

**CHAPTER 13 OF TITLE VI
PERFORMANCE STANDARDS**

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6.13.10 **PURPOSE AND INTENT**

The performance standards outlined in this section are intended to describe the location, configuration, design, amenities, operation, and other standards for existing and proposed development projects which have the capability of impacting the surrounding neighborhood. The performance standards set maximum limits on adverse environmental effects created by any use or development of land.

6.13.20 **APPLICABILITY**

1. Applicability

Unless otherwise specified, the performance standards contained within this section are intended to apply to land uses within the City, in addition to standards of the zone district within which the use is located and other applicable portions of this Title.

2. Administration and Management

The standards of this chapter shall be enforced in an ongoing manner by the Planning Director. Upon discovery of any potential violation of these standards, the Planning Director shall investigate, using such instruments as may be necessary. If a violation is found to exist, the violation shall be abated as prescribed in Section 1.40 (Enforcement) of this Title.

3. Exemptions

The following sources of nuisances are exempt from the provisions of this chapter:

- a. Emergency equipment, vehicles, devices, and activities.
- b. Temporary construction, maintenance, or demolition activities from between one-half (1/2) hour before sunrise and one-half (1/2) hour after sunset.

6.13.30 **AIR QUALITY**

No operation or activity shall cause the emission of any smoke, fly ash, dust, fumes, vapors, gases or other forms of air pollution which can cause material damage to health, or property, or which can cause excessive dirt on any other lot. No emission shall be permitted which exceeds the requirements of the San Joaquin Valley Unified Air Pollution Control District and/or the requirements of any Air Quality Plan adopted by the City.

6.13.40 ELECTRICAL OR ELECTRONIC INTERFERENCE

No operation or activity shall cause any source of electrical or electronic disturbance that adversely affects either persons or the operation of any equipment on any other lot which is in conformance with the regulations of the Federal Communication Commission.

6.13.50 FIRE AND EXPLOSIVE HAZARDS

Any operation or activity involving the storage of flammable or explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and shall provide adequate fire-fighting and fire suppression equipment and devices in accordance with the requirements of the California Fire Code and the Kern County Fire Department. Burning of waste materials in an open fire is prohibited.

6.13.60 HAZARDOUS MATERIALS AND WASTES

The release or emission of hazardous materials and wastes into the atmosphere, ground, or sewage systems is prohibited.

6.13.70 HEAT AND COLD

No operation or activity shall emit heat or cold which would cause a temperature increase or decrease on any adjacent property in excess of ten (10) degrees Fahrenheit, whether the change is in the air, on the ground, or in any structure.

6.13.80 LIGHT AND GLARE

No operation, activity, sign, or lighting fixture shall create illumination which exceeds one-half (1/2) foot candles on any adjacent property, whether or not the illumination is from a direct or indirect light source. All lighting shall be designated to project downward and shall not create glare on adjacent properties.

6.13.90 LIQUID AND SOILD WASTES

No operation or action shall discharge at any point onto any public street, public sewer, private sewage disposal system, stream, body of water, or into the ground any materials which can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, except as provided in this Title.

6.13.100 MAINTENANCE OF OPEN AREAS

All open areas shall either be landscaped and/or be surfaced, treated and maintained permanently in a manner which will minimize dust.

6.13.110 MECHANICAL AND ELECTRICAL EQUIPMENT

All such equipment, including air conditioners, antennas, pumps, transformers, and heating and ventilating equipment shall be located and operated in a manner that does not materially disturb adjacent uses and activities.

6.13.120 NOISE AND SOUND

Unless otherwise specified in Chapter 6.11 (General Development Standards) and Chapter 6.12 (Specified Use Development Standards) of this Title, all commercial and industrial uses shall be operated so that no loudspeakers, bells, gongs, buzzers, or other noise attention or attracting devices exceeds seventy (70) dBA in nonresidential areas or fifty-five (55) dBA in residential areas at any one time beyond the boundaries of the property.

6.13.130 ODORS

No operation or activity shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, injurious, noxious, or otherwise objectionable to a level that is detectable without the aid of instruments at or beyond the property lot lines.

6.13.140 OUTDOOR STORAGE, TRASH AREAS, AND SERVICE AREAS

All areas for storage of maintenance equipment or vehicles, refuse and collection areas, and service areas shall be enclosed or effectively screened from public view by a fence, wall, landscaped area, berm, or a combination thereof.

6.13.150 SMOKE

No operation or activity is permitted to emit excessive smoke, fumes, or dust which exceeds the requirements or levels specified by the San Joaquin Valley Unified Air Pollution Control District.

6.13.160 VIBRATION

No use shall be permitted which creates a steady-state, earth-borne oscillation which is continuous and occurring more frequently than one hundred (100) times per minute on adjacent properties. The ground vibration caused by moving vehicles, trains, aircraft, or temporary construction or demolition is exempted from these limits.