

**ORDINANCE NO. 16-739**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF CALIFORNIA CITY AMENDING CHAPTER  
2 OF TITLE 9 OF THE CALIFORNIA CITY  
MUNICIPAL CODE RELATING TO ZONING  
REGULATIONS PERTAINING TO PERMITTED AND  
CONDITIONAL USES IN ALL COMMERCIAL  
ZONES**

**WHEREAS**, the City Council of the City of California City, pursuant to its police power, may adopt land use regulations to protect the health, safety and welfare of the public, Cal. Const. art. XI, § 7; and

**WHEREAS**, this amendment to the Zoning Regulations will promote the welfare of the community by making clear that any business type not enumerated in the City's Zoning Regulations may be permissible with a conditional use permit; and

**WHEREAS**, this amendment to the City's Zoning Regulations has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City's environmental procedures, and has been found to be exempt pursuant to Section 15061 (b) (3) (general rule) of the CEQA Guidelines, in that it can be seen with certainty that there is no possibility that the proposed amendment to the Zoning Code will have a significant effect on the environment; and

**WHEREAS**, this amendment is consistent with the City's general plan; and

**WHEREAS**, this amendment is consistent with California City Planning Commission Resolution A12-01-2015PC, which was recommended for adoption after a public hearing conducted on December 1, 2015 and recommended for adoption by the Planning Commission that same date; and

**NOW, THEREFORE**, THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1.** Subsection (a) of section 9-2.1502 of Article 15 of Chapter 2 of Title 9 of the California City Municipal Code is hereby amended to read as follows:

**9-2.1502. Conditional Uses All Commercial Districts.**

(a) Any non-categorized commercial businesses not listed in any area can be considered through the conditional use process.

**Section 2.** Any provision of the California City Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

**Section 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of California City hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

**Section 4.** The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard and this Ordinance shall take effect 30 days after its final passage.

Approved for introduction at a regular meeting on the 26<sup>th</sup> day of January 2016, by the following vote:

AYES: Gray, Warren, McGuire, Wood

NOES: None

ABSENT: Smith

**PASSED, APPROVED AND ADOPTED** on February 9, 2016, by the following vote:

AYES: Gray, Smith, Warren, McGuire, Wood

NOES: None

ABSENT: None

\_\_\_\_\_  
Jennifer Wood, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Denise Hilliker, City Clerk

\_\_\_\_\_  
Christian Bettenhausen, City Attorney

STATE OF CALIFORNIA            )  
COUNTY OF KERN            ) ss.  
CITY OF CALIFORNIA CITY    )

I DENISE HILLIKER, City Clerk of California City, do hereby certify that the foregoing Ordinance No. 16-739 was introduced on the 26<sup>th</sup> day of January 2016, was regularly adopted at a meeting thereof on the 9<sup>th</sup> day of February, 2016 and was published/posted pursuant to law.

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Denise Hilliker, City Clerk