

## Chapter 19.01

### GENERAL PROVISIONS

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#### **19.01.010 Authority.**

The zoning ordinance adopted in this Title 19 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, Planning and Zoning Law, for the purpose of promoting health, safety, and general public welfare. (Ord. 544 §1(part), 2000).

#### **19.01.020 Short title.**

The ordinance codified in this Title 19 shall be known as “The city of Commerce zoning ordinance.” (Ord. 544 §1(part), 2000).

#### **19.01.030 Purpose and scope.**

This Title 19 is intended to protect public health, safety, comfort, and welfare and to ensure that the growth and development of the city is orderly and provides maximum benefit to its residents by establishing land use districts and regulations which prevent the misuse or abuse of the land. This Title 19 is further intended to protect individuals from the adverse impacts of neighboring incompatible land uses. This Title 19 specifies the areas where specific land uses may be located and sets standards for their development to ensure the safe and efficient functioning of all uses. (Ord. 544 §1(part), 2000).

#### **19.01.040 Terminology.**

Words, terms, and phrases used in this Title 19 shall have the meanings usually ascribed to them, or as defined or used in state planning and zoning laws, or as defined in Chapter 19.45 (Definitions) of this title. For the purposes of this title, unless the context clearly indicates otherwise, certain terms used in this title 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 Commerce;
- F. The term “planning commission” shall mean the planning commission of the city of Commerce;

- G. The term “his” is gender neutral and means his or her;
- H. The term “city” means the city of Commerce; and
- I. The term “general plan” means the city of Commerce general plan. (Ord. 544 §1(part), 2000).

**19.01.050 Relationship to general plan.**

This Title 19 is intended to provide the legislative framework to enhance and implement the goals, policies, plans, principles, and standards of the city of Commerce general plan. (Ord. 544 §1(part), 2000).

**19.01.060 Relationship to other regulations.**

A. The provisions of this title 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. Nothing in this title 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. Whenever the provisions of this title 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. The rights granted by any permit, license, or other approval under any ordinance repealed by this title 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 title.

E. The provisions of this title are not intended to abrogate any easements, covenants, or other existing agreements which are more restrictive than the provisions of this title. (Ord. 544 §1(part), 2000).

**19.01.070 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 shall be reviewed in accordance with the provisions of this Title 19, 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 Commerce. (Ord. 544 §1(part), 2000).

**19.01.080 Effect of this title.**

**A. General Application.**

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

2. Officials and employees of the city shall comply with all provisions of this title.

**B. Buildings Under Construction.** Any building for which a building permit has been issued under the provisions of earlier ordinances of the city which are in conflict with this title, and on which substantial construction has been performed by integration of materials on the site before the effective date of this title, nevertheless may be continued and completed in accordance with the plans and specifications upon which the permit was issued. (Ord. 544 §1(part), 2000).

**19.01.090 Minimum requirements of this title.**

The provisions of this title shall 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. (Ord. 544 §1(part), 2000).

**19.01.100 Severability of any portion of this title.**

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this title 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 title. The city council declares that it would have adopted this title 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. (Ord. 544 §1(part), 2000).

