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## **ARTICLE 1. IN GENERAL**

### **Sec. 101. Purposes and objectives of the ordinance.**

The zoning ordinance is adopted to preserve, protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare. More specifically, the zoning ordinance is adopted in order to achieve the following objectives:

- a. To provide a plan for the physical development of the county in such a manner as to achieve progressively the general arrangement of land uses depicted in the general plan.
- b. To foster a harmonious, convenient, workable relationship among land uses and a wholesome, serviceable and attractive living environment.
- c. To promote the stability of existing land uses which conform with objectives and policies of the general plan and protect them from inharmonious influences and harmful intrusions.
- d. To ensure that public and private lands ultimately are used for the purposes which are most appropriate and most beneficial from the standpoint of the general public.
- e. To promote the beneficial development of those areas which exhibit conflicting patterns of use.
- f. To prevent excessive population densities and overcrowding of the land with structures.
- g. To promote a safe, effective traffic circulation system.
- h. To foster the provision of adequate off-street parking and truck loading facilities.
- i. To facilitate the appropriate location of public facilities and institutions.
- j. To protect and promote appropriately located agricultural, commercial and industrial pursuits in order to preserve and strengthen its economic base.
- k. To protect and enhance real property values.
- l. To conserve the county's natural assets and to capitalize on the opportunities offered by its terrain, soils, vegetation and waterways.
- m. To coordinate policies and regulations relating to the use of land with such policies and regulations of incorporated cities of the county in order to: Facilitate transition from county to municipal jurisdiction that land which is first developed in an unincorporated area and is subsequently annexed to a city; foster the protection of farming operations in areas of planned urban expansion, and ensure unimpeded development of such new urban expansion that is logical, desirable and in accordance with objectives and policies of the general plan.

(Ord. No. 269.18, § 1, 9-5-78)

### **Sec. 102. Short title.**

This ordinance shall be known as the "Zoning Ordinance".

### **Sec. 103. Components of the zoning ordinance.**

The zoning ordinance shall consist of a zoning plan designating certain districts and regulations controlling the uses of land, the density of population, the uses and locations of structures, the height and bulk of structures, the open spaces about structures, the appearance of certain uses and structures, the areas and dimensions of sites, and regulations requiring the provision of off-street parking and off-street loading facilities.

### **Sec. 104. Interpretation.**

In their interpretation and application, the provisions of this ordinance are held to be minimum requirements except where they are expressly stated to be otherwise. No provision of this ordinance is intended to abrogate, repeal, annul, impair or



interfere with any existing ordinance of the County of Kings, except as is specifically repealed herein, or deed restriction, covenant,

easement or other agreement between parties, providing that where this ordinance imposes greater restrictions or regulations than is imposed or required by an existing ordinance, deed restriction, covenant, easement or agreement between parties, this ordinance shall control.

**Sec. 105. Application.**

This ordinance shall apply to the extent permitted by law to all property whether owned by private persons, firms, corporations, or organizations; by the United States of America or any of its agencies; by the State of California or any of its agencies or political subdivisions; by any county or city including the County of Kings or any of its agencies; or by any authority or public entity organized under the laws of the State of California; all subject to the exception of the following properties:

- a. Public streets and alleys
- b. Underground utility lines and facilities
- c. Underground communications lines
- d. Overhead communications lines
- e. Overhead electric distribution facilities, not to include overhead transmission lines, transmission substations and distribution substation
- f. Railroad rights-of-way to the extent of 100 feet in width.

**Sec. 106. Construction and definitions.**

Many sections of the zoning ordinance contain lists of uses separated by semicolons which are generally used to indicate a degree of separation from the other uses and are not intended to indicate sub-classifications of the preceding use. The definitions of words used in this ordinance, and the construction of the words and provisions thereof, shall be as set forth in Article 25.

(Ord. No. 269.66, § 1, 3-2-10)

**Sec. 107. Zoning administrator.**

The Board of Supervisors of the County of Kings declares that there is a need for the office of Zoning Administrator to function in the County and hereby establishes such Office of Zoning Administrator to perform the duties and exercise the powers as prescribed in this ordinance and the Government Code in such a way as to promote the public health, safety and welfare, to further the objectives of the zoning plan and to do substantial justice.

The Director of Community Development of the County of Kings shall be the Zoning Administrator. The Zoning Administrator may delegate any of his or her authority to the County Community Development Agency Staff to act on his or her behalf.

(Ord. No. 269.66, § 2, 3-2-10)

**Sec. 108. Prohibited uses.**

Any use specifically prohibited either by state or federal law shall be prohibited. Any use not specifically listed in a zone district's permitted uses; permitted uses, site plan review; or conditional uses, planning commission's approval, are prohibited. The zoning administrator's interpretation of the meaning of the uses listed in this ordinance is final unless modified by the Kings County Planning Commission or Board of Supervisors. Challenges to the zoning administrator's interpretation shall be processed as a conditional use permit.

(Ord. No. 269.56, § 1, 9-10-03; Ord. No. 269.67, § 1, 10-28-10)

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