

ORDINANCE NO. 5048

**ORDINANCE AMENDING BAKERSFIELD MUNICIPAL CODE SECTION 17.04.285 RELATING TO FOOD AND/OR SHELTER SERVICE AGENCY AND ADDING SECTIONS 17.04.602, 17.04.608, AND 17.04.626 RELATING TO SUPPORTIVE HOUSING, TARGET POPULATION, AND TRANSITIONAL HOUSING, IN ORDER TO PROVIDE FOR CONSISTENCY WITH STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT GUIDELINES AND REQUIREMENTS.**

**BE IT ORDAINED** by the Council of the City of Bakersfield as follows:

**SECTION 1.**

Section 17.04.285 of the Bakersfield Municipal Code is hereby amended to read as follows:

**17.04.285. Food and/or shelter service agency.**

"Food and/or shelter service agency" means any entity, whether or not for profit, not operated by the city, county, state, or federal government, and not deemed a "residential use of property" under state law applicable to charter cities, which regularly provides lodging and/or food services providing shelter, food and/or day care free, or intentionally below cost, two or more days per week to persons in need of such assistance. For purposes of this title, the term "food and/or shelter service agency" does not include any incorporated entity providing food or shelter during any duly proclaimed emergency. For purposes of this title, the term "food and/or shelter service agency" includes "Emergency Shelter" as defined in California Government Code Section 65582 (d) and Health and Safety Code Section 50801 (e).

**SECTION 2.**

Section 17.04.602 of the Bakersfield Municipal Code is hereby added to read as follows:

Section 17.04.602 Supportive housing.

"Supportive housing" means housing with no limit on length of stay, that is occupied by the target population and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible,

work in the community. Supportive housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

### **SECTION 3.**

Section 17.04.608 of the Bakersfield Municipal Code is hereby added to read as follows:

Section 17.04.608 Target population.

"Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

### **SECTION 4.**

Section 17.04.626 of the Bakersfield Municipal Code is hereby added to read as follows:

Section 17.04.626 Transitional housing.

"Transitional housing" means buildings configured as rental housing, but operating under program requirements that require the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months from the beginning of the assistance. Transitional housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

### **SECTION 5.**

This Ordinance shall be posted in accordance with the provisions of the Bakersfield Municipal Code and shall become effective thirty (30) days from and after the date of its passage.

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I HEREBY CERTIFY that the foregoing Ordinance was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on MAR 17 2021 by the following vote:

<u>AYES:</u>	COUNCILMEMBER: ARIAS, GONZALES, WEIR, SMITH, FREEMAN, GRAY, PARLIER
NOES:	COUNCILMEMBER: <u>None</u>
ABSTAIN:	COUNCILMEMBER: <u>None</u>
ABSENT:	COUNCILMEMBER: <u>None</u>

Julie Drimakis  
**JULIE DRIMAKIS, CMC**  
CITY CLERK and Ex Officio Clerk of the  
Council of the City of Bakersfield

APPROVED: MAR 17 2021  
By: Karen Goh  
**KAREN GOH**  
Mayor

APPROVED AS TO FORM:  
**VIRGINIA GENNARO**  
City Attorney  
By: Joshua H. Rudnick  
**JOSHUA H. RUDNICK**  
Deputy City Attorney



**AFFIDAVIT OF POSTING DOCUMENTS**

STATE OF CALIFORNIA)  
  ) ss.  
County of Kern  )

JULIE DRIMAKIS, being duly sworn, deposes and says:

That she is the duly appointed, acting and qualified City Clerk of the City of Bakersfield; and that on the 19th day of March, 2021 she posted on the Bulletin Board at City Hall, a full, true and correct copy of the following: Ordinance No. 5048, passed by the Bakersfield City Council at a meeting held on the 17<sup>TH</sup> day of March, 2021 and entitled:

**ORDINANCE AMENDING BAKERSFIELD MUNICIPAL CODE SECTION 17.04.285 RELATING TO FOOD AND/OR SHELTER SERVICE AGENCY AND ADDING SECTIONS 17.04.602, 17.04.608, AND 17.04.626 RELATING TO SUPPORTIVE HOUSING, TARGET POPULATION, AND TRANSITIONAL HOUSING, IN ORDER TO PROVIDE FOR CONSISTENCY WITH STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT GUIDELINES AND REQUIREMENTS.**

JULIE DRIMAKIS, CMC  
City Clerk and Ex Officio of the  
Council of the City of Bakersfield

By: Jenny Obert  
DEPUTY City Clerk

