

## Chapter 16.01 - Enactment and Applicability

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### **16.01.010 Authority**

This Development Code is adopted pursuant to Article XI, Section 7 of the Constitution of the State of California and in compliance with the requirements of Title 7 of the Government Code, Division 1, Planning and Zoning Law, and Division 2, Subdivision Map Act, for the purpose of promoting health, safety, and general public welfare.

### **16.01.020 Short Title**

This Development Code will be known as "The City of Santa Paula Development Code."

### **16.01.030 Purpose**

A. The purposes of this Development Code include:

1. To promote and protect the public health, safety, and welfare of the people of the City of Santa Paula;
2. To safeguard and enhance the appearance and quality of development of the City of Santa Paula;
3. To provide for the social, physical, and economic advantages resulting from comprehensive and orderly planned use of land resources;
4. To conserve, stabilize, and protect the value of property in the City of Santa Paula;
5. To provide adequate improvements and utilities in the City of Santa Paula; and
6. To divide the City of Santa Paula into zones of such number, shape, and area as may be deemed appropriate and necessary to carry out the provisions of this Development Code and provide for its enforcement.

- B. The provisions contained in this Development Code will apply to all real properties contained within the corporate limits of the City of Santa Paula.

#### **16.01.040 Terminology**

Words, terms, and phrases used in this ordinance will have the meanings usually ascribed to them, or as defined or used in state planning, zoning, and subdivision laws, or as defined in Chapter 16.05 Definitions of this ordinance. For the purposes of this Development Code, unless the context clearly indicates otherwise, certain terms used in this Development Code are defined as follows:

- A. Words in the present tense include the future;
- B. Words in the singular number include the plural;
- C. Words in the plural number include the singular;
- D. The terms "shall" and "will" and "must" are mandatory;
- E. The term "City Council" means the City Council of the City of Santa Paula;
- F. The term "Planning Commission" means the Planning Commission of the City of Santa Paula;
- G. The term "his" is gender neutral and means his or her;
- H. The term "City" means the City of Santa Paula; and
- I. The term "General Plan" means the City of Santa Paula General Plan.

#### **16.01.050 Relationship to General Plan**

This Development Code is intended to provide the legislative framework to implement the goals, policies, plans, principles, and standards of the City of Santa Paula General Plan.

#### **16.01.060 Relationship to Other Regulations**

- A. The provisions of this Development must not be interpreted to repeal, amend, modify, alter, or change any other code that is not specifically repealed, amended, modified, altered, or changed.
- B. Nothing in this Development Code will be interpreted to authorize the use of a lot or parcel in any way that is in violation of any other applicable statute, code, or regulation.
- C. Whenever the provisions of this Development Code are different from the provision of any other ordinance or adopted code, the more restrictive provisions will apply, except as the same may be superseded by resolution or ordinance.
- D. The rights granted by any permit, license, or other approval under any ordinance repealed by this Development Code will be continued, but in the future, to the extent permitted by law, such rights will be exercised in accordance with the provisions of this Development Code.

- E. The provisions of this Development Code are not intended to abrogate any easements, covenants, or other existing agreements which are more restrictive than the provisions of this Development Code.

### **16.01.070 Relationship to California Environmental Quality Act**

When a project is determined to be subject to the provisions of the California Environmental Quality Act (CEQA), the application will be reviewed in accordance with the provisions of this Development Code, the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.), the CEQA Guidelines (Government Code, Section 15000 et seq.), and any environmental guidelines adopted by the City of Santa Paula.

### **16.01.080 Effect of this Development Code**

#### **A. General Application**

No person is permitted to use any premises except as specifically permitted by and subject to the regulations and conditions of this Development Code. Except as otherwise provided herein, wherever this Development Code prohibits the use of premises for a particular purpose, those premises and any improvements on those premises must not be used for that purpose, and no structure or improvement may be constructed, altered, or moved onto the premises which is designed, arranged, or intended to be occupied or used for that purpose.

#### **B. City of Santa Paula Exempt**

Agencies of the City of Santa Paula will be exempt from the provisions of this Development Code when the City Council makes the following findings:

1. That reasonable attempts have been made to comply with the regulations contained in this Development Code; and
2. That the strict and literal interpretation and enforcement of the Development Code would inhibit the City's ability to maintain public health, safety, and general welfare in a particular instance; and
3. That the granting of the exemption will not be detrimental to the public health, safety, and general welfare or materially injurious to properties or improvements in the vicinity.

### **C. Buildings Under Construction**

Any building for which a building permit has been issued under the provisions of earlier an ordinance of the City which is in conflict with this Development Code, and on which substantial construction has been performed by integration of materials on the site before the effective date of this Development Code, nevertheless may be continued and completed in accordance with the plans and specifications upon which the permit was issued.

#### **16.01.090 Interpretation**

The provisions of this Development Code will be interpreted and applied as the minimum requirements and the maximum potential limits for the protection of the public health, safety, comfort, convenience, and general welfare.

#### **16.01.100 Severability of Any Portion of this Development Code**

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

## Chapter 16.03 - Administration and Enforcement

- 16.03.010 Planning Commission Responsibilities
- 16.03.020 Planning Director Responsibilities
- 16.03.030 Building Official Responsibilities
- 16.03.040 City Engineer Responsibilities
- 16.03.050 Clarification of Ambiguity

### **16.03.010 Planning Commission Administers and Interprets Regulations**

In accordance with State planning and zoning law, Government Code Section 65000 et seq., the Planning Commission of the City of Santa Paula will administer this Title 16 and amendments thereto. The Planning Commission will have the authority and responsibility to hear and act upon all matters as specified in Chapters 16.200 through 16.234 (Administration of the Development Code) of this Title 16 and any other responsibilities authorized by Chapter 32 (Departments, Boards, Commissions and Agencies) of the Santa Paula Municipal Code.

### **16.03.020 Planning Director Responsibilities**

- A. The Planning Director or the designee will have the authority and responsibility to hear and act upon all matters as specified in Chapters 16.200 through 16.234 (Administration of the Development Code) of this Title 16.
- B. The Planning Director will have the authority to interpret the use provisions applicable to each zone district, using the zone district descriptions contained in Chapters 16.07 through 16.33 (Zoning Districts, Land Use Regulations and Development Standards) of this Title 16. In the event that a specific use or type of use is not listed, the Director will have the authority to determine which listed use is most similar to the proposed use and thereby determine whether the use is permitted, permitted subject to Conditional Use Permit review and approval, permitted as a temporary use, or prohibited. In determining "similarity," the Director will make all of the following findings:
  - 1. The proposed use must meet the intent of, and be consistent with the goals, objectives and policies of the general plan;
  - 2. The proposed use must meet the stated purpose and general intent of the district in which the use is proposed to be located;
  - 3. The proposed use must not adversely impact the public health, safety and general welfare of the city's resident; and
  - 4. The proposed use must share characteristics common with, and not be of greater intensity, density or generate more environmental impact, than those uses listed in the permitted uses section.

- C. Any applicant, interested person, or public official may appeal any decision of the Planning Director to the Planning Commission in accord with the procedures set forth in Chapter 16.206 (Appeals and Revocations) of this Title 16.

#### **16.03.030 Building Official Responsibilities**

The Building Official or the duly authorized representative will be responsible for the enforcement of the provisions of this Title 16 which pertain to the construction, moving, conversion, alteration, or addition of and to structures and associated improvements to the lots on which they are located.

#### **16.03.040 City Engineer Responsibilities**

The City Engineer or the duly authorized representative will be responsible for the enforcement of the provisions of this Title 16 which pertain to the subdivision of land or other action authorized by the Subdivision Map Act (Government Code Section 66410 et seq.).

#### **16.03.050 Clarification of Ambiguity**

If ambiguity arises concerning the appropriate classification of a particular use within the meaning and intent of this Title 16, or if ambiguity exists with respect to matters of height, yard requirements, area requirements, or zone boundaries as set forth herein, it will be the duty of the Planning Director to ascertain all pertinent facts, and to set forth in writing the findings and the interpretations. The Director can refer the matter to the Planning Commission as a scheduled matter not requiring public hearing, and the findings and interpretations of the Planning Commission will be set forth in the recorded minutes. Thereafter, such interpretations will govern.