

**CHAPTER 3 OF TITLE VI  
SPECIAL ZONE DISTRICTS**

6.3.10 PLANNED DEVELOPMENT (PD) ZONE DISTRICTS..... 3-1  
6.3.20 COMMUNITY FACILITIES (CF) ZONE DISTRICT..... 3-12  
6.3.30 AIRPORT APPROACH HEIGHT (H) OVERLAY ..... 3-15  
6.3.40 DRILLING ISLAND (DI) ZONE DISTRICT ..... 3-18  
6.3.50 PETROLEUM EXTRACTION (PE) OVERLAY..... 3-22

**6.3.10 PLANNED DEVELOPMENT (PD) ZONE DISTRICT**

1. Purpose and Intent
  - a. The purpose and intent of the Planned Development districts is to encourage innovations in land development techniques so that the community may benefit from a greater flexibility, variety in type, design, and layout of sites and buildings than could otherwise be achieved. Planned Development projects should also encourage a more efficient use of land so that resulting economies may accrue to the benefit of the community at large.
  - b. The provisions of this Section establish procedures that provide for large-scale, multi-phased residential, commercial and/or industrial mixed use developments. These provisions permit the clustering of units, the mixing of land use and building types, and the formulation of specific development standards and design criteria that respond to the particular features or conditions affecting a site. In effect, the PD zone district sets the standards of development independent of other zone districts specified in this Title. All uses in a planned development zone district are subject to the discretion and approval of the Planning Commission and the City Council. No uses are granted by right.
  - c. The Planned Development zone district is intended to be applied when:
    - 1) The objectives of the General Plan would be more effectively achieved through the design flexibility of a planned development zone district; or
    - 2) The development promotes a harmonious variety of land uses and provides for an economy of shared services and facilities; or
    - 3) The physical characteristics of a site necessitate restricting conventional development opportunities to preserve a significant amenity or natural feature or mitigate a man-made or natural hazard; or
    - 4) The development is compatible with surrounding areas and fosters the creation of an attractive, healthful, efficient and stable environment for living, shopping or working.
2. Use Regulations

- a. Uses within a Planned Development zone district shall be established by a development plan approved for the site.
- b. Uses established a development plan shall be consistent with the General Plan and any applicable planned development or specific plan for the project site.
- c. Prior to the approval of a change of zone to the Planned Development zone district, the conditions of approval for the development plan shall establish the permitted, and the conditionally permitted primary and accessory uses for the planned project.

### 3. Origination of Proposals

The person submitting a proposal to rezone a proposed project to the planned development zone must either act as a developer or as sponsor of the proposed development. In addition, the application shall be in accordance with the procedures hereinafter established. A parcel or site proposed for the planned development zone need not be under a single ownership. However, if not under a single ownership, the separate owners shall have given their express intentions to enter into a private agreement ensuring that they will not develop the parcels separately, but rather in accordance with the single, unified plan submitted to the City. Further, prior to a public hearing held by the Planning Commission, the multiple owners shall enter into a contractual agreement, recorded with the Kern County Recorder's Office, expressing their commitment to act in such a manner as to be consistent with the planned development zone requirements as exhibited in the approved development plan.

### 4. General Procedure

The general procedure for establishing a planned development district is as follows:

- a. Prior to submission of a planned development application, the project applicant shall meet with the Project Assistance Team ("PAT") at a pre-application conference. The pre-application conference is intended to acquaint the applicant with the procedural requirements of Section 6.3.10 of this Chapter and to provide an opportunity to discuss the proposed preliminary plan with the PAT.
- b. Following the pre-conference meeting with the PAT, the applicant may then file a petition to rezone the project area as Planned Development. At this time the applicant shall also submit a detailed development plan for consideration by the Planning Commission. If a tentative subdivision map is part of the detailed development plan,

it shall be included with the submittal for Planning Commission consideration as well.

- c. The proposal will then be scheduled for a public hearing before the Planning Commission for a review of the detailed development plan, the rezoning, and the tentative subdivision map if applicable.
- d. The application for a change of zone to the planned development zone and the tentative tract map (if applicable) shall be acted upon by the Planning Commission with a recommendation to the City Council in a manner consistent with the provisions of Section 6.2.40 of this Title.
- e. Upon adoption of the rezoning to the planned development zone and approval of the tentative tract map (if applicable) by the City Council, the accompanying detailed development plan required approval only by the Planning Commission. Further action by the City Council concerning the approval of the final development plan is not required unless specifically requested by the City Council or appealed to the City Council in accordance with the provisions of Section 6.2.190 of this Title.
- f. Once the City Council approves the rezoning, the land is officially zoned and the applicant may move forward with the detailed development plan approval process. However, until such time as the detailed development plan is approved by the Planning Commission, or by the City Council, no land uses shall be permitted within the planned development zone district.
- g. The Planning Commission must then approve the detailed development plan prior to the issuance of any permits by the City. If a subdivision is required as part of the development plan, a final map must be recorded or, if the developer wishes to proceed with certain aspects of the project prior to recordation of the final map, the applicant shall provide adequate bonding, as approved by the Public Works Director and City Engineer prior to any permits (such as grading permits) being issued by the City.
- h. When approved, the detailed development plan shall be stamped and shall be signed by the Planning Commission Chairperson, the Planning Commission Secretary, the Public Works Director, and the Planning Director. Once these signatures are affixed, the applicant may begin procedures for obtaining the permits required for furtherance of the project.
- i. An application for a final development plan may be for a portion of the land included within the planned development zone district, or be

a phase thereof, provided that:

- 1) Each phase or portion of a phase shall be consistent with the overall detailed plan that that was approved by the Planning Commission; and
- 2) Each phase shall function as a complete and separate development from the remaining phases; and
- 3) Any densities proposed or open space areas provided within the subject phase shall not result from a transfer of density from adjoining phases or from the detailed development plan; and
- 4) Other improvements that may be necessary to protect public health and safety have been incorporated into the phase or portion of the phase of development.

5. Preliminary Site Plan Review

- a. Prior to filing for a rezone petition, the applicant shall submit a preliminary site plan to the Project Assistance Team. The PAT shall review the preliminary site plan and give the applicant comments within thirty (30) days of submission unless a longer review period is requested by the applicant.
- b. In reviewing the preliminary site plan the extent to which the proposal fulfills the intent of this Chapter and the spirit and intent of the General Plan will be considered.
- c. After the applicant has received preliminary review, the applicant may (1) file to rezone the project site to the planned development zone district and (2) submit the detailed development plan for consideration by the Planning Commission.

6. Preliminary and Detailed Development Plans Content

- a. The development plan shall function as a development suitability analysis and land use concept plan that achieves the following:
  - 1) Identifies and quantifies the constraints and opportunities for development posed by
    - a) The physical characteristics of the site;
    - b) Available public services and facilities;

- c) The capacity of the existing circulation system; and
    - d) The existing and planned land use of adjacent properties.
  - 2) Establishes a list of specific limits, parameters and planning objectives to guide development based on the identified development constraints and opportunities.
  - 3) Describes one or more potential development schemes derived from the limits, parameters, and planning objectives controlling development. Each proposed development scheme shall describe the following:
    - a) Proposed land uses and approximate distribution of such land uses;
    - b) Proposed density of residential uses;
    - c) Estimated population;
    - d) Estimated service demands;
    - e) The anticipated impact on the existing circulation system;
    - f) The anticipated impact on adjacent properties; and
    - g) The relationship of the plan to the various elements of the General Plan.
- b. The development plan shall function as an overall comprehensive plan of development for the Planned Development zone district that sets forth a written text, maps and/or diagrams and a detailed plan of development based upon the application of the established limits, parameters, and planning objectives controlling development. Said plan shall describe in detail:
  - 1) Proposed land uses and building types, the functional management of such uses and building types and relationship to site, site grading, circulation, lighting, paving, parking, screening, setbacks, recreation and open space areas, and adjacent properties;
  - 2) How the established limits, parameters and planning objectives have been adhered to;
  - 3) The level of public services and facilities required by the

proposed development and the program for providing, operating and maintaining such services and facilities;

- 4) Access and circulation requirements;
  - 5) Known man-made and natural hazards and methods for mitigation of such hazards;
  - 6) Significant natural features and areas to be retained for common open space, and provisions for the preservation, conservation, utilization and maintenance of such areas; and
  - 7) How the plan conforms to the objectives of the General Plan and Section 6.3.10 of this Chapter.
- c. The development plan shall set forth the location and dimensions of all uses and structures in sufficient detail to permit preparation of construction drawings.
  - d. If ambiguity exists as to the specific dimensions or extent of any designated area on the development plan, the specific boundaries shall be set by the filing of a legal description and map of the parcel in question.

#### 7. Filing Procedure

- a. The applicant shall submit for review the rezoning request and detailed development plan forty-five (45) days prior to a scheduled Planning Commission public hearing.
- b. The petition shall be signed by the owner or owners of all real estate involved in the petition for the planned development zone district, or shall have attached thereto letters of consent to change to a planned development zone district classification by all such owners prior to the filing.
- c. If a tentative subdivision map is involved in conjunction with the rezone petition, the tentative map shall also be filed at this time for review by the Project Assistance Team prior to submittal to the Planning Commission for a public hearing. However any such recommendation for approval by the Planning Commission shall be conditioned upon City Council approving the tentative subdivision map and the request to rezone to the planned development zone district.
- d. All environmental documentation shall be submitted by the applicant,

or his authorized representative, in accordance with the provisions of the California Environmental Quality Act and such documentation shall be distributed to all concerned public and private agencies consistent with the requirements of the California Environmental Quality Act no less than thirty (30) days prior to a public hearing before the Planning Commission.

- e. A public hearing shall be scheduled before the Planning Commission for it to consider and recommend to the City Council either approval, approval subject to modification, or denial.

#### 8. Conceptual and Detailed Development Plan Data

The scale of the plan shall not exceed one inch equals one-hundred feet (1"=100'). The detailed development plan may include any additional graphics which will explain the features of the proposed project. The following shall be included in the development plan submission:

- a. All documents and information included in the preliminary site plan, as updated and/or amended.
- b. Improvement plans for all infrastructure improvements required proposed in the detailed development plan.
- c. Proposed covenants, conditions, and restrictions, if any.
- d. Compilation of information shall be as follows:
  - 1) Include an index identifying all documents included in the conceptual and detailed development plan.
  - 2) Include a cover sheet indicating that it is either the conceptual development plan or the detailed development plan and indicate the date and case number of each.
  - 3) Twenty (20) copies of bound documents, maps, sketches, plans, and preliminary layout(s) are required for submittal. All graphics must be of such a scale as to be easily read but no larger than 18 by 24 inches and 10 reproducible copies no larger than 8 ½ by 11 inches.

#### 9. Detailed Development Plan Approval

- a. In review of the detailed development plan, the Planning Commission should consider the extent to which the proposal fulfills the intent of this Chapter and how well it meets the spirit and intent of the General

Plan.

- b. Upon review of the planned development zone district, the Planning Commission shall recommend approval, approval subject to conditions of approval, or denial to the City Council to grant or deny the rezoning.
- c. The Planning Commission may permit or require written commitments concerning the use of development of the property in connection with a favorable recommendation of the rezoning request or detailed development plan approval of a planned development zone district.
- d. If the Planning Commission gives an unfavorable recommendation, the applicant may revise the proposed detailed development plan and resubmit the revised and detailed development plan to the Planning Commission for reconsideration.
- e. The City Council, within thirty (30) days, shall review the rezoning petition, the recommendation(s) from the Planning Commission, and vote to approve, approve subject to conditions or deny the requested zone change. If the City Council hears testimony that was not heard by the Planning Commission prior to making its decision, the City Council may send the proposal back to the Planning Commission for further action.
- f. Should the City Council disapprove the rezoning, the applicant must wait one (1) year before resubmitting another petition.
- g. Should the City Council approve the rezoning, the land will be officially rezoned to the planned development zone district.
- h. Prior to signing of the detailed development plan surety shall be posted (if applicable) in an amount that is consistent with the cost of improvements outlined in the approved improvement plans as set forth by the Public Works Director and the City Engineer.
- i. Detailed development plan approval is required prior to the issuance of any permits. If a subdivision is required, the final map must be approved, unless bonding for improvements, as approved by the Public Works Director and City Engineer, is secured prior to the issuance of any permits.
- j. The Planning Commission may specify any additional plan documentation or supporting information not already submitted that is required prior to the issuance of any permits.

- k. When approved, the detailed development plan shall be stamped and shall be signed by the Planning Commission, the Planning Commission Secretary, the Public Works Director, the City Engineer, and the Planning Director.
- l. Upon one hundred percent (100%) completion of the development, proposed public properties shall be dedicated to the City if required by the terms and conditions of the detailed development plan. The Planning Commission shall review the completed project for compliance to the detailed development plan.

10. Minor Modifications

The Project Assistance Team may, from time to time in its administration of the planned development zone district, approve minor modifications to the detailed development plan or improvement plans without a public hearing in a manner consistent with the purpose of intent of the overall development. Such modification shall not include any increase in density, reduction of aesthetic treatments, any change in type of land use, or any change in access points.

An adversely affected party may appeal any decision of the Project Assistance Team to the Planning Commission as set forth in Section 2.180 of this Title. The Planning Commission has the authority to establish rules governing the nature proceedings and notice required to make a modification under the provisions of this Title.

a. Construction

No construction or installation work may commence on any public improvements until satisfactory improvement plans and specification have been submitted to and approved by the Public Works Director and City Engineer.

b. Extension, Abandonment, Expiration

An extension, not to exceed twelve (12) months, for initiating construction of the proposed project, or any phase thereof, may be granted by the Planning Commission for good cause shown.

Upon the abandonment of a detailed development plan authorized under this Section (abandonment shall be deemed to have occurred when no improvements have been made pursuant to the approved detailed development plan for a period of nine (9) consecutive months, or upon the expiration of three (3) years from the approval of the detailed development and improvement plans. In this situation, the land will

revert back to the Base Zoning district from which it was rezoned. The Planning Commissions may grant one (1) additional (12) month extension upon showing of good cause.

c. Limitation of Rezoning

Any initiative of the Planning Commission or City Council to amend the zoning ordinance or subdivision ordinance in a manner that would affect an approved detailed development plan before its completion shall not be enforced on said detailed development plan, only in the case where a detailed development plan is no longer in conformity with the approved detailed improvement plans, or is not proceeding in accordance with the time requirements imposed herein or by agreement, will the new adopted amendment of the zoning ordinance or subdivision ordinance apply.

11. Findings

- a. Prior to approving a request for a zone district change to the planned development zone district, the City Council shall find that all of the following are true:
- 1) That the proposed plan is consistent with the General Plan and any applicable specific plan.
  - 2) That the physical characteristics of the site have been adequately addressed and that the site is adequate to accommodate all proposed land uses and the general arrangement of such uses.
  - 3) That the detailed development plan adequately addresses and reflects all natural and man-made hazards associated with the project site.
  - 4) That the capacity of the circulation system is adequate or can feasibly be improved to accommodate the anticipated requirements of the proposed development.
  - 5) That realistic, feasible methods exist to accommodate the public service and facilities requirements of the proposed development.
  - 6) That the proposed land uses and proposed arrangement of such uses will be compatible with the existing and planned land use character of adjacent properties.

- 7) That the detailed development plan carries out the intent of the planned development zone district and the provisions of this Title.
- b. Prior to approving an application for a final development plan, the Planning Commission shall make the following findings:
- 1) That the proposed development is consistent with the General Plan and any applicable community plan or specific plan.
  - 2) That the sit for the proposed development is adequate in size and shape to accommodate proposed uses and proposed development standards for all yards, open spaces, setbacks, walls and fences, parking areas, loading areas, landscaping, and other features.
  - 3) That the improvements required by the conditions of approval, and the proposed manner of development, adequately address any natural and man-made hazards affecting the proposed development and the project site.
  - 4) That the site for the proposed development has adequate access, i.e., the conditions of the site design and development plan consider the limitations of existing and proposed streets and highways.
  - 5) That adequate public services exist, or will be provided in accordance with the conditions of approval, to serve the proposed development; and that approval of the proposed development will not result in a reduction of such public services to properties in the vicinity in a manner that is detrimental to the public health, safety and welfare.
  - 6) That the proposed development, as conditioned, will not have a substantial adverse effect on surrounding property or the permitted use thereof, and will be compatible with the existing and planned land use character of adjacent properties.
  - 7) The proposed development carries out the intent of the planned development zone district and other provisions of this Title by providing a more efficient use of the land and an excellence of design superior to that which could be achieved through the application of conventional development standards.
  - 8) The final plan is in substantial compliance with the approved development plan.

**6.3.20 COMMUNITY FACILITIES (CF) DISTRICT**

1. Purpose and Intent
  - a. The General Plan outlines the goals, objectives and policies establishing the location and character of public, quasi-public and institutional land uses and activities within the City.
  - b. It is the purpose of this Section to provide regulations that implement those goals, objectives and policies of the General Plan and to assure the availability and adequacy of lands suitable for future public, quasi-public and institutional facilities, uses and activities.
  
2. Use Regulations
  - a. Table 3.A of this Chapter identifies those land uses or activities that may be permitted, or conditionally permitted in the CF zone district, subject to the provisions of this Title and the General Plan. Table 3.A also depicts the permit procedure and the type of approval required by which each listed land use or activity may be permitted in said Community Facilities zone district.

**Table 3.A  
Uses Permitted Within Community Facilities District**

Legend

- P Permitted subject to Consistency Assessment  
 C Permitted Subject to approval of a Conditional Use Permit  
 X Prohibited

USE	Condition of Use
<b>A. COMMUNITY FACILITIES USES</b>	
1. Agricultural uses such as grazing, field crops, truck gardening, berry and bush crops, flower gardening, wholesale nurseries when used to buffer airport related uses	P
2. Aircraft associated activities (when associated with an airport operation) including aerial crop dusting and spraying enterprises; aerial firefighting enterprises; aerial photo and surveying; air carrier, commuter and scheduled air taxi operations; air shows, fly-in events, aircraft wash and wax operations; car rental; flying school or flying club; administrative and classroom facilities; professional offices; hangars and tie-down spaces for aircraft storage or parking; sale of aviation petroleum products; sale, rental or service of aircraft parts, avionics, instruments or other equipment; taxicabs, buses, limousines and other ground transportation facilities.	P

3.	Aircraft related manufacture, repair, maintenance, rebuilding, alteration or exchange of aircraft parts.	P
4.	Air museum	P
5.	Ambulance service (includes air ambulance)	P
6.	Animal shelters	C
7.	Airport, if not located within the boundaries of the Taft-Kern County Airport, including airfields, helicopter field or port, landing and takeoff runways and taxiways, buildings, improvements and activities primarily related to the operation of an airport facility such as hangars, air passenger terminal buildings, operation tower, fuel storage and refueling facilities, maintenance, security and public safety facilities.	C
8.	Auditoriums	C
9.	Cellular and microwave communications facilities	C
10.	Cemeteries	C
11.	Churches, synagogues, mosques, and temples	C
12.	Cultural activity structure or events	C
13.	Day nursery, nursery schools, and child care facilities per State law	C
14.	Education institutions (including public or private vocational schools)	P
15.	Fire station, fire training facility, and police station	P
16.	Fireworks stand, subject to Section 11.160 of this Title	P
17.	Hospitals	C
18.	Medical Marijuana Dispensaries (Ord. 731-07)	X
19.	Packaging and packing of products for air transport	P
20.	Post offices	P
21.	Preparation of chemical fire retardants as required for aerial fire fighting	C
22.	Public libraries and museums	P
23.	Public parks and recreation facilities (public or private)	P
24.	Public utilities and public service substations, drainage sumps, reservoirs, pumping plants and similar installations not including public utility offices	P
25.	Public utility services offices	P
26.	Recreational facilities such as zoos, country clubs, tennis and swim clubs, golf courses and private ranges, equestrian centers, with incidental limited commercial uses commonly associated and/or directly related to the primary recreational use	C
27.	Recreation uses such as parks, golf courses, golf driving range and similar uses involving the open use of land without structures or improvements when used to buffer airport related uses	C
28.	Residential care facility	C

29.	Recycling facility	C
30.	Restaurants (refer to Section 6.12.50 of this Title)	
	a) Non-bona fide restaurant or food service establishment serving alcoholic beverages, including upgrading an existing ABC license (e.g. beer and wine license to a hard liquor license)	C
	b) Bona fide restaurant or food service establishment not serving alcoholic beverages.	P
31.	RTC, CCF, Prisons	C
32.	All public buildings and grounds not otherwise mentioned herein	P
<b>B. ACCESSORY USES</b>		
1.	Accessory uses and structures located on the same site as a permitted use.	P
2.	Other accessory uses and structures located on the same site as a use permitted subject to a Conditional Use Permit.	C
<b>C. TEMPORARY USES</b>		
1.	Temporary uses (Subject to the provisions of Section 6.2.100 of this Title, and issuance of a Temporary Use Permit)	P
D.	Other uses similar to and no more objectionable than the uses identified above, subject to approval by the Planning Commission.	

3. Development Standards

a. General Requirements

- 1) The minimum property development standards for all land, buildings, and structures constructed or placed within the Community Facilities (CF) zone district shall be equivalent to the requirements of the zone district(s) of adjacent properties. When there is a conflict between adjacent zone districts and the CF zone district, the Project Assistance Team shall make the final determination as to the applicable development standards to be applied. The decision of the Project Assistance Team may be appealed to the Planning Commission in accordance with the provisions of Section 6.2.190 of this Title.

b. Special Requirements

- 1) Where off street parking areas are situated such that they are in a visual corridor, as may be defined in a precise plan adopted by the City Council, screening such as a wall or earthen berm two feet in height shall be erected between the street right-of-way and parking areas.
- 2) Except as otherwise permitted, a street side building setback area shall be used only for landscaping, pedestrian walkways,

driveways, or off-street parking.

- 3) Except as otherwise permitted, required rear and interior side building setback areas shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, storage of materials (when provided in accordance with the provisions of this Title), recreational activities or facilities, and similar accessory activities.

### **6.3.30 AIRPORT APPROACH HEIGHT OVERLAY (H) ZONE DISTRICT**

#### 1. Purpose and Intent

The Airport Safety Regulations are established to provide greater safety to both aviators and the general public by setting requirements for land use compatibility reviews within designated areas as set forth in Part 1, Chapter 4, Section 4.14 of the Taft-Kern County Airport Land Use Compatibility Plan of the County of Kern.

#### 2. Permitted Uses

Permitted uses in an H Zone District are those uses permitted by the base district within which the H Zone District is combined.

#### 3. Uses Permitted with a Conditional Use Permit

Uses permitted with a conditional use permit in an H Zone District are those conditional uses permitted by the base district within which the H Zone District is combined.

#### 4. Prohibited Uses

Prohibited uses in an H Zone District are those uses prohibited by the base district within which the H Zone District is combined.

#### 5. Minimum Lot Size

Minimum lot size requirements in an H Zone District shall be in compliance with the requirements of the base district within which the H Zone District is combined.

#### 6. Minimum Lot Area per Dwelling Unit

Requirements for minimum lot area per dwelling unit in an H Zone District shall be in compliance with the requirements of the base district within which the H Zone District is combined.

## 7. Yard and Setbacks

Yard and setback requirements in an H Zone District shall be in compliance with the requirements of the base district within which the H Zone District is combined.

## 8. Height Limits

The height of structures, trees and/or other objects in the H Zone District shall in no case be less restrictive than the requirement of Part 77 of the Federal Aviation Regulations of the Federal Aviation Administration (FAA), Department of Transportation, or of any corresponding rules or regulations of the FAA as amended. When there is conflict between the regulations of the combined, the regulations of the FAA shall prevail. When there is no such conflict, the permitted height shall be in accordance with the requirements of the base district within which the H Zone District is combined.

## 9. Minimum Distance Between Structures

The minimum distance between structures in an H Zone District shall be in Compliance with the requirements of the base district within which the H Zone District is combined.

## 10. Parking

Parking requirements in an H Zone District shall be in compliance with the requirements of Chapter 6.14 of this Title.

## 11. Signs

Sign requirements in an H Zone District shall be in compliance with the requirements of Chapter 6.15 of this Title.

## 12. Landscaping

Landscaping requirements in an H Zone District shall be in compliance with the requirements of the base district within which the H Zone District is combined.

## 13. Location Requirements

a. The Airport Safety Regulations apply to the Taft Airport and any future airports that may be established in the City.

b. The area subject to Airport Safety Regulations is the "Airport

Influence Area” as determined by the Kern County Airport Land Use Compatibility Plan.

- 1) An airport Influence Area, as determined by the Kern County Airport Land Use Compatibility Plan, ALUCP (refer to Table 2A of ALUCP Compatibility Criteria and Figure 4-66 Map “Taft-Kern Airport buffer zones” of this Chapter).
- 2) In all other cases, the applicable area may include all that area as defined in the Federal Aviation Regulations, Part 77. (FAR Part 77), which depicts imaginary surfaces for “objects affecting navigable airspace”, as applicable to the specific FAA approved Airport Layout and Approach Plan, as well as the state of California’s “Airport Land Use Planning Handbook”. In the event FAR requirements or the State’s Handbook change, the most current provisions shall apply.

#### 14. Findings

The Planning Director shall determine that all of the following are true prior to approving any land use application or issuing any development permit within the Airport Safety Review Areas as defined by the Kern County Airport Land Use Compatibility Plan. If the findings cannot be made, a conditional use permit shall be required. Such conditional use permit shall find that the proposed use will not adversely affect the safety of persons residing, working or traveling within the review areas or affect the viability of the airport, prior to approval of the project.

- a. The proposed use is consistent with the General Plan, Zoning Ordinance, and the Kern County Airport Land Use Compatibility Plan.
- b. The proposed use does not involve the storage or dispensing of volatile or otherwise hazardous substances that would endanger aircraft operations and public safety.
- c. The proposed use does not attract a large concentration of birds, produce smoke, generate electrical interference, reflect glare or light, or emit radio transmissions that may endanger aircraft operations.
- d. The proposed use promotes the public interest to provide for the development of the public-use airport and the area around the airport in such a manner, among other things, to comply with the noise standards adopted pursuant to the General Plan and the provisions of Section 6.11.180 of this Title and to prevent the creation of new noise and safety hazards.

- e. The proposed use enhances the protection of public health, safety and welfare, by ensuring the orderly expansion of the airport and the adoption of land use measures or development standards that minimize the public's exposure to excessive noise and safety hazards within the area around the airport to the extent that such areas are not already devoted to incompatible uses.
- f. The proposed use will not adversely affect safe air navigation, airport operations, or interfere with airport communications.
- g. The proposed use complies with the development standards specified by this Chapter.

15. Development Standards

When a land use is proposed within an area governed by this Chapter, the following standards and criteria shall apply:

- a. Proposed structures and the normal mature height of any vegetation shall not exceed the height limitations provided by the requirements of Federal Aviation Regulations (FAR), Part 77 or with the requirements of this Chapter. Existing topographic elevations, as compared to the elevation of the centerline of the runway (primary surface), shall be considered in determining the permitted height of an affected structure.
- b. Proposed uses shall be consistent with the General Plan, this Title, and the Kern County Airport Land Use Compatibility Plan.
- c. The proposed use or the structure shall not reflect glare, emit electronic interference or produce smoke that would endanger aircraft operations.
- d. All heliports shall be constructed pursuant to FAA Advisory Circular 150/5390-1B.
- e. The provisions of the California Airport Land Use Planning Handbook shall be met.

**6.3.40**

**DRILLING ISLAND (DI) ZONE DISTRICT**

1. Purpose and Intent

The purpose of the Drilling Island (DI) district is to designate single lots and relatively small areas within the boundaries of final map subdivisions and mobile home parks that contain productive or potentially productive

petroleum resources to promote the development of such resources in a manner compatible with surrounding development. Uses in the DI Zone District are limited to petroleum and gas exploration, production and transportation, and to compatible open space and recreational uses.

2. Permitted Uses

The following uses and all others determined to be similar to these uses, pursuant to Section 6.1.90 (Determination of Similar Use) of this Title, are permitted in the DI Zone District.

- a. Oil or gas exploration pursuant to Section 6.10.50 (Development Standards and Conditions) of Chapter 10 (Oil and Gas Production) of this Title.

3. Uses Permitted with a Conditional Use Permit

The following uses are permitted in the DI Zone District to obtaining and approved conditional use permit.

a. Parks

- 1) Any such park shall be “passive” with improvements limited to landscaping, picnic tables and/or barbecue facilities.
- 2) A sign shall be in accordance with the provisions of Section 6.15.30 (Sign Standards) of this Title, stating that the site is in a DI Zone District and is subject to future drilling and production activities.
- 3) Mineral rights owners of the subject property shall be given notification of an application for a conditional use permit in accordance with the provisions of Section 6.2.150 (Public Hearing and Notification Procedures) of this Title.

b. Parking lots

- 1) A sign, in accordance with Section 6.15.30 (Sign Standards) of this Title, stating that the site is in a DI Zone District and is subject to future drilling and production activities.
- 2) The mineral rights owners of the subject property shall be given notification of the application for a conditional use permit in accordance with the provisions of Section 6.2.150 (Public Hearing and Notification Procedures) of this Title.

- c. Recreational vehicle or boat storage, when contiguous to and for the benefit of an adjacent residential development.
- d. Drainage sump, provided that mineral rights owners have been given written consent.

4. Prohibited Uses

All other uses not permitted by Sections 6.3.40.2 (Permitted Uses) and 6.3.40.3 (Uses Permitted with a CUP) of this Chapter are prohibited in the DI Zone District.

5. Minimum Lot Size

No portion of any lot within the DI Zone District shall contain less than two and one-half (2 ½ ) gross acres in size.

6. Minimum Lot Area Per Dwelling Unit

There is no requirement for minimum lot area per dwelling unit in the DI Zone District since dwelling units are not permitted.

7. Yards and Setbacks

Pursuant to Section 6.10.50 (Development Standards and Conditions) of this Title, no oil or gas well shall be drilled within one hundred (100) feet of the right-of-way of any public highway, proposed public highway, Official Plan Line, or Specific Plan Line in the DI Zone District.

8. Height Limits

Height limits in the DI Zone District are as follows:

- a. None on derricks and other equipment used during the exploration and drilling phase of development.
- b. Pumping units shall not exceed thirty-five (35) feet in height.

9. Minimum Distance Between Structures

Minimum distance between structures in the DI Zone District shall be as provided in Section 6.9.50 (Development Standards and Conditions) of this Title.

10. Parking

There is no minimum requirement for parking in the DI district provided, however, that all vehicle parking and maneuvering areas shall be treated and maintained with oiled sand or a similar dust binding material as approved by the Public Works Director.

11. Signs

The following signs are permitted in the DI district in accordance with the Requirements of Chapter 6.15 (Sign Regulations) of this Title.

- a. Directional signs, warning signs, and identification signs, not to exceed two (2) square feet each in accordance with the provisions of Section 6.15.90 (Public Safety Signs) of this Title.
- b. Temporary real estate signs advertising the property for sale or rent, not to exceed six (6) square feet each, excluding the area of any vertical and/or horizontal support members, in accordance with the requirements of Section 6.15.50 (Temporary Signs) of this Title.

12. Landscaping

Landscaping in the DI zone district shall be approved by the Project Assistance Team.

13. Special Review Procedures and Development Standards

- a. All drilling and other hydrocarbon development activity in the DI district shall be carried out in accordance with the standards and procedures set forth in Section 6.9.50 (Development Standards and Conditions) of this Title.

14. Implementation Measures

- a. Upon cessation of drilling and/or producing operations in drilling islands, the City will consider initiating zone changes for such drilling islands to zoning districts compatible with surrounding land uses, provided the owner/operator demonstrates proper abandonment and cleanup in accordance with DOGGR regulations.
- b. Non-petroleum related discretionary projects proposed on abandoned oilfields will be required to demonstrate that abandonment and clean up have taken place in compliance with regulations administered by DOGGR.

**6.3.50**

**PETROLEUM EXTRACTION (PE) OVERLAY ZONE DISTRICT**

1. Purpose and Intent

The purpose of the Petroleum Extraction (PE) Zone District is to designate lands containing productive or potentially productive petroleum resources to promote the development of such resources in a manner compatible with surrounding development. The PE Zone District may be applied only to those areas that are zoned Residential Suburban (RS) or General Commercial (GC). The uses allowed and the regulations established by the PE Zone District shall be in addition to the regulations of the base district with which the PE Zone District is combined.

2. Permitted Uses

The following uses and all other uses determined to be similar to these uses pursuant to Section 6.1.90 (Determination of Similar Use) of this Title are permitted in the PE Zone District.

- a. Wells for the exploration for and development and production of oil or gas or other hydrocarbon substances if the well or wells are located more than three hundred (300) feet away from any existing dwelling or existing building utilized for commercial purposes, excluding those premises utilized solely for storage of equipment, material, household goods, or similar material.
- b. Deepening or re-drilling, within the existing well bore, of any well used for the production or development of oil, gas, or other hydrocarbon substances, or the replacement of any production facility which did not require a conditional use permit on the date drilling began or the date the facility was installed.
- c. Drilling of a replacement well when the original well did not require a conditional use permit, and when the original well has not been abandoned in accordance with California Division of Oil, Gas and Geothermal Resources regulations and drilling of a replacement well commences within one (1) year of the conclusion of abandonment procedures, and the replacement well is located within twenty (20) feet of the original well or is farther from any existing dwelling or commercial building than the original well.
- d. Uses permitted by the base district with which the PE Zone District is combined.

3. Uses Permitted by a Conditional Use Permit

The following uses and all other determined to be similar to these uses, pursuant to Section 6.1.90 (Determination of Similar Use) of this Title are

permitted in the PE Zone District subject to securing a conditional use permit in accordance with the provisions of Section 6.2.50 (Conditional Use Permits) of this Title.

- a. Wells for the exploration for and development and production of oil or gas or other hydrocarbon substances if the well or wells are located more than three hundred (300) feet away from any existing dwelling or existing building utilized for commercial purposes, excluding those premises utilized solely for storage of equipment, material, household goods, or similar material.
- b. Conditional uses permitted by the base district with which the PE Zone District is combined.

4. Prohibited Uses

All other uses not permitted by Sections 6.3.50.2 (Permitted Uses) and 6.3.50.3 (Uses Permitted by Conditional Use Permit) of this Chapter, or accessory thereto, or of uses not permitted in the base district, with which the PE Zone District is combined, are prohibited in a PE Zone District.

5. Minimum Lot Size

Minimum lot size requirements in a PE Zone District are per the requirements of the base district with which the PE Zone District is combined.

6. Minimum Lot Area per Dwelling Unit

Requirements for minimum lot area per dwelling unit in a PE Zone District are per the requirements of the base district with which the PE Zone District is combined.

7. Yards and Setbacks

Yard and setback requirements in a PE Zone District are as follows”

- a. No oil or gas well shall be drilled within one hundred (100) feet of the right-of-way of any existing or proposed public highway or street, Official Plan Line, or Specific Plan Line.
- b. All other uses permitted by the base district shall conform to the yard and setback requirements of the base district with which the PE Zone District is combined.

8. Height Limits

Height limit requirements in a PE Zone District are as follows:

- a. No height limit on derricks and other equipment used during the exploration and drilling phase of development.
- b. Pumping units shall not exceed thirty-five (35) feet in height.
- c. All other uses permitted by the base district shall conform to the height limits of the base district with which the PE Zone District is combined.

9. Minimum Distance between Structures

Requirements for minimum distance between structures in a PE Zone District are as follows:

- a. Per the requirements of Chapter 6.10 (Oil and Gas Production) of this Title.
- b. All other uses shall comply with the base district with which the PE Zone District is combined.

10. Parking

Parking requirements in a PE Zone District are as follows:

- a. No minimum requirement for drilling and production activities; provided, however, that all vehicle parking and maneuvering areas shall be treated and maintained with oiled sand or a similar dust binding material.
- b. All other uses permitted by the base district shall conform to the requirements of the base district with which the PE Zone District is combined.

11. Signs

The following signs are permitted in a PE Zone District in accordance with the requirements of Chapter 6.15 (Sign Regulations) of this Title.

- a. Directional signs, warning signs, and identification signs in connection with oil, gas or other hydrocarbons drilling and development operations not to exceed two (2) square feet each in accordance with the provisions of Section 6.15.90 (Public Safety Signs) of this Title.
- b. Signs permitted by the base district with which the PE Zone District is combined.

12. Landscaping

Landscaping requirements in a PE Zone District are per the requirements of the base district with which the PE Zone District is combined.

13. Special Review Procedures and Development Standards

All drilling and hydrocarbon development activities in a PE Zone District shall be carried out in accordance with the standards and procedures set forth in Section 6.10.50 (Development Standards and Conditions) of this Title.