

## SUBCHAPTER 153.010 – GENERAL PROVISIONS



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### § 153.010.010 – Title

The title of this chapter shall be known as the “Baldwin Park Zoning Code,” or the “Zoning Code.”

### § 153.010.020 – Purpose

This Zoning Code is established to regulate the use of land within the city in an orderly manner consistent with the goals, objectives and policies of the Baldwin Park General Plan and to protect the public health, safety, comfort, welfare and general prosperity of the city and its residents through classifying, designating, regulating and restricting the use of land, buildings and structures.

### § 153.010.030 – Terminology

Words, terms and phrases used in this chapter shall have the meanings usually ascribed to them, or as defined or used in state planning and zoning laws, or as defined in subchapter 153.220, Definitions, of this chapter. For the purposes of this chapter, unless the context clearly indicates otherwise, the following shall apply:

- A. **Tense.** Words in the present tense include the future.
- B. **Singular number.** Words in the singular number include the plural.
- C. **Plural number.** Words in the plural number include the singular.
- D. **Mandatory terms.** The terms "shall", "will" and "must," are mandatory.
- E. **Gender neutral terms.** The term "his" is gender neutral and means his or her.

**§ 153.010.040 – Relationship to General Plan**

This chapter provides the legislative framework to enhance and implement the goals, policies, plans, principles and standards of the General Plan.

**§ 153.010.050 – Relationship to Other Regulations and Plans**

- A. **Effect on other codes.** The provisions of this chapter shall not be interpreted to repeal, amend, modify, alter or change any other code that is not specifically repealed, amended, modified, altered or changed.
- B. **Other applicable statutes, codes and regulations.** Nothing in this chapter shall 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. **More restrictive provisions apply.** Whenever the provisions of this chapter are different from the provisions of any other ordinance or adopted code, the more restrictive provisions shall apply, except as the same may be superseded by resolution or ordinance.
- D. **Effect on permits, licenses and approvals.** The rights granted by any permit, license or other approval under any ordinance repealed by this chapter shall be continued, but in the future, to the extent permitted by law, such rights shall be exercised in accordance with the provisions of this chapter.
- E. **Effect on easements, covenants and agreements.** The provisions of this chapter are not intended to abrogate any easements, covenants or other existing agreements which are more restrictive than the provisions of this chapter.
- F. **Redevelopment Plan Standards Supersede.** Whenever an area of the city has been included in an approved redevelopment plan, or specific plan adopted pursuant to California Government Code §§ 65000 et seq., and if such plan contains any standards relating to land usage, such standards shall supersede the provisions of this chapter.

**§ 153.010.060 – 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 shall be reviewed in accordance with the provisions of this chapter, the CEQA (California Public Resources Code §§ 21000 et seq.), the CEQA Guidelines (California Government Code §§ 15000 et seq.) and any environmental guidelines adopted by the city.

**§ 153.010.070 – Minimum Requirements**

The provisions of this chapter shall be interpreted and deemed as the minimum requirements necessary and the maximum potential limits for the protection of the public health, safety, comfort, convenience and general welfare of the city and its residents, unless the context of a specific regulation clearly provides otherwise.

**§ 153.010.080 – Severability of Any Portion**

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