

**CHAPTER 1 OF TITLE VI
ADMINISTRATION**

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6.1.10 **PURPOSE AND INTENT**

The City Council has established these standards, guidelines, and procedures to protect and promote the public health, safety, convenience, and welfare of present and future citizens of the City, specifically to:

1. Implement the goals, objectives, policies, and programs of the General Plan and to manage future growth and change in accordance with that Plan;
2. Protect the physical, social, and economic stability and vitality of residential, commercial, industrial, public, institutional and open space uses within the City to assure their orderly development;
3. Reduce or eliminate hazards to the public resulting from potentially inappropriate location, use, or design of buildings and other improvements;
4. Attain the physical, social, and economic advantages resulting from comprehensive and orderly land use and resource planning.

6.1.20 **AUTHORITY**

The authority for the regulations contained in this Title is based on Section 7, Article XI of the California Constitution, the provisions of the California Planning and Zoning Law (Division 1 of Title 7 of the California Government Code) which provide for the regulation of the intensity of land use and the adoption of standards for the regulation of population density, and the police power granted to municipalities by the laws of the State of California.

6.1.30 **APPLICABILITY**

All land, buildings, and structures within the incorporated portions of the City shall be used only as hereinafter provided. No use of land, and no use, construction, maintenance, operation, reconstruction or enlargement of any building or structure shall be allowed unless permitted under the express provisions of the Title or by other applicable ordinances of the City.

1. Private Projects
 - a. No land, building, or structure shall be used, constructed, altered, or maintained except in conformance with the provisions of this Title.
 - b. No use that requires a permit or approval under the provisions of this Title shall be established or operated until the permit or approval is finally granted, and all conditions of the permit or approval have been complied with.

- c. No use that requires a permit or approval under the provisions of this Title shall be established or operated in violation of, or contrary to, any terms and conditions of the granted permit or approval.
- d. No building or structure, or any part of an existing building or structure, may be constructed or altered in such a way as to cross a property line.

2. Public Projects

Unless otherwise exempted, federal, state, county, city and any other governmental projects shall be subject to the provisions of this Title, including projects operated by any combination of these agencies, or by a private person for the benefit of any such governmental agency.

3. Legal Procedure

Any building or structure erected or maintained, or any use of property contrary to the provisions of this Title, is hereby declared to be unlawful and a public nuisance, and the City Attorney, Code Enforcement Officer, District Attorney or other authorized official may immediately commence action or actions, proceeding or proceedings for the abatement, removal and enjoinder thereof, in the manner provided by law; and may take such other steps, and may apply to such court or courts as may have jurisdiction to grant such relief to abate or remove such building, structure or use and restrain and enjoin any person from setting up, erecting or maintaining such building or structure, or use of any property contrary to the provisions of this Title (it shall be the right and duty of every citizen to participate and assist City Officials in the enforcement of the provisions of this Title).

4. Subdivisions

- a. The provisions of this Title relating to subdivisions shall be controlled by Section 66499.30 et seq. of the Subdivision Map Act (Map Act) and Title X (Subdivision Ordinance) of the Municipal Code.
- b. The provisions of the City's Subdivision Ordinance relating to the enforcement and judicial review of subdivisions, as defined in the Map Act, shall not apply to:
 - 1) Short-term leases pursuant to Section 66411 of the Map Act.
 - 2) The exclusions to the provisions of the Map Act pursuant to Section 66412 therein.
 - 3) The financing and leasing of commercial and industrial buildings pursuant to Section 66412.1 of the Map Act.
 - 4) The construction, financing and leasing of dwelling unit types

- pursuant to Section 66412.2 of the Map Act.
- 5) Small removable commercial buildings pursuant to Section 66412.5 of the Map Act.
 - 6) Parcels created prior to March 4, 1972 pursuant to Sections 66412.7 and 66412.8 of the Map Act.
 - 7) Subdivisions previously established pursuant to the provisions of Section 66412.7 of the Map Act.
 - 8) the conveyance of land to a public entity for right-of-way pursuant to Section 66426.5 of the Map Act.

6.1.40**ENFORCEMENT**

1. The City Manager, City Attorney, District Attorney, Planning Director, Code Enforcement Officer, Building Official, Public Works Director, or their designee, any duly authorized law enforcement officer, and any official charged with the issuance of licenses and permits shall enforce the provisions of this Title.
2. All officials and employees of the City, vested with the authority or duty to issue permits, shall conform to the provisions of this Title and shall not issue a permit, certificate or license for uses, purposes, buildings or structures in conflict with the provisions of this Title. Any such permit, certificate or license issued in conflict with the provisions of this Title shall be null and void.
3. Whenever an authorized official finds that a violation of this Title exists on any property located within the City, he or she shall notify the property owner on which the violation is located and direct that the violation be abated in a manner consistent with this Title (Zoning Ordinance) of the Municipal Code.
4. Remedies

All remedies provided for herein shall be cumulative and not exclusive. The conviction and punishment of any person, hereunder, shall not relieve such person from the responsibility of correcting prohibited conditions or removing prohibited buildings, structures, or improvements, nor prevent the enforced correction or removal thereof.

5. Continuing Violations

A continuing violation of this Title is deemed a separate violation of the Municipal Code for each and every day that such violation exists.

6.1.50 GENERAL PENTALTY

Except as otherwise specifically provided in this Title, any person violating any provisions or failing to comply with any of the mandated requirements of this Title (Zoning Ordinance) of the Municipal Code is guilty of an infraction and shall be subjected to the provisions of Title 1, Sections 1-1-11, 1-1-12, and 1-1-13 of the Taft Municipal Code.

6.1.60 CONFLICTING REGULATIONS

The provisions of this Title are not intended to interfere or void any easements or legally established covenants or other existing agreements that are more restrictive than the provisions of this Title. Except where the express provisions of this Title or the context hereof amend any existing ordinance, nothing in this Title shall be deemed to repeal any other ordinances relating to the properties and areas affected hereby.

All Federally owned parcels affected by this Title are subject to applicable federal laws, rules, and policies. In the event a conflict exists between federal laws, rules, and policies and this Title, the Bureau of Land Management (BLM), in matters affecting mineral rights, will determine which shall prevail. Where federally owned mineral rights underlie a privately owned parcel, the BLM, or its mineral lessee, has the right of entry and to use as much of the surface as is reasonably necessary to sustain operations. Federal mineral rights cannot be declared abandoned or “not likely to be developed” as is commonly done in the private sector. Upon receipt of a proposal affecting private surface overlying federal mineral estates, the local authority and/or any party proposing an action on such surface land, is to contact the Bakersfield BLM office before proceeding. BLM should be contacted at the earliest stage possible so that conflicts, if any, can be minimized. In some cases access to BLM managed minerals can be ensured by the use of “drilling islands” described in Section 6.3 (Special Districts) of this Title.

6.1.70 CLARIFICATION OF AMBIGUITIES

If ambiguity arises concerning the appropriate classification of a particular use within the meaning and intent of this Title, or if ambiguity exists with respect to matters of height, yard requirements, area requirements, or district boundaries as set forth herein, it shall be the duty of the Planning Director to ascertain all pertinent facts and issue an interpretation of such ambiguity. The Planning Director’s interpretation, which shall be documented along with an explanation of said interpretation, is subject to the appeal process as defined by Section 6.2.190 of this Title.

6.1.80 CITY TO BE HELD HARMLESS

Any person, organization, or entity who obtains or files an application to obtain a

permit or approval pursuant to this Title shall hold the City harmless from any liability, including any claims of the applicant arising out of the issuance of the permit or approval, or the denial thereof, or arising out of any action by any person seeking to have a granted permit or approval held void by a court of law.

6.1.90 DETERMINATION OF SIMILAR USE

1. Application:

When a proposed use of property is not expressly authorized as a permitted use, or as a conditional use by the regulations of the applicable zone district, an application may be submitted to the Planning Department for a land use interpretation to determine whether or not the proposed use is similar to those uses permitted or conditionally permitted in the applicable zone district.

2. Basis for Determination of Similar Use:

The determination of similar use shall constitute a ministerial action. In making a determination of similar use, the Planning Director, or the Planning Commission acting on referral or appeal, shall determine that a proposed use is similar to a use or uses expressly authorized in the applicable zoning district or districts if the proposed use meets the following criteria:

- a. The use resembles or is of the same basic nature as a use expressly authorized in the applicable zone district in terms of the following:
 - 1) The activities involved in or equipment or materials employed in the use.
 - 2) The effects of the use on the surrounding area, such as traffic impacts, noise, dust, odors, vibrations, and appearance.
- b. The use is consistent with the stated purpose of the applicable district.

6.1.100 GENERAL PLAN

The City shall adopt and maintain a General Plan in accordance with the requirements of California Government Code Section 65000 et seq. and applicable General Plan Guidelines prepared by the California Office of Planning and Research.

1. Consistency with the General Plan

- a. No use of land, buildings, or structures for which an application is required pursuant to this Title is to be approved for processing under

this Title unless it is consistent with the General Plan or a concurrent General Plan amendment request. In any case where there is a conflict in regulations between this Title and the General Plan, the General Plan shall prevail.

- b. All land divisions within the City and changes or amendments to land use classifications, districts or regulations, and conditional use permits, variances, development agreements, site plans, and other permits and approvals shall be consistent with the General Plan and all applicable specific plans.
- c. A proposed use or approval is consistent with the General Plan when the following conditions exist:
 - 1) The proposed use is allowed in the land use designation in which the use is located, as shown by the Land Use Map, and as described in the text of the General Plan;
 - 2) The proposed use is in conformance with the goals, objectives, policies, programs, and guidelines of the elements of the General Plan and the intent thereof; and
 - 3) The proposed use is to be established and maintained in a manner which is consistent with the elements of the General Plan and all applicable provisions contained therein.

2. Determinations of Consistency with the General Plan

The Planning Director shall have the responsibility to prepare reports and make determinations as to the conformity of applications and requests pursuant to this Title.

3. Administration of the General Plan

The Planning Director shall have the responsibility to investigate and make recommendations to the Planning Commission and/or City Council regarding reasonable and practical means for implementing the General Plan or any element thereof, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open space and natural resources, and for the efficient and effective expenditure of public funds relating to the subjects addressed in the General Plan.

6.1.110 ZONE DISTRICTS

1. Districts – Created

In order to provide a uniform basis for regulating the use of land, buildings, and structures, and to establish minimum site development regulations and

performance standards applicable to sites within the City, the City is hereby divided into the following zone districts:

Planned Development (PD) Zone District
Community Facilities (CF) Zone District
Airport Approach Height Overlay (H) Zone District

Drilling Island (DI) Zone District
Petroleum Extraction Combining (PE) Zone District
Natural Resource Management (NR) Zone District
Agricultural (A) Zone District

Residential Suburban (RS) Zone District
Single Family Residential (R-1) Zone District
Limited Multiple Family Dwelling (R-2) Zone District
Multiple Family Dwelling (R-3) Zone District

Mixed Use (MU) Zone District
Downtown Commercial (DC) Zone District
General Commercial (GC) Zone District
Industrial (I) Zone District

2. Determination of Zone District Boundaries

- a. Wherever a lot or site is divided by a boundary between differing districts, the regulations applicable within each district shall apply to each portion of the site within that district.
- b. The following rules shall apply for determining the boundaries of any district on the Zoning Map:
 - 1) Where the boundaries are indicated as approximately following street and alley lines or other identifiable property or boundary lines, such lines shall be constructed to be the district boundary. Where boundaries are indicated as within a street or alley, the centerline thereof shall be construed to be the district boundary;
 - 2) In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the Zoning Map;
 - 3) A symbol or symbols indicating the classification of property on the Zoning Map shall in each instance apply to the whole of the areas within the Zoning District boundaries;
 - 4) Where the public street, alley, or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply to such vacated or abandoned street, alley or

right-of-way adjacent to that abutting property, as determined by the Planning Director.

3. Zoning Maps

The boundaries of the zone districts established by this Title are not included in this Title but are shown on the Official Zoning Maps maintained by the Planning Department. The Official Zoning Maps, and all notations, references, and other information shown thereon, shall be as much a part of this Title as if the matters and information set forth on such maps were all fully described herein.

6.1.120 PLANNING COMMISSION

Pursuant to the provisions of California Government Code Section 65100 and City Ordinance No. 608, 3-1-1994, there is established a Planning Commission for the City.

1. Composition

The Planning Commission shall consist of five members who shall be appointed by the City Council.

2. Duties

The Planning Commission shall perform the duties and shall have all the rights, powers and privileges specified and provided by the ordinances and resolutions of the City and/or by State Law.

6.1.130 PLANNING AGENCY

Pursuant to Section 65100 of the California Government Code, the Planning Agency for the City shall consist of the City Council, Planning Commission, and City staff acting under authority of this Title.

6.1.140 PROJECT ASSISTANCE TEAM

1. Project Assistance Team – Created

Pursuant to California Government Code Section 65100, a Project Assistance Team (PAT) is hereby established to act in a technical capacity for the Planning Agency.

2. Composition

The Project Assistance Team shall consist of the following members or their

duly authorized representatives: the Public Works Director, the Planning Director, the Building Official, and others as needed. The Chair of the Project Assistance Team shall be appointed by the City Manager.

3. Powers and Duties

It shall be the duty of the Project Assistance Team to review and make recommendations to the Planning Agency regarding any of the following:

- a. All tentative land division maps, including those specifically exempted from the requirement for a final map.
- b. All planned developments.
- c. Any land use application related to a development project; such as a conditional use permit, variance, zone change, or general plan amendment.
- d. Any other project or action deemed by the Planning Agency to require review and recommendation by the Project Assistance Team.
- e. The Project Assistance Team shall review and identify technical design features which are necessary to ensure adequate public health, safety and welfare, including adequate traffic and pedestrian circulation, proper grading and erosion control, including the prevention of sedimentation or flood and drainage damage to off-site property. In addition, the Project Assistance Team shall consider the adequacy of existing public facilities and services and any potential fire hazards that may pose a threat to life, property, and the surrounding environment.

4. Meetings and Rules of Procedures

The Project Assistance Team Chairman shall establish and maintain meeting dates and rules of procedure for the Project Assistance Team. Such dates and procedures shall be available to the public in appropriate formats and locations to advise interested persons or groups.

6.1.150

PLANNING DIRECTOR

This Title shall be administered by the Planning Director whose responsibilities include the following functions which may be carried out by authorized subordinate employees. The Planning Director shall receive and review all applications for permits and approvals pursuant to this Title. Processing includes:

1. The certification of completed applications;

2. Responsibility for completion of appropriate documentation under the California Environmental Quality Act;
3. The establishment of a permanent file;
4. Giving and posting of public notices;
5. Collection of applicable fees;
6. Preparation of reports;
7. Processing of appeals;
8. Presentation of staff reports to the Planning Commission and the City Council; and
9. Interpret the Zoning Ordinance.

6.1.160 **FLOODPLAIN MANAGEMENT**

The provisions of Chapter 6.13 (Performance Standards) of this Title shall apply.

6.1.170 **CHALLENGES TO CITY ACTIONS**

Any action or proceeding to attack, review, set aside, or annul any decision of the City pursuant to this Title shall not be maintained by any person unless the action or proceeding is commenced within ninety (90) calendar days after the date of the decision as provided in Section 1094.6 of the Code of Civil Procedures of the State.

6.1.180 **SEVERANCE**

If any Section, subsection, subpart, or provision of this Title or the application thereof to any person, property or circumstance is held invalid, the remainder of this Title and the application of such to other persons, properties or circumstances shall not be affected thereby.

6.1.190 **DEFINITIONS**

The following definitions and those set forth throughout this Title shall apply when interpreting the intent or meaning of the requirements and guidelines of this Title.

Abandonment

Abandonment shall be defined by the Division of Oil, Gas, and Geothermal Resources as it relates to the Division's influence.

Abutting, Adjoining, Adjacent

Having district boundaries or lot lines in common; however, where properties would have had lot lines in common, except for the existence of an alley, the lot lines of those properties are considered to be abutting, adjoining, or adjacent.

Access Corridor

A portion of a site providing access from a street and having a dimension less than the required lot width. The area of an access corridor shall not be included in determining the lot area.

Access Rights

The right, claims, title, or privilege of access by pedestrians or vehicles to a public road or way.

Access Road

A graded road with such improvements and such width as required in the City's Subdivision Ordinance and the Subdivision & Engineering Design Manual which provides access from a division of land to an existing maintained street or highway.

Accessory Structure

Any subordinate structure or portions of the main structure, the use of which is incidental to that of the main structure on the same lot or premises, and which is used exclusively by the occupants of the main structure. An accessory structure may be erected only after the principal structure is established.

Accessory Living Quarters

See Guest Quarters

Accessory Use

Any use customarily incidental to, related and clearly subordinate to a principal use established on the same lot or premises. An accessory use may be established only after the principal use is established.

Acreage (Gross)

The total fee ownership of a parcel or land area, including any easements,

but excluding any existing offers of dedication, dedications, or rights-of-way.

Acreage (Net)

The land area that remains after dedication of ultimate rights-of-ways for (1) exterior boundary sheets, (2) flood control rights-of-way, and (3) public parks developed to meet minimum standards. Major utility easements and rights-of-way may not be counted as adjusted net acreage. Areas devoted to park land or active recreational uses may be counted as adjusted net acreage only if such public facilities are proposed over and above the City's minimum park land requirements.

Active Recreational Uses

Facilities occurring in a planned development or multiple family project which are designed to provide individual or group activities of an active nature including, but not limited to, sports fields, court games, swimming pools, children's play areas, picnic areas, golf courses, and recreational community gardening. Active recreational uses do not include natural open space, nature study areas, open space for buffer areas, riding and hiking trails, water courses or drainage areas.

Advertising Statuary

An imitation or representation of a person or thing that is sculptured, molded, modeled or cast in any solid or plastic substance, material, or fabric and used to identify or advertise a product or service. Advertising statuary shall be considered and regulated as signs.

Airport

Improvements and activities related to the takeoff and landing of aircraft for the purpose of recreation or carrying passengers or freight, usually equipped with hangars, facilities for refueling and repair, terminal buildings, operations towers, and public safety facilities.

Alley

A secondary means of access to property, generally located at the rear or side of the property. An alley is not intended for general circulation of traffic.

Alter

To make a change in the supporting members of a structure, such as bearing

walls, columns, beams or girders, to prolong the life of a structure or to change an exterior or interior dimension of a structure. In case of a sign, “alter” means a change of all or a portion of the copy, message, sign legend, or face, except on signs designed to advertise changing messages.

Alteration

Any change or modification, through public or private action, to characteristics defining significant physical features of properties. Such changes may include modification of structures, architectural details, visual characteristics, grading, surface paving, addition of new structures, cutting or removal of trees, landscaping, alteration of natural features disturbance of archeological sites or areas, and placement or removal of any significant objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings, and landscape accessories affecting the property.

Ambient Noise Level

General noise level one finds in a certain area at a given time.

Animal Hospital

A place where animals are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short-time boarding and shall be only incidental to such hospital use.

Apartment

One or more rooms with private bath and kitchen facilities comprising an independent, self-contained residential dwelling unit for rent or lease in a building containing more than two residential dwelling units.

Appeal

A request, pursuant to the provisions of Section 6.2.180 of this Title, for a review of an action undertaken pursuant this Title.

Approved Access

Any one or more of the following:

1. A dedicated right-of-way for access purposes.
2. An offer to dedicate to the City, or an offer to dedicate to Kern County for which the City is a successor-in-interest, a right-of-way of a width established by City Ordinance, General Plan, or any adopted specific

plan or highway right-of-way standards which expressly grants to the owner of the subdivision or development and any successors-in-interest the right to use the right-of-way without limit as to the quantity of vehicular traffic from each lot or use created by the owners or successors-in-interest to improve roadways in the City road system, both of which abut or connect to a publicly maintained roadway or connect to existing traveled roads where a prescriptive right by user has been established for public use.

3. An offer to dedicate to the City, or an offer to dedicate to Kern County of which the City is a successor-in-interest, and to the public in general, an easement for public road, highway, and public utility purposes, of a width established as adequate for such purpose by the City. The offer to dedicate to the public in general can be accepted by public use, but the easement of road construction thereon shall not become a City roadway until and unless the City Council, by appropriate resolution, has caused said roadway to be accepted into the City road system.
4. An existing traveled way where a prescriptive right by user has been established for public use by a Court decree.

Arcades

A place of business where five (5) or more electronic or coin operated games are operated for compensation.

Architectural Features

Any portion of the outer surface of a structure, including, but not limited to, the kind, color and texture of the building material, the type and style of window, doors, lights, signs, walls, fences, awnings, canopies, screens, sculptures, decoration, roof shape and materials, and other fixtures appurtenant to a structure.

Architectural Projection

A marquee, fireplace chimney, porch, canopy or similar projection of a building.

Area (Building)

The sum in square feet of the areas of the horizontal projections of all structures on a lot excluding open pergolas, steps, chimneys, eaves, buttresses, cornices, unenclosed and unroofed terraces, patios, unenclosed private balconies, not used for access, and minor ornamental features projecting from the walls of the building, which features are not directly

supported by the ground.

Authorized Agent

A person bearing written authority from the property owner to act as the owner's representative.

Automobile/Automotive

Motor vehicles including cars, light duty vans and pick-up trucks, sport utility vehicles, and motorcycles.

Automotive and Light Truck Repair (Minor)

Activities including, but not necessarily limited to, automotive and light truck repair, the retail sale of goods and services for automobiles and light trucks (less than 6000 lbs.), and the cleaning and washing of automobiles. Uses typically include, but are not necessarily limited to, brake, muffler, smog check, and automotive drive-through car washes. Heavier automobile repair such as transmission and engine repair and auto body shops shall not be included in this land use type.

Automotive and Light Truck Repair (Major)

Activities typically including, but not necessarily limited to, automotive and light truck repair, heavy automobile and truck repair, such as transmission and engine repair and the installation of major accessories.

Automobile Service Station or Gasoline Service Station

A retail place of business engaged in supplying goods and services essential to the normal operation of automobiles, whose primary use is the dispensing of automotive fuel and motor oil.

Awning

A permanent or temporary structure attached to and wholly supported by a building, and installed over or in front of openings or windows in a building, and consisting of a fixed or movable frame and a top of canvas or other similar material covering the entire space enclosed between the frame and the building.

Bar/Cocktail Lounge

Any premises wherein alcoholic beverages are sold at retail for consumption on the premises and minors are excluded therefrom by law. It shall not

mean a premise wherein such beverages are sold in conjunction with the sale of food for consumption on the premises and the sale of said beverages comprises less than twenty-five (25) percent of the gross receipts.

Barrier Strip

A strip of land one (1) foot or more in width dedicated to the City for street purposes and access control at the end of a dead end street or along the side or a part width dedicated street or other public right-of-way.

Base Flood

any The flood having a one (1%) percent chance of being equaled or exceeded in any given year (sometimes referred to as a 100-year flood).

Basement

Area of the building having a sub-grade floor (below ground level) on all sides.

Bed and Breakfast Use

A special accessory use to a one-family residential dwelling where a limited or specified number of guest rooms are made available to transient guests for rent to provide overnight sleeping accommodations on a less than weekly basis. Bed and Breakfast Uses are subdivided into three (3) basic categories as follows:

1. Host Home: One-family dwelling containing one (1) to two (2) guest rooms where said dwelling is occupied by the owner of the property.
2. Bed and Breakfast Home: One-family dwelling containing three (3) to five (5) guest rooms where said dwelling is occupied by the owner of the property.
3. Bed and Breakfast Inn/Lodge: An existing one-family dwelling which has been designated a Historical Structure containing a minimum of six (6) and a maximum of ten (10) guest rooms where said dwelling is occupied by the owner or manager of the property.

Bicycle Locker

A fully enclosed space accessible only to the owner or operator of the bicycle. This space may also serve other purposes.

Bicycle, Monitored Parking

An area for the parking of bicycles which is under constant surveillance.

Bicycle, Restricted Access Parking

Facilities within a locked room or locked enclosure accessible only to the owners or operators of bicycles parked within, or facilities within the common locked garage area(s) of a multiple family residential development which is accessible only to residents of the units for which the garage is provided.

Bicycle Way

An area either within or outside the right-of-way of a dedicated street where bicycle travel is the designated use.

Billboard

See Signs (Billboard).

Blinder Rack

An opaque device, which serves to obscure the lower two-thirds of any material displaying harmful matter.

Boarding or Rooming House

A building containing a dwelling unit where lodging is provided with or without meals for compensation for seven (7) or more persons.

Bridge

The construction of or addition to a bridge identified in the Circulation Element of the General Plan or is part of a major thoroughfare and spans a waterway, railway, roadway, highway, or freeway.

Building

Any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, animal, or chattel and having a fixed location upon the ground.

Building, Accessory

A subordinate building, including shelters or swimming pools, the use of which is incidental to that of the main building on the same lot and/or

building site.

Building Exposure

The linear measurement of exterior building walls enclosing interior spaces that are facing an outdoor area.

Building Face

The area of one building elevation, either the front, rear, or side.

Building Frontage

The side of a building that contains the main entrance for pedestrian ingress and egress. If more than one main entrance exists, the one that more nearly faces or is oriented to the street of highest classification as portrayed in the Circulation Element of the General Plan shall be considered the building frontage. If all streets are of the same classification, either side of the building may be considered to be the building frontage.

Building Height

The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the highest point of the highest gable of a pitch or hip roof, but exclusive of vents, air conditioners, chimneys, or other such incidental appurtenances.

Building, Main

A building in which is conducted the principal use of the lot and/or building site on which it is situated.

Building Official

The Building Official of the City of Taft, or his/her designee.

Building Setback Area (Front)

See Yard (Front).

Building Setback Area (Side)

See Yard (Side).

Building Setback Area (Rear)

See Yard (Rear).

Building Site

A legally created parcel or contiguous parcels of land in single or joint ownership, which provides the area and the open spaces required by this Title, exclusive of all vehicular and pedestrian rights-of-way and all other easements that prohibit the surface use of the property by the owner thereof.

Building Space

Building or portion of a building devoted to a single business interest without direct interior connections to other business interests.

Bulletin Board

A board, kiosk, or wall area not greater than eight (8) square feet on which are affixed personal notices, lost-and-found notices, business cards, and similar small informal notices referring to products, services, activities, or other items not offered on the same premises. The term, "Bulletin Board" shall not include attraction boards.

Business

A commercial, office, institutional, or industrial establishment.

Business Park

A group of two or more businesses located on a single parcel or contiguous parcels which utilize common off-street parking and access and/or share a common theme.

Cabana

Any portable, demountable, or permanent room, enclosure, or other structure erected, constructed or placed on a mobile home space and used in conjunction with a mobile home, and not used for sleeping purposes.

Canopy

A small roof or awning attached to the wall of a structure which is supported by no means other than its attachment to the wall.

Carport

A permanently roofed structure with not more than two (2) enclosed sides

used for automobile shelter and storage.

Church

An institution that people regularly attend to participate in or hold religious services, meetings, and other activities. The term “church” shall not carry a secular connotation and shall include buildings in which the religious services of any denomination are held.

City

The City of Taft, California.

City Council

The City Council of the City of Taft.

City Engineer

The City Engineer of the City of Taft.

City Manager

The City Manager of the City of Taft, or his/her designee.

City Standards

All building and development regulations enacted by ordinance, resolution or city policy, including standard drawings prepared by the Public Works Director/City Engineer, showing the nature of various items of improvement work to be constructed and/or made a part of on-site and off-site improvements associated with a development project.

Clubs

An association of persons for some common purpose but not including groups organized primarily to render service which is customarily carried on as a business.

Co-located

Locating wireless communications antennas and related equipment from more than one provider on a single tower, building, structure, or site.

Combining District

Any district in which the general district regulations are combined with those special districts for the purpose of additional special regulations.

Commercial

Any activity or use of land which involves buying, selling, processing or improving things not produced on the land, and having financial gain as the primary aim of the activity or use, whether or not such activity or use is for hire or on account of buyer, seller, processor or improver.

Communication Antenna

A transmitting or receiving device mounted on a tower, building, or structure, that is designed to transmit or receive communications, as authorized by the Federal Communications Commission, including but not limited to radiation or capture of electromagnetic waves, digital signals, analog signals, radio frequencies, wireless telecommunications signals, or other communication signals which transmit or receive radio signals. Antennas typically are either in dish, panel, or whip type structures.

Communication Equipment

Any communication antenna or related equipment designed to transmit or receive communications as authorized by the Federal Communications Commission.

Communication and Telecommunication Facilities

Includes cable television reception facilities, cellular telephone facilities, and centers for employee telecommuting, communication receiving and broadcasting facilities and the like.

Communication Tower

A tower greater than thirty-five (35) feet in height (including antenna) which supports communication (transmission or receiving) equipment. The term "communication tower" shall not include amateur radio operator's equipment, as licensed by the Federal Communication Commission.

Community Care Facility

Elderly housing licensed by the State Health and Welfare Agency, Department of Social Services, typically for residents who are frail and need supervision. Services normally include three (3) meals daily, house-keeping, security and emergency response, a full activities program, supervision in the dispensing of medicine, personal services such as assistance in grooming

and bathing, but no nursing care. Sometimes referred to as residential care personal care.

Community Noise Equivalent Level (CNEL)

The noise level during a twenty-four (24) hour day, in decibels, weighted to account for the lower tolerance of people to noise during evening (7:00 p.m. to 10:00 p.m.) and night (10:00 p.m. to 7:00 a.m.) hours relative to daytime hours. CNEL shall be computed as prescribed by Title 25 of the Administration Code of the State of California.

Community Services District

A community services district that has the power to construct and maintain streets, landscaping, or other public improvements as appropriate with the context used.

Condominium

An estate in real property consisting of an undivided interest in real property, coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map, parcel map or condominium plan in sufficient detail to locate all boundaries thereof, and as more specifically defined by California Civil Code Section 1351 (f).

Conservation Zone

An area of the City, whether commercial or residential, a majority of whose buildings are fifty (50) years old or older, which the City wishes to maintain and revitalize so as to emphasize their importance to the past, present, and future of the City.

Construction (New)

Structures for which the “start of construction” commenced on or after the effective date of this Title.

Construction (Start of, Substantial)

The placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings,

such as garages or sheds not occupied as a principal use as defined by the District within which the property is located.

Contiguous Parcels

Adjacent parcels of land, which shall be considered contiguous even if separated by roads, streets, utility easements, alleys, or railroad rights-of-way.

Convalescent Care

A facility licensed by the State Department of Public Health, the State Department of Social Welfare, or the Kern County Health Department which provides bed and ambulatory care for patients with postoperative convalescent, chronically ill or dietary problems, and persons aged or infirmed unable to care for themselves; but not including alcoholics, drug addicts, or persons with mental or contagious diseases or afflictions.

Convenience Store

Any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet.

County

The County of Kern, California.

County Assessor

The County Assessor of the County of Kern.

County Recorder

The County Recorder of the County of Kern.

Coverage (Lot or Site)

“Lot or Site Coverage” shall mean the ratio between the ground floor area of the building or buildings and the lot area.

Day Care Facility

A facility which provides no medical care to children under 18 years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual

on less than a 24 hours basis. Day care facility includes family day care homes, infant centers, preschools, and extended day care facilities. A “family day care home” is a day care facility located in a residence which regularly provides care, protection, and supervision of children from more than one other family, in the provider’s own home, for periods of less than 24 hours per day, while the parents or guardians are away and includes the following:

1. “Large family day care facilities” are those which provide family day care for seven (7) to twelve (12) children, including children who reside at the home.
2. “Small family day care facilities” are those which provide family day care to six (6) or fewer children, including children who reside at the home.

Demolition

Any act or process that destroys in part or in whole a structure.

Density

The number of permanent dwelling units per unit of land.

Density Bonus

The allocation of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision or preservation of an amenity at the same site or at another location. For example, under California law, a housing development that provides twenty (20) percent of its units for lower income households, or ten (10) percent of its units for very low income households, or 50 percent of its units for seniors, is entitled to a density bonus.

Derrick

Any portable framework, tower, mast, or structure which is required or used in connection with drilling, reworking, operating, or maintaining a well for the production of oil, gas, or other hydrocarbons from the earth.

Desertion

Desertion as defined in California Public Resource Code Section 3237, particularly Section 3237 (a)(3)(A)-(F), meaning that a reputable presumption of desertion will be found to exist if:

1. If a well has not been completed to production or injection and drilling machinery has been removed from the well site for at least six (6) months;
2. If a well's production or injection equipment has been removed from the well site for at least two (2) years;
3. If an operator has failed to comply with an order of the supervisor within the time provided by the order or has filed to challenge the order on a timely basis;
4. If an operator fails to designate an agent as required by Section 3200;
5. If a person who is to acquire a well that is subject to a purchase, transfer, assignment, conveyance, exchange, or other disposition fails to comply with Section 3202;
6. If an operator has failed to maintain the access road to a well site passable to oilfield and emergency vehicles.

Design Guidelines

The principals contained in a document that illustrates appropriate and inappropriate methods of rehabilitation and construction. The purpose of using design guidelines is to aid design and decision-making with regard to retaining the integrity of scale, design intent, materials, feeling, patterns of development, and historical character of a cultural resource.

Designated Site

A parcel or part thereof on which a cultural resource is or has been situated, and any abutting parcel or part thereof constituting part of the premises on which the cultural resource is situated, and which has been designated a cultural resource.

Development

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, excavation or drilling operations.

Development Agreement

An agreement between the City and project applicant (California Government Code Section 65864) specifying at a minimum the use, density

or intensity of use, the maximum height and size of proposed buildings, and provisions for the reservation or dedication of land for public purposes for a proposed development project. A development agreement may also include other conditions, terms and restrictions, and requirements for subsequent discretionary actions.

Development Project

Any of the following:

1. A project for which a building permit is required for a commercial, industrial, or institutional building, or residential building having five (5) or more living units.
2. Any new public facility where solid waste is collected and loaded and any improvements for areas of a public facility used for collecting and loading solid waste.
3. The definition of development project only includes subdivisions or tracts of single family detached homes if, within such subdivisions or tracts there is an area where solid waste is collected and loaded in a location which serves five (5) or more living units. In such instances, recycling areas as specified in this ordinance are only required to serve the needs of the living units that utilize the solid waste collection and loading area.

Dish Antenna

A dish-like antenna used to link communications sites together by wireless transmission of voice or data. Also called microwave antenna or microwave dish antenna.

Division of Oil, Gas, and Geothermal Resources

The Division of Oil, Gas, and Geothermal Resources (DOGGR) under the Department of Conservation of the State of California.

Dripline

A line which may be drawn on the ground around a tree directly under its outermost branch tips and which identifies that location where rain water tends to drip from a tree.

Drilling

Digging or boring a hole in the earth for the purpose of exploring for,

developing, or producing of oil, geothermal resources, injection, and hydrocarbons.

Drilling Equipment

The derrick, together with all parts of and appurtenances to such structure, every piece of apparatus, machinery or equipment used or erected or maintained for use in connection with drilling.

Drill Site

The premises used during the drilling or reworking of a well or wells located thereon.

Drive-Through Facility

A facility, including a restaurant which, by its design, allows people to receive goods and/or services while remaining in their automobiles.

Drive-Through Restaurant

A place of business that sells food products or beverages and which:

1. Delivers such food products or beverages to customers outside of the building in which they are prepared by means of a service window, counter, or similar method or device, or
2. Delivers such food products or beverages to customers within a building that is designed in such a manner that a majority of the customers will remove such food products or beverages from the building.

Dwelling

A building or a portion thereof designed and used exclusively for residential occupancy; including single and multiple-family dwellings; including mobile homes and manufactured housing, but not including hotels, motels, boarding houses or trailers.

Dwelling (Multi-family)

A building containing two or more dwelling units; either attached or detached.

Dwelling (Single-family)

A building containing one dwelling unit on one lot.

Dwelling Unit

A building or mobile home or portion thereof, designed for residential occupancy for not more than one family.

Easement

The right to use property owned by another for specific purposes or to gain access to another property. For example, utility companies may have easements on private properties to be able to install and maintain utility facilities.

Edge of a Right-of-Way

A measurement from the limit of the public right-of-way measured along a line equidistant from and parallel to the centerline of the freeway, highway, or roadway.

Educational Institutions

Public and other institutions conducting regular academic instruction at kindergarten, elementary, secondary, or collegiate levels, and including graduate schools, universities, research institutions and religious institutions. Such institutions must offer general academic instruction equivalent to the standards prescribed by the State Board of Education, confer degrees as a college or university of undergraduate or graduate standing, conduct academic or scientific research, or give religious instruction. This definition does not include commercial or trade schools.

Entertainment (Live)

This term, when used in this Code in connection with the performing arts and other methods of live performances by entertainers, shall apply to the following activities where they occur on a scheduled basis 3 or more days during a calendar year on the site of a use other than a public or semi-public use:

1. A musical, theatrical or dance recital performed by one (1) or more persons, regardless of whether performers are compensated;
2. Any form of dancing by patrons or guests at a business establishment;
3. A fashion show, except when conducted within an enclosed building used primarily for manufacture or sale of clothing.

Environmental Constraint Note

Any note or notes required by the conditions of approval to be shown on an Environmental Constraint Sheet and reference made thereof on the final map. This shall be required when constraints involving (but not limited to) any of the following are conditioned by the City Council: archaeological sites, geologic mapping, grading, building, building setback lines, flood hazard zones, fire protection, water availability, sewage disposal, and signalization mitigation.

Environmental Constraint Sheet

A duplicate of the final map on which are shown the Environmental Constraint Notes. This sheet shall be filed simultaneously with the final map, with the City Engineer and labeled Environmental Constraint Sheet in the top margin. Applicable items will be shown under a heading labeled Environmental Constraint Notes. The Environmental Constraint Sheet shall contain the following, or a similar statement: "The Environmental Constraint information shown on this map sheet is for informational purposes describing conditions as of the date of filing, and derived from public records or reports and does not imply the correctness or sufficiency of those records or reports by the preparer of this map sheet."

Environmental Impact Report (EIR)

A report complying with the requirements of the California Environmental Quality Act (CEQA) and its implementing guidelines. This term is synonymous with an Environmental Impact Statement (EIS) as defined in federal law.

Family

An individual, or two or more persons related by birth, marriage, or adoption [U.S. Bureau of the Census] or of not more than six persons living together who constitute a *bona fide* single-family housekeeping unit in a dwelling unit, not including a fraternity, sorority, club, or other group of persons occupying a hotel, lodging house, or institution of any kind.

Farm or Farm Parcel

A tract of land containing at least twenty (20) acres, devoted primarily to agricultural uses, together with dwelling and/or other accessory uses.

Farmer's Market

A designated area or building where farm direct produce is allowed to be sold to the public.

Farm-Related Business

A business operated on a farm parcel, related to or supportive of agricultural activities, such as cold storage facilities, sheds, maintenance shops, farm implement repair, and roadside sale agricultural products.

Fast Food Restaurant

Any retail establishment intended primarily to provide short-order services for on-site dining and/or take-out, including self-serve restaurants (excluding cafeterias where food is consumed on the premises), drive-through restaurants, and formula restaurants required by contract or other arrangement to offer standardized menus, ingredients, and fast-food preparation.

Feasible

Capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, environmental, social and technological factors.

Fence

Any structural device forming a physical barrier by means of hedge, wood, metal, chain, brick, stake, plastic or other similar materials.

Fire Hydrant

An appliance meeting City standards and approved by the Kern County Fire Department which has the suppression of fires as its primary function.

Flat Roof

A roof which is horizontal without a sloping, pitched, or mansard portion above.

Floor Area (Gross)

The total enclosed area of all floors of a building measured to the inside face of the exterior walls including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms, and basement or attic areas having a height of more than seven (7) feet, but excluding areas used exclusively for vehicle parking or loading.

Floor Area (Net)

The total building floor area excluding garages, hallways, lobbies, elevators, and other common spaces.

Floor Area (FAR)

The numerical value obtained by dividing the above ground gross floor area of a building or buildings located on a lot or parcel of land by the total area of such lot or parcel of land.

Front Footage of Building Occupancy

The single lineal dimension measured at the ground floor along the building frontage that defines the limits of the particular occupancy at that location.

Frontage (Building)

The side or face of the building that is parallel to or is at an angle of forty-five (45) degrees or less to a public street or a public parking area.

Frontage Road

A minor street which is parallel to, and adjacent to an arterial street or freeway, and which provides access to abutting properties and protection from through and fast traffic.

Frontage (Street or Highway)

That portion of a lot or parcel of land that borders and has access to a public street, highway or parkway. The frontage shall be measured along the common lot line separating the lot or parcel of land from the public street, highway or parkway.

Fruit/Vegetable Stand

Temporary structure used for the sale of cultivated fruits and/or vegetables grown on-site.

Garage

A permanently roofed structure with 3 enclosed sides and a garage door which is used for automobile shelter and storage.

Garage (Private)

A detached accessory building or a portion of a main building on the same

lot for the parking and temporary storage of vehicles of the occupants of the premises.

Garage (Public)

Any garage other than a private garage.

Gas

Any fluid, either combustible or noncombustible, which is produced in a natural state from the earth which maintains a gaseous or rarified state at standard temperature and pressure conditions. It shall also mean the gaseous components or vapors occurring in or derived from petroleum or natural gas.

General Plan

The City General Plan, as adopted by the City Council and subsequently amended.

Grade (Existing)

The surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project regulated by this Title.

Groundwater Recharge

The natural process of infiltration and percolation of rainwater from land areas or streams through permeable soils into water-holding rocks that provide underground storage (“aquifers”).

Grove

A planting of fruit or nut trees or other man-made planting of trees without under brush.

Guest Quarters

Living quarters located on the same premises with the primary dwelling unit or attached to the main portion of the primary dwelling unit for the sole use of persons employed on the premises, members of the family living in the primary dwelling unit, or for temporary use by guests of the family living on the premises. Such quarters shall have no kitchen and shall not be rented or leased or otherwise used as a separate dwelling.

Guest Room

Any rented or leased room which is used or designed to provide sleeping

accommodations for one or more guests in apartments, hotels, motels, private clubs, lodges and fraternal organizations. In a suite of rooms, each room that provides access to common hall or direct access to the outside area shall be considered as one guest room.

Harmful Matter

As defined in accord with Penal Code Section 313(a)(1)(2), means matter which, when taken as a whole, appeals predominately to the prurient interests of the average person and, when applying contemporary statewide standards with respect to what is suitable material for minors, lacks significant literary, artistic, political, educational, or scientific value for minors.

Hazardous Material

Any substance that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. The term includes, but is not limited to, hazardous substances and hazardous wastes.

Height

A vertical dimension measured from existing grade unless otherwise specified by this Title, Title 10 (Subdivision Ordinance), the Subdivision & Engineering Design Manual, and the City's adopted California Building Code.

Herbicide

A chemical used to kill plants (a class of pesticide).

Highway Building Frontage

A building wall parallel or nearly parallel to an adjacent highway.

Highway Lot Frontage

A property line adjacent to a highway right-of-way.

Historical Landmark

Any object designated as an historical landmark by City Council action.

Home Occupations

Any occupation customarily conducted entirely within a dwelling by its inhabitants, the purpose being incidental to the use of the dwelling for dwelling purposes, as provided in Section 6.12.17 of this Title.

Hospital

An institution for the diagnosis, care, and treatment of human illness, including surgery and primary treatment.

Hotel/Motel

A structure or portion thereof or a group of attached or detached structures containing completely furnished individual guest rooms or suites on a transient basis for compensation.

Household

All those persons, related or unrelated, who occupy a single housing unit (See “Family”).

Housing, Dependent

Residential occupancy of a temporary accessory living unit located on the same parcel as the principal unit, which is occupied by one or two adults, who: (1) have reached the age of 60, or (2) are dependents of the residents of the principal unit, or (3) are court-appointed conservators of a resident of the principal unit. For the purpose of this Section, “Dependent” means a related individual who is dependent upon the resident of the principal unit for financial support or health care. An individual will be determined to be a dependent for health care reasons if he or she is considered blind or disabled as defined in Section 1614(a) of Part A of Title XVI of the Social Security Act.

Housing, Group

Multi-residential living facilities, each of which contains group quarters in permanently fixed buildings or those portions thereof, which accommodate or are intended to accommodate residential land use types.

Housing, Secondary

Residential occupancy of a living unit located on the same parcel as the principal unit. In a commercial land use district, secondary housing, upon obtaining an approved conditional use permit in conjunction with a commercial land use, may be located either above the first floor, or if on the ground floor not on the street frontage. In a residential land use district the

provision of Section 6.12.200 of this Title shall apply.

Hunting Clubs

See Clubs.

Idle

To curtail for a period of one year or more surface mining operations by more than ninety (90) percent of the operation's previous maximum annual mineral production, with the intent to resume those surface mining operations at a future date. (California Public Resources Code, Sec. 2727.1)

Illumination (Direct)

Illumination by means of light that travels directly from its source to the viewer's eye.

Illumination (Indirect)

Illumination by means only of light cast upon an opaque surface from a concealed source.

Improvement

Such street work and utilities to be installed or agreed to be installed, by a subdivider or developer on land to be used for public or private streets, highways, and easements, as are necessary for the general use of the parcel owners and local neighborhood traffic and drainage and flood control needs as a condition of approval precedent to the approval and acceptance of a final map or issuance of a Certificate of Occupancy. "Improvement" also refers to such other specific improvements or types of improvements, the installation of which, whether by the subdivider or developer, by private or public utilities, or by any other entity approved by the City, or by a combination thereof, is necessary or convenient to ensure conformity to or implementation of the General Plan or any adopted specific plan.

Improvement Standards

The standards for improvements set forth in this and other regulations related to the development of land within the City.

Intensive Agricultural Use

Agricultural activities that typically are associated with one or more of the following impacts: strong offensive odors, substantial runoff, noise, large

concentrations of animal waste, and extensive use of chemical, compost, and manure piles.

Kennel (Commercial)

- a. Kennel (Commercial): Any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling dogs or cats, except a facility operated by a humane society, or a governmental agency or its authorized agents, for the purpose of impounding or caring for animals.
- b. Kennel (Non-commercial): Any premises where 5 or more dogs and/or cats over the age of four months are kept or maintained for the use and enjoyment of the occupant for non-commercial purposes.

Kiosk

Any off-site subdivision or business directional sign or structure, of four sides or less, typically constructed of four (4) inch by six (6) inch posts upon which business directional or subdivision signs may be mounted.

Kitchen

A room or any portion of a room, used for cooking and/or preparation of foods.

Landscaping

The planting and maintenance of some combination of trees, shrubs, vines, ground covers, flowers or lawns. In addition, a combination of design may include natural features, such as rock, stone, and structural features, including but not limited to fountains, reflecting pools, artwork, screens, walls, fences and benches. Organic materials, such as trees, shrubs, etc. are referred to as “soft” landscape. Inorganic materials, such as stone, masonry products, etc. are referred to as “hard” landscape.

Livestock

Domestic or useful animals normally kept or reared on a farm or ranch for work, breeding, fattening, or other purposes including, but not limited to horses, bovines, sheep, swine, and goats.

Logo

Logo shall mean a trademark or symbol of an organization or business.

Lot

A site or parcel of land under one ownership having frontage upon a street, other than an alley, or a private easement determined by the Planning Director to be adequate for purpose of access.

Lot (Area)

The horizontal area within the property lines excluding area to be included in future street right-of-way as established by dedication.

Lot (Corner)

A site bounded by two (2) or more adjacent street lines that have an angle of intersection of not more than one hundred thirty-five (135) degrees.

Lot (Depth)

The average horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

Lot (Double Frontage)

An interior lot having frontage on more than one street or a corner lot having frontage on more than three streets.

Lot (Flag or Corridor)

A lot with access provided to the bulk of the lot by means of a narrow corridor.

Lot (Interior)

A lot other than a corner lot.

Lot (Key)

The first interior lot to the rear of a reversed corner lot.

Lot (Reversed Corner)

A corner lot the side line of which is substantially a continuation of the front property line of the first lot to its rear.

Lot Line

A line of record that divides one lot from another lot or from a public or private street or any other public space.

Lot (Nonconforming)

A lot which when lawfully created or established, complied with the width, depth, and area requirements of the district where located, but which does not conform to the presently existing area or width and depth regulations of the district where located, or which does not conform to the presently existing requirements of the Subdivision Ordinance governing lot standards.

Lot (Width)

The average horizontal distance between the side lot lines, measured at right angles to the lot depth as a point midway between the front and rear lot lines.

Low or Moderate Income Households

Persons and families whose income does not exceed 100 percent of low income or 120 percent of moderate income of Kern County median income.

Lower Income Households

Persons or families whose income does not exceed 80 percent of Kern County median income, adjusted for family size and revised from time to time.

Maintenance

As it relates to the petroleum industry, the repair or replacement of machinery, equipment, apparatus, structure, facility and parts thereof, used on and in connection with and oil operation site or drill site which would constitute a fire or hazard to employees, public health, public safety, and public welfare.

Mansard Roof/Parapet

A sloped roof or roof-like façade above and architecturally compatible to a building wall.

Manufactured Home

A structure, transportable in one or more Sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term “manufactured home” also includes park

trailers, travel trailers and other similar vehicles placed on site for more than 180 consecutive days.

Manufactured Home Park or Subdivision

A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale or rent.

Matter

As defined in accord with Penal Code Section 313(b), means any book, magazine, newspaper, or other printed or written material or any picture, drawing, photograph, motion picture, or other pictorial representation or any statue or other figure, or any recording, transcription, or mechanical, chemical, or electrical reproduction or any other articles, equipment, machines, or materials.

Mean Sea Level

For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

Mined Lands

The surface, subsurface, and groundwater of an area where surface mining operations will be, are being, or have been conducted. This includes private ways and roads appurtenant to any such land excavations, workings, mining waste, and areas where structures, facilities, equipment, machines, tools or other materials or property which result from, or are used in surface mining operations are located.

Minerals

Any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances. These include, but are not limited to, sand, gravel, coal, peat and bituminous rock; but exclude geothermal resources, natural gas and petroleum.

Mineral Exploration

The search for minerals by geological, geophysical, geochemical or other techniques. These include, but are not limited to, sampling, assaying, drilling, or any surface or underground works needed to determine the type,

extent or quantity of minerals present.

Mining Operations (Surface)

All, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incidental to an underground mine. Surface mining operations shall include, but are not limited to:

1. In-place distillation, retorting or leaching.
2. Production and disposal of mining waste.
3. Prospecting and exploratory activities.

Mining Operator

Any person who is engaged in surface mining operations, who permits others to conduct surface mining operations on his property and who receives a financial benefit there from, or who contracts with others to conduct operations on his behalf, except a person who is engaged in surface mining operations as an employee with wages as his sole compensation.

Mining Waste

The residual of soil, rock, mineral, liquid, vegetation, equipment, machines, tools, or other materials or property directly resulting from, or displaced by, surface mining operations.

Minor

Any person under the age of eighteen (18) years.

Minor Change

For purposes of provisions of this Title relating to the subdivision of land only, "minor change" shall mean a modification of an approved tentative map that involves a change of lot lines, lot shape, lot dimensions, street alignment width or grade, grading proposals or other elements that do not change the basic design or improvements required in the approved tentative map and the conditions thereof.

Mobile Home

A transportable structure in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities; excluding recreational or travel.

Mobile Home Park

Any area or tract of land where one or more mobile home spaces are rented or leased or held out for rent or lease to accommodate mobile homes used for human habitation.

Mobile Recycling Unit

An automobile, truck, trailer or van, licensed by the Department of Motor Vehicles, which is used for the collection of recyclable materials. A Mobile Recycling Center also means the bins, boxes, or containers transported by truck, van, or trailer used for the collection of recyclable materials.

Monopole

A structure composed of a single spire used to support communications equipment.

Municipal Code

The Municipal Code of the City, as amended.

New Construction

For floodplain management purposes, structures for which the “start of construction” commenced on or after the effective date of a floodplain management regulation adopted by the City.

Natural Feature

Any tree, plant form, geographical or geological site or feature.

Nonconforming Use

A lawfully established and maintained use which does not conform with the development standards for site area per dwelling unit or density for the district in which the use is located by reason of adoption or amendment of this Title, or a lawfully established and maintained use of a structure or land which does not conform with the use regulations for the district in which it is located by reason of adoption or amendment of this Title.

Nuisance

An interference with the enjoyment and use of property.

Occupancy

Each separated use of property conducted on the entire lot or within a building or any portion thereof.

Off-Site Sale

The sale of packaged alcoholic beverages, including beer, wine, and distilled spirits for consumption off the premises where sold.

Off-Street Loading Facilities

A site or portion of a site devoted to the loading or unloading of motor vehicles or trailers including loading berths, aisles, access drives and landscaped areas.

Off-Street Parking Facilities

A site or portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives and landscaped areas.

Official Plan Line

A precise line that established future rights-of-way along any portion of an existing or proposed street or highway depicted on a map showing the streets and lot line or lines and the proposed right-of-way lines, and the distance thereof from the established centerline of the street or highway, or from existing or established property lines.

Oil Field

An area containing a proved subterranean store of petroleum of economic value.

Oil Field (Developed)

Defined area containing equipment for the purpose of extracting subterranean oil deposits that includes, but is not limited to, derricks, storage facilities, drilling equipment, temporary office and storage buildings.

Oil or Gas Exploration by Scientific Means

The search for natural accumulations of oil and gas by any geological,

geophysical, or other suitable means.

On-Site Sale

The sale of alcoholic beverages including beer, wine, and distilled spirits for consumption on the premises where sold.

Open Space (Usable)

Outdoor space that serves a recreational function or provides visual relief from the buildings mass; the minimum dimension of which shall be six (6) feet excluding required front yards.

Ordinary Maintenance and Repair

Any work for which a building permit is not required by law where the purpose and effect of such work is to correct any deterioration of or damage to a structure or any part thereof and to restore the same to its condition prior to the occurrence of such deterioration or damage.

Overburden

The soil, rock, or other materials that lie above a natural mineral deposit or in between deposits before or after their removal by surface mining operations.

Park (Private)

Land which is open and available for use by private ownership, membership or other mechanism that precludes park usage by members of general public.

Park (Public)

Land which is open and available for use by the general public for the active and passive recreational needs of the public.

Parking Facilities

Parking lots and structures.

Parking, Shared

A situation where the same parking spaces can be utilized by two (2) or more different uses due to the differing peak hours of operation of the uses involved.

Parking Space

A readily accessible area, within a structure or surface parking area, exclusive of aisles, driveways, ramps and columns, maintained exclusively for the parking of one vehicle.

Parking Structure

A structure used for the parking of vehicles where parking is accommodated on two (2) or more levels.

Parking (Tandem)

A parking space configuration where two (2) or more parking spaces are lined up, one behind the other.

Permitted Use

A use that is allowed by right in a particular zone or district without approval of a conditional use permit, and which meets the performance standards within this Title.

Person

Any individual, firm association, corporation, organization, partnership; any city, county, district, state; or any department or agency thereof, or other group acting as a unit.

Pitched Roof

Pitched or Gabled Roof shall mean a ridge roof with sloping ends over the building walls.

Place or Erect

The verbs to place or erect shall mean and include to place, construct, erect, re-erect, alter, install, enlarge, move, improve, convert, paint or equip.

Place of Worship Seating Area

The gross floor area of the main assembly hall or auditorium of a place of worship that must be identified for the purpose of calculating parking requirements when fixed seats are not provided. Only the actual seating area (including aisles) shall be counted. The final determination as to what constitutes the "Place of Worship Seating Area" shall be made by the

approval body of the City.

Poster

A sign, temporary in nature and usually on paper or cardboard, used to advertise a coming event or attraction.

Pre-Existing

In existence prior to the effective date of the ordinance enacting this Title.

Preservation

The identification, study, protection, restoration, rehabilitation, or acquisition of cultural resources.

Processing Facility

A building or enclosed space used for the collection and processing of recycling materials for shipment to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and manufacturing. Processing Facilities include the following:

1. A Light Processing Facility under 45,000 square feet of gross collection, processing and storage area and has up to average of two (2) outbound truck shipments per day. These facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to qualify as a Certified Processing Facility. This type of facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.
2. A Heavy Processing Facility is any processing facility other than a Light Processing Facility.

Project

Any proposal for new or changed use, or for new construction, alteration or enlargement of any structure, that is subject to the provisions of this Title.

Property Line (Front)

The shortest boundary line of a lot that is conterminous with a street line. Boundary lines of a double frontage lot that are coterminous with street lines shall be front property lines. When the boundary lines of a corner lot, which

are coterminous with street lines, are of equal or substantially equal lengths, the front lot line shall be determined by the Planning Director. In determining the front lot line, the Planning Director shall take into consideration the character of the improvements in the neighborhood of the lot, the relative impact to abutting property owners from the establishment of either of such boundaries as a front lot line, the character of the building proposed to be constructed and the distance that the buildings are set back from the lot lines of the two streets on which the lot in question abuts.

Property Line (Interior)

A lot line not abutting a street.

Property Line (Rear)

A lot line that is parallel or approximately parallel to the front lot line. Where no lot line is within 45 degrees of being parallel to the front lot line, a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, shall be deemed the rear lot line for the purpose of measuring rear yard depth.

Property Line (Side)

Any lot line that is neither a front lot line nor a rear lot line.

Property Line (Street Side)

A side lot line abutting a street.

Public Access

“Public Access” shall mean:

1. A dedication to public use or to the City and constructed to the required width for road purposes.
2. A permanent written easement for road purposes to the required width from the State or Federal Government.
3. An access road as defined in this Section that has been open to the public without posting for five years or more provided adequate evidence thereof is submitted to and approved by the City Engineer/ Public Works Director.

Public Use

A use operated exclusively by a public body, such use having the purpose of serving the public health, safety or general welfare, and including uses such as public schools, parks, playgrounds, hospitals, and administrative and service facilities.

Public Works Director

The Public Works Director of the City of Taft, or his/her designee.

Qualifying Resident

Any person sixty-two (62) years of age or older in a project of 150 residential units or fewer, or any person fifty-five (55) years of age or older in a project greater than 150 residential units.

Quasi-Public Use

A use operated by a private nonprofit educational, religious, recreational, charitable or medical institution, such use having the purpose primarily of serving the general public, and including uses such as churches, private schools and universities, community, youth and senior citizen recreational facilities, private hospitals, and the like.

Rainy Season

Period of the year that, based on historical data for the region, rain can be expected to occur with some frequency. The rainy season is considered to be October 15 through April 15.

Reclamation

The combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines. Mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses, and creates no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, re-soiling, re-vegetation, soil compaction, stabilization or other measures.

Recreational Vehicle

a motor home, travel trailer, truck or van camper, tent trailer, camping trailer or trailer-borne recreational equipment with or without motive power, for recreational, travel or emergency purposes. "Recreation vehicle" shall also

include boats, boat trailers, and recreational off-road vehicles.

Recreational Vehicle Park

Any area or tract of land where one or more lots are to be rented, leased, or held out for rent or lease to owners or users of recreational vehicles or tents used for travel or recreational purposes and which are occupied on a temporary and transient basis.

Recycling Area (Areas for Recycling)

Space allocated for collecting and loading of recyclable materials. Such areas shall have the ability to accommodate receptacles for recyclable materials. Recycling areas shall be accessible and convenient for those who deposit as well as those who collect and load any recyclable materials placed therein.

Recyclable Material

Reusable material, including, but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture, or construction for the purpose of using the altered form. Recyclable material does not include refuse or hazardous materials.

Recycling Facility

A center for the collection and/or processing of recyclable materials. A “Certified Recycling Facility” or “Certified Processor” means a recycling facility certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of material generated by that residential property, business or manufacturer. Recycling facilities may include the following:

1. Collection Facility

A center for the acceptance, by donation, redemption, or purchase, of recyclable materials from the public. Such a facility does not use power-driven processing equipment except as indicated in Section 6.12.190 of this Title. Collection facilities may include the following:

- a. Reverse Vending Machine(s).
- b. A “small collection facility” which occupies an area of not more than five hundred (500) square feet and may include:

- 1) A mobile unit;
- 2) Bulk reverse vending machines or a grouping of reverse vending machines occupying more than fifty (50) square feet;
- 3) Kiosk type units, which may include permanent structures; unattended containers placed for the donation of recyclable materials.

c. A “large collection facility” which may occupy an area of more than five hundred (500) square feet and may include permanent structures.

2. Mobile Recycling Unit

A “mobile recycling unit” means an automobile, truck, trailer or van, licensed by the Department of Motor Vehicles, which is used for the collection of recyclable materials. A mobile recycling center also means the bins, boxes or containers transported by trucks, vans, or trailers, and used for the collection of recyclable materials.

3. Processing Facility

A building or enclosed space used for the collection and processing of recyclable material. Processing means the preparation of material for efficient shipment, or to an end-user’s specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Processing facilities include the following:

- a. A “light processing facility” occupies an area of under 45,000 square feet of gross collection, processing, and storage area and has up to an average of two (2) outbound truck shipments per day. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to qualify as a Certified Processing Facility. A light processing facility shall not shred, compact, or bale ferrous other than food and beverage containers.
- b. A “heavy processing facility” is any processing facility other than a light processing facility.

4. Reverse Vending Machine(s)

A “reverse vending machine” is an automated mechanical device which accepts at least one or more types of empty beverage containers, including, but not limited to aluminum cans, glass and plastic bottles, cartons, and issues a cash refund or a redeemable credit slip with a value not less than the container’s redemption value as determined by the State. A reverse vending machine may sort and process containers mechanically, provided that the entire process is enclosed within the machine. In order to accept and temporarily store all three container types in a proportion commensurate with their relative redemption rates, and to meet the requirements of certification as a recycling facility, multiple grouping of reverse vending machines may be necessary.

A “bulk reverse vending machine” is a reverse vending machine that is larger than fifty (50) square feet; is designed to accept more than one (1) container at a time; and will pay by weight instead of by container.

Remedy a Violation

To bring the structure or other development into compliance with State or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damage, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

Restaurant, Bona Fide

A place which is regularly used and kept open for the primary purpose of serving meals to guests for compensation and which maintains a minimum of fifty-one (51) percent of its gross receipts from the sales of meals. For the purpose of verifying compliance with the foregoing sales requirement, the sales receipts, accounting ledgers and any other business records pertaining to the sales of food and alcohol shall be open for inspection by the Chief of Police or his or her designee during the regular business hours of the restaurant upon seventy-two (72) hours prior written notice.

Rework or Repair

As it relates to the oil industry, rework or repair is any work at the ground surface of an existing well for recompletion with the existing bore hole or by side tract operation beyond the extremities or sides of the existing bore hole casing.

Room (Habitable)

A room meeting the requirements of this Title for sleeping, living, cooking or dining purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms and similar spaces.

Self-Service Storage Facility

A building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractor supplies.

Sign

Any medium for visual communication, including copy, structure and component parts, which is used or intended to be used to attract attention to, identify, or advertise an establishment, product, service, activity or location, or to provide information. This definition shall not include the display of the American flag, State flag, or other similar political entities.

Sign (Accessory)

A sign whose copy refers to the products, facilities, or services available on the premises. Accessory window signs include also temporary posters attached to windows or placed within five (5) feet of any window and legible off the site.

Sign (Attraction Board)

A sign capable of supporting copy which is readily changeable, such as a theater marquee, which refers to products, services or coming events on the premises.

Sign (Banner, Flag, Pennant or Balloon)

A visual display device, with or without copy, which can vary in shape and is normally made of flexible material, such as cloth, paper or plastic.

Sign (Building-Mounted)

A sign affixed to a building, including awnings and windows.

Sign (Business Identification)

A sign whose copy is limited to the name, type of business, and address of

the premises upon which the sign is located.

Sign (Cabinet)

A building-mounting sign which consist of a single, internally lighted cabinet with the sign's lettering applied to that face rather than separate letters or figures mounted individually onto a wall or building (e.g. Channel Letters).

Sign (Canopy or Awning)

A sign painted, placed or installed on any awning or canopy.

Sign (Channel Letters)

A sign consisting of individual letters or figures mounted separately on the wall or structure to spell out or otherwise represent a sign's message copy.

Sign (Construction)

A sign containing information pertaining to a future development on a site where the sign is located, including the name of the product, developer, contractor, architect, financing source, future occupants and other information directly related to the development.

Sign (Convenience)

A sign that conveys information such as "restrooms", "no parking", "entrance", or minor business identification for directional purposes, and is designed to be viewed on site by pedestrians and/or motorists.

Sign (Copy)

Any words, letters, numbers, figures, designs or other symbolic representations incorporated onto the face of a sign.

Sign (Directional)

A sign directing motorists or pedestrians to parking or building facilities, or providing similar directional information.

Sign (Directory)

A sign to identify the name of the occupants within a business or residential complex.

Sign (Electronic Message)

A sign having the capacity of presenting variable message displays by projecting an electronically-controlled light pattern against a contrasting background to change messages by electronic process, or by remote control.

Sign (Exempt)

A sign which is designated as not subject to certain regulations of this Code.

Sign (Face)

The exterior surface of a sign, exclusive of structural supports, on which is placed the sign copy.

Sign (Freestanding)

A sign supported upon the ground and not attached to any building.

Sign Height (Freestanding Sign)

The greatest vertical distance between the top of the sign and the elevation measured at the roadbed of the nearest street.

Sign Height (Wall or Building Mounted Sign)

The distance between the top of the sign panel inserted into or placed on the wall and the roadbed of the nearest street.

Sign (Identification)

A sign whose copy is limited to the name, type of business, and address of a building, business, office, establishment, person, or activity, on the premises where the sign is located.

Sign (Identification, Major)

An identification sign facing the public streets or pedestrian paths providing primary access to the premises identified by the sign.

Sign (Identification, Secondary)

Any identification sign other than a major identification sign.

Sign (Illuminated)

A sign in which a source of light is used in order to make readable the

message or attract attention to the sign. This definition includes internally and externally lighted signs and glowing or radiating signs.

Sign (Monument)

A freestanding sign whose support structures shall be a solid base constructed of a permanent material such as concrete block or brick.

Sign (Nonconforming)

A sign, outdoor advertising, structure or display of any character which was lawfully erected or displayed, but which does not conform with standards for location, size, illumination or movement for the district in which it is located by reason of adoption or amendment of this Title.

Sign (Off-Site Advertising Sign)

A sign referring to any person, establishment, merchandise, service, event or entertainment which is not located, sold, produced, manufactured, provided or furnished on the premises upon which the sign is located.

Sign (On-Site)

A sign referring to a person, establishment, merchandise, service, event or entertainment which is located, sold, produced, manufactured, provided or furnished on the premises where the sign is located.

Sign (Pedestrian-Oriented)

A small sign readable primarily from the abutting sidewalk or other walkway, but not generally from the street.

Sign Permit

An entitlement from the City to place, erect, or alter a sign.

Sign (Pole)

A freestanding on-site whose support structures consist of bare members having no architectural form and detailing to hide the steel or wood members used to support the basic sign structure. These signs do not include signs whose support structures consist of decorative timbers or masonry structures.

Sign (Political)

A sign whose text indicates any one or a combination of the following: (a) the name and/or picture of an individual seeking election or appointment to public office; or (b) related to a forthcoming public election, initiative, or referendum.

Sign (Portable)

Any sign designated to be moved easily and which is not permanently affixed to either the ground, structure, or a building.

Sign Program (Planned)

A plan providing coordinated signing for a business or a contiguous group of businesses and utilizing one or more common design elements such as colors, materials, lettering, illumination, sign type, and sign shape.

Sign Review Authority

The entity that has been given the authority by this Title to review and approve or disapprove a sign or Planned Sign Program, or any appeals or variances connected with such signs. The reviewing authorities include the City Council and the Planning Director or her/his designee.

Sign Size or Area

The entire area of the sign face, including non-structural perimeter trim but excluding structures or uprights on which the sign is supported.

Sign (Special Event)

A temporary sign advertising special events and activities such as grand openings, special sales, charitable events, Christmas trees, fireworks and other events. Such signs are limited to the provisions listed in this Title.

Sign Structure

The structural supports, uprights, and bracing for a sign.

Sign (Subdivision)

An on-site or off-site sign advertising the original sale, leasing, or renting of units within a subdivision.

Sign (Surface Area)

The area of a sign measured by the smallest geometric form such as a square, rectangle, triangle, or circle, or combination thereof, which will

encompass the face of the sign on which the message is displayed.

Sign (Temporary)

A sign utilized to identify a business or other activity for an interim period.

Sign (Under Canopy)

A sign suspended beneath a projecting canopy, walkway cover, awning, ceiling or marquee.

Sign (Window)

Any written representation, emblem, or other figure or similar character painted on or otherwise affixed or oriented to a window.

Significant Feature

The natural or man-made elements embodying style or type of cultural resource, design, or general arrangement and components of an improvement, including but not limited to, the kind, color, and texture of the building materials, and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement.

Site

A lot or group of contiguous lots not divided by an alley, street, other right-of-way or city limit that is proposed for development in accord with the provisions of this Title, and is in a single ownership or has multiple owners, all of whom join in an application for development.

Specific Plan

A plan as defined in California Government Code Section 65450.

State Geologist

The individual holding office as provided in the California Public Resources Code, Section 677, Article 3, Chapter 2, Division 1.

Stealth Facility

Any communications facility designed to blend into the surrounding environment. Examples of stealth facilities may include screened roof-mounted antennas, building-mounted antennas painted to match the existing structure, antennas integrated into architectural elements, and antenna

structures designed to look like light poles. Stealth facilities are also referred to as concealed antennas.

Stockyard

Enclosure for the holding of cattle, swine, horses and other domestic animals kept for slaughter, market, or shipping.

Story

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. The basement or cellar shall not be considered a story unless the upper surface of the floor above is more than six (6) feet above the average level of the highest and lowest points of the ground surface immediately adjacent to the exterior walls of the building.

Street, Highway, or Public Right-Of-Way

A public thoroughfare, avenue, road, highway, boulevard, parkway, way, drive, lane, court or private easement, providing the primary roadway to and egress from the property abutting thereon.

Street, Arterial

A highway intended to serve thru traffic, where access rights are restricted and intersections with other streets or highways may be limited.

Street, Collector

A street which is intended to serve intensive residential land use, multiple family dwellings, or to convey traffic through a subdivision to roads of equal capacity or greater. It may also serve as cul-de-sac in industrial or commercial use areas but shall not exceed 660 feet in length when so used.

Street, Cul-de-Sac

A road open at one end only, which special provisions for turning around and the further extension of which is precluded by the land division design.

Street, Expressway

A highway for the thru traffic to which access from abutting property is restricted and which intersections with other streets or highways shall be limited to approximately one-half mile intervals.

Street, Highway

Highway shall mean roads, streets, boulevards, lanes, courts, places, commons, trails, ways or other rights-of-way or easements used for or lay out and intended for the public passage of vehicles or of vehicles and persons.

Street (Private)

A private reciprocal easement providing the primary roadway to and egress from the property abutting thereon.

Structure

Anything constructed or erected that requires a location on the ground, including a building or a swimming pool, but not including a fence or a wall used as a fence if the height does not exceed six (6) feet, or access drives or walks.

Structural Alteration

Any change in alteration to a structure involving bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, roof diaphragms, foundations, piles, retaining walls, or similar components.

Structure (Main)

A structure housing the principal use of a site or functioning as the principal use.

Subdivider

A person, firm, corporation, partnership or association who proposes to divide, divides, or cause to be divided real property into a subdivision for himself or for others except that employees and consultants as such persons or entities, acting in such capacity, are not “subdividers”.

Subdivision

The division, by any subdivider, of any unit improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future except for leases or agricultural land for agricultural purposes. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. “Subdivision” includes a condominium project, as defined in Section 1350

of the Civil Code, a community apartment project, as defined in Section 11004 of the Business and Professions Code, or the conversion of five or more existing dwelling units to a stock cooperative, as defined in Section 11003.2 of the Business and Professions Code.

Substantial Change

A revision to an adopted or proposed application or permit which would increase the intensity of site use or project-related traffic, increase the environmental impacts of the development, require a modification of approval findings, or modify conditions of approval specifically imposed by the approving body.

Substantial Improvement

Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either:

1. Before the improvement or repair is started, or
2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" occurs when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

Sump or Sump Pit

As it relates to the oil field; an earthen pit for discharge of oil field waste.

Swimming Pools and Hot Tubs

Water-filled enclosures having a depth of eighteen (18) inches or more used for swimming or recreation.

Tattooing

The act or process of marking or coloring the skin of any person by the insertion of pigment under the skin or by the production of scars.

Temporary Use

A use established for a fixed period of time with the intent to discontinue such use upon expiration of the fixed time period.

Tentative Map, Revised

A modification of an approved tentative map wherein the design of the land division is substantially changed from the approved tentative map.

Trailer

Any vehicle or structure used for sleeping, living, business, or storage purposes and having no foundation, other than wheels, blocks, skids, jacks, or skirting and which is, has been, or reasonably may be equipped with wheels or other devices for transportation of the structure from one place to another.

Trailer (Nonresidential)

Any trailer used as a construction building, temporary office, or the like.

Trailer (Travel)

A vehicle or portable structure built on a chassis that is designed to be used as a temporary dwelling for travel and recreational purposes having a body not exceeding eight (8) feet in width.

Tree Expert

A California Registered Professional Forester or an arborist certified by the Western Chapter of the International Society of Arborists.

Truck (Large)

A truck weighing 11,500 pounds or more unloaded.

Use

The purpose for which a site or structure is arranged, designed, intended, constructed, erected, moved, altered or enlarged for which either a site or structure is or may be occupied or maintained.

Used

Arranged, designed, constructed, altered, rented, leased, sold, occupied and intended to be occupied.

Variance

A grant of relief from the requirements of the Municipal Code that permits construction or use of land, in a manner that would otherwise be prohibited

by the Municipal Code as provided in Section 6.2.60 of this Title.

Vehicle

See “Automobile”.

Visible

Likely to be noticed by a person of average height walking on a street or sidewalk.

Warehousing

The use of a building or buildings for the storage of goods of any type, when such building or buildings contain more than five hundred (500) square feet of storage space and where no retail operation is conducted.

Warehouse (Mini)

See self-service storage facility.

Well (Oil)

Any well or hole already drilled, being drilled, or to be drilled from the surface into the earth which is used or intended to be used in connection with the drilling for, prospecting for, or production of oil, natural gas, or other hydrocarbon substances. The term “Oil Well” shall include injection wells for the purpose of secondary recovery and disposal wells for the purpose of disposing wastewater. It shall also include any well for the discovery of geothermal resources or any well of lands producing geothermal resources of reasonably presumed to contain geothermal resources, or any special well, converted, producing wells or reactivating abandoned wells employed for reinjecting geothermal resources or the residue thereof.

Whip Antenna

-) An antenna that transmits signals in 360 degrees. Whip antennae are typically cylindrical in shape and are less than 6 inches in diameter and measure up to eighteen (18 feet in height. Also called omnidirectional, stick, or pipe antennas.

Wireless Communications Facility

A land use facility supporting antennas and microwave dishes that send and/or receives radio frequency signals. Communications facilities include

structures or towers, and accessory buildings.

Yard or Court

An open space on the same site as a structure, unoccupied and unobstructed by structures from the ground upward or from the floor level of a structure requiring a yard or court upward from that floor level except as otherwise provided in this Title, including a front yard, side yard, rear yard or court between structures.

Yard or Garage Sale

A yard or garage sale is a sale of chattel goods which is undertaken by the occupant of a single family residence where the yard or garage sale occurs, or combined residents of a multifamily complex where the yard or garage sale occurs, which is no longer than three consecutive days in duration. nor which occurs more frequently than four times a year.

Yard (Front)

A yard extending across the full width of a site, the depth of which is the minimum horizontal distance between the front property line and a line parallel thereto on the site.

Yard (Rear)

A yard extending across the full width of a site, the depth of which is the minimum horizontal distance between the rear property line and a line parallel thereto on the site, except that on a corner lot the rear yard shall extend only to the side yard abutting a street.

Yard (Side)

A yard extending from the rear line of the required front yard, or the front property line of the site where no front yard is required, to the front line of the required rear yard, or the rear property line of the site where no rear yard is required, the width of which is the horizontal distance between the side property line and line parallel thereto on the site, except that the side yard on the street side of a corner lot shall extend to the rear lot line.

Yard (Junk or Salvage)

An area, improved or unimproved in excess of two hundred (200) square feet that:

1. Upon which or in which is stored or kept junk, salvage materials, scrap metals, inoperative vehicles or equipment, or any combination thereof;

2. Upon which vehicles or equipment or other property is dismantled or wrecked; or
3. Upon which or in which salvage materials, inoperative vehicles, equipment or parts there from, scrap metals, or any combination thereof is kept for resale.

Materials or equipment kept on any premises for use in construction of any building on such premises, and materials and equipment customarily used on a farm or ranch, and so situated, shall not be deemed “junk” or “salvage material” within the meaning of this subsection.

Zoning District

Those classifications of land, as included herein and identified on the Zoning Map, which regulate land use and establish standards by which land may be developed and utilized.