway, with naturalistic plantings and rural details.

Intended Character



#### 1. Public Right-of-Way (R.O.W)

<b>A</b>	Right-of-Way	60'
<b>B</b>	Curb-to-Curb	28'-30' paved width;
<b>C</b>	Public Frontage	10'-20'; see Section 8.20.110
<b>2. Curb-to-Curb</b>		
<b>D</b>	Vehicular Lanes	2 (1 each way); 10'-12' lane width
	Median	none
	Bicycle Facilities	where occurs; see Section 8.20.110
	Bicycle Buffer	none
<b>E</b>	Parking Facilities	Parallel Parking one side; 7'-8';

#### 3. Public Frontage

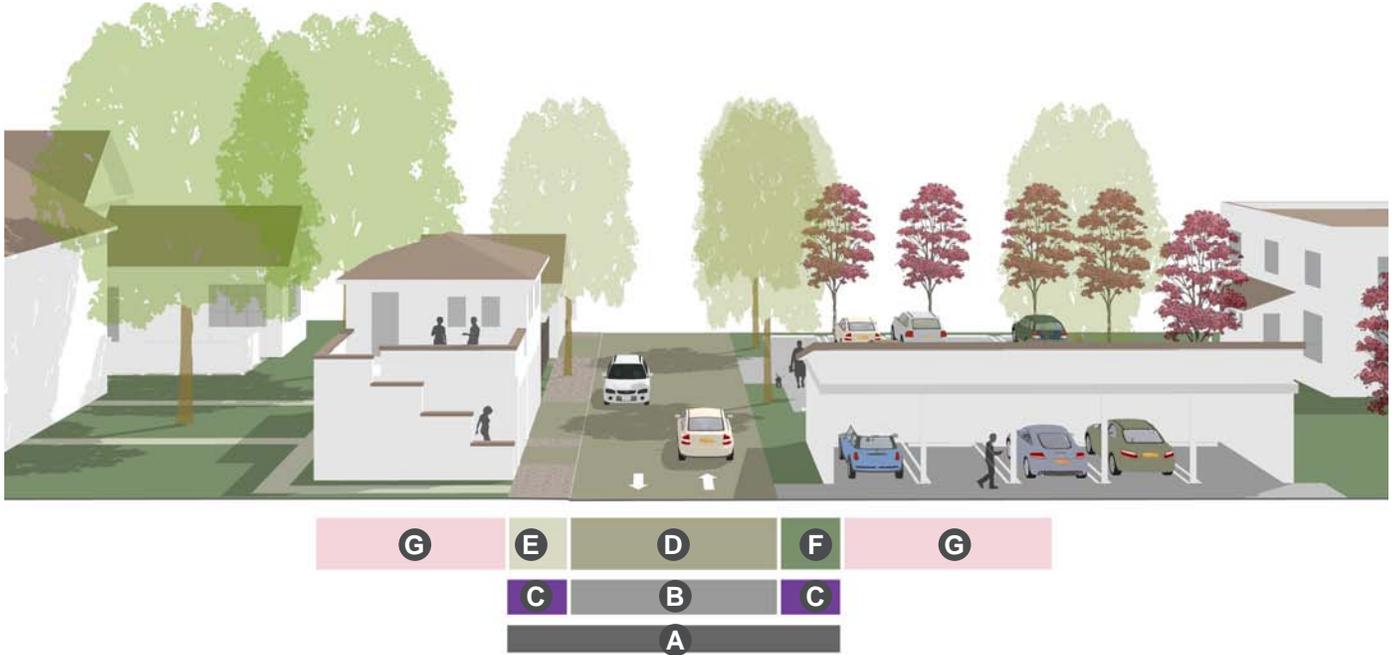
<b>F</b>	Sidewalk	One-side; 6'-8'
<b>G</b>	Planter(s)	Parkway, one-side; 6'-8'
	Landscaping	See Section 4.40.040 (Approved Plant List)
	Lighting	See Section 4.40.090
<b>H</b>	Drainage Type(s)	Rolled curb, and natural ditch, one side

#### 4. Private Frontage

<b>I</b>	Frontage Type(s)	See Section 5.20.050
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**Type 7a. Service Alley**

**A. Typical Service Alley - 20'-30' R.O.W**



**A. Description and Intent**

A vehicular way located to the rear of lots providing access to service areas, parking, and outbuildings, and containing utility easements. Rear lanes/alleys may be paved lightly to driveway standards with the streetscape consisting of gravel or landscaped edges, no raise curb, and drained by percolation

Intended Character



**1. Public Right-of-Way (R.O.W)**

<b>A</b>	Right-of-Way	20'-30'
<b>B</b>	Paved-width	16'-20'
<b>C</b>	Public Frontage	5' min; see Section 8.20.110

**2. Curb-to-Curb**

<b>D</b>	Vehicular Lanes	single shared lane; 16'-20'
	Median	none
	Bicycle Facilities	none
	Bicycle Buffer	none
<b>E</b>	Parking Facilities	Where occurs, parkable apron; 7'-8'

**3. Public Frontage**

	Sidewalk	none
	Planter(s)	none
<b>F</b>	Landscaping	See Section 4.40.040 (Approved Plant List)
	Lighting	See Section 4.40.090
<b>F</b>	Drainage Type(s)	Rolled curb & permeable apron

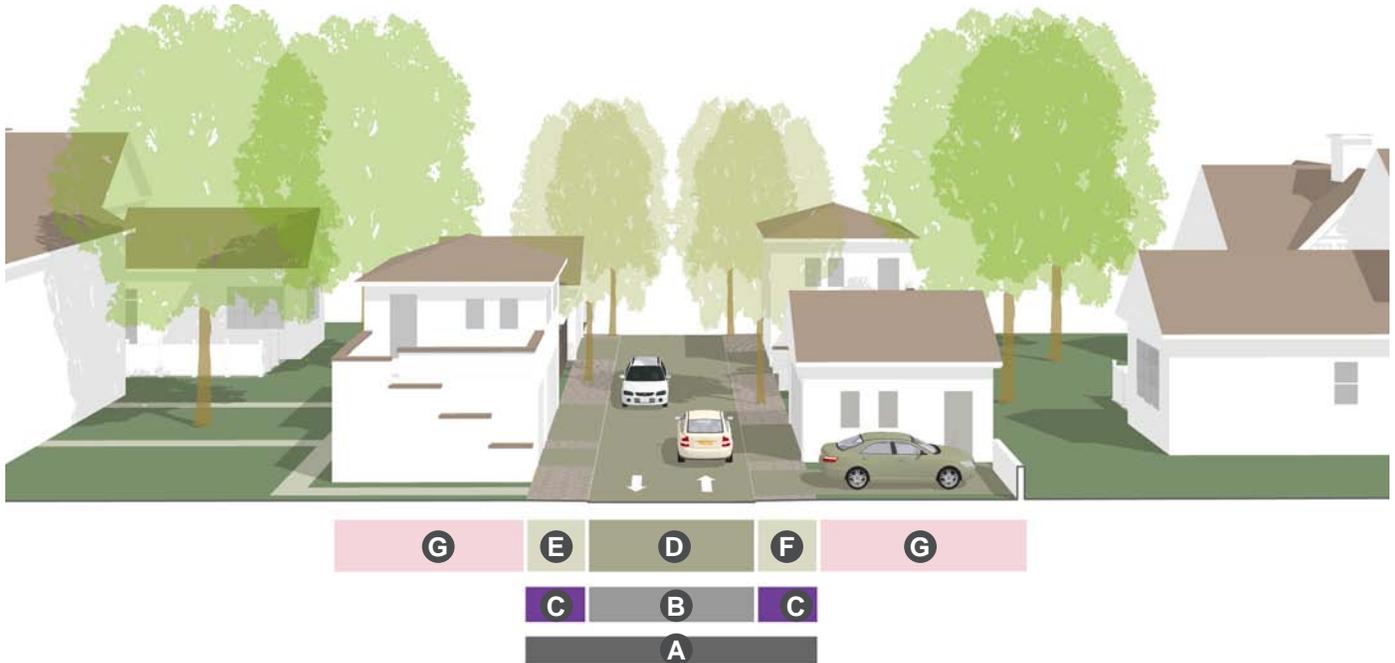
**4. Private Frontage**

<b>G</b>	Frontage Type(s)	See Section 5.20.050
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## 8.20.100 ALLEY/LANE STANDARDS

### Type 7b. Residential Lane

#### B. Typical Residential Lane - 20'-30' R.O.W



#### A. Description and Intent

A vehicular way located to the rear of lots providing access to service areas, parking, and outbuildings, and containing utility easements. Rear lanes/alleys may be paved lightly to driveway standards with the streetscape consisting of gravel or landscaped edges, no raise curb, and drained by percolation

Intended Character



#### 1. Public Right-of-Way (R.O.W)

<b>A</b>	Right-of-Way	20'-30'
<b>B</b>	Paved-width	16'-20'
<b>C</b>	Public Frontage	5' min; see Section 8.20.110

#### 2. Curb-to-Curb

<b>D</b>	Vehicular Lanes	single shared lane; 16'-20'
	Median	none
	Bicycle Facilities	none
	Bicycle Buffer	none
<b>F</b>	Parking Facilities	Where occurs, parkable apron; 7'-18'

#### 3. Public Frontage

	Sidewalk	none
	Planter(s)	none
	Landscaping	See Section 4.40.040 (Approved Plant List)
	Lighting	See Section 4.40.090
<b>E</b>	Drainage Type(s)	Rolled curb & permeable gravel apron

#### 4. Private Frontage

<b>F</b>	Frontage Type(s)	See Section 5.20.050
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## A. Complete Streets

Tehachapi's complete streets are conceived and designed as public places for community life, not just as thoroughfares for automobile traffic. This is accomplished by systematically combining streetscape elements - in addition to the usual vehicular lanes and minimal sidewalks - in ways that make the streets convenient, safe and comfortable for pedestrians and bicyclists.

The design of all streets should be consistent by the Street Types as defined above, which are typological and define the general configuration, scale, character and function for each new or modified street.

The guidelines in this section illustrate a palette of complete streets components for Tehachapi's full range of contexts (transect zones), providing additional guidance for the development of site-specific final designs for each new or modified street. These components are organized into 4 basic categories - introduced below and described in additional detail on the following pages - and correlated to the Street Types, above.

**1. Pedestrian Facilities:** Most streets have sidewalks in some form, but they are often too narrow for couples or families to navigate comfortably, too close to traffic without any buffering elements between the pedestrians and the moving cars, and often lack shade. Crosswalks on busy streets are often quite long, poorly marked, and widely spaced.

These guidelines illustrate recommendations for high quality pedestrian facilities in a range of contexts, from larger busier avenues to smaller quieter neighborhood streets, and from mixed-use downtown environments to rural, edge of town environments.

**2. Bicycle Facilities:** As with pedestrian facilities, the goal for bicycle facilities is the comfort and safety of bicyclists who are sharing the street with cars. A range of types of bicycle facilities are illustrated, from buffered cycle tracks for the busiest boulevards and avenues, to painted bike lanes on large streets and small avenues, to shared lanes on quieter neighborhood streets and roads where vehicular volumes and speeds are low.



*A beautiful complete street*



*A beautiful sidewalk*



*A great bike lane*

## 8.20.110 COMPLETE STREETS

**3. Landscape:** Landscape is a pervasive and integral element of Tehachapi's small mountain town environment. And trees are the primary landscape element contributing to its streetscapes, providing shade, wind protection, spatial enclosure, softness and character to each street and each neighborhood.

Trees - and the planters within which they are inserted into streetscapes - can also perform a range of additional useful functions, including buffering pedestrians and bicyclists from traffic and providing opportunities for stormwater management. These guidelines illustrate a range of types of planters that perform such functions in a range of contexts.

**4. On-Street Parking:** In American towns - where driving is inevitably the dominant mode of transportation by which most visitors arrive in a neighborhood or district - convenient curbside parking enables those arriving by car as well as those arriving on foot or by bicycle to all approach the residence or the business from the street. This in turn helps to ensure that buildings and the daily activities in them will be oriented to the street, which in turn improves the appearance and the safety of the public realm, further enhancing the quality of experience for pedestrians and bicyclists and encouraging the use of these active transportation modes.

On-street parking also provides another buffer element between pedestrians and moving traffic, and helps to reduce the amount of each lot that must be devoted to parking, A number of possible on-street parking configurations are illustrated for a range of street types and contexts.



*Beautiful street trees*



*Nice on-street parking*



*Perhaps a lovely rural road?*

**B. Pedestrian Facilities**

All street types should facilitate safe and efficient pedestrian circulation. These facilities can be organized into the following categories, some or all of which may be applicable, based on street type and function:

**1. Sidewalks:** In general, all street types should incorporate sidewalks on both sides. In specific conditions, such as edge drives and rural roads, limiting sidewalks or an alternative pedestrian circulation facility to one side may be appropriate. Sidewalks are organized into three categories:

**a) Commercial Sidewalk:** In urban and/or commercial environments, wider paved sidewalks may be necessary to accommodate additional sidewalk uses, such as displays, signage, or outdoor dining. Commercial sidewalks typically include landscape planters, or tree grates.

**b) Neighborhood Sidewalks:** Are typically 5-6' wide, separated from the street by a landscaped parkway, and are provided on at least one side of all neighborhood streets. In some contexts a path, or trail may take the place of a paved sidewalk, particularly in more rural neighborhoods.

**b) Rural Shoulder:** On rural roads, pedestrian circulation may be accommodated by a paved, or gravel shoulder.

**2. Crosswalks:** Crosswalks should typically be provided at all intersections and mid-block crossings. Crosswalks should be visually prominent, and may be painted, textured, or constructed of a different material from the street.

**3. Bulb-outs and Mid-Block Crossings:** Bulb-outs at intersections and mid-block crossings physically and visually narrow the street, decreasing pedestrian crossing times, and calming traffic. They also efficiently accommodate ADA ramping, and provide additional planters for street trees and streetscape landscaping.

**Illustrative examples of Pedestrian Facilities**



*Sidewalks*



*Crosswalks*



*Bulb-outs & Mid-Block Crossings*

APPLICABILITY	Boulevard	Avenue	Commercial St	Neighborhood St	Road	Alley	Drive
<b>1. Sidewalks</b>							
a. Commercial	●	●	●	○	--	--	--
b. Neighborhood	●	●	●	●	○	--	--
c. Shoulder	--	--	--	○	●	●	●
<b>2. Crosswalks</b>	●	●	●	●	○	○	○
<b>3. Bulb-Outs and Mid-Block Crossings</b>	●	●	●	●	--	--	--

● Common      ○ Uncommon      -- Not Recommended

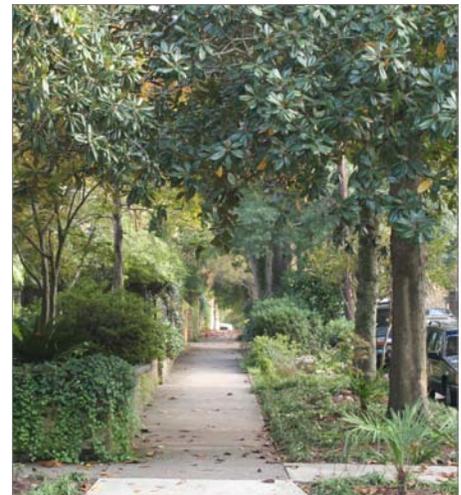
# Chapter 8.20 Street Type Standards

## 8.20.110 COMPLETE STREETS

### 1. SIDEWALKS



**Commercial Sidewalks:** Sidewalks in commercial settings are multi-functional; in addition to facilitating pedestrian circulation, they are also places for dining, shopping, sitting etc... Commercial sidewalks typically combine a variety of materials, furnishings and landscape elements into a unified streetscape design..



**Neighborhood Sidewalks:** Pedestrian circulation in neighborhood can be accommodated in a variety of ways, based on the overall neighborhood design. However, sidewalks should be typically be provided on both sides of the street, should be at least 5-6' in width, and should be continuous and level - free of driveway cuts - and comply with ADA standards.

**Rural Shoulders:** On rural roads, pedestrian circulation is typically accommodated on paved or gravel shoulders, but, where possible, walking, biking, or multi-use trails are recommended.



2. CROSSWALKS



**Cost-Effective Designs:** As an alternative to brick/paver constructed sidewalks, a variety of more cost effective techniques may be applied, such as stenciled painted patterns, or "pressed" patterns in existing street asphalt, as illustrated above.



**Unique Designs:** In specific "districts", creative designs may be applied to incorporate crosswalk designs into the character or branding of the district. Far Left: "Hop-scotch" pattern incorporated into crosswalk adds a playful element to the streetscape design. Left: Piano keyboard pattern on a sidewalk in a music/arts district.

**Pedestrian Scramble:** At busy intersections, particularly on commercial streets, pedestrian scrambles allow pedestrian crossing in all directions (including diagonally) at set intervals in the intersection traffic flow sequence. In addition to allowing pedestrians to circulate more directly to their intended destinations, pedestrian scrambles actually increase traffic flow efficiency at intersections, preventing pedestrians from crossing in front of vehicles and thus increasing the number of cars that can turn left and right per intersection cycle.



## 8.20.110 COMPLETE STREETS

### 3. BULB-OUTS AND MID-BLOCK CROSSINGS



**Pedestrian Safety and Accessibility:** In addition to reducing pedestrian crossing times by narrowing the street width, bulb-outs at corners and mid-block crossings also provide pedestrian refuge areas, and effectively accommodate ADA ramping.



**Planters and Street furnishing:** Bulb-outs create additional sidewalk and/or planter space, that can be taken advantage of with elements such as planters, rain gardens, and/or street furnishings such as benches, trash receptacles, bike racks, etc.



**Mid-Block Crossings:** Particularly on busy streets, for blocks longer than 300', mid-block crossings should be provided to facilitate safe-pedestrian crossing. Where possible, medians provide protected pedestrian refuges for safer crossing.

### C. Bicycle Facilities

All Tehachapi street types are designed to accommodate multi-modal travel, of which bicycle travel is an important part. For streets with high traffic volumes and/or vehicular speeds - where shared vehicular and bicycle lanes would be unsafe or unpleasant for cyclists - separated bicycle facilities may be required. Bicycle facilities are organized into the categories below, generally illustrative of the National Association of City Transportation Officials (NACTO) standards. For additional design information and standards for bicycle facilities, consult the NACTO standards ([www.nacto.org](http://www.nacto.org)).

#### 1. Class I Facilities:

**a) Class I Bike Trail:** An off-street, dedicated bike- or multi-use trail. Class I Trails are typically used in rural settings and/or for travel through large open spaces, such as parks, greenways, or nature preserves, and provide a safe alternative to vehicular roadways for cyclists.

**b). Class I Cycle Track:** An on-street, dedicated bicycle lane that is physically separated from vehicular traffic lanes by buffers or barriers. Cycle tracks are typically utilized on high-volume, arterial streets with rights-of-way large enough to absorb the additional width of the bicycle lane and buffer. Typical cycle track lanes are 6'-8' per lane, and may be one- or two-way.

**2. Class II Bike Lane:** An on-street, dedicated bike lane, 6-8' in width, striped or painted with a color and/or texture visibly different from travel lanes. Where right-of-way permits, a 2-3' buffer on either side of lane provides adequate space for drivers to enter/exit parked cars, increasing overall safety.

**3. Class III Shared Lane:** A shared automobile/bicycle lane that often includes bicycle "sharrows," indicating a shared lane. Shared lanes should also be paired with "Bike Route" signage..

#### Illustrative examples of Bicycle Facility Types:



Class I Facilities - Dedicated Bike Trail



Class II Bike Lanes



Class III Shared Lanes

APPLICABILITY	Boulevard	Avenue	Commercial St	Neighborhood St	Road	Alley	Drive
1. Class I Bike Trail	●	●	●	--	●	--	--
2. Class 1 Cycle track	●	○	●	--	--	--	--
3. Class II Bike Lane	●	●	●	○	○	--	--
4. Class III Shared Lanes	●	●	●	●	●	●	●

● Common

○ Uncommon

-- Not Recommended

## 8.20.110 COMPLETE STREETS

### 1. CLASS I BICYCLE FACILITIES



**Cycle Track Buffers:** Class I Cycle tracks may be buffered from street traffic in a variety of ways, including medians, planters, bollards, on-street parking, or combinations of elements.



Class I Cycle tracks buffered with a modular traffic wall.



**Off-Street Facilities:** Class I off-street bicycle trail between an alley of street trees. Class I trails are typically two-way, striped with a centerline, and include signage for user safety.



**Class I Intersection Design:** Special attention must be given to potential conflict points between cyclists and right-turning motorists. Cycle track lanes should be protected by corner bulb-outs, shown in the images above, such that right-turning cars make a wider right turn. Bicycles cross intersections at sides of pedestrian crosswalks.

2. CLASS II BICYCLE FACILITIES



**Marking/Striping:** Class II Bike lanes are clearly marked but not physically buffered. In addition to striping and bike-lane symbols, bike lanes that are painted or textured more clearly differentiate them from traffic lanes, and increase bicyclist safety.



**Class II Intersection Design:** Painted bike lanes / markings should continue into the intersection. Additionally, bicycles may be given a “refuge” in front of stopped vehicles, giving cyclists first right-of-travel through intersections. This intersection design may be applied to Class III situations as well.



**Caution:** bike lanes directly adjacent on-street parking, without a striped buffer creates potential conflict points between cyclists and motorists entering/exiting parked cars (red zone above). Where possible, a 2-3' buffer is recommended to account for door swing of parked cars.



**Rural Roads:** Paved shoulders on rural roads can easily be converted to Class II bike lanes, with striping and signage.

# Chapter 8.20 Street Type Standards

## 8.20.110 COMPLETE STREETS

### 3. CLASS III BICYCLE FACILITIES



**Markings/Signage:** Class III shared lanes are typically marked by bicycle "sharrows" in addition to signage, indicating that a street, or network of streets is part of a "bike route" and that motorists should be aware of cyclists sharing the road.



**Neighborhood Streets:** Typically low-speed low traffic volume neighborhood streets do not require any special classification or markings, and cars and bikes can safely share the road. On neighborhood streets with higher traffic volumes or speeds, "sharrow" symbols and additional signage may be necessary.

**Intersections and Class III Facilities:** At intersections and potential conflict points (on/offramps, forks, etc...) additional marking may be desirable. "Bike Boxes" at intersections on high bicycle-volume streets are recommended for Class III shared lanes as well as Class I and Class II facilities.

D. Landscape

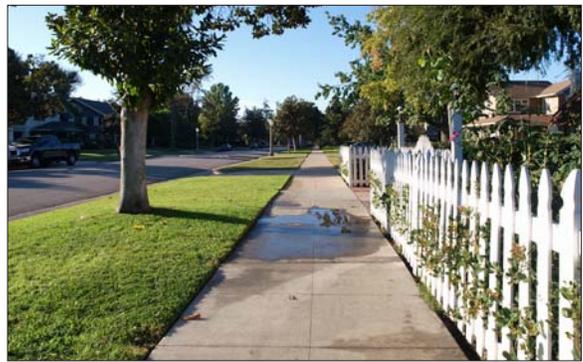
In general, all street types are designed to incorporate street trees and/or landscape elements. Based on the type and function of the street, the following planter types may apply:

- 1. Planters and Tree Grates:** Planters are typically provided on urban and/or commercial streets, where wide sidewalk space is desirable. Planters should have a minimum dimension of 4'x 4', and may be grated to provide additional continuous sidewalk space.
- 2. Continuous Parkway/Planter:** Typically applied to neighborhood streets, parkways are landscaped areas that buffer the sidewalk from the street, and may accommodate in addition to street trees, a variety of landscape elements. Drought-tolerant alternatives to traditional turf landscaping are encouraged in drought-sensitive climates. Additionally, the following variations to traditional parkways may be appropriate:
  - a) Rain Garden with curb-cuts:** Where possible, drainage channels may be cut into street curb face to allow street run-off wastewater to flow into streetside gardens, providing biofiltration, and slowing runoff into the sewer systems.
  - b) Flex Planter:** Parkway fronting work/live, retail or commercial uses may be hardscaped to provide additional sidewalk width for a variety of approved uses.
- 3. In-Street Planters:**
  - a) Parking Lane Planters:** On streets with narrow rights-of-way and/or narrow sidewalks – or sidewalks directly adjacent the curb – planters may be constructed within parking lanes between parked cars. In addition to visually narrowing the street with street trees, parking-lane planters may assist with street drainage through biofiltration.
  - b) Medians:** On streets with large rights-of-way, center medians may be provided to additionally enhance the landscape character of the street, accommodate left-turn pockets, and provide pedestrian refuges in crosswalks at intersection and mid-block crossings.

Illustrative examples of Planter Types:



*In-Sidewalk Planters*



*Continuous Parkway*



*In-Street Planter Bulb-outs*

APPLICABILITY	Boulevard	Avenue	Commercial St	Neighborhood St	Road	Alley	Drive
1. Planters & Tree Grates	●	●	●	--	--	--	--
2. Continous Parkway	●	●	--	●	○	--	--
3. In-Street Planters	○	○	●	●	--	○	--
a. Parking Lane Plant-ers	●	●	●	●	○	--	--
b. Medians	●	●	●	●	○	--	--

● Common

○ Uncommon

-- Not Recommended

## 8.20.110 COMPLETE STREETS

### 1. PLANTERS AND TREE GRATES



**Planter Types:** A variety of planter types can be applied based on the type of street they are serving. Planters should accommodate street trees and native landscaping, should be elegantly designed and incorporated into the overall streetscape design.



**Planters and Street Furnishing** (Above): A creative variation of a covered planter, creating additional sidewalk seating.

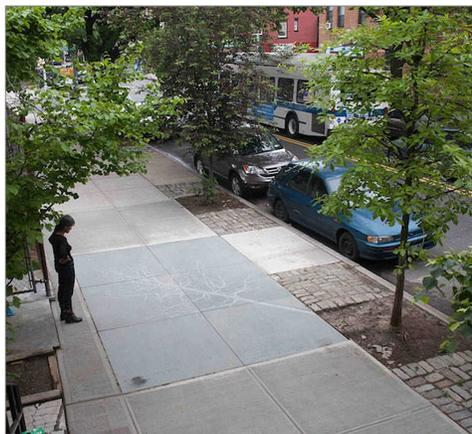
**Rain Gardens and Bioretention:** (Right): Drainage channels may be cut into street curbface to allow street run-off water to drain into curbside rain gardens, providing biofiltration and wastewater management.



2 - CONTINUOUS PARKWAY / PLANTER



**Parkways:** Parkways may be landscaped in a variety of ways, and turf-alternatives, such as decomposed granite, mulch, and hardscape, are recommended for drought-sensitive areas.



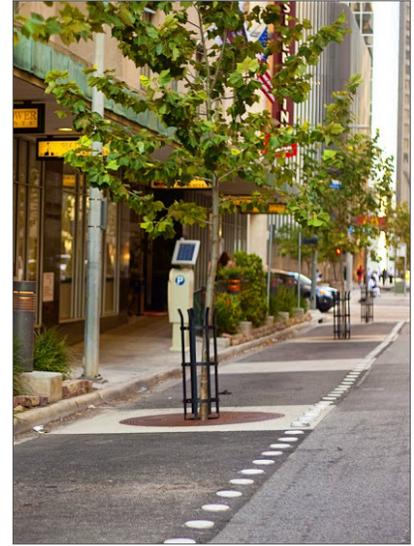
**Flex Planter:** For streets lined with a mixture of office, retail, and residential - or where individual owners may benefit from an enlarged continuous sidewalk in front of their home or business, parkways may be filled in with permeable pavers to increase the usable sidewalk space.



**Rain Gardens and Bioswales:** On streets with rolled-curbs, no curbs, or drainage channels cut into the street curb-face, bioswales, rain gardens, and ditches may take the place of a traditional raised parkway, providing biofiltration of street water runoff.

## 8.20.110 COMPLETE STREETS

### 3. IN-STREET PLANTERS



**Parking Lane Planters:** Parking lane planters accommodate street trees on streets with existing sidewalks that are either directly adjacent the street curb, or are too narrow to accommodate planters or parkways. They additionally can visually narrow wide streets and calm traffic. Planters are spaced away from the street, so that drainage gutters are unimpeded, and may additionally, be "open-backed" - allowing street water runoff to seep into planters. In more urban settings, bulb-out planters may be grated to reduce maintenance of planter landscaping.



**Medians:** Medians may be designed and landscaped in a variety of ways, including rain gardens, bioswales, hardscape, turf, and/or street trees. Where possible, medians should be wide enough to accommodate left-turn pockets, and should provide pedestrian refuges at intersections and mid-block crossings.



Corner bulb-out planter with street drainage maintained.



Corner bulb-out planter accommodates ADA ramping, without disrupting the continuous sidewalk grade

### D. On Street Parking

On-street parking is generally recommended on all streets, providing convenient visitor and customer access to each property directly from the street and thus unifying access patterns for users of all transportation modes. In addition to providing valuable and convenient visitor parking, on-street parking also creates a welcome buffer between street traffic and sidewalks, and help addition to calming traffic speeds by moderating the perceived street width. On-street parking generally occurs in the following forms:

- 1. Parallel Parking:** Is the most common and versatile type of street parking, and may be provided on any of the recommended street types. Where street Right-of-Way is limited and/or existing sidewalks are narrow, in-street planters may be located in the parking lane between parking stalls. Typical stall dimensions are 22-24' in length.
- 2. Diagonal Parking:** Is most typically used in commercial environments, though in some cases may be appropriate for residential streets with wide existing street right's-of-way, where higher parking volumes may be needed.
  - a) Head-in:** Is the most traditional application, with minimal maneuvering required to access open stalls. Stalls are typically oriented at a 45-60 degree angle and may overlap the curb by 2 to 3 feet.
  - b) Back-in:** Offers easier maneuvering into open stalls than parallel parking, and significantly improves driver visibility and awareness of oncoming cyclists and vehicles when exiting the stall. Additionally, open car doors, provide a natural barrier to help keep small children exiting parked vehicles from running into the street..
- 3. Parkable Shoulder/Apron:** In rural conditions with no curbs or rolled curb such, parking may be accommodated on a paved, or gravel shoulder.

**Illustrative examples of Street Parking Types:**



*Parallel Parking on a commercial street*



*Diagonal parking provides ample convenient parking for shops and restaurants on a commercial street*



*Mixed-Parking is accommodated by a wide gravel shoulder of a rural road.*

APPLICABILITY	Boulevard	Avenue	Commercial St	Neighborhood St	Road	Alley	Drive
1. Parallel Parking	●	●	●	●	●	○	○
2. Angled Parking	○	○	●	--	--	--	--
3. Parkable Apron	--	--	--	○	●	●	●

● Common      ○ Uncommon      -- Not Recommended

## 8.20.110 COMPLETE STREETS

### 1. PARALLEL PARKING



**In-Street Planters:** Tree planters are incorporated into parallel parking lane, providing shade for pedestrians and parked cars, and providing a wider sidewalk for outdoor dining for local restaurants.



**Permeable Materials:** Permeable materials such as pavers, decomposed granite, or gravel can be applied to parking lanes in a variety of settings, urban and rural. .

### 2. BACK-IN DIAGONAL PARKING



Cyclist makes direct eye contact with parked driver

#### **Back-in Diagonal Parking and Bicyclist Safety:**

Back-in diagonal parking should be favored over head-in whenever bicycle lanes are present, as this orientation greatly improves cyclist safety. Drivers and cyclists are able to make direct eye-contact resulting in drastically reduced automobile/bicycle collisions. Additionally, drivers are able to efficiently re-enter traffic, and parking is simpler than in parallel parking situations, as less maneuvering is required..

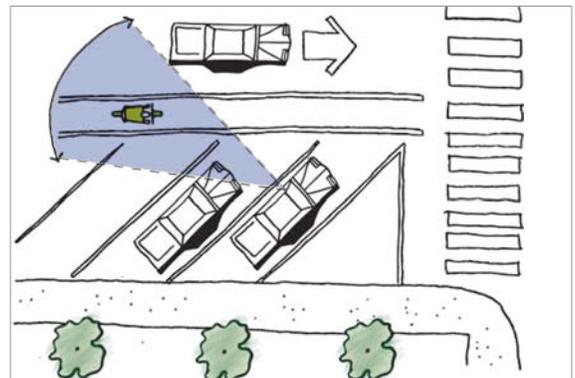


Diagram illustrating increased driver visibility of on-coming cyclists.

## A. Retrofits

As of the preparation of this Code in 2014, most of Tehachapi's existing streets do not conform in one or more ways with the Street Types and designs presented here. It is not expected that the City will undertake any wholesale effort to bring those existing streets into conformance with these standards. Rather, it is intended that as new major private development projects occur - and as public funding for high-priority streetscape improvements becomes available - the City will undertake incremental improvements to specific segments of selected streets.

The scope and design of such improvements will be determined by the City Engineer, in consultation with other City departments, City officials, and affected and interested residents, businesses, property owners and developers. Such decisions will be reached through the normal course of planning and design review for new development or redevelopment projects, and through the course of on-going planning and budgeting for capital improvement projects.

1. Public Frontage Improvements: In general - as determined by the City Engineer - a developer or property owner will be required to construct or reconstruct sidewalks, tree planters and on-street parking facilities along the development project street frontages. In some cases such improvements may also include new medians, crosswalks and/or similar improvements to the opposite frontage of the affected streets.

1I. Other Improvements: When so determined by the City Engineer, a developer may be required to construct or reconstruct vehicular and/or bicycle lanes, traffic controls, or off-street bicycle facilities.

1II. Privately Initiated Improvements: A property owner or association of property owners may request that the City initiate such improvements, for the general benefit of the community and the benefit of the property owner(s). Examples of such improvements could include enhanced on-street parking, or enhanced pedestrian, bicycle or landscape improvements with a business district or neighborhood. The City will work with property owner(s) to identify appropriate designs and funding mechanisms for such improvements.

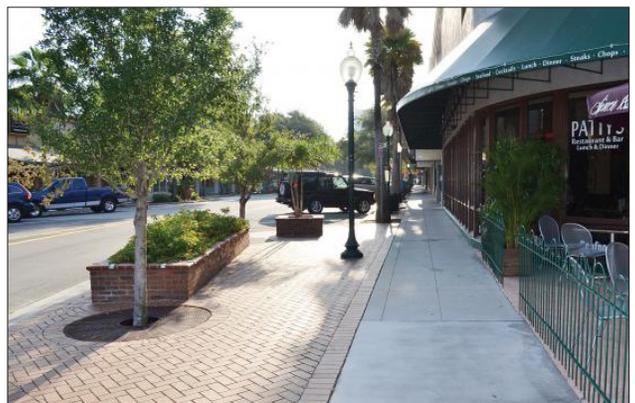
1V. Publicly Initiated Improvements: From time to time, as funds are available, the City will design and construct improvements to selected segments of selected streets.



*On street parking can be added to existing streets in a variety of ways to change the character of the street. Pictured here, an existing wide, high speed street is transformed dramatically by the addition of diagonal on-street parking in the middle of the street.*



*Existing streets can be retrofitted to accommodate bicycle facilities in a variety of ways, temporary, transitional, or permanent. Pictured here, a cycle track is added to an existing busy street by adding movable planters and "K-rails" as temporary physical barriers.*



*As needed existing streets can be retrofitted with new sidewalks or widened existing sidewalks. Pictured here, an existing sidewalk is widened to accommodate new street tree planters.*

# Chapter 8.20 Street Type Standards

## 8.20.120 RETROFITS AND TRANSITIONS

### B. Transitions

In many cases, newly constructed or retrofitted street segments conforming to these Street Standards will intersect or abut older segments that do not meet the current standards. Such older segments may have a wider or narrower overall right-of-way, in many instances may have a wider pavement and narrower sidewalks, or may lack street tree planters, on-street parking, or bicycle facilities.

In such cases, the City Engineer will determine what type of transition is most appropriate to join the lanes and sidewalks of the new segment with those of the old, balancing considerations including function, appearance, construction cost, with a primary focus on safety. Transitions - by way of example, but not limiting the range of possibilities - may include:

1. Permanently constructed tapers, utilizing concrete curbs, gutters, sidewalks and other elements.
2. Interim tapers utilizing pavement striping, temporary barriers, relocatable planters and similar devices.
3. Extension of selected elements of the new segment into the old segment. For example, requiring that pavement striping for bike lanes or on-street parking be extended for a specified distance while not requiring reconstruction of curbs, drainage or sidewalks.
4. Partial improvement of a transitional segment, with a requirement for future additional improvements, based on considerations of construction phasing, financing or other factors.



*Avoid: poor transitions create incomplete circulation networks, and problematic streetscape design.*



*Avoid: a poor transition re-integrating a Class II bicycle lane back into a traffic lane - with no poor markings and no signage - endangers potential cyclists.*

# Article 9 Procedures

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## **Chapter 9.10 Application Processing Procedures**

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  - 9.10.030 Multiple Permit Application
  - 9.10.050 Application Fees
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- 

### **9.10.010 Purpose**

The purpose of this Chapter is to establish review and approval procedures for ministerial and discretionary permits provided for by this Zoning Code. Application contents and development standards and conditions for the approval of permits are contained in the appropriate chapters of this Zoning Code. [18.102.010]

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### **9.10.020 Authority for Land Use and Zoning Decisions**

Table 09.10.020 (Review Authority), below, identifies the review authority responsible for reviewing and making decisions on each type of application required by this Zoning Code.

9.10.020 Authority for Land Use and Zoning Decisions

Table 9.10.020. Review Authority		Role of Review Authority		
Type of Action	Code Chapter/Section	Director	Commission	Council
<b>Administrative and Legislative Actions</b>				
Zoning Code Amendments	10.10		Recommend	Decision
General Plan Amendments	10.10		Recommend	Decision
Interpretations	10.20.020	Decision	Appeal	Appeal
Specific Plans and Amendments	9.100.030		Recommend	Decision
Regulating Plan Amendments	10.10		Recommend	Decision
<b>Planning Permits and Approvals</b>				
Certificates of Appropriateness	9.20	See Section 9.20.030 (Review Authority)		
Conditional Use Permit	9.30	Recommend	Decision	Appeal
Home Occupation Permits	9.40	Decision	Appeal	Appeal
Minor Conditional Use Permit	9.30	Decision	Appeal	Appeal
Reasonable Accommodations	9.50	Decision	Appeal	Appeal
Architectural Design and Site Plan Review	9.60	Recommend	Decision	Appeal
Temporary Use Permit	9.70	Decision	Appeal	Appeal
Variances	9.80	Recommend	Decision	Appeal
<b>Planned Development</b>	3.30.160		Recommend	Decision
Mural Permit	9.110	Recommend	Decision	Appeal
Outdoor Seating Permit	9.120	Recommend	Decision	Appeal

9.10.030 Multiple Permit Application

**A. Concurrent Filing**

An applicant for a development project that requires the filing of more than one application (e.g., Regulatory Plan amendment and a Conditional Use Permit, etc.), shall file all related applications concurrently, together with all application fees required by Section 9.10.050 (Application Fees), below, unless the concurrent filing requirements are waived by the Director.

**B. Concurrent processing**

Multiple applications for the same project shall be processed concurrently, and shall be reviewed, and approved or denied by the highest review authority designated by this Zoning Code for any of the applications (i.e., a project for which applications for Regulatory Plan amendment and a Conditional Use Permit are filed shall have both applications decided by the Council, instead of the Commission acting upon the Conditional Use Permit as otherwise required by Table 09.10.030).

9.10.030 Multiple Permit Application

<b>Table 9.10.030. Permits and Approvals</b>		
<b>Name of Permit</b>	<b>Code Chapter / Section</b>	<b>Applicability of Permit</b>
<b>Permits Required by this Zoning Code</b>		
Conditional Use Permits	9.30	A Conditional Use Permit is required to authorize proposed land uses specified by Article 3 (Specific to Zones) as being allowable in the applicable zone subject to the approval of a Conditional Use Permit.
Certificates of Appropriateness	9.20	A Certificate of Appropriateness is intended to protect structures, improvements, natural features, and objects, of historic significance including, but not limited to areas of architectural, cultural, economic, historic, political, and social importance from any alteration, demolition, or removal which would have an adverse effect thereon.
Home Occupation Permits	9.40	A Home Occupation Permit is required to allow for home occupations that are conducted within a dwelling located in a residential zone, and are clearly incidental and secondary to the use of the dwelling for residential purposes and compatible with surrounding residential uses, as specified by Article 6 (Specific to Uses).
Sign Plan Approval	7.10/7.20	A Sign Plan Approval is required to allow the installation or remodeling of a sign except as specified in Article 7 (Signs)..
Architectural Design and Site Plan Review	9.60	Architectural Design and Site Plan Review is required before construction of any structure erected in the Zones within Article 3 (Specific to Zones), except for the specified in Subsection 9.60.020.B (Exceptions).
Temporary Use Permits	9.70	A Temporary Use Permit is required to allow short term activities that might not meet the normal development or use standards of the applicable zone, but may otherwise be acceptable because of their temporary nature.
<b>Additional Permits and Approvals Available to the Applicant</b>		
Reasonable Accommodations	9.50	Reasonable Accommodations provides a procedure to request a necessary adjustment to the development standards specified in this Zoning Code in order to accommodate persons with disabilities seeking equal access to housing under the California Fair Employment and Housing Act, the Federal Fair Housing Act, and the Americans with Disabilities Act (ADA) (also known as the Acts) in the application of zoning laws and other land use regulations, policies, and procedures. A Reasonable Accommodation is typically an adjustment to physical design standards (e.g., setbacks) to accommodate the placement of wheelchair ramps or other exterior modifications to a dwelling in response to the needs of a disabled resident.
Variances	9.80	A Variance may be requested to allow an adjustment from any of the development standards required by this Zoning Code.
Mural Permit	9.110	An Mural Permit is required to allow the painting or installation of a mural.
Outdoor Seating Permit	9.120	An Outdoor Seating Permit is required to allow outdoor restaurant seating that will encroach on City right-of-way or property.

## 9.10.040 Application Preparation and Filing

### A. Land Development Committee Meeting *[new]*

1. A prospective applicant is encouraged to request a Land Development Committee (LDC) meeting with the LDC before completing and filing a land use permit application.
2. The purpose of this meeting is to generally:
  - a) Inform the applicant of City requirements as they apply to the proposed project;
  - b) Review the City's review process, possible project alternatives, or modifications; and
  - c) Identify information and materials the City will require with the application, and any necessary technical studies and information relating to the environmental review of the project.
3. Neither the pre-application review nor the provision of information and/or pertinent policies shall be construed as either a recommendation for approval or denial of the application or project by any City staff.
4. Failure by City staff to identify all required studies or all applicable requirements shall not constitute a waiver of those studies or requirements.

### B. Application Contents

Each application for a permit, amendment, or other matter pertaining to this Zoning Code shall be filed with the Department on a City application form, together with all required fees and/or deposits and all other information and materials specified in the Department handout for the specific type of application and/or as specified by the Director. [18.102.050]

### C. Eligibility for Filing *[new]*

1. The application shall be signed by the owner of record or by an authorized agent.
2. Authorized agents shall provide written authorization signed by property owner.

### D. Without Scope *[new]*

1. In cases where the Director considers the reasons and conditions specified in the application not within the scope of the requested permit or approval, or that the application is incomplete, the applicant shall be so informed.
2. If the application is filed and the required fees are accepted, the application shall be signed by the applicant and the owner of record if not the owner, to the effect that the applicant was so informed.
3. Acceptance of the application does not constitute an indication of support or approval.

### D. Report by Expert Consultants *[new]*

The City may require of the applicant additional evidence and clarification as may be necessary to establish that the proposed use will conform to the applicable regulations and standards specified in the Zoning Code.

### E. Burden of Proof *[new]*

The burden of proof to establish the evidence in support of the required finding(s) for any permit or approval in compliance with this Zoning Code is the responsibility of the applicant.

## 9.10.050 Application Fees

### A. Fees

1. The Council shall establish fees for the processing of the applications required by this Zoning Code, provided the fees do not exceed the estimated actual cost of processing such applications.
2. The fees shall be established by minute order, ordinance or resolution of the Council and may be evaluated and/or amended as often as determined to be necessary by the Council. [18.06.030]
3. Projects subject to time and materials charges.
  - a) Projects which do not fit any category in the application fees or which are otherwise extraordinary may be charged on a time and materials basis at the Director's sole discretion.
  - b) Staff time required on a project, post entitlement, and not part of another formal application (e.g., Final Map, Architectural Design and Site Plan Review , etc.) will be recovered on a time and materials basis at the Director's sole discretion.

- c) The fees specified reflect standard processing time. Projects requiring excessive review time will be recovered on a time and materials basis.

### B. Timing of Payment *[new]*

1. Applications shall not be deemed complete, and processing shall not commence, on any application until all required fees or deposits have been paid.
2. Failure to timely pay supplemental requests for payment of required fees and/or deposits shall be a basis for postponement of any permit or other requested entitlement, notwithstanding any other provisions of this Zoning Code.

### C. Refunds and Withdrawals *[new]*

1. No refund due to denial shall be allowed.
2. In the case of a withdrawal, the Director shall have the discretion to authorize a partial refund based upon the pro-rated costs to-date and the status of the application at the time of withdrawal.

## 9.10.060 Application Indemnification *[new]*

### A. Application Agreement

1. At the time of submitting an application for a discretionary land use approval, the applicant shall agree as part of the application, to defend (with legal counsel of City's selection), indemnify, and hold harmless the City and its agents, attorneys, employees, and officers, from any action, claim, challenge, or proceeding brought against the City or its agents, employees, and officers to challenge any procedure or aspect of a land use approval issued by the City.
2. The required indemnification shall include damages awarded against the City, if any, costs of suit, attorney's fees, and other costs and expenses incurred in connection with the action.

### B. City Notification of Applicant

In the event that an action, claim, or proceeding referred to in Subsection A., above is brought, the City shall promptly notify the applicant of the existence of the action, claim, or proceeding and the applicant shall cooperate fully in the defense of the action, claim, or proceeding, if the City chooses to defend the action.

### C. City Participation in Defense

Nothing in this Section shall require the City to participate or prohibit the City from participation in the defense of any action, claim, or proceeding.

### 9.10.070 Environmental Assessment [new]

#### **A. CEQA Review**

After acceptance of a complete application, the project shall be reviewed in compliance with the California Environmental Quality Act (CEQA) and the City's CEQA guidelines in order to determine whether:

1. The proposed project is exempt from the requirements of CEQA;
2. The proposed project is not a project as defined by CEQA;
3. A Negative Declaration may be issued;
4. A Mitigated Negative Declaration may be issued;
5. An Environmental Impact Report (EIR) shall be required; or
6. An addendum and/or supplemental information and materials are required in compliance with the (CEQA).

#### **B. Compliance with CEQA**

These determinations and, where required, the preparation of appropriate environmental documents, shall be in compliance with CEQA and the City's CEQA guidelines.

**C. Compliance with NEPA.** Where applicable, projects shall also comply with the requirements of the National Environmental Policy Act.

#### **D. Special studies required**

Special study(ies) may be conducted by the City and consultant selection may be done at City's sole discretion.

## Chapter 9.20 Certificates of Appropriateness [new]

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### Sections:

- 9.20.010 Purpose
- 9.20.020 Applicability
- 9.20.030 Review Authority
- 9.20.040 Application Requirements
- 9.20.050 Findings and Decision
- 9.20.060 Appeals
- 9.20.070 Conditions of Approval
- 9.20.080 Post Decision Procedures [necessary?]

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### 9.20.010 Purpose

Certificate of Appropriateness is intended to protect structures, improvements, natural features, and objects of historic significance including but not limited to areas

of architectural, cultural, economic, historic, political, and social importance from any alteration, demolition, or removal which would have an adverse effect thereon.

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### 9.20.020 Applicability

#### A. When Required

1. A Certificate of Appropriateness is required for the alteration, demolition, or removal of any individual cultural resource or any contributing cultural resource, and for any alteration, demolition, or removal of any potential cultural resource, by the City, any agent of the City, or a private party.
2. A property or structure over 50 years of age; or on or potentially eligible for a local, State or national register shall be presumed to be a potential cultural resource subject to a Certificate of Appropriateness.
3. A Certificate of Appropriateness shall be required:
  - a) In addition to any other permits required by this Zoning Code; and

- b) Shall accompany any permit or any work otherwise altering the architectural features or appearance of the resource.

#### B. Alteration Defined

1. An alteration shall mean any act or process, through private or public action, that changes the specified character defining or significant physical features or architectural appearance of a cultural resource, including the reconstruction, new construction, additions, rehabilitation, relocation, removal, repair, replacement, or restoration of any resource.
  2. These changes include modification of a structure, architectural detail or visual characteristic (e.g., grading, paint color, surface texture), surface pav-
-

### 9.20.020 Applicability

ing, the addition of new structures, the cutting or removal of trees, landscaping and other natural features, the disturbance of archaeological sites or areas, and the placement or removal of any significant objects (e.g., fences, landscaping and accessories, light fixtures, plaques, signs, steps, street furniture, and walls) affecting the significant visual or historical qualities of the property.

#### C. Waiver of Development Standards

When approving a Certificate of Appropriateness, the Commission may allow a waiver of development standards for designated cultural resources only as follows and only if first found to contribute to preserving a cultural resource and/or the character of a historic site.

**1. Parking.** Up to one on-street parking space (defined as 24 unobstructed linear feet of property street frontage) may contribute to meeting parking requirements.

#### 2. Accessory Structures

a) A major accessory structure required setback may be reduced by up to two feet, but in no case closer than three feet to the nearest property line.

b) The peak of a major accessory structure gable roof may be allowed a height of up to 19 feet for a steep roof (defined as a roof with a rise as great or greater than its run) found necessary to maintain architectural consistency with the design of the site's primary structure.

**3. Floor Area.** The floor area of a cultural resource may be the amount allowed by the underlying zone's floor area ratio or coverage limit, multiplied by a factor of 1.10.

#### 4. New Construction Projects Incorporating a Cultural Resource

a) Setbacks required by the underlying zone for a cultural resource incorporated into a new construction development may be reduced by up to 25 percent.

b) Up to one dwelling that is a cultural resource incorporated into a new construction project on a development site 15,000 square feet or greater in size, may be excluded from the density calculation of the underlying zone, and up to 1,000 square feet of its floor area may be excluded from the floor area calculations of the underlying zone district; provided, the site's density and floor area conforms to the General Plan.

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### 9.20.030 Review Authority

Certificates of appropriateness shall be approved, approved with conditions, or denied subject to the following review authorities:

#### A. Administrative Review

Site modifications that are small in magnitude (e.g., minor fencing, hardscape, landscape, lighting, minor accessory structures, signs, and streetscape improvements) and minor structure modifications that do not involve new construction, additions to existing structures, or demolition of existing structures shall be subject to review and approval or denial by the Director.

#### B. Planning Commission

1. Site modifications that do not meet the criteria for administrative review as specified above shall be subject to review and approval or denial by the Commission.

2. The Director may refer an administrative Certificate of Appropriateness review to the Commission, where unique circumstances or policy implications deem it necessary to do so.

#### D. Compliance with Findings Required

A Certificate of Appropriateness may be approved if the project is determined to be in compliance with the findings specified in Section 9.20.050 (Findings and Decision).

## 9.20.040 Application Requirements

### A. Filing Requirements

An application for a Certificate of Appropriateness shall be filed and processed in compliance with Chapter 9.10 (Application Processing Procedures).

### B. Required Data

The application shall include the information and materials specified in the Department handout for Certificate of Appropriateness applications, together with the required fee.

### C. Responsibility

It is the responsibility of the applicant to provide evidence in support of the findings required by Section 9.20.050 (Findings and Decision).

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## 9.20.050 Findings and Decision

### A. Review Authority's Action

An application for a Certificate of Appropriateness may be approved, conditionally approved, or denied by the review authority.

### B. Required Findings

The applicable review authority may approve a Certificate of Appropriateness only after first making all of the following findings:

1. The proposed work will neither adversely affect the significant architectural features of a historic resource nor adversely affect the character of the aesthetic, architectural, or historic interest or value of a historic resource and its site;
2. The proposed project is consistent with the General Plan, any applicable specific plan, and the Zoning Code;
3. The proposed project is consistent with the Secretary of the Interior Standards and requirements of the California Environmental Quality Act (CEQA); and
4. Any additional findings required by Subsection 9.20.020.C (Waiver of Development Standards) can be made.

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## 9.20.060 Appeals

An administrative decision by the Director is appealable to the Planning Commission; and a Planning Commission decision is appealable to the Council in compliance with Chapter 10.20 (Appeals).

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## 9.20.070 Conditions of Approval

In approving a Certificate of Appropriateness, the review authority may impose any conditions deemed reasonable and necessary to ensure that the approval will comply with the findings required by Section 9.20.050 (Findings and Decision), and which may also include con-

ditions requiring maintenance of a cultural resource in good condition, or installation in publicly viewable areas of informative plaques.

### 9.20.080 Post Decision Procedures

The procedures and requirements in Chapter 9.90 (Permit Implementation, Time Limits, and Extensions), and those related to appeals (Chapter 10.20)

and modifications and/ or revocations (Chapter 9.100) shall apply following the decision on a Certificate of Appropriateness application.

# Chapter 9.30 Conditional Use Permits and Use Permits

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## Sections:

- 9.30.010 Purpose
  - 9.30.020 Applicability
  - 9.30.030 Application Requirements
  - 9.30.040 Review Authority
  - 9.30.050 Project Review, Notice, and Hearing
  - 9.30.060 Findings and Decision
  - 9.30.070 Conditions of Approval
  - 9.30.080 Permit Revocation and Modification
  - 9.30.090 Post Decision Procedures
- 

### 9.30.010 Purpose

The purpose of this Chapter is to establish procedures and general standards for the review and approval of Use Permits (Conditional Use Permits and Minor Use Permits). Whenever a use is listed in any section of this Zoning Code as a use permitted subject to Conditional

Use Permit or Minor Use Permit approval, it shall be approved only if it is consistent with the General Plan and meets all requirements of this Zoning Code and subject to any conditions deemed appropriate by the Review Authority.

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### 9.30.020 Applicability [new]

#### A. Uses Listed in Article 3

A Conditional Use Permit or Minor Use Permit is required to authorize proposed land uses specified by Article 3 (Specific to Zones) as being allowable in the applicable zone subject to the approval of a Conditional Use Permit (CUP) or Minor Use Permit (MUP).

#### B. Allowability of Unlisted Uses

It shall mean that unlisted uses might be allowed by the applicable Review Authority when the uses are necessary to the development of the community and are in no way detrimental to existing uses or to those allowed in the zone

#### C. Modification of Use Regulations

**1. Modification of Regulations to Use.** The use permit procedure shall be utilized wherever it is specified in this Zoning Code that regulations to use may be modified through approval of a CUP or MUP.

**2. Subject to Findings.** It shall mean that the modification may be granted provided the findings specified in Section 9.30.060 (Findings and Decision), can be made.

## 9.30.030 Application Requirements [new]

### A. Filing Requirements

An application for a CUP or MUP shall be filed and processed in compliance with Chapter 9.10 (Application Processing Procedures).

### B. Required Data

The application shall include the information and materials specified in the Department handout for CUP and MUP applications, together with the required fee.

### C. Responsibility

It is the responsibility of the applicant to provide evidence in support of the findings required by Section 9.30.060 (Findings and Decision).

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## 9.30.040 Review Authority [new]

### A. Conditional Use Permits

CUPs shall be approved or denied by the:

- 1. Commission.** Commission, when not considered concurrently with another application that requires Council approval; or
- 2. Council.** Council when considered concurrently with another application that requires Council approval.

### B. Minor Use Permits

1. MUPs shall be approved or denied by the Director.
2. The Director may choose to refer any Minor Use Permit application to the Commission for review and final decision.

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## 9.30.050 Project Review, Notice, and Hearing [new]

Each application shall be reviewed by the Director to ensure that the proposal complies with all applicable requirements of this Zoning Code.

### A. Use Permits

- 1. Conditional Use Permits.** The Commission (or Council when considering a concurrently filed application) shall conduct a public hearing on an application for a CUP before a decision on the application.
- 2. Notice.** Notice of the hearing shall be provided, and the hearing shall be conducted in compliance with Chapter 10.40 (Public Hearings).
- 3. Appeals.** The Commission's decision is appealable to the Council in compliance with Chapter 10.20 (Appeals).

### B. Minor Use Permits

Before a decision on a Minor Use Permit, the City shall provide notice in compliance with Chapter 10.40 (Public Hearings), and as follows:

#### 1. Notice

- a) The notice shall state that the Director will decide whether to approve or deny the Minor Use Permit application on a date specified in the notice, and that a public hearing will be held only if requested in writing by any interested person before the specified date for the decision.
- b) The written request for a hearing shall be based on issues of significance directly related to the application (e.g., provision of evidence that the request cannot meet one or more of the findings specified in Section 9.30.060 [Findings and Decision]).
- c) If the Director determines that the evidence has merit and can be properly addressed by a condition(s) added to the Minor Use Permit approval, the Director may consider the permit in compliance with Subparagraph 3. (If no hearing is requested), below.

### 9.30.050 Project Review, Notice, and Hearing [new]

**2. If hearing is requested.** If a public hearing is requested and the provisions of Subparagraph B. 1. c., above do not apply the Director shall schedule the hearing that shall be noticed and conducted in compliance with Chapter 10.40 (Public Hearings).

**3. If no hearing is requested.** If no public hearing is requested, the Director shall render a decision on the date specified in the notice referred to in Subparagraph B. 1. a., above.

**4. Appeals.** The Director's decision is appealable to the Commission in compliance with Chapter 10.20 (Appeals).

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### 9.30.060 Findings and Decision

#### A. Review Authority's Action

**1. All applications.** An application for a CUP or MUP may be approved subject to conditions or denied by the review authority, based on the findings identified in Subsection B., below.

**2. Where Council is Review Authority.** After the public hearing where the Council is the review authority in compliance with Subsection 9.30.040.A (Conditional Use Permits), above, the Commission shall forward a written recommendation, and reasons for the recommendation, to the Council whether to approve, approve in modified form, or deny the application, based on the findings identified in Subsection B., below.

#### B. Required Findings

The Review Authority may approve or conditionally approve an application for a CUP or MUP if it finds all of the following:

1. The proposed use is consistent with the goals and policies of the General Plan.
2. The proposed use is consistent with the purpose of the applicable zone or zones.
3. The proposed use is listed as a use subject to a CUP or MUP in the applicable Zone or Zones or a use determined to be similar to a listed use in accordance with the procedures set out in Section 1.10.030 (Rules of Interpretation).
4. The proposed use meets the minimum requirements of this Zoning Code applicable to the use and complies with all other applicable laws, ordinances, and regulations of the city and the state of California.
5. The proposed use will not be materially detrimental to the health, safety, and welfare of the public or to property and residents in the vicinity. [18.104.040]

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### 9.30.070 Conditions of Approval

A. Any use permit may include such terms and conditions deemed appropriate or necessary by the review authority to make the findings specified in Section 9.30.060 (Findings and Decision).

B. If no terms or conditions are specified, the CUP or MUP shall be considered unconditional and valid for an indefinite period.

C. All conditions of approval shall be final, and a request to delete or modify a condition to make it less restrictive shall only be considered at a properly noticed public hearing, unless said conditions are appealed in compliance with Chapter 10.20 (Appeals).

### 9.30.080 Permit Revocation and Modification

Any CUP or MUP issued pursuant to Chapter 9.10 may be revoked or modified pursuant to Chapter 9.100 (Permit Modifications and Revocations).

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### 9.30.090 Post Decision Procedures

The procedures and requirements in Chapter 9.100 (Permit Implementation, Time Limits, and Extensions), and those related to appeals (Chapter 10.20) and Modifications and Revocations (Chapter 9.100) shall apply following the decision on a CUP or MUP application.

## Chapter 9.40 Home Occupation Permits

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### Sections:

- 9.40.010 Purpose
- 9.40.020 Applicability
- 9.40.030 Permit Required
- 9.40.040 Application Filing, Processing, and Review
- 9.40.050 Home Occupations Expressly Prohibited
- 9.40.060 Directors Decision
- 9.40.070 Compliance with Standards
- 9.40.080 Findings and Decision
- 9.40.090 Conditions of Approval
- 9.40.100 Permit Expiration
- 9.40.110 Acknowledgement
- 9.40.120 Permit Not Transferable
- 9.40.130 Changes in Home Occupation
- 9.40.140 Post Decision Procedures

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### 9.40.010 Purpose [new]

The purpose of this Chapter is to provide a process to gain City approval to conduct a home occupation which represents a legal commercial enterprise conducted by an occupant(s) of a dwelling.

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### 9.40.020 Applicability [new]

#### **A. Incidental and Secondary**

The Home Occupation Permit is intended to allow for home occupations that are conducted within a dwelling located in a residential zone, including Transect Zones, and are clearly incidental and secondary to the use of the dwelling for residential purposes and compatible with surrounding residential uses.

#### **B. Allowed by Article 3**

A home occupation may only be conducted when allowed by Article 3 (Specific to Zones).

## Chapter 9.40 Home Occupation Permits

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### 9.40.030 Permit Required [new]

#### **A. Home Occupation Permit Required**

No home occupation shall be established until an application for a home occupation permit has been submitted to and approved by the Director in compliance with this Chapter.

#### **B. Exemption**

**1. Live/work.** A legal live/work facility is exempt from the requirement of a Home Occupation Permit.

**2. Small family day care home.** A small family day care home for eight or fewer children operated in compliance with State law and Section 6.20.020 (Family Day Care Facilities) is exempt from the requirement of a Home Occupation Permit.

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### 9.40.040 Application Filing, Processing, and Review [new]

#### **A. Application**

##### **1. Filing**

- a) An application for a Home Occupation Permit shall be filed and processed in compliance with Chapter 9.10 (Application Processing Procedures).
- b) The application shall be signed by the owner of record or by an authorized agent.
- c) Authorized agents shall provide written authorization signed by the property owner.

**2. Required data.** The application shall include the information and materials specified in the Department handout for Home Occupation Permit applications, together with the required fee.

**3. Responsibility.** It is the responsibility of the applicant to provide evidence in support of the findings required by Section 9.40.080 (Findings and Decision).

#### **B. Public Notice Not Required**

A public notice and hearing shall not be required for the Director's decision on a Home Occupation Permit application.

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### 9.40.050 Home Occupations Expressly Prohibited

Refer to Section 6.20.030 (Home Occupations) for the list of prohibited home occupations.

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### 9.40.060 Directors Decision [new]

**A. Director's actions.** The Director may approve a Home Occupation Permit application that would be operated in compliance with Section 9.40.070 (Compliance with Standards), deny the application, or defer action and refer the application to the Commission for review and final decision.

**B. Business Tax required.** In conjunction with the Home Occupation Permit, the applicant shall obtain a Business License in compliance with Municipal Code Chapter 5.08 (Business Tax).

### 9.40.070 Compliance with Standards [new]

Home occupations shall comply with the applicable locational, developmental, and operational standards specified in Section 6.20.030 (Home Occupations) as well as any conditions or terms imposed on the Home Occupation Permit.

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### 9.40.080 Findings and Decision [new]

The Director shall review all applications and shall record the decision in writing with the findings on which the decision is based. The Director (or the Commission on a referral) may approve a Home Occupation Permit application, with or without conditions, only after first making all of the following findings:

A. The proposed home occupation will:

1. Be consistent with the General Plan, any applicable specific plan, and the development and design standards of the subject residential zone;
2. Be listed as an allowable use in Article 3 (Specific to Zones);
3. Comply with the applicable locational, developmental, and operational standards specified in Section 6.20.030 (Home Occupations) as well as any conditions or terms imposed on the Home Occupation Permit; and

4. Be clearly incidental and secondary to the use of the dwelling for residential purposes and be compatible with surrounding residential uses.

B. The proposed home occupation will not:

1. Be detrimental to the public convenience, health, interest, safety, or welfare, or materially injurious to the properties or improvements in the immediate vicinity;
  2. Interfere with the use or enjoyment of neighboring existing or future residential developments, and will not create traffic or pedestrian hazards; and/or
  3. Create vehicular traffic improvement with the neighborhood environment.
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### 9.40.090 Conditions of Approval [new]

In approving a Home Occupation Permit application, the Director (or the Commission on a referral) may impose conditions or terms (e.g., buffers, hours of operation, landscaping and maintenance, lighting, parking, perfor-

mance guarantees, property maintenance, surfacing, time limits, traffic circulation, etc.) deemed reasonable and necessary to ensure that the approval would be in compliance with the purpose of this Chapter.

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### 9.40.100 Permit Expiration [new]

When a home occupation has been discontinued for at least 90 days the Home Occupation Permit shall immediately expire.

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## Chapter 9.40 Home Occupation Permits

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### 9.40.110 Acknowledgement [new]

An approved Home Occupation Permit shall not be valid until signed by the applicant, with the signature acknowledging the applicant's full understanding and agreement with all of the conditions, and agreement to waive any right to later challenge any conditions imposed as unfair, unnecessary, or unreasonable.

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### 9.40.120 Permit Not Transferable [new]

#### **A. Not transferable**

The Home Occupation Permit is not transferable to another resident.

#### **B. New permits required**

A new Home Occupation Permit, for the same or different home occupation conducted by a new resident, shall be obtained before conducting an allowed home occupation.

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### 9.40.130 Changes in Home Occupation [new]

A change in the type of home occupation activity (e.g., a change from one allowed activity to another allowed activity) conducted by the original resident/permittee shall also require a new Home Occupation Permit before conducting an allowed home occupation.

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### 9.40.140 Post Decision Procedures [new]

The procedures and requirements in Chapter 9.100 (Permit Implementation, Time Limits, and Extensions), and those related to appeals (Chapter 10.20) and modifications and/or revocations (Chapter 9.110) shall apply following the decision on a Home Occupation Permit application.

# Chapter 9.50 Reasonable Accommodations [new]

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## Sections:

- 9.50.010 Purpose
  - 9.50.020 Applicability
  - 9.50.030 Application Requirements
  - 9.50.040 Review Authority
  - 9.50.050 Review Procedures
  - 9.50.060 Findings and Decision
  - 9.50.070 Rescission of Approval of Reasonable Accommodation
  - 9.50.080 Post Decision Procedures
- 

### 9.50.010 Purpose

#### **A. The Acts**

Chapter 9.50 provides a procedure to request Reasonable Accommodation for persons with disabilities seeking equal access to housing under the California Fair Employment and Housing Act, the Federal Fair Housing Act, and the Americans with Disabilities Act (ADA) (also known as the Acts) in the application of zoning laws and other land use regulations, policies, and procedures.

#### **B. Adjustment to Physical Design Standards**

A Reasonable Accommodation is typically an adjustment to physical design standards (e.g., setbacks) to accommodate the placement of wheelchair ramps or other exterior modifications to a dwelling in response to the needs of a disabled resident.

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### 9.50.020 Applicability

#### **A. Eligible Applicants**

1. A request for Reasonable Accommodation may be made by any person with a disability, their representative or any entity, when the application of a zoning law (i.e., development standard) or other land use regulation, policy, or practice acts as a barrier to fair housing opportunities.
2. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having this type of impairment, or anyone who has a record of this type of impairment.

3. This Chapter is intended to apply to those persons who are defined as disabled under the Acts.

#### **B. Eligible Request**

1. A request for Reasonable Accommodation may include a modification or exception to the practices, rules, and standards for the development, siting, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.
  2. A request for Reasonable Accommodation shall comply with Section 9.50.030 (Application Requirements), below.
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### 9.50.030 Application Requirements

#### **A. Filing**

An application for a Reasonable Accommodation shall be filed and processed in compliance with Chapter 9.10 (Application Processing Procedures).

#### **B. Required Data**

The application shall include the information and materials specified in the Department handout for Reasonable Accommodation applications, together with the required fee.

#### **C. Filing with Other Land Use Applications**

If the project involves both a request for Reasonable Accommodation and some other discretionary approval (e.g., Use Permit, Site Plan and Design Review, etc.), the applicant shall file the information required by Subsection A., above, together with the materials required for the other discretionary approval.

#### **D. Responsibility of the Applicant**

It is the responsibility of the applicant to provide evidence in support of the findings required by Section 9.50.060 (Findings and Decision).

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### 9.50.040 Review Authority

#### **A. Director**

A request for Reasonable Accommodation shall be reviewed, and a decision shall be made, by the Director if no approval is sought other than the request for Reasonable Accommodation.

#### **B. Other Review Authority**

A request for Reasonable Accommodation submitted for concurrent review with another discretionary land use application (e.g., Use Permit) shall be reviewed (and approved or denied) by the authority reviewing the discretionary land use application.

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### 9.50.050 Review Procedures

#### **A. Director's Review**

The Director shall make a written decision and either approve, approve with modifications, or deny a request for Reasonable Accommodation in compliance with Section 9.50.060 (Findings and Decision).

#### **B. Other Review Authority**

1. The written decision on whether to approve or deny the request for Reasonable Accommodation shall be made by the authority responsible for reviewing the discretionary land use application in compliance with the applicable review procedure for the discretionary review.
2. The decision to approve or deny the request for Reasonable Accommodation shall be made in compliance with Section 9.50.060 (Findings and Decision).

## 9.50.060 Findings and Decision

### A. Findings

The written decision to approve or deny a request for Reasonable Accommodation that will be consistent with the Acts shall be based on consideration of all of the following factors:

1. Whether the housing, which is the subject of the request, will be used by an individual defined as disabled under the Acts;
2. Whether the request for Reasonable Accommodation is necessary to make specific housing available to an individual with a disability under the Acts;
3. Whether the requested Reasonable Accommodation would impose an undue financial or administrative burden on the City;
4. Whether the requested Reasonable Accommodation would require a fundamental alteration in the nature

of a City program or law, including but not limited to land use and zoning;

5. Whether there are alternatives to the requested waiver or exception that could provide similar benefits to the applicant with less potential detriment to surrounding owners and occupants or to the general public;
6. Physical attributes of the property and structures; and
7. Other Reasonable Accommodations that may provide an equivalent level of benefit.

### B. Conditions of Approval

In approving a request for Reasonable Accommodation, the review authority may impose conditions of approval deemed reasonable and necessary to ensure that the Reasonable Accommodation will comply with the findings required by Subsection A. (Findings).

## 9.50.070 Rescission of Approval of Reasonable Accommodation

### A. Rescission

1. An approval or conditional approval of an application made in compliance with Chapter 9.10 may be conditioned to provide for its rescission or automatic expiration under appropriate circumstances (e.g., the individual defined as disabled under the Acts vacates the subject site, etc.), unless allowed to remain in compliance with Subsection B., below.
2. If rescinded or is subject to automatic expiration, the improvement made in compliance with the originally approved Reasonable Accommodation shall be removed from the subject property in compliance with Subsection B. 2.

### B. Discontinuance

1. A Reasonable Accommodation shall lapse if the exercise of rights granted by it is discontinued for at least 180 consecutive days.
2. If the person(s) initially occupying a residence vacates, the Reasonable Accommodation shall remain in effect only if the review authority first determines that:

- a) The modification is physically integrated into the residential structure and cannot easily be removed or altered to comply with this Zoning Code; or
- b) The accommodation is to be used by another qualifying individual with a disability.

3. The review authority may request the applicant or the successor(s)-in-interest to the property to provide documentation that subsequent occupants are qualifying persons with disabilities.
4. Failure to provide the documentation within 30 days of the date of a request by the review authority shall constitute grounds for discontinuance by the City of a previously approved Reasonable Accommodation.
5. Discontinuance shall require that the improvement made in compliance with the originally approved Reasonable Accommodation shall be removed from the subject property.

### 9.50.080 Post Decision Procedures

The procedures and requirements in Chapter 9.90 (Permit Implementation, Time Limits, and Extensions), and those related to appeals (Chapter 10.20) and Modifications and Revocations (Chapter 9.100) shall apply following the decision on a Reasonable Accommodation application.

## Chapter 9.60 Architectural Design and Site Plan Review

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### Sections:

- 9.60.010 Purpose [new]
  - 9.60.020 Applicability
  - 9.60.030 Review Authority
  - 9.60.040 Application Requirements
  - 9.60.050 Findings and Decision
  - 9.60.060 Post Decision Procedures
  - 9.60.070 Appeal
- 

### 9.60.010 Purpose [new]

#### **A. Purpose**

The purpose of Chapter 9.60 is to provide a process for the appropriate review of construction and development projects.

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### 9.60.020 Applicability

#### **A. When Required**

Architectural Design and Site Plan Review shall be required for all structures erected to accommodate any of the land use activities listed in Article 3 (Specific to Zones), except for those specified in Subsection B. (Exemptions).

2. Other minor structural additions, including building additions of four hundred square feet or less;
3. Changes of use to a less intensive use as determined by the Director. [18.80.060]

#### **B. Exemptions**

The following are exempt from the requirement for a Architectural Design and Site Plan Review :

1. A development for which a Architectural Design and Site Plan Review has been previously granted under the conditions of a Use Permit, Variance, or Minor Use Permit, issued in compliance with this Zoning Code;
- 

### 9.60.030 Review Authority

The Architectural Design and Site Plan Review application required by Chapter 9.60 shall be reviewed and approved by the Commission in compliance with procedures set out in Chapter 9.10 (Permit Processing Procedures) and in compliance with Chapter 10.20 (Appeals).

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### 9.60.040 Application Requirements [new]

#### A. Application Filing

1. An application for a Architectural Design and Site Plan Review shall be filed and processed in compliance with Chapter 9.10 (Application Processing Procedures).
2. The application shall include the information and materials specified in the Department handout for Architectural Design and Site Plan Review applications, together with the required fee.

#### B. Public Hearing and Appeal Provisions

A public hearing shall not be required for Site Plan Development Plan Review application.

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### 9.60.050 Findings and Decision [18.102.100]

#### A. Decision

1. The Commission may approve, conditionally approve, or deny any application following the close of the public hearing on the matter or within 35 days thereafter by resolution. Such resolution shall include findings in compliance with this Chapter.
2. The decision shall be final, subject to appeal in compliance with Chapter 10.20 (Appeals).

3. In the event that the Commission is unable to reach a majority decision, as evidenced by a tie vote, the applicant shall have the option of continuing the public hearing until such time as a majority vote can be obtained or consider the application denied.

#### B. Written Notice

Written notice of such decision shall be given by mail within seven calendar days after the date of the decision to the applicant and any person filing a written request for notice of the decision.

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### 9.60.060 Post Decision Procedures [new]

The procedures and requirements in Chapter 9.90 (Permit Implementation, Time Limits, and Extensions), and those related to appeals (Chapter 10.20) and Modifications and Revocations (Chapter 9.100) shall apply following the decision on a Site Development Plan Permit application.

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### 9.60.070 Appeal

1. Any interested person that is adversely affected by a decision of the review authority, may file an appeal to the City Council. [17.52.010] authority from which the appeal is being taken in compliance with Section 10.20 (Appeals). [17.52.020]
2. Any such appeal shall be filed with the clerk of the city within 10 days after the action of the review

# Chapter 9.70 Temporary Use Permit

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## Sections:

- 9.70.010 Purpose
- 9.70.020 Applicability
- 9.70.030 Review Authority
- 9.70.040 Application Requirements
- 9.70.050 Exempt Short-term Activities
- 9.70.050 Exempt Temporary Uses
- 9.70.060 Allowed Short-term Activities
- 9.70.070 Notice and Hearing
- 9.70.080 Findings
- 9.70.090 Conditions of Approval
- 9.70.100 Condition of Site Following Temporary Use
- 9.70.110 Post Decision Procedures

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### 9.70.010 Purpose [new]

This Chapter establishes procedures and standards for Temporary Use Permits for the short-term activities specified in this Section. These are activities that may not comply with particular standards of the applicable

zone, but may otherwise be acceptable because of their temporary nature, if reviewed and appropriately conditioned in compliance with this Chapter.

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### 9.70.020 Applicability [new]

A Temporary Use Permit is required to allow the short-term activities specified in this Chapter.

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### 9.70.030 Review Authority [new]

The Director is authorized to approve, conditionally approve, or deny Temporary Use Permits.

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### 9.70.040 Application Requirements [new]

An application for a Temporary Use Permit shall be prepared, filed, and processed in compliance with Section 9.10.040 (Application Preparation and Filing).

## 9.70.050 Exempt Temporary Uses

The following activities are allowed without a Temporary Use Permit, but may require other permits as specified.

### A. Construction yards - On-site [new]

On-site contractor's construction yard for an approved construction project including storage or cargo containers. The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the building permit authorizing the project construction, whichever occurs first.

### B. Emergency Facilities [new]

Emergency public health and safety needs/land use activities, as determined by the Council.

### C. Garage Sales

Garage sales may be held in compliance with the following standards:

1. Sales last no longer than two days;
2. Sales are held no more than three times yearly;
3. Sales are conducted on the owner's or tenant's property. Multiple family sales are permitted if they are held on the property of one of the participants;

4. No goods purchased for resale may be offered for sale;
5. No consignment goods may be offered for sale;
6. All directional and advertising signs shall be freestanding and removed after completion of the sale;
7. No signs on utility poles;
8. All directional and advertising signs placed on private property shall have the owner's permission;
9. No directional or advertising signs may be larger than two feet by three feet.  
[18.12.060, 18.16.060, 18.18.060]
6. Any garage/yard sale not in compliance with the conditions specified in this Subsection is hereby declared to be unlawful and a public nuisance. [new]

### D. Special Event Permits

A Special Event Permit shall be obtained from the before conducting athletic events, parades, and public assemblies, occurring on or within the public rights-of-way or other publicly owned property. [new]

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## 9.70.060 Allowed Temporary Uses [new]

Temporary Use Permits may authorize the following short-term activities within the specified time limits, but in no event for more than 12 months. Activities that do not fall within the categories defined below shall comply with the development permit requirements and development standards in Article 3 (Specific to Zones).

### A. Events

Art and craft exhibits, carnivals, circuses, fairs, farmer's markets, festivals, flea markets, food events, open-air theaters, outdoor entertainment/sporting events, promotional events, rummage sales, swap meets, and other special events.

### B. Seasonal Sales Lots

Seasonal sales activities (e.g., Christmas tree lots, pumpkins, agricultural products grown on the premises, etc.) including temporary residence/security trailers.

### C. Model Homes & Sales Office

A model home(s) and/or sales office associated with a residential project.

### D. Mobile Businesses

A mobile business compatible with the applicable zone and surrounding land uses shall operate in compliance with the following standards:

1. There shall be a minimum 300' distance between mobile business vendors in order to limit undue proliferation.
2. A mobile businesses is not permitted on private property except as provided in this Chapter.
3. Mobile businesses may not be located within 50 feet of a lot with a building that contains both a residential and commercial use.

## 9.70.060 Allowed Temporary Uses [new]

4. Only one sign is allowed per property, unless otherwise permitted through Temporary Use Permit approval.
  5. Mobile businesses shall obtain and display a valid health certificate from the County Health Department on equipment at all times.
  6. Mobile businesses shall not operate between the hours of 3:00 a.m. and 6:00 a.m.
  7. The mobile unit shall be located on the site so as not to impede on-site traffic flow or impact safe sight lines as determined by the City Public Works Department.
  8. Exterior lighting must be hooded or shielded so that the light source is not directly visible to a residential use.
  9. The off-site location where the mobile business unit is to be stored overnight must be identified part of the temporary use permit review. Mobile vending units may not be parked in residentially zoned areas within the City and any proposed site within the City must be approved as part of the Temporary Use Permit. All mobile business equipment shall be removed from the subject site at the end of each business day.
  10. During business hours, the permit holder shall provide a trash receptacle for use by customers.
  11. A permanent water or wastewater connection is prohibited.
  12. Wash down of the mobile unit shall be only permitted at an approved facility that will capture the wastewater in an approved sanitary sewer.
  13. Disposal of cooking waste may only occur at County Health Department approved facilities.
  14. The mobile business unit shall not be located within a 12 foot radius of the outer edge of any entranceway to any building or facility used by the public, including but not limited to doors, driveways, and emergency exits.
  15. The mobile business unit shall not be located where space for pedestrian passage will be reduced to less than six feet, or within 10 feet of any residential unit.
  16. All structures, equipment or vehicles related to the mobile business shall be located on a paved surface that meets the City Public Works Department standards.
- E. Temporary Vegetable and Fruit Stands**  
A temporary vegetable and/or fruit stand in compliance with the following standards:
1. Vegetable and fruit stands shall be operated by the producer and on premises controlled by the producer;
  2. Products sold shall be limited to shell eggs and crops that are grown by the producer, as regulated by State law; non-potentially hazardous prepackaged food products from an approved source that were grown or produced in close proximity to the stand; and agricultural and food preparation related items.
  3. Agricultural and food preparation related items shall be limited to 25% of the total storage and sales area of the stand.
  4. There shall be no more than one stand per lot.
  5. Stands shall meet the setback standards of the zone in which they are located.
  6. No building shall have more than 1,500 square feet of indoor sales area and shall have a total enclosed area of no more than 3,000 square feet.
- F. Temporary Structures**  
A temporary classroom, office, or similar structure (not for storage), including a manufactured or mobile unit, may be approved as an accessory use for a maximum of 12 months.
- G. Temporary Storage Containers**  
A temporary storage or cargo container not associated with an active building permit may be approved for a maximum of 30 days. The storage container shall be located on-site.
- H. Temporary Office and Living Quarters**  
A trailer or mobile home used as a temporary work and/or living quarters when associated with an ac-

## Chapter 9.70 Temporary Use Permit

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### 9.70.060 Allowed Temporary Uses [new]

tive construction site.

Section, and compatible with the applicable zone and surrounding land uses.

#### I. Temporary Signs

Temporary signs in compliance with Article 7 (Signs).

#### J. Similar Short-term Activities

A short-term activity that the Planning Manager determines is similar to the other activities listed in this

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### 9.70.070 Notice and Hearing [new]

A public notice and hearing shall not be required for the Director's decision on a Temporary Use Permit.

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### 9.70.080 Findings [new]

The Director may approve a Temporary Use Permit subject to making all of the following findings:

A. The location, operation and time period of the temporary use will not constitute a hazard to the public interest, health, safety, or general welfare.

B. The operation of the temporary use will not be detrimental to adjoining properties through the creation of excessive dust, light, noise, odor, or other objectionable characteristics.

C. The proposed lot is adequate in size and shape to accommodate the temporary use without detriment

to the enjoyment of other properties located adjacent to and in the vicinity of the subject lot.

D. The proposed lot is adequately and safely served by streets having sufficient capacity and improvements to accommodate the quantity of traffic that the temporary use will or could reasonably be expected to generate.

E. Adequate temporary parking to accommodate vehicular traffic to be generated by the use will be available either on-site or at an acceptable off-site location.

F. The location of the temporary use is within private property as authorized by the property owner and will not occur within public right-of-way.

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### 9.70.090 Conditions of Approval [new]

In approving a Temporary Use Permit application, the Director may impose conditions that are deemed reasonable and necessary to ensure that the permit would be in full compliance with the findings required by Section 9.70.080 (Findings). This may

include conditions from other City departments (e.g., Police, Fire, and Public Works) that may have a direct affect on the operation of the temporary use. Conditions may address any pertinent factors affecting the operation of the temporary event or use to ensure that the operation of the proposed temporary event or use.

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### 9.70.100 Condition of Site Following Temporary Use [new]

Each site occupied by a temporary use shall be cleaned of debris, litter, or any other evidence of the temporary use upon completion or removal of the

use, and shall continue to be used in compliance with this Zoning Code.

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### 9.70.110 Post Decision Procedures [new]

The procedures and requirements in Chapter 9.90 (Permit Implementation, Time Limits, and Extensions), and those related to appeals (Chapter 10.20)

and Modifications and Revocations (Chapter 9.100) shall apply following the decision on a Temporary Use Permit application.

## Chapter 9.80 Variances

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### Sections:

- 9.80.010 Purpose
- 9.80.020 Applicability
- 9.80.030 Review Authority
- 9.80.040 Application Requirements
- 9.80.050 Findings and Decisions
- 9.80.060 Precedents
- 9.80.070 Conditions of Approval
- 9.80.080 Post Decision Procedures

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### 9.80.010 Purpose

A. Where special physical circumstances exist limiting the development of a particular property in accordance with development standards of a zone, relief from the development standards may be secured by the granting of a variance from those standards.

B. The granting or denial of a variance will be based on whether the particular circumstances conform to the standards of this Chapter.

C. Under no circumstances will a variance from permitted or conditionally permitted uses be considered or granted. [18.106.010]

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### 9.80.020 Applicability [new]

The Commission may approve a Variance that allows for any adjustment from any of the development standards required by this Zoning Code, and only after first making the findings specified in Section 9.80.050 (Findings and Decision).

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### 9.80.030 Review Authority [new]

A. The Commission shall approve or deny Variance applications, and impose conditions deemed reasonable and necessary to preserve the public convenience, health, interest, safety, or welfare, and necessary to make the findings required by Section 9.80.050 (Findings and Decision).

B. The Commission may approve Variances in compliance with Chapter 9.80 and State law.

### 9.80.040 Application Requirements [new]

#### A. Filing

1. An application for a Variance shall be filed and processed in compliance with Chapter 9.10 (Application Processing Procedures).
2. The application shall include the information and materials specified in the Department handout for Variance applications, together with the required fee.
3. It is the responsibility of the applicant to provide evidence in support of the findings required by Section 9.80.050 (Findings and Decision).

#### B. Notice, Hearings, and Appeals

- 1. Variances – public hearing required.** A public hearing shall be required for the Commission's decision on a Variance application.
  - a) **Scheduling hearing.** The public hearing shall be scheduled once the Director has determined the application complete.
  - b) **Giving notice.** Notice of the public hearing shall be given and the hearing shall be conducted in compliance with Chapter 10.40 (Public Hearings).
  - c) **Appeals.** The Commission's decision is appealable to the Council in compliance with Chapter 10.20 (Appeals).

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### 9.80.050 Findings and Decisions

The review authority may approve or conditionally approve an application for a Variance if it finds all of the following:

A. Special circumstances exist applicable to the subject property, including size, shape, topography, location, or surroundings, such that the strict application of this Zoning Code deprives such property of privileges enjoyed by other property in the vicinity and in the same zone.

B. The granting of the variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

C. The granting of the variance will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity. [18.106.040]

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### 9.80.060 Precedents [new]

Each application shall be reviewed on an individual case-by-case basis and the approval of a prior Variance is not admissible evidence for the approval of a new Variance.

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### 9.80.070 Conditions of Approval

A. Any variance granted may include such terms and conditions as deemed necessary or appropriate to ensure that the approval would be in compliance with the findings required by Section 9.80.050 (Findings and Decision). If no additional terms or conditions are specified, the variance shall be considered unconditional and valid for an indefinite period.

B. If the development for which a variance has been approved pursuant to Chapter 9.80 has not com-

menced, or permits for each development have not been issued, within one year of the granting of the variance, the variance shall become null and void and of no effect, unless an extension has been granted by the review authority, upon the written request for an extension before the expiration of the one year period. This provision shall not apply to applications approved in conjunction with another discretionary permit. In such cases, the expiration period shall coincide with that of the associated permit.

### 9.80.070 Conditions of Approval

C. All conditions of approval shall be final, and a request to delete or to modify a condition to make it less restrictive shall only be considered at a properly noticed public hearing, unless such conditions are appealed pursuant to Chapter 10.20 (Appeals). [18.106.050]

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### 9.80.080 Post Decision Procedures

The procedures and requirements in Chapter 9.90 (Permit Implementation, Time Limits, and Extensions), and those related to Appeals (Chapter 10.20) and Modifications and Revocations (Chapter 9.100) shall apply following the decision on a Variance application. [18.106.060]

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# Chapter 9.90 Permit Implementation, Time Limits, and Extensions

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## Sections:

- 9.90.010 Purpose
  - 9.90.020 Conformance to Approved Plans
  - 9.90.030 Effective Dates of Permits
  - 9.90.040 Applications Deemed Approved by Operation of Law
  - 9.90.050 Performance Guarantees
  - 9.90.060 Expiration
  - 9.90.070 Time Extensions
  - 9.90.080 Changes to Approved Projects
  - 9.90.090 Resubmittals
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### 9.90.010 Purpose

This Chapter provides requirements for the implementation of the permits or approvals required by this Zoning Code, including time limits and procedures for approving extensions of time.

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### 9.90.020 Conformance to Approved Plans

#### **A. Compliance**

All work performed under a Building Permit for which project drawings and plans have received approval by the, Director, Commission, or Council shall be in compliance with the approved drawings and plans, and any conditions of approval imposed by the applicable review authority.

#### **B. Changes**

Changes to an approved project shall be submitted and processed in compliance with Section 9.90.080 (Changes to Approved Projects).

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### 9.90.030 Effective Dates of Permits

#### **A. Approvals, Permits, and Variances**

A Certificate of Appropriateness, Use Permit, Home Occupation Permit, Reasonable Accommodation, Architectural Design and Site Plan Review, Temporary Use Permit, Outdoor Seating Permit, Mural Permit, or Variance shall become effective 15 days following the actual date the decision was rendered by the applicable review authority

and close of the 14-day appeal period, if no appeal is filed in compliance with Chapter 10.20 (Appeals).

#### **B. Plans/Amendments**

1. Council actions to adopt or amend a specific plan (adopted by ordinance), this Zoning Code, Planned Development or the Regulating Plan shall become

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## 9.90.030 Effective Dates of Permits

effective on the 30th day following the date the ordinance is actually adopted by the Council.

2. Council actions to adopt or amend the General Plan or a Specific Plan (adopted by resolution) shall become effective on the actual date the decision is rendered by the Council.

### **C. Issued on the Effective Date**

Permits, certificates, and/or other approvals shall not be issued until the effective date; provided, that no appeal of the review authority's decision has been filed, in compliance with Chapter 10.20 (Appeals).

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## 9.90.040 Applications Deemed Approved by Operation of Law

### **A. Applicable Provisions**

A permit application deemed approved by operation of law in compliance with Government Code Section 65956(b) shall be subject to all applicable provisions of this Zoning Code, which shall be fully satisfied by the applicant before a Building Permit is issued or a land use not requiring a Building Permit is exercised or established.

### **B. Public Notice**

The permit application shall be deemed approved only if the application received proper notice in compliance with Chapter 10.40 (Public Hearings).

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## 9.90.050 Performance Guarantees

### **A. Deposit of Security**

1. As a condition of approval of a Certificate of Appropriateness, Use Permit, Home Occupation Permit, Reasonable Accommodation, Architectural Design and Site Plan Review, Temporary Use Permit, Outdoor Seating Permit, Mural Permit, or Variance, upon a finding that the City's health, safety, and welfare warrant, the review authority may require the execution of a covenant to deposit security and the deposit of security in a reasonable amount to ensure the faithful performance of one or more of the conditions of approval of the permit or approval in the event that the obligor fails to perform.

2. The applicant/owner may offer to provide adequate security for the faithful performance of a condition(s) of approval imposed as part of the approval process if the Director determines that the condition(s) may be implemented at a later specified date (e.g., inability to install required landscaping due to weather conditions).

3. The security shall, as required by law or otherwise at the option of the City, be in a form which includes but is not limited to cash, a certified or cashier's check, letter of credit, or a performance bond executed by the applicant and a corporate surety

authorized to do business in California and approved by the City.

4. The security shall remain in effect until all of the secured conditions have been performed to the satisfaction of the Director.

5. Security required in compliance with this Section shall be payable to the City.

### **B. Release of Security**

Upon satisfactory compliance with all applicable provisions of this Section, the security deposit shall be released.

### **C. Failure to Comply**

1. Upon failure to perform any secured condition(s), the City may perform the condition, or cause it to be done, and may collect from the obligor all costs incurred, including administrative, engineering, legal, and inspection costs.

2. Any unused portion of the security shall be refunded to the obligor after deduction of the cost of the work.

## 9.90.060 Expiration

### A. Expiration of Permit or Approval Except Use Permits

Unless otherwise specified in the permit or approval, all permits and approvals, except for Use Permits, for projects not subject to the Subdivision Map Act shall comply with the following expiration provisions.

#### 1. Shall be Implemented

- a) To ensure continued compliance with the provisions of this Zoning Code, the permit or approval shall be implemented within two years following the date of approval, unless, by conditions of the permit or approval, a different (either greater or lesser) time is prescribed, or the permit or approval shall expire and be deemed void, unless an extension is approved by the applicable review authority, in compliance with Section 9.90.070 (Time Extensions).
- b) Any time limit set by the applicable review authority shall be reasonable, based upon the size and the nature of the proposed project.
- c) If after construction commencement, work is discontinued for a minimum period of two years, the permit or approval shall expire and be deemed void.
- d) If the application for the permit or approval also involves the approval of a tentative map, construction commencement shall be implemented before the expiration of the companion final map.

#### 2. Allowable Phasing

- a) Where the permit or approval provides for development in two or more phases or units in sequence, the permit or approval shall not be approved until the review authority has approved the final phasing plan for the entire project site. The project applicant shall not be allowed to develop one phase in compliance with the pre-existing base zone and then develop the remaining phases in compliance with this Section, without prior review authority approval.
- b) Pre-approved Phases
  - (i) If a project is to be built in pre-approved phases, each subsequent phase shall have two years from the previous phase's date of construction commencement to the next phase's date of construction commencement to have occurred, unless otherwise specified in the permit or approval, or the permit or approval shall expire and be deemed void.
  - (ii) If the application for the permit or approval also involves the approval of a tentative map, the phas-

ing shall be consistent with the tentative map and the permit or approval shall be implemented before the expiration of the companion final map.

#### 3. Shall be implemented before expiration. A

- permit or approval shall be implemented before its expiration. The permit or approval shall not be deemed implemented until the applicant has:
- a) Obtained a Building Permit and continuous on-site construction activity including pouring of foundations, installation of utilities, or other similar substantial improvement has commenced and diligently pursued toward completion; or
  - b) Obtained a Grading Permit and has completed a significant amount of on-site grading, as determined by the Director, in preparation for the work described in Subsection a., above; and
  - c) Diligently continued the approved grading and construction activities in a timely manner in compliance with the subject Building Permit; or
  - d) Actually implemented the allowed land use, in its entirety, on the subject property in compliance with the conditions of approval; or
  - e) Met all of the applicable requirements as determined by the Director.

#### B. Effect of Expiration

Where the permit or approval, except for Use Permits, has expired and/or has been deemed void:

1. No further action is required by the City;
2. No further reliance may be placed on the previously approved permit or approval;
3. The applicant shall have no rights previously granted under the permit or approval;
4. The applicant shall file a new application(s) along with all required fees and obtain all required approvals before construction can commence or an allowable use may be implemented; and
5. Any security provided by the applicant under the previously approved permit or approval may be utilized by the City to provide suitable protection from any harm that may result from the terminated development.

## 9.90.070 Time Extensions

### A. Director's Action to Extend

**1. Authority.** The Director shall have the authority to extend the period specified in Section 9.90.060 (Expiration), for up to one additional one-year period. The Director may instead refer the matter to the Commission for review and final decision.

**2. Written Request.** The applicant's written request for an extension of time shall be on file with the Department before expiration of the permit or approval, together with the required filing fee.

### 3. Public hearing not required

- a) A public hearing shall not be required for the Director's decision on an extension of time.
- b) However, the Director may conduct a public hearing in compliance with Chapter 10.40 (Public Hearings) if deemed appropriate by the Director.
- c) The Commission shall conduct a public hearing on a referral from the Director in compliance with Chapter 10.40 (Public Hearings).

### B. Suspension of Expiration

1. The filing of a written extension request shall suspend the actual expiration of the permit or approval until the extension request has been acted upon by the Director.
2. Building or Grading Permits shall not be issued in compliance with the permit or approval during the period of the suspension.

### C. Applicable review authority's action on further extension.

1. Upon good cause shown, a further extension may be approved, approved with modifications,

or denied by the applicable review authority (e.g., Director, Commission, and/or Council) which originally granted the permit or approval, subject to the findings identified in Subsection D. (Required findings), below.

2. The permit or approval may be extended for up to one additional one-year period, up to a maximum of three years following the original date of approval, unless otherwise allowed by State law.
3. A public hearing shall not be required for the Director's decision. However, the Director may conduct a public hearing in compliance with Chapter 10.40 (Public Hearings) if deemed appropriate by the Director.
4. The Commission or Council shall conduct a public hearing in compliance with Chapter 10.40 (Public Hearings).

### D. Required Findings

An extension of the permit or approval may be granted only if the applicable review authority first finds that there have been no changes in circumstances, law, or General Plan or Development Code policies that would preclude the review authority from making the findings upon which the original approval was based.

### E. Further Extensions

An application for an extension of the permit or approval in excess of three years following the original date of approval shall be treated as a new application which shall be filed in compliance with Chapter 9.10 (Application Processing Procedures).

## 9.90.080 Changes to Approved Projects

### A. Application

1. A development or new land use allowed through a permit or approval granted in compliance with this Part shall be in substantial compliance with the approved drawings and plans, and any conditions of approval imposed by the review authority, except where changes to the project are approved in compliance with this Section.
2. An applicant shall request desired changes in writing, and shall also furnish appropriate supporting materials and an explanation of the reasons for the request.
3. Requested changes may involve changes to one or more conditions imposed by the review authority or actual changes to the project (e.g., hours of operation, expansion of a use, etc.) as originally proposed by the applicant or approved by the review authority.
4. Changes shall not be implemented until first approved by the applicable review authority in compliance with this Section, and may be requested either before or after construction or establishment and operation of the approved use.

### B. Notice and hearing

If the matter originally required a noticed public hearing, the review authority shall hold a public hearing, except for the minor changes outlined below (See Subsection C.), and shall give notice, in compliance with Chapter 10.40

(Public Hearings).

### C. Minor changes by Director

The Director may authorize minor changes to an approved permit or other approval only if the changes:

1. Are consistent with all applicable provisions of this Zoning Code and the spirit and intent of the original approval; and
2. Do not involve a feature of the project that was:
  - a) A basis for findings in a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report for the project;
  - b) A basis for conditions of approval for the project; or
  - c) A specific consideration by the review authority (e.g., the Director, Commission, or Council) in granting the permit or approval.
3. Do not involve any expansion or intensification of the use or structure.

### D. Major Changes

Major changes include changes to the project involving features specifically described in Subsection C., above, and shall only be approved by the original review authority through a new application, processed in compliance with this Zoning Code.

## 9.90.090 Resubmittals

### A. Resubmittal After Denial with Prejudice

1. The review authority may deny an application for a discretionary planning permit, or amendment, on the grounds that two or more similar applications for the same site have been denied in the past two years (also known as denial with prejudice), or that another cause exists for limiting the refiling of the application.
2. For a period of 12 months following the actual date of denial with prejudice by the Director, Commission, or Council, or, if appealed, the actual date of denial by the applicable review authority considering the appeal, of a discretionary planning permit or amendment, no application for the same or substantially similar planning permit or amendment shall be filed for the same site, or any portion thereof.

### B. Exception to Subsection A.

The Director may allow exception to Subsection A., based on one or more of the following findings:

1. New evidence material to a revised decision will be presented that was unavailable or unknown to the applicant at the previous hearing(s) and that could not have been discovered in the exercise of reasonable diligence by the applicant.

2. There has been a substantial and permanent change of circumstances since the previous hearing(s), which materially affects the applicant's real property.
3. A mistake was made at the previous hearing(s) that was a material factor in the denial of the previous application.

### C. Resubmittal After Denial Without Prejudice

There shall be no limitation on subsequent applications for a site where a project was denied without prejudice.

### D. Director's Determination, Appeal

1. The Director shall determine whether a new application is for a planning permit or amendment that is the same or substantially similar to a previously approved or denied permit or amendment, and shall either process or reject the application in compliance with this Section.
2. The Director's determination may be appealed to the Commission, in compliance with Chapter 9.15 (Appeals).

# Chapter 9.100 Permit Modifications and Revocations

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## Sections:

- 9.100.010 Purpose
  - 9.100.020 Modifications
  - 9.100.030 Revocations
  - 9.100.040 Hearing and Notice Required
  - 9.100.050 Findings to Modify or Revoke
- 

### 9.100.010 Purpose [new]

This Chapter provides procedures for securing punitive modification or revocation of previously approved permits or approvals.

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### 9.100.020 Modifications [new]

The City's action to modify a permit or approval, instead of revocation, may include conditioning any operational aspect of the project, including buffers, duration of the permit or entitlement, hours of operation, landscaping and maintenance, lighting, parking, performance guarantees, property maintenance, signs, surfacing, traffic circulation, or any other aspect/condition determined to be reasonable and necessary to ensure that the permit or approval is operated in a manner consistent with the original findings for approval.

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### 9.100.030 Revocations [new]

The City's action to revoke a permit or approval, instead of modification, shall have the effect of terminating the permit or approval and denying the privileges granted by the original approval.

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### 9.100.040 Hearing and Notice Required [new]

#### A. Hearing Required

1. The appropriate review authority shall hold a public hearing to modify or revoke a permit or approval granted in compliance with the provisions of this Zoning Code.
2. The hearing shall be noticed and conducted in compliance with Chapter 10.40 (Public Hearings).

#### B. Notice

1. 10 days before the public hearing, notice shall be mailed or delivered to the applicant for the permit or approval being considered for modification or revocation, and/or owner of the property for which the permit or approval was granted.

2. The only exception to the 10-day notice provision shall be for Temporary Use Permits which, because of their short term nature, shall only require a 24-hour notice.
3. Notice shall be deemed delivered two days after being mailed, certified and first class, through the United States Postal Service, postage paid, to the owner as shown on the County's current equalized assessment roll and to the project applicant, if not the owner of the subject property.
4. Signs shall be posted on site by the applicant and/or owner of the property for which the permit or approval was granted.

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### 9.100.050 Findings to Modify or Revoke

Any permit or approval, issued in compliance with this Chapter, may be modified or revoked by the review authority that originally granted the permit or approval by the same procedure under which the permit was issued for any of the following causes:

- A. That any term or condition of the permit or approval, has not been complied with.
- B. That the property or portion thereof subject to the permit or approval is used or maintained in violation of any statute, ordinance, law, or regulation.

- C. That the use for which the permit or approval was granted has been so exercised as to be detrimental to the public health or safety or as to constitute a nuisance.

- D. That changes in technology or in the type or amount of development in the vicinity of the use or other good cause warrants modification of the conditions of operation or imposition of additional conditions of operation to assure that the use remains compatible with existing and potential uses of other property within the general area in which the use is located. [18.102.020]

# Chapter 9.110 Mural Permits

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## Sections:

- 9.110.010 Purpose
  - 9.110.020 Approval Authority
  - 9.110.030 Conditions for Issuance of Mural Permit
  - 9.110.040 Criteria for Design of Murals
  - 9.110.050 Mural Design Review
  - 9.110.060 Fees
  - 9.110.070 Enforcement-Penalties
- 

### 9.110.010 Purpose

This Chapter provides regulations for installation of murals. The purpose is to permit and encourage the production of exterior murals that are original works of art which contribute to and advance streetscape aesthetics and foster a positive community identity.

Murals create a unique identity, sense of place, and civic pride and deters acts of vandalism, graffiti and other acts against public or private property on which a mural is located.

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### 9.110.020 Approval Authority

A. No mural may be modified, removed, destroyed, covered up or in any other way altered without the property owner first obtaining an amendment to the mural permit that authorized the mural.

B. No mural permit or amendment to mural permit may be obtained without approval of the Commission who shall have the final authority for approval, conditional approval or denial.

---

### 9.110.030 Conditions for Issuance of Mural Permit

A. The Commission may approve or conditionally approve an application for a mural permit if it finds that the mural meets the minimum criteria of this Chapter for a mural and will not be materially detrimental to the health, safety and welfare of the public or to the property and residents in the vicinity.

B. Any conditional mural permit may include such terms and conditions deemed appropriate or necessary by the Commission to make the foregoing findings. If the painting or installation of a mural for which a mural permit has been approved pursuant to this Chapter has not been commenced within one year of the granting of the mural permit or if the conditions have not been complied with, the mural permit shall become null and void and of no effect unless extended by the Commission upon written

request for an extension before the expiration of the one year period.

Any mural permit may be revoked or modified pursuant to Chapter 9.100

B. Unless otherwise deemed materially detrimental to the health, safety and welfare of the public or to property and residents in the vicinity, the terms and conditions of a mural permit or amendment to same shall include the following:

1. The mural maintenance fee shall be paid.
  2. The property owner shall agree to a covenant running with the land prohibiting any modification,
-

## Chapter 9.110 Mural Permits

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### 9.110.030 Conditions for Issuance of Mural Permit

removal, destruction, covering up or other alteration of the mural without an amendment to the mural permit authorizing same, which covenant shall be recorded.

3. The property owner and the mural artist shall agree that the city shall have the right to take any and all action regarding the mural which is determined by the planning commission to be in the best interests

of the health, safety and welfare of the public or to the property and residents in the vicinity.

4. The property owner shall agree to perpetual and irrevocable access by the city to the mural for the purpose of maintaining the mural.

5. Such other conditions as the Commission shall deem appropriate.

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### 9.110.040 Criteria for Design of Murals

A. The following criteria shall apply to the design of murals:

A. Murals shall not be materially detrimental to the health, safety and welfare of the public or to property and residents in the vicinity.

B. Murals shall be non-commercial in content and shall have artistic, historic, cultural or natural history themes related to the city or the greater Tehachapi area.

C. Murals shall be located only on the exterior walls of a structure or free standing wall or on panels affixed to same.

D. Paints and other materials used for murals shall be appropriate for outdoor use and artistic rendition and shall be of a permanent or long lasting variety.

E. Murals shall be designed and painted or otherwise created by a mural artist.

F. Murals shall be identical to the color rendering approved by the planning commission as to content, colors and design and shall be the size approved by the planning commission.

G. Such other criteria as the city council may adopt from time to time by resolution.

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### 9.110.050 Mural Design Review

All applications for mural permits or amendments to same shall include a color rendering of the mural or changes to same that are proposed and shall be referred to the mural review committee for its comments and recommendations.

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### 9.110.060 Fees

A fee for application and issuance of the mural permit or amendment to same may be charged by the City and payable at the time of submittal of the application. The City shall charge a mural maintenance fee to be used by the City to maintain the mural, the amount of which shall be set from time to time by resolution by the Council.

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### 9.110.070 Enforcement-Penalties

Violations of this Section constitute a misdemeanor punishable by a fine of not more than 500 dollars or by imprisonment in the county jail not to exceed six months or by both such fine and imprisonment.

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## Chapter 9.120 Outdoor Seating Permits

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### Sections:

- 9.120.010 Purpose
  - 9.120.020 Applicability
  - 9.120.030 Findings and Decision
  - 9.120.040 Permit Issued
  - 9.120.050 Time Limits
  - 9.120.060 Interruptible or Terminable
  - 9.120.070 Additional Administrative Regulations
- 

### 9.120.010 Purpose

This Chapter provides regulations for the approval of an Outdoor Seating Permit for outdoor restaurant seating that will encroach on City right-of-way or property.

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### 9.120.020 Applicability

Approval by the Commission of an Outdoor Seating Permit shall be conditioned upon the applicant submitting application for an encroachment permit and abiding only after first making the findings specified in Section 9.120.030 (Findings and Decision).

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### 9.120.030 Findings and Decision

The Commission may approve or conditionally approve an application for a Outdoor Seating Permit if it finds all of the following. The proposed development will:

- A. Comply with all building and fire codes;
- B. Comply with all rules, orders, and regulations of the City Building and Fire Departments (and Kern County Fire Department where applicable), including, but not limited to, entry, exit, and emergency requirements;
- C. Immediately grant access to any public utility easement in, under, above, or associated with the encroachment to any public utility or government entity upon request;
- D. Allow no less than six feet of clear space between the encroachment and the curb as measured from the closest point to the curb line;

- E. Maintain the sidewalk within the encroachment in a safe condition free of cracks, holes or defects;
  - F. Remove any encroachment upon written notice by the City Manager or his designee;
  - G. Maintain as a minimum insurance as required by the City Manager and immediately report any change or interruption of insurance coverage.
  - H. Comply with the following additional findings if alcohol is intended to be served:
    - 1. Comply with all orders, rules and regulations of the Alcohol Beverage Control Board for the State of California.
-

## 9.120.030 Findings and Decision

2. Erect temporary City approved barriers meeting the following standards:
  - a) Sufficient to prevent intermingling of patrons and pedestrians;
  - b) Removable within 48 hours or less; and
  - c) At least four feet in height but no more than six feet in height.
3. Provide the City with a certificate of insurance evidencing coverage as required in this Chapter for encroachments serving alcoholic beverages.
4. Prevent any and all possession of alcohol in the encroachment area after 10:00 p.m..
5. Prevent alcoholic beverages from being removed from the encroachment area into the street.
6. Comply with the Tehachapi police department concerning public safety.
- I. Conditions may be imposed as are necessary for public safety or to protect public improvements, such as the posting of appropriate security to guaranty the restoration of the right-of-way upon termination of the permit, and by some form of fair-market rental as compensation to the public for use of the sidewalk or right-of-way in an amount established by a resolution of the Council.

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## 9.120.040 Permit Issued

A. The permit shall not be issued until the applicant has provided the Director with the certificate of insurance and such other evidence of insurance as City may reasonable require.

B. All policies shall have the City, its council members, commissioners, employees, and representatives as additionally insured and shall require the City be notified of cancellation or material change in coverage at least 30 days prior to same.

C. The policy shall be primary to City's policy with regard to the activities conducted within the permit.

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## 9.120.050 Time Limits

A. The term of the permit shall not be longer than 12 months and may be renewed from time to time for 12 months by application for renewal prior to expiration of the permit.

B. A renewal term shall not be for longer than 12 months.

C. Renewal of a permit may be granted administratively by the Director.

### 9.120.060 Interruptible or Terminable

A. The Outdoor Seating Permit is an interruptible or terminable permit granted by the City.

1. City shall have the right and power, acting through the Director, to prohibit the operation of an outdoor dining area at any time because of anticipated or actual problems or conflicts in the use of the sidewalk area or right-of-way or because of violations of the terms of the permit.
2. Problems and conflicts may arise from, but are not limited to, scheduled festivals and similar events, or parades or marches, or repairs to the street or sidewalk, or from demonstrations or emergencies occurring in the area.

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### 9.120.070 Additional Administrative Regulations

The Council may adopt by resolution such additional administrative regulations consistent with this Chapter as it deems necessary for use of City sidewalks and public rights-of-way for consumption of food or beverages.



# Chapter 9.130 Transient Outdoor Businesses

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## Sections:

- 9.130.010 Purpose
  - 9.130.020 Permit
  - 9.130.030 Application
  - 9.130.040 Issuance
  - 9.130.050 Fee
  - 9.130.060 Regulations
  - 9.130.070 Revocation
  - 9.130.080 Appeal
- 

### 9.130.010 Purpose [new]

The purpose of this Chapter is to provide a process to gain City approval to conduct a transient outdoor businesses.

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### 9.130.020 Permit

A It is unlawful for any person to operate, maintain or conduct a transient outdoor business in the city without having a valid permit for each day of operation in compliance with this Chapter.

B. All transient outdoor businesses are hereby prohibited and no permit shall be issued for same. [18.109.020]

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### 9.130.030 Application

Completed applications for permits under this Chapter shall be made on forms approved by the Director, shall be submitted no less than 30 days prior to commencement of the transient outdoor business, and shall be signed under penalty of perjury by the business owner [18.109.030]

---

### 9.130.040 Issuance

A. The Director may impose such reasonable conditions on the permit as deemed necessary or appropriate for the protection of the health, safety, and welfare of the city.

B. The Director may deny the permit if any similar permit issued to the business owner within the five years immediately preceding the application has been revoked or if the business owner has violated any of the regulations or conditions pertaining to any such prior permit.

C. The Director may deny the permit if the business owner has been convicted of a crime substantially related to the qualifications, functions or duties of the type of business for which the application is made or for a crime of dishonesty, fraud or deceit or if the transient outdoor business will present any substantial hazard to vehicular or pedestrian traffic which cannot be mitigated to insignificance by conditioning the permit.

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## 9.130.040 Issuance

D. The Director may deny the permit if another permit has already been issued for the same period of time on the site proposed for the transient outdoor business. [18.109.040]

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## 9.130.050 Fee

The business owner shall pay a fee to cover the cost to the City of processing the business owner's application and inspecting its transient outdoor business and the operation of same. The city may require payment of the fee upon filing of the application. [18.109.050]

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## 9.130.060 Regulations

A. No permit holder shall use any sound device including any loudspeaker, radio or amplifying system where sound of sufficient volume is emitted or produced capable of being plainly heard upon the streets, alleys, parks or other public places.

B. Any permit issued pursuant to this Chapter shall not be transferable or assignable in whole or in part and shall be valid only for the business owner and the location identified on the permit, and only for the period described on the permit.

C. No signs of any kind or size shall be allowed off-site from the location of the transient outdoor business.

D. Transient outdoor businesses shall be permitted only in a C-2 Zone or a zone less restrictive than C-2.

E. The business owner shall comply with all conditions of the permit and with all federal, state and local laws and ordinances. [18.109.060]

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## 9.130.070 Revocation

Any permit issued in compliance with this Chapter may be immediately revoked by the Director, whenever it is determined:

A. That any substantive misrepresentation was made on the application or that the business owner was convicted of a crime described in Section 18.109.040 of this Chapter; or

B. That the business owner has violated any of the regulations described in this Chapter or violated or not performed any of the conditions of its permit or that the transient outdoor business has been operated in violation of any state, federal or local law or ordinance; or

C. That the transient outdoor business is interfering with the peace and quiet of any neighborhood or that the safety of persons or real or personal property requires such revocation. [18.109.070]

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## 9.130.080 Appeal

Should any business owner be dissatisfied with the conditions attached to the issuance of the permit or the decision of the Director to deny or revoke a

permit, then the business owner may file for an Appeal in compliance with Section 10.20 (Appeals). [18.109.080 revised]

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# Article 10 Administration

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# Chapter 10.10 Amendments (Zoning Code, General Plan, Regulating Plan)

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## Sections:

- 10.10.010 Purpose
- 10.10.020 Initiation of an Amendment
- 10.10.030 Processing, Notice, and Hearings
- 10.10.040 Cemeteries
- 10.10.050 Council's Action on Amendment
- 10.10.060 Findings and Decision
- 10.10.070 Effective Dates

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### 10.10.010 Purpose [new]

A. The purpose of this Chapter is to establish procedures for the amendment of this Zoning Code, General Plan and the official Regulating Plan.

B. Amendments to this Zoning Code may be initiated by the Council on its own motion or by the application of any interested person.

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### 10.10.020 Initiation of an Amendment [new + ch. 9.14]

#### **A. Initiation by Council or Commission - Zoning Code or Regulating Plan**

The Council or Commission may at any time and in any form deemed appropriate by the Council or Commission initiate an amendment to any portion of this Zoning Code. An amendment may be any of the following types:

1. An amendment to the text of this Zoning Code not changing regulations or standards affecting the use of any property.
2. An amendment to the text of this Zoning Code changing regulations or standards affecting the use of property.
3. Amendment to the official Regulating Plan reclassifying property from one zone to another, including apply-

ing a combining zone to or removing a combining zone from property.

4. In the case of this Zoning Code, the Council may also adopt an urgency measure as an interim ordinance in compliance with Government Code Section 65858.

#### **B. Initiation by an interested person - Regulating Plan**

1. A property owner, his/her authorized representative, or any other interested person may initiate an amendment to the official Regulating Plan to reclassify property from one zone to another by submitting an application to Department staff.
  - a) An application for a reclassification of property shall include:

## 10.10.020 Initiation of an Amendment [new + ch. 9.14]

- (i) The name and address of the applicant;
  - (ii) The name(s) and address(es) of the property owner(s);
  - (iii) The name(s) and address(es) of the property owners within three hundred feet of project site;
  - (iv) Assessor's parcel number(s);
  - (v) Legal description of the property;
  - (vi) A map of the property;
  - (vii) Identification of the zone reclassification being sought;
  - (viii) Signatures or letter of consent from all property owners of record;
  - (ix) If the property is designated as a flood hazard area according to the Flood Insurance Rate Maps (FIRM), the application shall include a request for the applicable flood hazard zoning, including legal descriptions for same, as required by Department staff.
- 2. The application shall be accompanied by the fee established by the Council.
  - 3. Department staff shall inform the applicant in writing within 30 calendar days of receipt that the application is complete or that additional information is needed to complete the application.

### C. General Plan Amendment

- 1. In the case of the General Plan, an amendment may also be initiated by the filing of an amendment application with the Department by the owner(s) or authorized agent(s)/representative(s) of property owner(s) for which the amendment is sought, or the plaintiff in an action in eminent domain to acquire the subject property.
- 2. If the property is under multiple ownership, all owners or their authorized agents/representatives shall join in filing the application. [9.14.020]

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## 10.10.030 Processing, Notice, and Hearings [new]

### A. Application Filing and Processing

- 1. Filing.** If initiated by the filing of an amendment application in compliance with Section 10.10.020 (Initiation of an Amendment), the application shall be processed in compliance with Chapter 9.10 (Application Processing Procedures).
- 2. Required data.** The application shall include the information and materials specified in the Department handout for amendment applications, together with the required fee.
- 3. Responsibility.** It is the responsibility of the applicant to provide evidence in support of the findings required by Section 10.10.060 (Findings and Decision).

### B. Timing of General Plan Amendments

No mandatory element of the General Plan may be amended more frequently than four times in a single calendar year, in compliance with Government Code Section 65358.

### C. Public Hearings Required

The Commission and Council shall each conduct one or more public hearings regarding the amendment.

### D. Notice and Hearing

Notice of the public hearings shall be provided and the hearings shall be conducted in compliance with Chapter 10.40 (Public Hearings).

## 10.10.040 Cemeteries

A. Notwithstanding any other provision of law, whenever a person applies to a city, including a charter city, county, or city and county, for a zoning variance, special use permit, Use Permit, Zoning Code Amendment, General Plan or specific plan amendment, or any entitlement for use which would permit all or any part of a cemetery to be used for other than cemetery purposes, the city, county, or city and county shall give notice pursuant to Section 10.20.020 (Notice of Hearing).

B. Those requesting notice shall be notified by the local agency at the address provided at the time of the request.

C. A local agency shall not require a request made pursuant to this Section to be annually renewed.

D. "Cemetery," as used in this section, has the same meaning as that word is defined in Section 8100 of the Health and Safety Code. [18.112.100]

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## 10.10.050 Council's Action on Amendment [new]

### A. Approval

**1. All amendments.** Upon receipt of the Commission's recommendation to approve, or approve in modified form, the proposed amendment, the Council shall conduct a public hearing and either approve, approve in modified form, or deny the proposed amendment based on the findings identified in Section 10.10.060 (Findings and Decision).

**2. Approval of Zoning Code or Regulating Plan Amendments.** The action by the Council to approve the Commission's recommendation regarding a Zoning Code or Regulating Plan amendment shall be by a majority vote of the members present and shall be final and conclusive.

**3. Approval of General Plan Amendments.** The action by the Council to approve the Commission's recommendation regarding a General Plan amendment shall require the affirmative vote of not less than a majority of the total voting members in compliance with Government Code Sections 65356 and shall be final and conclusive.

### B. Referral to Commission

1. If the Council proposes to adopt a substantial modification(s) to the amendment not previously considered by the Commission, the proposed modification shall be first referred to the Commission for its recommendation, in compliance with Government Code Sections 65356 (General Plan amendments) and 65857 (Development Code or Zoning Map amendments).

2. Failure of the Commission to report back to the Council within the time limits specified in Government Code Sections 65356 and 65857 following the referral shall be deemed approval by the Commission of the proposed modification(s).

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## 10.10.060 Findings and Decision

An amendment to this Zoning Code, the General Plan, or the Official Regulating Plan may be approved only if all of the following findings are first made, as applicable to the type of amendment:

### A. Findings for General Plan Amendments

1. The amendment is internally consistent with all other provisions of the General Plan;

2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and

3. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public

## 10.10.060 Findings and Decision

services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

### **B. Findings for Zoning Code and Regulating Plan Amendments**

#### **1. Findings required for all Zoning Code and Regulating Plan Amendments.**

- a) The proposed amendment is consistent with the General Plan and any applicable specific plan; and
- b) The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

tal to the public interest, health, safety, convenience, or welfare of the City.

#### **2. Additional finding for Zoning Code Amendments.**

The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

#### **3. Additional finding for Regulating Plan Amendments.**

The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the requested zone designation and the proposed or anticipated uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

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## 10.10.070 Effective Dates

### **A. General Plan**

A General Plan amendment shall become effective immediately upon the adoption of a resolution by the Council.

### **B. Zoning Code and Regulating Plan**

A Zoning Code and Regulating Plan amendment shall become effective on the 30th day following the adoption of an ordinance by the Council.

## Chapter 10.20 Appeals

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### Sections:

- 10.20.010 Purpose
- 10.20.020 Appeal Subjects and Jurisdiction
- 10.20.030 Notice of Appeals
- 10.20.040 Permit Issuance Restriction
- 10.20.050 Judicial Review

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### 10.20.010 Purpose [new]

This Chapter establishes procedures for the appeal and calls for review of determinations and decisions rendered by the Commission and Director.

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### 10.20.020 Appeal Subjects and Jurisdiction [new]

#### **A. Zoning Code Administration and Interpretation**

The following determinations and actions of the Director and Department staff may be appealed to the Commission and then to the Council:

**1. Interpretations.** Any determination on the meaning or applicability of the regulations contained in this Zoning Code that are believed to be in error, and cannot be resolved with the Director; and

**2. Enforcement actions.** Any enforcement action filed in compliance with Chapter 10.50 (Enforcement).

#### **B. Planning Permit Decisions**

**1. Director's decisions.** Any decision of the Director may be appealed to the Commission, as applicable.

**2. Commission's decisions.** Any decision of the Commission may be appealed to the Council.

## Chapter 10.20 Appeals

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### 10.20.030 Notice of Appeals

A. The applicant or any other person aggrieved may appeal from such decision by filing a written notice of appeal with Department staff prior to the time the decision becomes final. Department staff shall furnish forms of notice of appeal. The appeal shall be accompanied with the fee established by the Council in compliance with Section 9.10.050 (Application Fees).

B. Notice of the hearing on appeal shall be provided in compliance with Section 10.40.020 (Notice of Hearing). Notice of the hearing on appeal shall also be

given not less than 10 days before such hearing to each person entitled to notice of the preceding decision.

C. The Council may reverse, affirm wholly or partly, modify, or attach other or additional conditions to the decision appealed from.

D. A decision of the Council on any such appeal shall be final on adoption of an order or resolution containing its determination, and no notice thereof need be given.

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### 10.20.040 Permit Issuance Restriction

Once an appeal is filed, any action on the associated project is suspended until the appeal is processed and a final decision is rendered by the applicable review authority. [18.102.120]

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### 10.20.050 Judicial Review [new]

No person shall seek judicial review of a City decision on a planning permit or other matter in compliance with this Zoning Code until all appeals to the Commission and Council have first been exhausted in compliance with this Chapter.

## Chapter 10.30 Nonconforming Provisions

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### Sections:

- 10.30.010 Purpose
- 10.30.020 Nonconforming Structures
- 10.30.030 Nonconforming Uses
- 10.30.040 Nonconforming Uses of Land
- 10.30.050 Nonconforming Lots
- 10.30.060 Nonconforming Setback
- 10.30.070 Nonconforming Sign
- 10.30.080 Determination of Nonconforming Status

---

### 10.30.010 Purpose

A. This Chapter provides regulations for nonconforming structures, uses, lots, and signs that were lawful before adoption, or amendment of this Zoning Code, but which would be prohibited, regulated, or restricted differently under the current terms of this Zoning Code or an amendment that changed applicable requirements.

B. The Council declares that nonconforming structures, uses, lots, and signs are incompatible with permitted uses

in the zones involved and such nonconforming uses, lots, and signs shall not be enlarged, expanded, or extended.

C. Such nonconforming structures, uses, and signs shall not be used as grounds for adding other structures or uses prohibited by this Zoning Code. [18.108.010]

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### 10.30.020 Nonconforming Structures

A. Any nonconforming structure may be continued and maintained provided there is no physical change other than necessary maintenance and repair in such a structure, except as otherwise provided by this Chapter.

B. A nonconforming structure shall not be enlarged in area, space, or volume.

C. Any nonconforming structure which is vacant for a period of one year or more shall not again be used or occupied for a nonconforming use.

D. Any nonconforming structure may be reconstructed, repaired, or rebuilt when involuntarily damaged or destroyed as a result of an accident or by earthquake, fire, flood, or other act of nature; if the reconstruction and repair expense does not exceed 50 percent of the actual cash value of the building at the time such damage occurred, and provided there is no expansion of the total area of the building as it existed prior to the damage. All such reconstruction shall be commenced within one year from the date of damage.

## Chapter 10.30 Nonconforming Provisions

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### 10.30.020 Nonconforming Structures

E. Any use of a street, highway, alley, or railroad right-of-way which has been rendered nonconforming as a result of amendment of this Zoning Code shall be completely removed within one year of such amendment. [18.108.020]

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### 10.30.030 Nonconforming Uses

A. Any nonconforming use may be maintained and continued provided there is no increase or enlargement of the area, space, or volume occupied or devoted to such nonconforming use, except as otherwise provided in this Zoning Code.

B. Any part of a building, structure, facility, or land occupied by a nonconforming use that is changed to or replaced by a use conforming to the provisions of this Zoning Code shall not thereafter be used or occupied by a nonconforming use.

C. Any part of a building, structure, facility, or land occupied by a nonconforming use that has been abandoned for a period of one year or more shall not again be used or occupied for a nonconforming use.

D. If no structural alterations are made, a nonconforming use of a building may be changed to a similar or less intense nonconforming use. [18.108.030]

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### 10.30.040 Nonconforming Uses of Land

A. A nonconforming use of land shall not be expanded or extended in any way.

B. A nonconforming use of land shall not be changed to or replaced by any other use except a use that complies with the regulations of the zone in which the subject property lies as set forth in this Zoning Code.

C. Any nonconforming use of land that has been abandoned for a period of one year or more shall not be reestablished.

D. Nonconforming uses of land where no main structure has been established shall be discontinued within three years of the effective date of this Zoning Code.

E. The exploration for or development or production of oil, gas, or other hydrocarbon substances shall not be considered nonconforming uses of land. [18.108.060]

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### 10.30.050 Nonconforming Lots

Any lot that was legally recorded prior to the effective date of this Zoning Code may be used in conformance with the uses permitted by the zone in which it is located, provided that all setback requirements are met. [18.108.050]

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### 10.30.060 Nonconforming Setback

Any use permitted in compliance with this Zoning Code that currently exists with nonconforming setbacks may be replaced in the same location if involuntarily damaged or destroyed, regardless of the cost of such reconstruction. [18.108.060]

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### 10.30.070 Nonconforming Sign

A. This Chapter shall apply to all signs in the City not otherwise regulated by state or federal law. Except as otherwise provided in this Zoning Code, any sign lawfully in use on the effective date of this Zoning Code, but made nonconforming thereby may continue to be used.

B. Nonconforming signs shall be kept in good repair during the period the sign is used. Alterations or modifications to any nonconforming sign are prohibited, except

for structural repair resulting in the same size or shape.

C. A requirement for a nonconforming sign to be removed or altered so as to comply with the requirements of this Zoning Code may be imposed as a condition for the approval of a subdivision, Use Permit, Variance or other discretionary development approval. [18.108.070]

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### 10.30.080 Determination of Nonconforming Status

A. Where there is doubt regarding the legal nonconforming status of structures, uses of structures, uses of land, lot size, or signs, documentation shall be submitted to Department staff to establish legal nonconforming status.

B. Where structures have been rendered nonconforming as a result of a change in front setback requirements, said structures may be reconstructed at the same location, provided there is no greater degree of nonconformity. [18.108.080]

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# Chapter 10.40 Public Hearings

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## Sections:

- 10.40.010 Purpose
  - 10.40.020 Notice of Hearing
  - 10.40.030 Scheduling of Hearing
  - 10.40.040 Hearing Procedure
  - 10.40.050 Recommendation by Commission
  - 10.40.060 Decision and Notice
  - 10.10.070 Effective Date of Decision
- 

## 10.40.010 Purpose

This Chapter provides procedures for public hearings required by this Zoning Code. When a public hearing is required, advance notice of the hearing shall be given, and the hearing shall be conducted, in compliance with this Chapter.

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## 10.40.020 Notice of Hearing

A. When an application has been submitted in compliance with Article 9 (Procedures), the Department staff shall set the application for a public hearing.

B. At least 10 days before the date of any public hearing, the date, time, place of the hearing, identity of the hearing body, and the nature and location of the application shall be given by the following methods:

**1. Publishing.** Publishing notice once in a newspaper of general circulation in the City.

**2. Mailing.** Notices shall be mailed or delivered at least 10 days before the scheduled hearing to the following:

**a) Project site owner(s) and the applicant.** The owner(s) of the property being considered in the application or the owners' authorized agent, and the applicant.

**b) Local agencies.** Each local agency expected to provide roads, schools, sewage, streets, water, or other essential facilities or services to the property which is the subject of the application, whose ability

to provide those facilities and services may be significantly affected.

**c) Affected owners**

(i) All owners of real property, as shown on the latest adopted tax roll of the County, located within a radius of a minimum of 300 feet of the exterior boundaries of the parcel that is the subject of the hearing.

(ii) The Director shall have the authority to extend the radius specified in Section (i), above, at the Director's sole discretion.

**d) Persons requesting notice.** Any person who has filed a written request for notice with the Director, and has paid the required fee for the notice.

**e) Other person(s).** Any other person(s), whose property might, in the judgment of the Director, be affected by the proposed project.

**3. Alternative to mailing.** If the number of property owners to whom notice would be mailed in compliance with Section B. 1., above is more than 1,000,

## Chapter 10.40 Public Hearings

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### 10.40.020 Notice of Hearing

the Director may choose to provide the alternative notice allowed by Government Code Section 65091(a)(3).

**4. Additional notice.** In addition to the types of notice required above, the Director may provide any additional notice with content or using a distribution method (e.g., posting on the City's website) as the Director determines is necessary or desirable.

**5. Failure of receipt of notice.** Failure of property owners to receive notice of a hearing shall in no way affect the validity of action taken, as required by Government Code Section 65093.

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### 10.40.030 Scheduling of Hearing

After the completion of any environmental document required by the California Environmental Quality Act (CEQA), the City's CEQA Guidelines, and a Department staff report, a matter requiring a public hearing shall be scheduled on an agenda (Director, Commission, or Council, as applicable) reserved for public hearings, but no sooner than any minimum time period established by State law.

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### 10.40.040 Hearing Procedure

**A. Time and Place of Hearing**

A hearing shall be held at the date, time, and place for which notice was given.

**B. Continued Hearing**

Any hearing may be continued from time to time without further notice; provided, the chair of the hearing body announces the date, time, and place to which the hearing will be continued before the adjournment or recess of the hearing.

**C. Deferral of Final Decision**

The review authority may announce a tentative decision, and defer their action on a final decision until appropriate findings and/or conditions have been prepared.

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### 10.40.050 Recommendation by Commission

After a public hearing on a proposed a specific plan or amendment, or an amendment to this Zoning Code, the General Plan, or the Regulating Plan, the recommendation and findings of the Commission shall be forwarded to the Council.

### 10.40.060 Decision and Notice

#### A. Decision

1. The review authority may announce and record their decision on the matter being considered at the conclusion of a scheduled hearing, or defer action and continue the matter to a later meeting agenda in compliance with Section 10.40.040 (Hearing Procedure).

2. Prior to making a decision, the Director may instead refer the matter to the Commission for review and final decision.

3. In the event that the Commission is unable to reach a majority decision, as evidenced by a tie vote, the applicant shall have the option of continuing the public hearing until such time as a majority vote can be obtained or consider the application denied.

4. The decision of the Council on any matter shall be final and conclusive.

#### B. Notice of Decision

**1. Provision of notice.** Written notice of the final decision shall be given by mail within seven days after the date of the decision to the applicant and any persons filing a written request for notice of the decision.

**2. Contents of notice.** The notice of the final decision shall contain applicable findings, conditions of approval, reporting/monitoring requirements deemed necessary to mitigate any impacts and protect the public convenience, health, interest, safety, or general welfare of the City, and the procedure for appeal.

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### 10.40.070 Effective Date of Decision

#### A. Director's or Commission's Decision

The decision of the review authority is final and effective after 5:00 p.m. on the 14th day following the actual date the decision is rendered, when no appeal to the decision has been filed in compliance with Chapter 10.20 (Appeals).

#### B. Council's Decision

**1. Adoption of ordinance.** Council's action to adopt or amend a specific plan (adopted by ordinance), this Zoning Code, or the Regulating Plan shall become effective on the 35th day following the date the ordinance is actually adopted by the Council.

**2. Adoption of resolution.** Council's action to grant a permit or other approval or adopt or amend the General Plan or a specific plan (adopted by resolution) is final and shall become effective on the actual date the decision is rendered by the Council.

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## Chapter 10.50 Enforcement

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### Sections:

- 10.50.010 Purpose and Intent
- 10.50.020 Permits and Approvals
- 10.50.030 Enforcement Responsibility
- 10.50.040 Inspections
- 10.50.050 Violation
- 10.50.060 Legal Remedies
- 10.50.070 Remedies are Cumulative
- 10.50.080 Recover of Costs
- 10.50.090 Additional Permit Fees
- 10.50.100 Reinspection Fees

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### 10.50.010 Purpose and Intent

#### **A. Purpose**

The purpose of this Chapter is to establish provisions for enforcement of this Zoning Code. The steps in the process are outlined as well as the penalties involved.

#### **B. Intent**

This Chapter puts all persons on notice as to the proceedings and penalties involved if any provision of this Zoning Code is violated. [18.114.010]

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### 10.50.020 Permits and Approvals

#### **A. Permits in Conflict with Zoning Code**

No department, official, or public employee of the City who are assigned the authority or duty to issue certificates, permits or licenses shall comply with the provisions of this Zoning Code.

#### **B. Permits Deemed Void**

Any certificate, permit or license issued in conflict with any provision of this Zoning Code shall be null and void.

#### **C. Existing Violations**

No ministerial or discretionary certification, permit, or license shall be issued by any department, official, or public employee of the City for a structure or use subject to the requirements of this Zoning Code on a lot where the department, official, or public employee is aware that a violation of this Zoning Code exists, unless issuance of said certification, permit or license will directly result in the abatement of the violation. [18.114.020]

## 10.50.030 Enforcement Responsibility [new]

### A. Responsibility of Director

1. The Director shall exercise the authority provided in California Penal Code Section 836.5, and issue Notices of Violation, stop work orders, and citations for any violations of this Zoning Code pertaining to the use of any land, and the addition, alteration, construction, conversion, erection, installation, moving, reconstruction, or use of any structure.

2. Wherever the term Director is used in this Chapter, it shall be understood to mean the Director, or the designee(s) of the Director.

### B. Police Chief and City Attorney Responsibility

The Police Chief and City Attorney shall render any and all necessary assistance to the Director for the enforcement of this Zoning Code.

---

## 10.50.040 Inspections

### A. Access

The building official may, upon the presentation of proper credentials to the occupant or owner, enter any premises or property at any reasonable time for the purpose of investigating and inspecting the premises or property in order to determine compliance with the standards of this Zoning Code.

### B. Failure to Allow Inspection

1. If admission or entry is refused, the building official may apply to the district attorney or city attorney to obtain an inspection warrant. [18.114.030]
  2. Failure to allow access for any inspection or reinspection may result in the denial, revocation, or voiding of the permit or approval, as applicable to the status of the permit or approval. [new]
- 

## 10.50.050 Violation

### A. Complaints Regarding Violation

Whenever a violation of this Zoning Code occurs or is alleged to have occurred, any person may file a complaint with the building official stating fully the causes and basis thereof. The complaint shall be investigated, and such action thereon as provided by this title taken as deemed appropriate. [18.114.040]

Permit, Variance, or other approval granted under the provisions of this Zoning Code have been violated, the building official shall investigate such allegations.

2. If a violation, in the opinion of the building official, has occurred, an official "Notice to Comply" and/or compliance letter may be given.
  3. If correction of the violation(s) does not occur within the specified period, the building official may initiate revocation proceedings in accordance with the provisions of Chapter 102. [18.114.050]
- 

### B. Noncompliance with Permit Conditions

1. Whenever a complaint has been received or any city official believes that the conditions of a Use

## 10.50.060 Legal Remedies

The City may choose to undertake any one or all of the following legal actions to correct and/or abate any nuisances or violation(s) of this Zoning Code.

safety. [18.114.070]

### A. Civil Actions

**1. Injunction.** The City Attorney may seek injunctive relief in superior court to abate any violation of this Zoning Code. Injunctive relief may be sought at any time, including prior to the issuance or compliance with the Notice to Comply if, in the opinion of the building official, an alleged violation of this Zoning Code may be injurious to the public health or

### 2. Abatement proceedings

- a) Any structure set up, erected, constructed, altered, enlarged, converted, moved, or maintained contrary to the provisions of this Zoning Code, or any use of structures or premises conducted, operated, or maintained contrary to the provisions of this Zoning Code or contrary to a permit or variance or the terms and conditions of an approval is declared to be unlawful and a public nuisance.
  - b) The District Attorney or City Attorney shall com-
-

## 10.50.060 Legal Remedies

mence action or proceedings for the abatement and removal and enjoyment thereof in the manner provided by law and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant relief as will abate and remove such structure and restrain and enjoin any person, firm, or corporation from setting up, erecting, building, maintaining, or using any such structure or vehicle or using any property contrary to the provisions of this Zoning Code. [18.114.080]

**3. Nuisance abatement.** The City may pursue any remedies or enforcement action(s) for the abatement of a nuisance, in compliance with Municipal Code Chapter 8.20 (Health Nuisances).

### B. Civil Penalties and Remedies [new - necessary?]

**1. Civil penalties.** Any person, who willfully violates the provisions of this Zoning Code, or any permit or approval issued in compliance with this Zoning Code, shall be liable for a civil penalty in compliance with the fees specified in Municipal Code 1.16 (Citation Procedures), for each day that a violation(s) continues to exist.

**2. Costs and damages.** Any person violating any provisions of this Zoning Code, or any permit or approval issued in compliance with this Zoning Code, shall be liable to the City for the costs incurred and the damages suffered by the City, its agents, and agencies as a direct result of the violation(s).

**3. Procedure.** In determining the amount of the civil penalty to impose, the Court should consider all relevant circumstances, including the extent of the harm caused by the conduct constituting a violation(s), the nature and persistence of the conduct, the length of time over which the conduct occurred, the assets, liabilities, and net worth of the defendant, whether corporate or individual, and any corrective action taken by the defendant.

### C. Criminal Actions and Penalties

See Section 10.50.050 (Violation).

## 10.50.070 Remedies are Cumulative [new]

### A. Cumulative, Not Exclusive

All remedies contained in this Zoning Code for the handling of violations or enforcement of the provisions of this Zoning Code shall be cumulative and not exclusive of any other applicable provisions of City, County, or State law.

### B. Other Remedies

Should a person be found guilty and convicted of an infraction or misdemeanor for the violation of any provision(s) of this Zoning Code, or any permit or approval issued in compliance with this Zoning Code, the conviction shall not prevent the City from pursuing any other available remedy to correct the violation(s).

## 10.50.080 Recover of Costs [new]

This Section establishes procedures for the recovery of administrative costs, including staff and City Attorney time expended on the enforcement of the provisions of this Zoning Code in cases where no permit is required in order to correct a violation. The intent of this Section is to recover City administrative costs reasonably related to enforcement in compliance with Code of Civil Procedure Section 1033.5 and this Section.

### A. Record of Costs

1. The Department shall maintain records of all administrative costs incurred by responsible City departments associated with the processing of violations and enforcement of this Zoning Code, and shall recover the costs from the property owner in compliance with this Section.

2. Staff and City Attorney time shall be calculated at an hourly rate as established and revised from time to time by the Council.

## 10.50.080 Recover of Costs [new]

### B. Notice

1. Upon investigation and a determination that a violation(s) of any of the provisions of this Zoning Code, or any condition(s) imposed on a permit or approval is found to exist, the Director shall notify the owner of record or any person having possession or control of the property by mail, of the existence of the violation(s), the Department's intent to seek full reimbursement from the property owner for all administrative costs associated with enforcement, and of the owner's right to a hearing on any objections they may have.
2. The notice shall be in a form approved by the City Attorney and posted on the property where the violation is located.

### C. Summary of Costs and Notice

1. At the conclusion of the case, the Director shall send a summary of costs associated with enforcement action (including any delinquent citation fees) to the owner and/or person having possession or control of the property by certified and first class mail.
2. The summary shall include a notice in a form approved by the City Attorney, advising the responsible party of their right to request a hearing on the charges for City cost recovery within 10 days of the date of the notice, and that if no request for hearing is filed, the responsible party will be liable for the charges.
3. In the event that no request for hearing is timely filed or, after a hearing the Director affirms the validity of the costs, the property owner or person in control shall be liable to the City in the amount stated in the summary or any lesser amount as determined by the Director.
4. The costs shall be recoverable in a civil action in the name of the City, in any court of competent jurisdiction, or by tax assessment or a lien on the property in compliance with Government Code Section 54988, at the City's election.
5. The obligation to pay any unpaid costs shall be made a personal obligation of the property owner.

6. The obligation may be recovered against the property owner through a civil action initiated by the City or its authorized collection agent, or in any other manner provided for by law.
7. The City shall be entitled to recover all costs related to the civil action, including the City Attorney's fees.

### D. Attorney's Fees

1. In any action or administrative proceeding to abate a nuisance, the prevailing party in the action or proceeding shall be entitled to recover reasonable attorney's fees; however, the amount of attorney's fees awarded to a prevailing party shall not exceed the amount of attorney's fees incurred by the City in the action or proceeding.
2. An award of attorney's fees in compliance with this Section shall only be allowed where the City elects, at the initiation of the action or proceeding, to seek recovery of its own attorney's fees.

### E. Request for Hearing on Costs

Any property owner, or other person having possession or control of the subject property, who receives a summary of costs shall have the right to a hearing before the Director on their objections to the proposed costs.

1. A request for hearing shall be filed with the Department within 10 days of the service by mail of the Director's summary of costs, on a form provided by the Department.
2. Within 30 days of the filing of the request, and on 10 days written notice to the owner, the Director shall hold a hearing on the owner's objections, and determine their validity.
3. In determining the validity of the costs, the Director shall consider whether total costs are reasonable in the circumstances of the case. Factors to be considered include:
  - a) Whether the present owner created the violation(s);
  - b) Whether there is a present ability to correct the violation(s);
  - c) Whether the owner moved promptly to correct the violation(s); and
  - d) The degree of cooperation provided by the owner.

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## 10.50.080 Recover of Costs [new]

4. The Director's decision shall be appealable directly to the Council as provided by Chapter 10.20 (Appeals).
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## 10.50.090 Additional Permit Fees [new]

Any person who establishes a land use, in conflict with the established or approved use for a property, or alters, constructs, demolishes, enlarges, erects, maintains, or moves any structure without first obtaining any permit or approval required by this Zoning Code, shall pay the additional permit processing fees in compliance with 9.10.050 (Application Fees) for the correction of the violations, before being granted a permit for a use or structure on the site.

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## 10.50.100 Reinspection Fees [new]

### A. Amount and Applicability of Reinspection Fees

1. A reinspection fee shall be imposed on each person who receives a Notice to Comply, notice and order, or letter of correction of any provision of the Development Code, any permit or approval issued in compliance with this Zoning Code, the Municipal Code, adopted Building Code, or State law.
  - a) The fee amount shall be established in compliance with 9.10.050 (Application Fees).
  - b) The fee may be assessed for each inspection or reinspection conducted when the particular violation for which an inspection or reinspection is scheduled is not fully abated or corrected as directed by, and within the time and manner specified in, the notice or letter.
2. The fee shall not apply to the original inspection to document the violation(s) and shall not apply to the first scheduled compliance inspection made after the issuance of a notice or letter, if the correction(s) has been made.

### B. Continuation of the Original Case

1. If a notice or letter has been previously issued for the same violation and the property has been in compliance with the provisions of this Zoning Code or the Municipal Code for less than 180 days, the violation shall be deemed a continuation of the original case, and all inspections or reinspections, including the first inspection for the repeated offense, shall be charged a reinspection fee.
2. This fee is intended to compensate for administrative costs for unnecessary City inspections, and is not a penalty for violating this Zoning Code or the Municipal Code.
3. Any reinspection fees imposed shall be separate and apart from any fines or penalties imposed for violation of this Zoning Code in compliance with Municipal Code Chapters 1.20 (General Penalty) and 1.16 (Citation Procedures), Chapter 10.51 (Penalties), or costs incurred by the City for the abatement of a public nuisance, in compliance with Municipal Code Chapter 8.28 (Property Maintenance).

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## Chapter 10.60 Penalties

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### Sections:

10.60.010 Purpose

10.60.020 Violations – Infractions and Misdemeanors

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### 10.60.010 Purpose [new]

The purpose of this Chapter is to provide penalties for infractions and misdemeanors related to violations of this Zoning Code.

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### 10.60.020 Violations – Infractions and Misdemeanors

#### A. Infractions [new]

1. Guilty of an infraction. Any corporation, firm, or person, whether as principal agent, employee or otherwise, violating or causing the violation of any of the provisions of this Zoning Code shall be guilty of an infraction, unless otherwise specifically stated.
2. Penalties for infractions. Penalties for infractions shall be as specified in Government Code Section 36900 and Municipal Code Chapter 1.16 (General Penalty).

#### B. Misdemeanors

1. Any person, firm, corporation, owner of the land, or possessor who violates or who causes, permits, or allows a violation of any provision of this Zoning Code is guilty of a misdemeanor and upon conviction, shall be punished by the following:
  - a) A fine of not more than \$1,000.00;
  - b) By imprisonment in the county jail for not exceeding six months; or
  - c) By both the fine per Section a and imprisonment.
2. Each day the violation of this Zoning Code continues shall be considered a separate offense. [18.114.060]

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# Article 11 Definitions

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# Chapter 11.10 Definitions

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## Sections:

11.10.010 Purpose

11.10.020 Definitions of Specialized Terms and Phrases

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### 11.10.010 Purpose

This Chapter provides definitions of terms and phrases used in the Zoning Code that are technical or specialized, or that may not reflect common usage. If any of the definitions in this Chapter conflict with definitions in other provisions of the Municipal Code, these definitions shall control for the purposes of the Zoning Code. If a word is not defined in this Chapter, or in other provisions of the City of Tehachapi Municipal Code, the Director shall determine the correct definition.

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### 11.10.020 Definitions of Specialized Terms and Phrases

For the purpose of this Section, the following terms shall be defined as follows:

#### A. Definitions

**Abutting.** Having a common property line or zone boundary or separated by a private or public street or easement.

**Accessory structure.** A structure subordinate to the primary dwelling on the same residential lot, serving a purpose customarily incidental to the principle use of the main use, structure, and which does not change the character of the principal use.

**Adult Entertainment (land use type):** Any commercial activity, whether conducted intermittently or full time, which primarily involves the sale, display, exhibition or viewing of books, magazines, films, videos, photographs or other materials, distinguished or characterized by an emphasis on matter depicting,

describing or relating to human sex acts, or by an emphasis on male or female genitals, buttocks or female breasts. Such activity includes adult book stores, adult arcades, adult movie theaters, sexual encounter establishments, adult cabarets, massage parlors and adult theaters, which exclude minors by virtue of age.

**Affordable housing project.** A residential development consisting of five or more units, not including any bonus units requested, in which:

1. At least 20 percent of the total units are affordable to low-income households, or
  2. At least 10 percent of the total units are affordable to very-low-income households, or
  3. At least 50 percent of the total units are senior housing (Government Code Section 65915(b) and Civil Code Sections 51.2 and 51.3)
-

## 11.10.020 Definitions of Specialized Terms and Phrases

**Agriculture (land use type):** Areas in some form of cultivation such as row crops, orchards, or greenhouses, and the rearing of animals that contain a limited amount of greenhouse structures and buildings that support agricultural operations

**Alcohol Sales, off-site (land use type):** Sales activity associated with alcoholic beverages being purchased for off-site consumption such as occurs at a liquor store or grocery store. A liquor store is distinct from a grocery store as the liquor store primarily sells wine, beer, and/or spirits and may also sell convenience merchandise including food products.

**Alley:** A public or private way to be used primarily for vehicular access to the back or side of a parcel of real property that otherwise abuts a street.

**Allowed:** Pertaining to hazardous materials, an instance in which the use of chemicals on a site is not regulated by the Zoning Code.

**Alter:** To create physical change in the internal arrangement of rooms or the supporting members of a structure, or a change in the external appearance of any structure, not including painting.

**Applicant:** Any individual, firm or any other entity that applies to the City for the applicable permits to undertake any construction or development project within the City.

**Architectural features.** An exterior building feature including roofs, windows, doors, cornices, canopies, eaves, or similar design elements.

**Artisan/Craft MFG (land use type):** Manufacturing (MFG) activity associated with artisanal products and crafts such as but not limited to saddles, footwear, and jewelry.

**Art Gallery/Exhibition (land use type):** an establishment focused on the display, exhibition and sale of visual art.

**Attached Structure or Dwelling.** Any structure which is structurally a part of, or has a common wall and/or continuous roof with a main struc-

ture, except where such connection is a breezeway or walkway incidental to and not a necessary part of the construction of the main building.

### B. Definitions

**Block:** An area of land separated from other areas by adjacent streets, railroads, rights-of-way, public areas or the subdivision boundary.

**Brewpub (land use type):** An establishment that produces alcoholic beverages such as ales, beers, meads, hard ciders, to serve on-site. Sale of beverages for off-site consumption is also permitted in keeping with the regulations of the Alcohol Beverage Control (ABC) and Bureau of Alcohol, Tobacco, and Firearms (ATF). Service of brewed beverages must be in conjunction with the service of food. Brew pubs may not produce more than 10,000 barrels of beverage (all beverage types combined) annually. May include the distribution of beverages for consumption at other sites.

**Broadcasting / Recording Studio (land use type):** A facility where information or programming is broadcast or recorded for usage by customers by radio, television, or internet.

**Building Site:** The ground area of a building or buildings together with all open spaces required by this code, and which site has its principal frontage upon a street.

**Business and Personal Services (land use type):** Establishments providing non-medical services to individuals as a primary use. Examples of these uses include:

- barber and beauty shops
- clothing rental
- dry cleaning pick-up stores with limited equipment
- home electronics and small appliance repair
- locksmiths
- pet grooming with no boarding
- hair and beauty salons

## 11.10.020 Definitions of Specialized Terms and Phrases

- shoe repair shops
- tailors

These uses may also include accessory retail sales of products related to the services provided.

### C. Definitions

**Car Wash (land use type):** A facility that provides washing service for vehicles. Such facilities may be an independent business on a site or part of the services provided by a Gas Station.

**Care Facility for the Elderly (land use type):** A housing arrangement chosen voluntarily by the residents, or the residents' guardians, conservators or other responsible persons; where 75 percent of the residents are at least 62 years of age, or, if younger, have needs compatible with other residents; and where varying levels of care and supervision are provided, as agreed to at the time of admission or as determined necessary at subsequent times of reappraisal (definition from California Code of Regulations Title 22, Division 6, Chapter 6, Residential Care Facilities for the Elderly). RCFE projects may include basic services and community space. RCFE projects include assisted living facilities, congregate housing, independent living centers/senior apartments, and life care facilities as defined below.

**Assisted Living Facility.** A residential building or buildings that also provide housing, personal and health care, as permitted by the Department of Social Services, designed to respond to the daily, individual needs of the residents. Assisted Living Facilities may include kitchenettes (small refrigerator, sink and/or microwave oven) within individual rooms. Assisted Living Facilities are required to be licensed by the California Department of Social Services, and do not include skilled nursing services.

**Independent Living Center/Senior Apartment.** Independent living centers and senior apartments and are multi-family residential projects reserved for senior citizens, where common facilities may be provided (for example, recreation areas), but where each dwelling unit has individual living, sleeping, bathing, and kitchen facilities.

**Life Care Facility.** Sometimes called Continuing Care Retirement Communities, or Senior Continuum of Care Complex, these facilities provide a wide range of care and supervision, and also provide health care (skilled nursing) so that residents can receive medical care without leaving the facility. Residents can expect to remain, even if they become physically incapacitated later in life. Life Care Facilities require multiple licensing from the State Department of Social Services, the State Department of Health Services, and the State Department of Insurance.

**Cinema (land use type):** An establishment showing film productions within an enclosed building.

**City:** The City of Tehachapi.

**City Council.** The Tehachapi City Council, referred to in the Zoning Code as the "Council."

**City Engineer.** The Engineer of the City. The land surveying functions of the City. Engineer may be performed by the City Engineer if that person was registered as a civil engineer before January 1, 1982 (R.C.E. No. lower than 33,966), or is a registered land surveyor, by a City Surveyor if that position is created by the City, or by another person authorized by State law to perform land surveying and designated by the City Engineer (Government Code 66416.5).

**Civic (land use type):** for profit organizations dedicated to the arts, culture, education, government, transit and municipal parking facilities.

**Civic Building:** A building that contains as its primary land use, any of the uses identified in the 'Office and Civic' category of the land use table for the zone.

**Civic Space:** An open area dedicated for public use, typically for community gatherings.

**Collection Facility, small (land use type):** A facility open to the general public that receives and processes limited materials to be recycled such as paper, cans, glass, and plastic. Such facilities range from self-contained processing units that are tem-

### 11.10.020 Definitions of Specialized Terms and Phrases

porarily located in a parking lot up to permanent facilities with area within a building or outside to temporarily store materials while they are processed or shipped off-site.

**Coverage:**

**1. Structure.** The floor area of the largest story of a structure divided by the total site area.

**2. Accessory Structures.** The sum of the footprint area of all structures on a lot.

**County:** Kern County.

#### D. Definitions

**Day Care (land use type):** Facilities that provide non-medical care and supervision of minor children for periods of less than 24 hours. This land use includes the following types of facilities, all of which are required to be licensed by the California State Department of Social Services.

**Adult Day Care:** A facility of any capacity that provides 24-hour-a-day nonmedical care and supervision to persons 18 years of age through 59 years of age; and persons 60 years of age and older only in accordance with the Health and Safety Code Section 85068.4.

**Child Day Care Center:** Commercial or non-profit child day care facilities designed and approved to accommodate 15 or more children, or fewer than 15 children in a non-residential building. Includes infant centers, preschools, sick-child centers, child nurseries and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.

**Small House Day Care:** A day care facility located in a single-family residence where an occupant of the residence provides care and supervision for either six or fewer children, or eight or fewer children provided that no more than two of the children are under the age of two and at least two of

the children are over the age of six. Children under the age of 10 years who reside in the home count as children served by the day care facility.

**Large House Day Care:** A day care facility located in a single-family residence where an occupant of the residence provides care and supervision for seven to 14 children. Children under the age of 10 years who reside in the home count as children served by the day care facility.

**Days.** Calendar days unless this Part or State law specifies otherwise.

**Drive-Through (land use type):** The component of an establishment that caters exclusively to customers while in their vehicles.

**Density Bonus:** A density increase over the otherwise maximum allowable residential density under the applicable zoning ordinance and land-use element of the General Plan as of the date of application by the developer to the City (Government Code 65915(f)).

**Department:** The City's Community Development Department.

**Development:** The uses to which the land which is the subject of a map shall be put, the structures to be constructed on it, and all alterations of the land and construction incidental to the uses, structures, and land (Government Code 66418.1).

**Director:** The Community Development Director or his or her designee.

**Display.** An item or arrangement of items indoors that is not attached to a window, door or wall.

**Dwelling Unit:** A room or group of internally connected rooms that have sleeping, cooking, eating and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, occupied by or intended for one household on a long-term basis.

## 11.10.020 Definitions of Specialized Terms and Phrases

## E. Definitions

**Emergency Shelter (land use type):** Housing with minimal supportive services for homeless persons limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay (Government Health and Safety Code 50801).

**Environmental Assessment:** An assessment conducted in compliance with the provisions of the California Environmental Quality Act (CEQA), California Public Resources Code Section 21000 et seq.

## F. Definitions

**Family:** A person living alone, or two or more persons living together as a single housekeeping unit, including necessary servants, in a dwelling unit, as distinguished from a group occupying a boarding house, lodging house, motel or hotel, fraternity or sorority house.

**Farmworker Housing (land use type):** Any attached or detached dwelling unit used to house farm/ agricultural workers and their family members, including temporary mobile homes. For the purpose of calculating density, no more than one food preparation area shall be provided for each farmworker housing unit.

**Flood:** The threat of overflow stormwaters having the capability to flood lands or improvements, transport or deposit debris, scour the surface soil, dislodge or damage structures, or erode the banks of channels.

**Floor Area:** The sum of the gross areas of all stories of a structure, measured from the exterior faces of the exterior walls. The floor area shall include any structure that has a roof and is enclosed so as to provide shelter from the elements on three or more sides.

**Floor Area Ratio:** The floor area of the building divided by the total site area.

**Funeral Home (land use type):** An establishment where the dead are prepared for burial or cremation.

## G. Definitions

**Gas Station, commercial vehicles (land use type):** A facility selling gasoline to the general public for vehicles such as trucks, buses and heavy equipment which may include an on-site store selling a variety of food-related items and beverages.

**Gas Station, non-commercial vehicles: (land use type)** A facility selling gasoline to the general public for motorcycles, passenger vehicles, and recreational vehicles which often includes an on-site store selling a variety of food-related items and beverages.

**General Plan:** The City of Tehachapi General Plan, including all its elements and all amendments, as adopted by the City Council in compliance with Government Code Section 65300 et seq. and referred to in the Zoning Code as the "General Plan."

**Government (land use type):** Office activity that is in direct support of government agencies such as the City of Tehachapi, the County, the State or the Federal Government.

**Granny Flat (land use type):** An attached or detached walk-up access dwelling which provides complete independent living facilities for one or more persons and which is located or established on or adjacent to the garage of the same lot on which a single-family house is located. Such a dwelling may contain permanent provisions for living, sleeping, eating, cooking and sanitation. This definition includes 'secondary dwelling'.

**Green (land use type):** Large unobstructed areas for passive or active recreation throughout neighborhoods. Greens are between 1/2 and 2 acres in size and often contain Community Gardens and Playgrounds. Greens are primarily landscaped.

**Greenway (land use type):** Community and regionally-oriented, passive open spaces as they often traverse multiple neighborhoods. Greenways are at least 25 feet wide, are opportunistic such as the reclaiming of areas within overhead utility easements or are sometimes in response

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to natural conditions such as an existing natural feature that serves as a convenient backdrop. Greenways are primarily landscaped.

**Ground Floor (land use type):** Dwelling(s) located on the first floor of a building's street-facing façade(s).

**Group Home (land use type):** Any building, facility, premises, house, structure, dwelling unit, multiple dwelling, apartment house, or portion thereof, at which persons reside in a group occupancy setting, but not including a hotel, motel, fraternity, sorority, rooming and/or boarding house, rest home or family. This facility is generally characterized by the provision of a pre-arranged or organized household structure or program. Residents of a facility may also receive medical treatment in addition to any non-medical supportive services in a residential or congregate care setting, as opposed to a hospital.

### H. Definitions

**Health / Fitness (land use type):** A land use that provides health training and equipment that may include on-site shower facilities, food and beverages.

#### Height:

**1. Sloping Lot.** In any zone on lots that slope, the maximum height of the structure shall be as set forth in the district and measured vertically from ground level at the front setback line, or if no setback is required, at the center of the lot.

**2. Non-Transect Zones.** For the purpose of establishing required setbacks, height shall be defined for every point within the footprint area of an accessory structure, including a tree-house, as the vertical distance between grade and the highest part of the structure directly above. Height in all cases shall include any slab, platform, pad, mound or similar elevated base above pre-existing grade.

**3. Transect Zones.** Height is determined in two ways: a) number of stories and b) maximum overall height.

**a. Number of stories.** The number of stories in a structure allowed above grade. See Stories.

**b. Overall.** The vertical distance between grade and the highest part of the structure directly above.

**Home Occupation (land use type):** A discretionary permit issued by the Planning Manager for home businesses located in a dwelling. See Chapter 9.40 (Home Occupation Permit).

**Hotel / Motel (land use type):** A lodging establishment providing individual rooms to be rented for no less than a day.

### I. Definitions

**Improved:** An area which has been paved or planted and is permanently maintained as such.

**Improvements.** Includes all of the following:

1. Bridges, curbs, driveways, flood control or storm-drainage facilities, freeways, gutters, interchanges, lighting facilities, overcrossings, public utilities, sanitary sewers and facilities, sidewalks, street work, traffic controls, water facilities, landscaping and fences to be installed by the subdivider on the land to be used for public rights-of-way, private streets and easements as a condition of map approval; and
2. Any other improvements necessary to implement the General Plan or a specific plan and as defined by Government Code 66419 (Sections 66419, 66452.6(a) (3)).

**Incentive:** As applies to density bonuses, a regulatory or financial concession, grant, refund, or waiver which reduces or avoids project costs.

**Indoor Recreation (land use type):** An establishment providing indoor amusement and entertainment services for a fee or admission charge, including any of the following as primary uses:

- bowling alleys
- card rooms
- coin-operated amusement arcades
- dance halls, clubs and ballrooms

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- electronic game arcades (video games, pinball, etc.)
- ice skating and roller skating
- pool and billiard rooms

Four or more electronic games or coin-operated amusements in any establishment, or a premises where 50 percent or more of the floor area is occupied by amusement devices, are considered an electronic game arcade as described above; three or fewer machines are not considered a land use separate from the primary use of the site. This use does not include adult entertainment.

**Inn, B&B (land use type):** A lodging establishment of no more than 25 rooms providing individual rooms to be rented for no less than a day and that includes breakfast service.

### K. Definitions

**Kitchen:** A room that is utilized for the preparation of food and contains a kitchen sink.

### L. Definitions

**Land Development Committee (LDC):** The Land Development Committee Meeting (LDC) is intended to rally all relevant stake holders including the applicant around a project early on in the process in order to address issues, develop draft conditions and help navigate the project through the entitlement process.

**Laundromat / Dry Cleaning (land use type):** An establishment with coin-operated washing machines and dryers for public use.

**Library (land use type):** Public or quasi-public facilities with literature, art and educational material for viewing or loaning, examples of which include: art galleries and exhibitions, historic exhibits, and libraries. May also include accessory retail uses such as a gift/book shop, etc.

**Live/Amplified Music (land use type):** A land use focused primarily on live music performances, inside or outside, which may or may not include the use of amplifiers.

**Loading spaces, off-street:** Permanently improved and maintained areas contiguous to the site, not less than 12 feet in width, 25 feet in length, with a clearance height of not less than 16 feet.

**Lot:** A portion of land separate from others and delineated or described as a single integral unit on a subdivision map or by other map approved under the Subdivision Map Act.

**Lot Area:** The computed area contained within the lot or property lines.

**Lot, Corner:** A lot bounded on two or more adjacent sides by street lines at their intersection; provided, that the interior angle of intersection does not exceed 135 degrees, or a width not greater than 75 feet. The point of intersection is the corner.

**Lot Coverage:** See "Coverage".

**Lot, Interior:** A lot other than a corner lot.

**Lot Line.** Any recorded boundary of a lot.

**Lot Width and Depth:** Lot width is the shorter average horizontal dimension, generally perpendicular to the longer average horizontal dimension, which is the depth.

### M. Definitions

**Manufacturing (land use type):** Manufacturing that includes both perishables and non-perishables. See "Manufacturing, perishable" and "Manufacturing, non-perishable."

**Manufacturing, perishable (land use type):** The making of products intended for purchase and use in the short term such as food and condiments using machinery.

**Manufacturing, non-perishable (land use type):** The making of products that are non-perishable using machinery.

**Medical Services (land use type):** A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis (for

### 11.10.020 Definitions of Specialized Terms and Phrases

example, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff) within an individual office suite. These facilities may also include incidental medical laboratories.

**Meeting Facility (land use type):** A facility that is available for public assembly, such as a conference hall, club hall, lodge, performing arts center, amphitheater, or event facility, or for religious worship, such as a church, temple or mosque.

**Micro-Brewery (land use type):** An establishment that brews less than 310,000 gallons (10,000 barrels) of alcoholic beverages such as ale, beer, mead, hard cider and does not exceed 5,000 square feet of floor area.

**Mobile Home Park/Subdivision (land use type):** An area containing house trailers that are parked in one particular place and used as a permanent living accommodation.

**Motor Vehicle Sales, new (land use type):** activity focused on the sale of new motor vehicles that involves the display of inventory.

**Motor Vehicle Sales, used (land use type):** activity focused on the sale of used motor vehicles that involves the display of inventory.

**Motor Vehicle Rentals (land use type):** Activity focused on the rental of motor vehicles with the inventory being readily available either on-site or in a remote site.

**Multi Family Residential (land use type):** a building occupied by multiple households in multiple dwellings.

#### N. Definitions

**Nature (land use type):** Areas that are to remain undeveloped and that generate their physical character through their natural topography, trees and plants.

**Nightclub (land use type):** A land use associated with an establishment focused primarily on dancing, that may or may not include alcoholic beverages and typically is open later than most restaurants.

**Nature (land use type):** Natural, uncultivated areas not developed with neighborhoods, districts, corridors or their fragments. Buildings in natural areas are utility oriented or in support of allowed tourism activity associated with the natural resources.

**New Construction:** The placement of uses or structures on a property upon which no existing construction has taken place. New construction shall include requests for new development under the provisions of a site plan approval, use permit, subdivision, variance, or building permit.

**New Use:** Any purpose for which land or premises, or a structure thereon, is improved, occupied, utilized, built or constructed for said purpose, which has not before existed on said land or premises, or any purpose for which a structure is rebuilt or reconstructed more than 60 percent of its then assessed value.

**Nonconforming Lot:** A lot that was legally created before the effective date of the Zoning Code or amendment, and does not comply with the minimum area, depth, width, or other applicable requirements of the Zoning Code.

**Nonconforming Structure:** A structure that lawfully existed before the effective date of the Zoning Code or amendment, and does not conform to the present requirements of the zone in which it is located.

**Nonconforming Use:** A use of land and/or a structure (either conforming or nonconforming) that lawfully existed before the effective date of the Zoning Code or amendment, but which is no longer allowed in the zone in which it is located.

**Non-Transect Zones:** Zones not conforming to any single band of the Transect and not starting with T.

#### O. Definitions

**Office, General (land use type):** Business and professional services. Examples of these uses include accounting services, insurance agent offices, real estate offices, travel agencies, counselling services, news services, telemarketing, utility company offices, elected official satellite offices, etc.

## 11.10.020 Definitions of Specialized Terms and Phrases

**Off-street Parking:** An area located on private property available for public use for the short-term temporary storage of passenger vehicles, with or without the specific permission of the owner, including a public or private parking lot where parking is the principal use of the property

**Outdoor Dining (land use type):** Restaurant activity (breakfast, lunch, dinner) associated with a restaurant that occurs outside of the building typically along the street-facing façade of the building and within the public right-of-way on the sidewalk.

**Outdoor Recreation (land use type):** Establishments that provide outdoor amusement and entertainment services for a fee or admission charge. May also include related commercial facilities, including country clubs, bars and restaurants, video game arcades, etc. Examples include:

- miniature golf
- swim clubs
- aquariums.

- tattoo and body piercing services
- tanning salons.

**Planning Commission:** The City of Tehachapi Planning Commission, referred to in the Zoning Code as the Commission.

**Playground (land use type):** An open space type that can be very urban, suburban or rural depending upon its physical context. Playgrounds are intended for recreational use by the neighborhood and have no size requirements. Playgrounds sometimes contain a small house-form building for civic purposes, maintenance or for small commercial activity.

**Plaza (land use type):** The most urban of open spaces, available for civic and commercial activity. Plazas are between 4,000 square feet and 4 acres in size, adjacent to at least one street and are spatially enclosed by buildings along one or all sides. Buildings along plazas have ground floor frontages per the zone. Plazas may be hardscape entirely or a combination of landscape and hardscape depending upon the intended physical character for the zone.

**Power / Electrical Substation (land use type):** A facility providing electrical power and distribution to customers. Such facilities include high voltage equipment and supporting infrastructure.

**Private Street:** Any street not a public street.

**Pub/Bar (land use type):** An establishment focused on alcoholic beverage sales that includes food and may include dancing but does not include a night club.

**Public Property:** Any property publicly owned outside of the designated public right-of-way.

**Public Street:** A street for which the right-of-way is owned by or offered for dedication to the public and accepted by the City.

### P. Definitions

**Parcel:** See "Lot."

**Passage (land use type):** A public place or path designed for walking that is often within a block, between buildings or along the edge of a public open space.

**Performance Standards:** Regulations for the control of dangerous or objectionable elements.

**Personal Services, restricted (land use type):** Personal services that may tend to have a blighting and/or deteriorating effect upon surrounding areas and which may need to be dispersed to minimize their adverse impacts. Examples of these uses include:

- fortune tellers, psychics, and palm and card readers
- massage (licensed, therapeutic, non-sexual)
- pawnshops
- spas and hot tubs for hourly rental

### R. Definitions

**Recreational Vehicle Park (land use type):** Any area or tract of land where one or more lots are rented for relatively short-term occupancy to

## 11.10.020 Definitions of Specialized Terms and Phrases

owners or users of recreational vehicles or travel trailers. Recreational vehicle (RV) parks may include public restrooms, water, sewer, and electric hookups to each lot. May include accessory retail uses where they are clearly incidental and intended to serve RV park patrons only.

**Regulating Plan:** The official zoning map of the City of Tehachapi that is a part of this Zoning Code. The Regulating Plan graphically shows and delineates the various zone boundaries. for transect and non-transect zones

**Remodeling:** A change in the exterior of an existing structure by 25 percent or more of the current assessed value of the structure.

**Renovation:**

1. A structural change to the foundation, roof, floor, or exterior of load-bearing walls of a facility, or the extension of an existing facility to increase its floor area.
2. Alteration of an existing facility such as to significantly change its function, even if such renovation does not include any structural change to the facility.

**Repair, Commercial, motor vehicles (land use type):** Activity focused on the repair and maintenance of motor vehicles that is performed on a site allowed to have such activity.

**Repair, Commercial, non-vehicular (land use type):** Activity focused on the repair and maintenance of non-vehicular items such as vacuum cleaners, clocks, and other hardware with the repair activity usually occurring on-site.

**Restaurant (land use type):** An establishment focused on food sales that may or may not include alcoholic beverages as well as dancing but does not include a night club.

**Retail (land use type):** Premises available for the sale of merchandise and food service.

**Reverse Vending Machine (land use type):** A vending machine that dispenses cash in exchange for items such as cans to be recycled.

**Review Authority:** The individual or official City body (the Community Development Director, Planning Commission, or City Council) identified by the Zoning Code as having the responsibility and authority to review, and approve or disapprove the permit applications described in Article 9 (Procedures).

**Roof Garden (land use type):** A gathering space on the roof of a building. Roof gardens may be for private use as a part of a civic building or activity, restaurant. On large civic buildings, roof gardens may have recreational space such as tennis or basketball enclosed by appropriate and decorative fencing.

**Rooming and Boarding House (land use type):** A lodging house, or other structure maintained, advertised or held out to the public as a place where sleeping or rooming accommodations are furnished to the whole, or any part of the public whether with or without meals. Rooming house includes fraternity and sorority houses.

### S. Definitions

**School, College, University (land use type):** An institution at which instruction is given in a particular discipline such as general education, cooking, dancing, painting and sculpting, automotive repair.

**Secondary Dwelling:** See "Granny Flat".

**Secondhand Stores (land use type):** A retail store principally selling previously owned items (e.g., clothing) as distinct from an antique or collectible store which sells antiques, curios, gifts and souvenirs, and collectible items including sports cards and comic books.

**Setback.** The distance by which a structure, parking area or other development feature must be separated from a lot line, other structure or development feature, or street centerline.

**Setback, Front:** An area extending across the full width of the lot between the front lot line and the applicable setback measurement.

**Setback, Interior Side:** An area between a side lot line and the applicable setback measurement extending between the front and rear setbacks.

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**Setback, Rear:** An area extending the full width of the lot between a rear lot line and the applicable setback measurement

**Setback, Street Side:** An area between a side lot line adjacent to the street and the applicable setback measurement extending from the front setback line to the rear lot line.

**Single Family Residential (land use type):** A building occupied by no more than one household for a total of one dwelling.

**Single Room Occupancy (land use type):** A multiple tenant building that houses one or two people in individual rooms. Tenants usually share bathrooms and/or kitchens, while some SRO rooms may include kitchenettes, bathrooms, or half-baths.

**Site Plan:** A base sheet that includes the basic information that will appear on all plans, such as natural features, roads, buildings, or other structures to remain on-site.

**Small Collection Facility (land use type):** See "Collection Facility".

**Specific Plans:** A detailed plan for the systematic implementation of the General Plan, for all or part of the area covered by the General Plan, as authorized by Government Code Sections 65450 et seq.

**Sportsfield (land use type):** A space or series of open spaces designed for sports activities. Sportsfields often accommodate several individual sports games at the same time and may feature a concession area and seating for spectators.

**Square (land use type):** Squares are similar to plazas in their role as a civic open space but are distinct by their higher proportion of landscape to hardscape. Squares are available for civic and commercial activity as well as ground floor residential activity and urban farming. Squares are between 1/4 and 1 acre in size, adjacent to at least three streets and are spatially enclosed by buildings along one or all sides. Buildings along squares have ground floor frontages per the zone. Squares are entirely landscape or a combination of landscape and hardscape depending upon the intended physical character for the zone.

**State.** The State of California.

**Story:** The portion of a structure included between the surface of any floor and the surface of the next floor above it, or if there is no floor above, the space between the floor and the ceiling above.

**Story, First:** The lowest story or the ground story of any building, the floor of which is not more than 12 inches below the average contact ground level at the exterior walls of the building; except that any basement or cellar used for residence purposes, other than for a janitor or caretaker or his family, shall be deemed the first story.

**Story, Half:** A partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four feet above the floor of such story; provided, however, that any partial story used for residence purposes, other than for a janitor or caretaker and his or her family, shall be deemed a full story.

**Street:** A strip of land which provides direct access to parcels. Street includes a public or private street, alley, avenue, court, crossing, highway, intersection, lane, road, or square.

**Street Frontage:** Pertaining to signage, the lineal length of that portion of a lot abutting a street.

**Structural Alteration:** Any change in the structural members of a structure, such as walls, columns, beams or girders.

**Subdivision Map Act (the Act):** Government Code Division 2, Subdivisions, Sections 66410 et seq., as it may be replaced or amended from time to time, and referred to in this Article as the Act.

**Supportive Housing:** See "Transitional and Supportive Housing."

### T. Definitions

**Telecommunications Facilities (land use type):** Public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications, including commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish

### 11.10.020 Definitions of Specialized Terms and Phrases

antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections.

**Temporary Signs:** A display of a device made of light-weight cloth material, vinyl, cardboard or wood intended to be displayed for a limited time period. This includes but is not limited to advertising signs staked into the ground, banners and pennants.

**Temporary Use (land use type):** Short-term activities that are not allowed on a permanent basis but because of their temporary, non-permanent or seasonal nature, are acceptable. Such uses include but are not limited to farmer's markets, festivals, parades, and construction activity.

**Trailer:** A vehicle designed for carrying persons or property on its own structure and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon any other vehicle. The term "trailer" shall also include, but not be limited to, vehicles designed for use as mobile homes or other sleeping quarters; for the conduct of any business, trade, or occupation; for advertising, exhibition, or sales purposes; and for the storage or conveyance of animals, goods, tools, machinery, boats and other equipment.

**Transect Zones.** The zones for areas that are implemented through a form-based code in order to continue or generate walkable environments. Transect zones are organized on a continuum of intensity from natural to urban in response to the Tehachapi General Plan and utilize a range of physical components such as building types, frontage types, open space types as appropriate to the area in Tehachapi.

**Transit Station (land use type):** a facility that provides the general public the opportunity to board transit ranging from taxi cabs and shuttles to buses and trains.

**Transitional and Supportive Housing (land use type):** Transitional housing is defined in Government Code Section 65582 as rental housing developments operated under program require-

ments that require termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point no less than six months from the beginning of the assistance. Transitional housing may be designed for homeless individuals or family transitioning to permanent housing. Supportive housing is defined in Government Code Section 65582 and has no limit on the length of stay, is linked to onsite or offsite services, and is occupied by a target population as defined in the Government Code 65582.

**Travel Trailer Park.** A site where one or more lots are used, or are intended to be used, by travel trailers. Travel trailer parks may include public restrooms, water, sewer, and electric hookups to each lot and are intended as a higher-density, more intensively developed use than campgrounds. May include accessory retail uses where they are clearly incidental and intended to serve travel trailer park patrons only.

#### U. Definitions

**Use, Principle:** The main or primary use or uses conducted on a parcel or located within a structure or within a portion of a structure which is separated structurally from other uses within the same structure, not to include an accessory use as defined herein or a subordinate department of a main or primary use.

**Use, Temporary:** The use of land or premises or a structure thereon for a limited period of time which does not change the character of the site, premises, or uses therein

#### V. Definitions

**Variance.** See Chapter 9.90 (Variances).

**Veterinary Clinic/Boarding (land use type):** A medical establishment for animals with on-site staff and facilities that serves animal patients with a variety of medical services ranging from diagnoses to surgery and includes boarding.

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**W. Definitions**

**Wine Tasting (land use type):** Facility allowing wine tasting with on-site and off-site retail sales directly to the public (or shipped). The tasting room facility must be directly affiliated with a minimum of one brewery/winery (meeting the requirements of the Alcoholic Beverage Control (ABC) appropriate license type such as: Type 2 Winegrower license). The Tasting Room may be operated within a winery facility, accessory to separate on-site use or as a stand-alone retail use. Tasting Rooms must comply with standard retail land use hours of operation (7:00 a.m. to 11:00 p.m.).

**Z Definitions**

**Zone:** A mapped area to which a uniform set of regulations applies; or a uniform set of regulations including a list of allowed uses and standards for development.

**Zone, Change of:** The legislative act of removing one or more lots from one zone and placing them in another zone on the official regulating plan of the City.

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Zoning Code  
City of Tehachapi, CA

