

CHAPTER 19.32
GENERAL COMMERCIAL (C-2) DISTRICT

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19.32.010 PURPOSE AND APPLICATION

The purpose of the General Commercial (C-2) District is to designate areas for the widest range of retail commercial activities, including regional shopping centers and heavy commercial uses. The C-2 District may also be combined with the Cluster (CL) Combining District to achieve innovative, creative office or commercial development. The C-2 District should be located on major highways.

19.32.020 PERMITTED USES

The following uses and all others determined to be similar to these uses pursuant to Sections 19.08.030 through 19.08.080 of this title are permitted in accordance with the standards and procedures set out in Chapter 19.80 of this title:

A. RESIDENTIAL USES

- Bed and breakfast inn
- Community care facility
- Dwelling units located entirely above the ground floor of a commercial building as specified in Subsection 19.32.130.C
- Emergency shelter
- Manager, caretaker, or proprietor quarters
- Retirement or rest home
- Supportive or transitional housing

B. RECREATION, ENTERTAINMENT, AND TOURIST FACILITIES

- Batting cage
- Bingo parlor
- Bowling alley
- Circus or carnival, temporary, not to exceed four (4) days
- Dance hall, ballroom, or discotheque
- Golf driving range
- Health club
- Hotel or motel
- Miniature golf course
- Movie theater, walk-in
- Pool or billiard parlor
- Skateboard arenas, enclosed
- Skating rink, roller or ice
- Tennis or swim club
- Theater, live
- Video games arcade

C. COMMERCIAL USES

1. Offices
 - Business or professional
 - Financial, including bank, savings and loan, or credit union
 - Real estate
 - Research and development
2. General Retail Sales
 - Antiques, provided there is no outside display

- Appliances, including service and repair, provided there is no outside storage
- Art gallery
- Auto leasing
- Auto, new
- Auto parts and accessories
- Auto tire, including service, pursuant to Subsection 19.32.130.D
- Auto, used
- Bicycle, including rental and service
- Boat, including service and parts when incidental to sales
- Bookstore, general
- Christmas tree, temporary
- Clothing and apparel
- Computer, including service and repair
- Department store
- Drugs and pharmaceuticals
- Electric appliances, including service and repair
- Electric equipment, including service and repair
- Feed, provided there is no outside storage
- Fireworks stand, temporary
- Floor covering, drapery, or upholstery
- Florist
- Fruit stand
- Furniture
- Gardening and landscaping supply, provided there is no outside storage
- Gift and card

- Gun, including repair
- Hardware, general, including lumber sales, provided areas devoted to outside storage of materials are screened from public view
- Hobby supplies
- Home or office furnishings
- Ice vending machine
- Jewelry and watches
- Lapidary
- Lawnmower, including repair, when located entirely within a building
- Leather goods and luggage
- Locksmith or key and lock shop
- Military surplus, provided there is no outside storage
- Mobilehome, including rental and service
- Motorcycles, including service and repair
- Musical instruments (including repair)
- Newspaper or magazine stand
- Nursery, plant
- Office machines and equipment
- Paint and wallpaper
- Pawn shop
- Pet store
- Photographic supply or camera
- Plumbing supply, provided there is no outside storage
- Pottery
- Recreational vehicles, including service

- Shoes
 - Sporting goods and athletic equipment
 - Stationery and office supply
 - Tobacco
 - Toys
 - Truck, including rental
 - Used clothing and household goods, provided there is no outside storage
 - Variety
 - Video and audio tape sales and rentals
3. Food and Beverage Retail Sales
- Bakery
 - Catering
 - Convenience market
 - Drive-in food market or dairy
 - Farmers' market
 - Food store
 - Liquor store
 - Specialized, including meat, vegetables, health foods, or candy
4. Eating and Drinking Establishments
- Bar, tavern, or cocktail lounge
 - Ice cream parlor
 - Restaurant, cafe, or coffee shop
 - Restaurant, fast-food

5. Services

- Ambulance
- Appliance repair
- Artist studio
- Auto body repair and painting
- Auto rental
- Auto service or repair
- Auto service station
- Auto wash
- Auto wash, self-service
- Barber or beauty shop
- Bath house, including sauna, spa, Turkish, steam, or tanning
- Carpet cleaning
- Chiropractic or massage therapy
- Clinic, medical or physical therapy, out-patient only
- Equipment, small, rental
- Furniture cleaning, refinishing, or upholstery
- Interior decorator
- Janitorial service
- Laboratory, medical, dental, optical, or biological
- Laboratory, testing, classifying, or experimental, not involving the use of explosives or hazardous materials
- Laundromat, self-service
- Laundry, drop off and pick up only

- Miniwarehouse, for storage of personal household goods, provided there is no outside storage; excludes cargo containers and other temporary storage structures
- Mortuary or funeral parlor
- Packaging and mailing services
- Pest control, administrative offices only
- Pet grooming
- Photography studio
- Picture framing
- Printing, lithography, or blueprinting
- Shoe repair
- Shoe-shine stand
- Smog inspection station
- Tailor or dressmaker
- Tanning salons
- Tattoo parlor and body piercing
- Taxidermist
- Telegraph
- Ticket agency
- Travel agency
- Truck fueling station, without repair facilities
- Veterinary, household pets only, provided there are no outside kennels
- Wedding chapel

D. UTILITY AND COMMUNICATIONS FACILITIES

- Transmission lines and supporting towers, poles, pipelines, and underground facilities for gas, water, electricity, telephone, or telegraph service owned and

operated by a public utility company under the jurisdiction of the California Public Utilities Commission pursuant to Section 19.08.090 of this title

— Utility substation

E. INSTITUTIONAL USES

— Auditorium, public

— Charitable or public service organization

— Church

— Club or lodge

— Community or senior citizen's center

— Convalescent hospital

— Fire or police station

— Government office or building

— Hospital

— Labor union hall

— Library

— Museum, indoor only

— Public agency or utility buildings and facilities

— Post office

— Rehabilitation facilities

— Sanitarium

F. EDUCATIONAL INSTITUTIONS AND SCHOOLS

1. General

— Preschool

— Elementary school

— Junior high school

— Senior high school

2. Specialized Schools

- Art, craft, or music school
- Business or trade school, provided that all instruction is conducted within a building and that there is no outside storage of materials or supplies associated with the school
- Dance school
- Driving school
- Martial arts school
- Swim school

G. RESOURCE EXTRACTION AND ENERGY DEVELOPMENT USES

- Solar energy electrical generators which are accessory to a permitted or conditionally permitted use and where the power generated does not exceed the total on-site power demand
- Small wind energy system, pursuant to Section 19.08.415

H. MISCELLANEOUS USES

- Adult day-care
- Commercial coach, temporary, not exceeding six (6) months
- Community garden pursuant to Section 19.32.130 of this chapter
- Construction trailer, temporary, during construction activity only
- Day-care center, without extended overnight services
- Drainage sump, if proposed and approved as part of a tentative subdivision map or tentative parcel map, or if accessory to a permitted use
- Flea market or swap meet, wholly conducted within an enclosed building
- Revival, temporary, not to exceed fourteen (14) days
- Studio, radio, television, recording, or movie
- Water storage or groundwater recharge facilities
- Water system, small or large

19.32.030 USES PERMITTED WITH A CONDITIONAL USE PERMIT

The following uses and all others determined to be similar to these uses pursuant to Sections 19.08.030 through 19.08.080 of this title are permitted in accordance with the standards set out in Chapter 19.80 of this title and subject to securing a conditional use permit in accordance with the standards and procedures set out in Chapter 19.104 of this title:

A. RESIDENTIAL USES

- Apartment
- Boarding or rooming house
- Fraternity or sorority house
- Mobilehome, maximum of two (2) per lot
- Residential accessory structures
- Residential hotel
- Single-family dwelling

B. RECREATION, ENTERTAINMENT, AND TOURIST FACILITIES

- Amusement park
- Card room
- Circus or carnival
- Equestrian establishment
- Movie theater, drive-in
- Park or playground
- Racetrack or test track, automobile, motorcycle, or horse
- Recreational vehicle park
- Shooting range or gun club
- Skateboard arenas, unenclosed
- Sports arena, indoor
- Sports arena, outdoor

- Swimming pool, public
- Thermal pools and hot springs
- Trade fairs and exhibitions, temporary (fourteen- (14-) day maximum), excluding flea markets and swap meets
- Whitewater rafting launch or landing site

C. COMMERCIAL USES

1. Services

- Miniwarehouse, for storage of personal household goods and vehicles, including outside storage
- Veterinary, including veterinary hospital

D. INDUSTRIAL USES

- Contractor's storage yard, when accessory and incidental to a contractor's business office and wholly enclosed within a solid screening fence as approved by the Planning Director
- Feed and wood
- Photographic processing plant or wholesale supply
- Recyclable materials, collection and storage, provided there is no more than three thousand (3,000) square feet of outside storage, and all compression and bailing operations are conducted wholly within an enclosed structure

E. TRANSPORTATION FACILITIES

- Airport, private
- Airport, public use
- Auto parking garage or lot
- Bus depot
- Heliport
- Taxi depot, including service and storage

F. UTILITY AND COMMUNICATIONS FACILITIES

- Radio, television, microwave, or commercial communications transmitter, receiver, or translator

G. WASTE FACILITIES

- Community septic disposal system
- Sewage treatment plant
- Transfer station, small volume
- Waste-to-energy facility

H. RESOURCE EXTRACTION AND ENERGY DEVELOPMENT USES

- Oil or gas exploration and production pursuant to Chapter 19.98 of this title
- Wind-driven electrical generators, commercial or domestic

I. INSTITUTIONAL USES

- Cemetery, mausoleum, or columbarium
- Community or regional correctional and similar involuntary detention facilities
- Crematory, when in conjunction with a cemetery, mausoleum, columbarium, or mortuary
- Museum, with outdoor exhibits
- Zoo

J. EDUCATIONAL INSTITUTIONS AND SCHOOLS

- College or university

K. MISCELLANEOUS USES

- Cargo containers, when accessory to a permitted use
- Commercial coach, exceeding six (6) months
- Day-care center, with extended overnight services
- Drainage sump

- Flea market or swap meet, except within an enclosed building pursuant to Subsection 19.32.020.H of this title
- Flood control facilities
- Water treatment plant

19.32.040 PROHIBITED USES

All other uses not permitted by Sections 19.32.020 and 19.32.030 of this chapter or accessory thereto under Section 19.08.110 are prohibited in the C-2 District.

19.32.050 MINIMUM LOT SIZE

Except as otherwise provided in Chapter 19.58 of this title, no lot created within the C-2 District shall contain less than seven thousand five hundred (7,500) net square feet, excepting in the case of the conveyance to or from a governmental agency, public entity, public utility, community water company, or mutual water company for public purposes, public utility purposes, or for rights-of-way or well sites.

19.32.060 MINIMUM LOT AREA PER DWELLING UNIT

There shall be a minimum of one thousand five hundred (1,500) square feet of lot area per dwelling unit in the C-2 District when dwellings are permitted with a conditional use permit.

19.32.070 YARDS AND SETBACKS

Yard and setback requirements in the C-2 District are as follows:

- A. **Front Yard.** The front-yard minimum setback for all buildings shall be as follows:
 1. Forty (40) feet from the legal centerline of any existing or proposed public or private local street and access easements.
 2. Forty-five (45) feet from the legal centerline of any existing or proposed secondary highway.
 3. Fifty-five (55) feet from the legal centerline of any existing or proposed major highway.
- B. **Side Yard.** None required.
- C. **Rear Yard.** There shall be a rear yard of not less than twenty (20) feet, except that no rear yard shall be required in the event that a public alley exists. Rear yard requirements may be reduced in accordance with the Kern County Fire Code if written approval is obtained from the Kern County Fire Chief and Planning Director.
- D. **Yards and Setbacks for Residential Developments.** Yards and setbacks for residential developments shall be the same as those specified in Section 19.22.070 of this title. For

all developments containing both commercial and residential uses within the same building, yards and setbacks shall be as specified in Subsections A, B, and C of Section 19.32.070 of this chapter.

- E. In no case shall the buildings be located in any existing or future right-of-way established by any **Official or Specific Plan Line**, street, access easement, or adopted Circulation Element of the applicable General or Specific Plan.

19.32.080 HEIGHT LIMITS

The following height limits apply in the C-2 District:

- A. Buildings and structures shall not exceed six (6) stories or seventy-five (75) feet, unless the building is set back from each street, alley, and lot line at least one (1) foot for each three (3) feet of height above six (6) stories or seventy-five (75) feet.
- B. No building or structure shall exceed ten (10) stories or one hundred and thirty-five (135) feet.
- C. Buildings and structures shall not exceed the maximum permitted heights in areas of protected military airspace as specified in Section 19.08.160.

19.32.090 MINIMUM DISTANCE BETWEEN STRUCTURES

The minimum distance between structures in the C-2 District shall be as follows:

- A. None required for nonresidential buildings.
- B. There shall be a minimum distance of ten (10) feet between residential buildings.
- C. There shall be a minimum distance of six (6) feet between a residential building and an accessory building or between accessory buildings.

19.32.100 PARKING

Off-street parking in the C-2 District shall be provided in accordance with the requirements of Chapter 19.82 of this title.

19.32.110 SIGNS

- A. The following signs are permitted in the C-2 District in accordance with the requirements of Chapter 19.84 of this title:
 - 1. Temporary real estate signs advertising the property for sale or rent, not to exceed sixteen (16) square feet, excluding the area of any vertical and/or horizontal support members
 - 2. Temporary subdivision signs

3. Permanent subdivision identification signs, when approved in conjunction with a conditional use permit
4. Temporary construction signs
5. Temporary political, religious, or civic campaign signs
6. Institutional signs
7. Signs attached to buildings
8. Monument signs, not to exceed forty-eight (48) square feet in area each
9. Pole signs, not to exceed two hundred and forty (240) square feet in area each and not exceeding a height of thirty-five (35) feet
10. Off-site advertising signs, not exceeding a height of thirty-five (35) feet

19.32.120 LANDSCAPING

Landscaping in the C-2 District shall be provided in accordance with the requirements of Chapter 19.86 of this title.

19.32.130 SPECIAL REVIEW PROCEDURES AND DEVELOPMENT STANDARDS

- A. All development in the C-2 District shall comply with the minimum standards set out in Chapter 19.80 of this title.
- B. Development in the C-2 District shall comply with the interpretations and provisions of Chapter 19.08 of this title.
- C. Residential development shall be subject to the High-density Residential (R-3) District requirements as specified in Chapter 19.22 of this title.
- D. Except as otherwise specified in this chapter, no outside storage shall be permitted except for company vehicles and items for retail sales, lease, or rental and which are clearly associated with an on-site business. This requirement shall not apply to those uses requiring a conditional use permit (Section 19.32.030), provided that outside storage was addressed as part of the permit application. Areas devoted to outside storage of tires shall be screened with a solid screening fence; fence design and materials shall be approved by the Director of the Kern County Planning and Community Development Department. Mounds or piles of tires shall not exceed the height of the screening fence.
- E. Community gardens are permitted subject to the issuance of a permit as provided for in Section 19.102.070 of this title and subject to the following requirements:
 1. The lot or lots used for the garden are owned or leased by a property owner's association, homeowner's association, tenant's association, non-profit

organization or public agency which has established an organizational entity and framework for administration of the garden.

2. The organizational entity that administers the garden shall establish and enforce rules pertaining to the use of the property and rights of membership. A copy of the adopted rules shall be filed with the Kern County Planning and Community Development Department, together with name and contact information of an individual who oversees the program. The adopted rules shall contain provisions requiring the removal of all structures and materials in the event of the dissolution of the administering entity.
3. A maximum of five (5) acres shall be used in conjunction with any community garden site established pursuant to this chapter. Larger garden sites may be accommodated through the conditional use permit provisions contained in Chapter 19.104 of this title.
4. Each community garden site shall be posted with a sign not exceeding sixteen (16) square feet and not exceeding a height of six (6) feet that identifies the site as a community garden and provides essential contact information.
5. No permanent buildings shall be permitted; however, temporary structures not exceeding 120 square feet each may be placed on site for the storage of tools, materials, and equipment used for on-site gardening, if authorized under the rules adopted by the organizational entity that administers the garden. The combined area of all such storage structures shall not exceed ten percent (10%) of the overall garden site area. Benches or picnic tables, composting bins, trash containers, garden art, and designated play areas for children may be provided for the benefit of community garden members, if provided for in the adopted rules governing the use of the site and rights of membership and if determined by the Planning Director to be clearly accessory and incidental to the community garden. Perimeter and individual plot fencing is permitted and shall not exceed a height of six (6) feet.
6. The community garden shall be operated and maintained in such a manner so that irrigation water is retained on site and there are no off-site erosion or sedimentation impacts.
7. There shall be no on-site sales except for produce grown on site. One temporary produce stand not exceeding an area of 600 square feet may be permitted for each community garden site, if provided for in the adopted rules governing the use of the site and rights of membership and considered by the Planning Director pursuant to Section 19.102.070. Up to two (2) temporary on-site signs not exceeding a combined total of forty-eight (48) square feet to advertise the sale of produce may be authorized in conjunction with a request for a temporary produce stand, as determined by the Planning Director.
8. The Planning Director may impose reasonable conditions in conjunction with approval of a community garden permit that are deemed necessary to safeguard public health, safety, and general welfare.

9. If public complaints arise from the operations of a community garden authorized by this title or if any such garden creates nuisance impacts on surrounding roads or properties, the Planning Director may serve written notice upon the community garden property owner and the responsible organizational entity to abate the problem. If the problem continues beyond a reasonable time period as set forth in the Planning Director's written order, the Planning Director may schedule a public hearing pursuant to Sections 19.102.020 and 19.102.090 of this title. The Planning Director shall consider whether or not the community garden may continue to operate and may modify conditions or impose additional conditions deemed necessary to safeguard the public health, safety, and general welfare. If the Planning Director orders the closure of the community garden, all structures, material, and produce shall be removed from the site within sixty (60) days of the effective date of said order. Any decision of the Planning Director may be appealed to the Board of Supervisors, subject to payment of the required filing fee and the applicable provisions specified in Section 19.102.110 of this title.