

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AMENDING THE WORDED PORTION OF ORDINANCE NO. 568 IN ITS ENTIRETY, AND SUBSEQUENT AMENDMENTS SPECIFYING THE PURPOSES AND THE EFFECTS OF THE ADOPTION OF SAID PLAN WHEREBY VARIOUS DISTRICTS ARE ESTABLISHED IN SAID COUNTY; SPECIFYING THE USES OF LAND AND OF BUILDINGS PERMITTED IN SAID DISTRICTS; ESTABLISHING CERTAIN HEIGHT LIMITS WITHIN SAID DISTRICTS; REQUIRING CERTAIN YARDS AND OTHER OPEN SPACES WITHIN SAID DISTRICTS; PRESCRIBING REGULATIONS FOR THE ERECTION, CONSTRUCTION, ALTERATION AND MAINTENANCE OF BUILDINGS, STRUCTURES, AND OTHER IMPROVEMENTS IN SAID DISTRICTS, INCLUDING THE REQUIREMENT THAT CERTAIN PERMITS SHALL BE SECURED FOR CERTAIN OF SUCH BUILDINGS, STRUCTURES AND IMPROVEMENTS, AND FOR THE USE THEREOF AND OF LAND; DEFINING THE TERMS USED HEREIN; SPECIFYING THE PROCEDURE FOR THE AMENDMENT HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ANY OF THE PROVISIONS HEREOF.

The Board of Supervisors of the County of Monterey, State of California, do ordain as follows:

SECTION 1. ADOPTION OF ZONING PLAN

There is hereby adopted a Zoning Plan for the County of Monterey, State of California, said Zoning Plan being a Districting Plan as provided by law.

SECTION 2. PURPOSE OF ADOPTION OF ZONING PLAN

a. Said Zoning Plan is adopted to promote and protect the public health, safety, peace, morale, comfort, convenience and general welfare, and for the accomplishment thereof is adopted, among other purposes for the following more particularly specified purposes, to-wit:

- (1) To assist in providing a definite plan of development for the County, and to guide, control and regulate the future growth of the County, in accordance with said plan.
- (2) To protect the character and the social and economic stability of agricultural, residential, commercial, industrial, and other areas, within the County and to assure the orderly and beneficial development of such areas.
- (3) To obviate the menace to the public safety resulting from the location of buildings, and the uses thereof, and of land adjacent to highways which are a part of the Streets and Highways Plan of the Master Plan of the County, or which are important thoroughfares, in such manner as to cause interference with existing or prospective traffic movements on said highways.

SECTION 3. NATURE OF ZONING PLAN

Said Zoning Plan consists of the establishment of various districts within the unincorporated territory of said County within some, all or none of which it shall be lawful, and within some, all or none of which it shall be unlawful to erect, construct, alter or maintain certain buildings or to carry on certain trades or occupations or to conduct certain uses of land or of buildings; within which the height and bulk of future buildings shall be limited; within which certain open spaces shall be required about future buildings and consisting further, of appropriate regulations to be enforced in such districts, all as set forth in this Ordinance.

SECTION 4. ESTABLISHMENT AND DESIGNATION OF DISTRICTS

The several districts hereby established and into which the County is divided are designated as follows:

"U" Districts	Unclassified Districts.
"H-1" Districts	Highway Frontage Districts.
"F" Districts	Agricultural Districts.
"K" Districts	Agricultural-Residential Districts.
"L" Districts	Recreation Districts.
"R-1" Districts	One Family Residence Districts.
"R-2" Districts	Duplex Residence Districts.
"R-3" Districts	Limited Multiple Family Residence Districts.
"R-4" Districts	Multiple Family Residence Districts.
"C-1" Districts	Retail Business Districts.
"C-2" Districts	General Commercial Districts.
"M" Districts	Industrial Districts.

SECTION 5. COMBINING REGULATIONS

In addition to the foregoing districts, certain combining districts are hereby established and are designated as follows:

"A"	Limited Agricultural Uses.
"D"	Design Control Districts.
"X"	Camp Districts.
"P"	Parking Districts.
"B-1"	First Building Site Area and Yard Regulations.
"B-2"	Second Building Site Area and Yard Regulations.
"B-3"	Third Building Site Area and Yard Regulations.
"B-4"	Fourth Building Site Area and Yard Regulations.
"B-5"	Special Building Site Area and Yard Regulations.

SECTION 6. ESTABLISHMENT OF DISTRICTS

- a. The designations, locations and boundaries of such districts are set forth on the Sectional District Maps showing the Zoning Plan provided that all the unincorporated territory of the County of Monterey not included or indicated on the Sectional District Maps is hereby designated as in the "U" District.

- b. The aforesaid districts and certain combinations are hereby established insofar as the designations, locations and boundaries thereof are set forth and indicated in Sections 4 and 5, and other sections of this Ordinance which describe certain of said districts; Section 9, which consists of index map to various sectional district maps; and Section 10, 10-10T, 10-2H, and other sections of this Ordinance, each of which other section is designated by the number 10, followed by a dash and numeral and letter, and which section consists of a sectional district map which shows the designations, locations and boundaries of certain of said districts. Said maps and all notations, references, data and other information shown thereon are hereby made a part of this Ordinance.
- c. Where uncertainty exists as to the boundaries of any of the aforesaid districts as described as aforesaid or as shown on said sectional maps, the Planning Commission upon written application or upon its own motion, shall determine the location of such boundaries.

SECTION 7. EFFECT OF ESTABLISHMENT OF DISTRICTS

- a. Except as hereinafter otherwise provided:
 - (1) No building shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land, building, or premises be used, designated or intended to be used for any purpose, or in any manner other than is included among the uses hereinafter listed as permitted in the district in which such building, land, or premises is located.
 - (2) No building shall be erected, reconstructed or structurally altered to exceed in height the limit hereinafter designated for the districts in which such building is located.
 - (3) No building shall be erected, nor shall any existing building be altered, enlarged or rebuilt, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, building site area and building location regulations hereinafter designated for the district in which such building or open space is located.
 - (4) No yard or other open space provided about any building for the purpose of complying with provisions of this Ordinance shall be considered as providing a yard or open space for any other building, and no yard or other open space on one building site, shall be considered as providing a yard or open space for a building on any other building site.

- b. No governmental unit whether City, County, District, State or Federal shall be exempt from the provisions of this Ordinance except in the case of a "Federal Reservation".

SECTION 8. "U" DISTRICTS

All the unincorporated territory of the County which is not included under the terms of this Ordinance in any other district, is hereby designated and classified as constituting "U" districts.

SECTION 9. INDEX MAP

Shall consist of an index map to Sectional District Maps which show the Zoning Plan, being parts of this Ordinance under the provisions of Section 6 hereof and shall constitute Section 9 of this Ordinance.

SECTION 10. SECTIONAL DISTRICT MAPS

Shall consist of a series of Sectional District Maps which show the Zoning Plan, being parts of this Ordinance under the provisions of Section 6 hereof, and are designated Sections 10-1OT, 10-2H, etc.

SECTION 11. DEFINITIONS

- a. For the purpose of this Ordinance certain terms used herein are defined as follows:

- (1) All words used in the present tense shall include the future tenses; all words in the plural number shall include the singular, and all words in the singular number shall include the plural number; unless the natural construction of the wording indicates otherwise. The word "lot" includes the word "plot"; the word "building" includes the word "structure", and the word "shall" is mandatory and not directory. The word "County" as used herein shall mean the County of Monterey, State of California; the words "Board of Supervisors" shall mean the Board of Supervisors of the County of Monterey, State of California; the words "Planning Commission" shall mean the County Planning Commission of the County of Monterey, State of California; and the words "County Boundary" shall mean the boundary of the County of Monterey, State of California, or the boundary of any incorporated municipality within said County.

- (2) Agriculture: Art or science of cultivating the ground, including harvesting of crops and rearing and management of livestock; tillage; husbandry; farming; horticulture and forestry; the science and art of the production of plants and animals useful to man.

- (3) Alley: A passage or way open to public travel, affording a secondary means of vehicular access to abutting lots and not intended for general traffic circulation.
- (4) Apartment: A room, or suite of two or more rooms, which is designed for, intended for, or occupied by one family doing its cooking therein.
- (5) Automobile Wrecking Yards: See Junk Yard.
- (6) Auto Court: A group of two or more buildings, containing guest rooms or apartments with automobile storage space serving such rooms or apartments provided in connection therewith, which group is designed and used primarily for the accommodation of transient automobile travelers. Also includes motels.
- (7) Block: That property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets or nearest intersecting or intercepting streets and railroad right-of-way, unsubdivided acreage, water course, or body of water.
- (8) Building: Any structure built entirely of frame or a more lasting type of construction, having a roof supported by columns or by walls and intended for the shelter, housing, or enclosure of any person, animal, or chattel, but not including any tent or trailer.
- (9) Building Site: The ground area of building or buildings together with all open space required by this Ordinance, which site has its principal frontage upon a public street. No land which has its principal frontage on a private street, shall be considered a building site unless and until a use permit is first secured or unless said land is connected by a private drive serving only one building site being a part of the building site for which it provides access, and meeting the following minimum standards.
1. If private drive exceeds six hundred (600) feet in length, it shall be not less than sixty (60) feet wide.
 2. If private drive is less than six hundred (600) feet in length, it shall not be less than fifty (50) feet wide.
- (10) Building, Main: A building in which is conducted the principal use of the building site on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the building site on which the same is situated.
- (11) Building, Accessory: A subordinate building, the use of which is incidental to that of a main building on the same building site.

- (12) Bungalow Courts or Grouped Dwellings: A combination or group of two or more detached or semi-detached dwellings or dwelling units and their accessory buildings occupying an integrally owned building site and used for non-transient living accommodations.
- (13) Cattle Feed Yard: Shall mean any premises on which cattle are held or maintained for the purpose of feeding and fattening for market and where sixty percent (60%) or more of the feed for such cattle is imported or purchased.
- (14) Camp Grounds: Land or premises which is used or intended to be used, let, or rented for occupancy by campers traveling by automobile or otherwise, or for occupancy by tents or similar quarters.
- (15) Club: All clubs except those, the chief activity of which is a service customarily carried on as a business.
- (16) Courts: An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.
- (17) Dwelling, One-Family: A detached building designed for, or occupied exclusively by, one family.
- (18) Dwelling, Multiple: A building or portion thereof, used or designed as a residence for three or more families living independently of each other, and doing their own cooking in said building, including apartment houses, apartment hotels, and flats, but not including automobile courts.
- (19) Dwelling Group: A group of two or more detached or semi-detached one-family, two family, or multiple-family dwellings occupying a parcel of land in one ownership and having any yard or court in common.
- (20) Duplex: A detached building, under one roof, designed for or occupied exclusively by, two families living independently of each other.
- (21) Family: One or more persons occupying a premises and living as a single non-profit housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity or sorority house. A family shall be deemed to include necessary servants.
- (22) Farm Labor Quarters: Rooming and boarding houses and mess halls for any number of farm help customarily employed principally on land owned by the owner of the building site occupied by said houses or halls. For the purpose of this definition, any

related family shall be deemed to be one person.

- (23) **Front Wall:** The wall of the building or other structure nearest the street upon which the building faces, but excluding certain architectural features as specified in Section 30 of this Ordinance.
- (24) **Garage, Private:** An accessory building for only the storage of private motor vehicles, a subordinate use incidental to the main building.
- (25) **Garage, Public:** Any premises, except those herein defined as a private or storage garage, used for the storage and/or repair of motor vehicles or where any such vehicles are equipped for operation or repair, or kept for remuneration, hire, or sale.
- (26) **Garage, Storage:** Any premises, except those herein defined as a private garage, used exclusively for the storage of motor vehicles.
- (27) **Guest House:** Detached living quarters of a permanent type of construction, without kitchens or cooking facilities, clearly subordinate and incidental to the main building on the same building site, and not to be rented, let, or leased, whether compensation be direct or indirect.
- (28) **Guest Room:** A room which is intended, arranged, or designed to be occupied or which is occupied by guests, but in which no provision is made for cooking, and not including dormitories for sleeping purposes.
- (29) **Height of Building:** The vertical distance from the average level of the highest and lowest point of that portion of the building site covered by the building, to the topmost point of the building, but excluding certain features, as specified in Section 30 of this Ordinance.
- (30) **Hog Ranch, Commercial:** Shall mean any premises on which hogs are raised or maintained and said hogs are fed by the purchase or import of swill, garbage, vegetables or fruit.
- (31) **Hotel:** Any building or portion thereof containing six (6) or more guest rooms used, designed, or intended to be used, let, or hired out to be occupied, or which are occupied by six (6) or more guests; whether the compensation for hire be paid directly or indirectly.

- (32) Junk Yard: The use of more than two hundred (200) square feet of the area of any parcel, lot, or contiguous lots, for the storage of junk, including scrap metals or other scrap material, and/or for the dismantling or "wrecking" of automobiles or other vehicles or machinery.
- (33) Labor Camps: Any living quarters, dwelling, boarding house, tent, bunkhouse, maintenance-of-way car, trailer coach or other housing accommodations, maintained in connection with any work or place where work is being performed, and the premises upon which they are situated and/or the area set aside and provided for camping of five (5) or more employees by a labor contractor. Labor Camp shall also mean a labor supply camp. A labor supply camp is hereby defined to be any place, area or piece of land where a person engages in the business of providing sleeping places or camping grounds for five (5) or more employees or prospective employees of another.
- (34) Lot, Reverse Frontage: The first lot to the rear of a corner lot, the front line of which is a continuation of the side line of the corner lot exclusive of the width of any alley, and fronting on the street which intersects or intercepts the street upon which the corner lot fronts.
- (35) Lot, Key: See Lot, Reverse Frontage.
- (36) Motel: See Auto Court.
- (37) Non-Conforming Building: A building, structure, or portion thereof, which does not conform to the regulations of this Ordinance, for the district in which it is situated and which lawfully existed at the time of the adoption of this Ordinance.
- (38) Non-Conforming Use: A building or land occupied by a use that does not conform to the regulations as to use for the district in which it is situated.
- (39) One Ownership: Ownership of property (or possession thereof), under a contract to purchase or under a lease, the term of which is not less than ten (10) years, by a person or persons, firm, corporation, or partnership, individually, jointly, in common, or in any other manner whereby such property is under single or unified control. The term "owner" shall be deemed to mean the person, firm, corporation, or partnership exercising one ownership as herein defined.
- (40) Rest Home: The rooming or boarding of any aged or convalescent persons, whether ambulatory or non-ambulatory, for which a license is required by a County, State or Federal Agency.

- (41) Rooming or Boarding House: A dwelling other than a hotel where a lodging and/or meals for three (3) or more persons are provided for compensation.
- (42) Sign: Is anything whatsoever placed, erected, constructed, posted, painted, printed, tacked, nailed, glued, stuck, carved, or otherwise fastened, affixed or made visable for out-of-door advertising purposes in any manner whatsoever, on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever.
For the purpose of this Ordinance the advertising area of only one side of a double faced sign shall be used in determining the advertising area.
- (43) Sign, Appurtenant: A sign relating only to goods sold or services rendered upon the building site on which said sign is erected or maintained.
- (44) Sign, Outdoor Advertising: Any sign other than an appurtenant sign.
- (45) Small Livestock Farming: The raising and/or keeping of not more than twelve (12) chicken hens or twelve (12) pigeons, or twelve (12) similar fowl and/or twelve (12) rabbits, or twelve (12) similar animals, or any roosters, quacking ducks, geese, guinea fowl, peafowl, goats, sheep or similar livestock; or the raising and/or keeping for commercial purposes of any cats or dogs; provided that the term "small livestock farming" as used in this Ordinance shall not include commercial hog farming, dairying, or the raising and/or keeping of horses, mules, or similar livestock as determined by the Planning Commission.
- (46) Story: That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.
- (47) Street, Public: A street affording the principal means of access to abutting property, and dedicated to or maintained by City, County or State government, or a street affording the principal means of access to abutting property and with a right-of-way or easement of at least fifty (50) feet, and paved and otherside improved to meet minimum County standards.
- (48) Street Line: The boundary between a street and abutting property.
- (49) Structure: Anything constructed or erected, except fences under six feet in height, the use of which requires location on the ground or attachment to something having location on the ground but not including any trailer or tent.

- (50) Structure, Outdoor Advertising: Any structure of any kind or character, erected or maintained for outdoor advertising sign purposes.
- (51) Structural Alterations: Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.
- (52) Structural Walls: Any bearing wall of a building.
- (53) Trailer Coach: A vehicle designed or used for human habitation and with its wheels in place.
- (54) Trailer Camp: Integrally owned premises maintained for, operated for, or occupied by one or more families living in a trailer coach or coaches.
- (55) Use: The purpose for which land or premises or a building thereon is designed, arranged, or intended, or for which it is, or may be occupied or maintained.
- (56) Use, Accessory: A use accessory to any permitted use and customarily a part thereof, which use is clearly incidental and secondary to the permitted use and which does not change the character thereof.
- (57) Yard: An open space other than a court on the same building site with a building, which open space is unoccupied and unobstructed from the ground upward, except as otherwise provided in Section 20 of this Ordinance, but not including any portion of any street or alley or road right-of-way.
- (58) Yard, Front: A yard extending across the front of the lot between the side lot lines and to a depth required by the district in which said lot is situated; provided, however, that if any Official Plan Line has been established for the street upon which the lot faces, or if any future width line is specified therefore in Section 27 of this Ordinance, then such measurement shall be taken from such Official Plan Line or such future width line to the nearest line of the building.
- (59) Yard, Side: A yard between the side line of the lot and to a width required by the district in which said lot is situated; and extending from the front yard to the rear yard.
- (60) Yard, Rear: A yard extending across the back of the lot between the side lot lines and to a depth required by the district in which said lot is situated.

SECTION 12. REGULATIONS FOR UNCLASSIFIED OR "U" DISTRICTS.

The following regulations shall apply in all "U" Districts and shall be subject to the provisions of Section 30 of this Ordinance.

a. Uses Permitted:

- (1) All uses permitted in any "K", "F", "L", "R", "C", or "H" District and any other use except the uses listed in the following sub-section b. requiring use permits, but not including outdoor advertising signs and structures which are not appurtenant to any permitted use
- (2) Signs appurtenant to any permitted use for each establishment according to the following formula:
Signs shall be permitted to have an area not to exceed three (3) square feet for each one (1) foot of frontage provided that any business establishment shall be allowed a sign of fifty (50) square feet and no more than three hundred (300) square feet, and further provided that the area permitted may be divided into not more than six (6) single or double faced signs; said formula shall apply to each street frontage.

b. Uses permitted subject to first obtaining a Use Permit in each case.

- (1) Commercial hog raising.
- (2) Labor camps.
- (3) Outdoor theaters.
- (4) Auto race tracks.
- (5) Commercial amusement enterprises.
- (6) Distillation of bones.
- (7) Drilling for and/or removal of oil or gas.
- (8) Frog and turkey farms.
- (9) Dumping, disposal, incineration, or reduction of garbage, sewage, offal, dead animals or refuse.
- (10) Fat rendering.
- (11) Junk yards or wrecking yards.
- (12) Manufacture or storage by manufacturers or wholesale distributors of acid, cement, explosives, fireworks, fertilizer, gas, glue, gypsum, inflammable fluids or gases.
- (13) Refining or storage by manufacturers or wholesale distributors of petroleum or its products.
- (14) Smelting of copper, iron, tin, zinc, and other ores.
- (15) Stockyards and slaughter houses.
- (16) Tanneries.
- (17) Fish canneries.
- (18) Bag cleaning or rag works.
- (19) Other uses which might be objectionable by reason of production or emission of noise, offensive odor, smoke, dust, bright light, vibration, or involving the handling of explosive or dangerous materials.
- (20) Airports, heliports, and/or landing strips for aircraft
- (21) Cemeteries, crematories, mausoleums, or columbariums.

c. Other regulations:

Building height limits, building site area required, yards required, and other regulations for any use requiring a use permit shall be as specified by such permit.

SECTION 13. REGULATIONS FOR HIGHWAY FRONTAGE OR "H-1" DISTRICTS.

The following regulations shall apply in all "H-1" districts and shall be subject to the provisions of Section 30 of this Ordinance.

- a. Uses Permitted:
- (1) Agricultural uses, provided that those uses listed in Section 14-b. shall not be established until a use permit is first secured.
 - (2) One-family dwellings.
 - (3) Accessory buildings incidental to any permitted use.
 - (4) Signs not exceeding in the aggregate, six (6) square feet in area for each building site, may be displayed for the purpose of advertising the sale or lease of property upon which displayed.
- b. Uses permitted subject to first securing a Use Permit in each case.
- (1) Duplex and multiple family dwellings, hotels, and automobile courts.
 - (2) Automobile service stations for the sale of gasoline, oils, and accessories.
 - (3) Restaurants, refreshment stands, and retail stores.
 - (4) Nurseries and greenhouses.
 - (5) Non-commercial guest houses (See Section 30 b (2).)
 - (6) Signs appurtenant to any permitted use shall be permitted for each establishment according to the following formula: Signs shall be permitted to have an area not to exceed three (3) square feet for each one (1) foot of frontage provided that any business establishment shall be allowed a sign of fifty (50) square feet and no more than three hundred (300) square feet and further provided that the area permitted may be divided into not more than six (6) single or double faced signs; said formula shall apply to each street frontage.
 - (7) Signs not over one hundred (100) square feet in the aggregate, advertising the sale of a subdivision.
- c. Building Site Area Required:
Six thousand (6000) square feet, except where combined with any "B" District.
- d. Average Building Site Width Required:
Sixty (60) feet.
- e. Maximum Building Site Depth:
Not to exceed three times building site width.
- f. Maximum Percentage of Building Site Coverage Permitted:
Forty (40) percent.
- g. Minimum Front Yard Required:
Thirty (30) feet, except as otherwise indicated on the Sectional District Map.

- h. Minimum Side Yards Required:
Six (6) feet except where combined with any "B" District. The side yard on the rear one-half ($\frac{1}{2}$) of the street side of a corner lot, where there is reversed frontage, shall not be less than the front yard required or existent on the adjacent reversed frontage and when side yard is on side street, the side yard shall be the same as front yard required.
- i. Minimum Rear Yard Required:
Twenty (20) feet.

SECTION 14. REGULATIONS FOR AGRICULTURAL OR "F" DISTRICTS.

The following regulations shall apply in all "F" Districts and shall be subject to the provisions of Section 30 of this Ordinance.

a. Uses Permitted.

- (1) All agricultural uses, including crop and tree farming; livestock farming, dairies, animal husbandry, apiaries, avairies, except the uses indicated in Section 14-b following shall not be established until a Use Permit is first secured.
- (2) Accessory buildings and accessory uses, including barns, stables, and other farm outbuildings; quarters for farm labor and/or servants employed on the premises.
- (3) Name plates and non-illuminated signs not over twenty (20) square feet, appurtenant to any permitted use.
- (4) Signs not exceeding in the aggregate, six (6) square feet in area for each building site may be displayed for the purpose of advertising the sale or lease of property upon which displayed.

b. Uses permitted subject to first securing a Use Permit in each case.

- (1) One (1) non-commercial guest house (see Section 30-b-(2)).
- (2) Frog Farms.
- (3) Commercial hog and turkey raising.
- (4) Cattle feed yards.
- (5) Animal sales yards.
- (6) Agricultural processing plant.
- (7) Stands for sale of products grown on the premises and signs appurtenant thereto, not to exceed twenty (20) square feet.
- (8) Public or quasi-public uses including churches, fire houses, schools (public and parochial) or schools accredited to State School System, and public utility uses.

- (9) Labor camps including necessary or appurtenant buildings, and not including any type of subdivision development whether by official map, record of survey or recorded subdivision.
 - (10) Signs over twenty (20) square feet and appurtenant to any permitted use.
 - (11) Signs, not over one hundred (100) square feet in the aggregate, advertising the sale of a subdivision.
- c. Maximum Building Height Limit: Thirty-five (35) feet.
 - d. Building Site Area Required: Two and one-half (2½) acres, except where combined with any "B" District.
 - e. Average Building Site Width Required: One Hundred (100) feet.
 - f. Percentage of Building Site Coverage Permitted: Thirty-five (35) percent.
 - g. Minimum Front Yard Required: Thirty (30) feet.
 - h. Minimum Side Yard Required: Ten (10) percent of lot width but not more than twenty (20) feet shall be required.
 - i. Minimum Rear Yard Required: Twenty (20) feet.
 - j. Special Yards and Distances Between Buildings Required: Accessory buildings used as guest houses or as barns, stables or farm outbuildings shall be not less than twenty (20) feet from any side or rear property line and not less than fifty (50) feet from the front property line, nor less than twenty (20) feet from any dwelling unit on the property.

SECTION 15. REGULATIONS FOR AGRICULTURAL-RESIDENTIAL OR "K" DISTRICTS.

The following regulations shall apply in all "K" Districts and shall be subject to the provisions of Section 30 of this Ordinance.

a. Uses Permitted:

- (1) One-family dwellings.
- (2) All agricultural uses including crop and tree farming, livestock farming and animal husbandry.
- (3) Rooming and boarding of not over two (2) persons.
- (4) Name plates not over two (2) square feet, appurtenant to any permitted use, not to be illuminated.
- (5) Accessory buildings and accessory uses including barns, stables, and other farm outbuildings, quarters for farm labor and/or servants employed on the premises.
- (6) Signs not exceeding in the aggregate, six (6) square feet in area for each building site, may be displayed for the purpose of advertising the sale or lease of property upon which displayed.

- b. Uses permitted subject to first securing a Use Permit in each case.
- (1) One non-commercial guest house (See Section 30-b-(2)).
 - (2) Frog farms.
 - (3) Commercial hog and turkey raising.
 - (4) Cattle feed yards.
 - (5) Fertilizer plants or yards.
 - (6) Animal sales yards.
 - (7) Dairies.
 - (8) Agricultural processing plants.
 - (9) Stand for sale of agricultural products grown on the premises.
 - (10) Airports, heliports, or landing strips for aircraft.
 - (11) Art galleries.
 - (12) Tract offices.
 - (13) Country clubs.
 - (14) Golf courses with standard length fairways.
 - (15) Kennels for dogs or cats.
 - (16) Public or quasi-public uses, including churches, fire houses, parks and playgrounds, schools (public and parochial) and schools accredited to State School System, public utility uses, and parking lots.
 - (17) Riding academies and public stables.
 - (18) Signs, not over twenty (20) square feet appurtenant to any permitted use.
 - (19) Labor camps.
 - (20) Signs not over one hundred (100) square feet in the aggregate, advertising the sale of a subdivision.
- c. Maximum Building Height Limit: Thirty-five (35) feet.
- d. Building Site Area Required: Ten thousand (10,000) square feet, except where combined with any "B" District.
- e. Average Building Site Width Required: Sixty (60) feet.
- f. Percentage of Building Site Coverage Permitted: Thirty-five (35) percent.
- g. Minimum Front Yard Required: Twenty (20) feet, except where combined with any "B" District.
- h. Minimum Side Yard Required: Six (6) feet except where combined with any "B" District.
- i. Minimum Rear Yard Required: Twenty (20) feet.
- j. Special Yards and Distances Between Buildings Required: Accessory building used as guest houses or as barns, stables, or farm outbuildings, shall be not less than twenty (20) feet from any side or rear property line and not less than fifty (50) feet from the front property line nor less than twenty (20) feet from any dwelling unit on the property.

SECTION 16. REGULATIONS FOR RECREATIONAL OR "L" DISTRICTS

The following regulations shall apply in all "L" Districts and shall be subject to the provisions of Section 30 of this Ordinance.

a. Uses Permitted:

- (1) All residential uses.
- (2) Retail (no secondhand sales), and service establishments (within a building), clinics and offices.
- (3) Crop and tree farming and truck gardening.
- (4) Baseball parks, golf courses, and other commercial places of amusements, including indoor theaters.
- (5) Mineral baths.
- (6) Churches and schools (public and parochial) or schools accredited to the State School System; public and quasi-public uses.
- (7) Campgrounds.
- (8) Accessory uses and buildings appurtenant to any permitted use.
- (9) Signs appurtenant to any permitted use shall be permitted for each establishment according to the following formula: Signs shall be permitted to have an area not to exceed three (3) square feet for each one (1) foot of frontage provided that any business establishment shall be allowed a sign of fifty (50) square feet and no more than three hundred (300) square feet, and further provided that the area permitted may be divided into not more than six (6) single or double faced signs; said formula shall apply to each street frontage.
- (10) Signs not exceeding in the aggregate, six (6) square feet in area, for each building site, may be displayed for the purpose of advertising the sale or lease of property upon which displayed.

b. Uses permitted subject to securing a Use Permit in each case.

- (1) Outdoor theaters.
- (2) Outdoor retail sales establishments.
- (3) Signs not over one hundred (100) square feet in the aggregate, advertising the sale of a subdivision.
- (4) Secondhand sales.
- (5) Public utility buildings and uses.

c. Maximum Building Height Limit: Thirty-five (35) feet, provided that additional height may be permitted if a Use Permit is first secured.

d. Minimum Building Site Area Required: Six Thousand (6000) square feet, except where combined with any "B" District.

e. Average Building Site Width Required: Sixty (60) feet.

f. Maximum Building Site Depth Allowed: Not to exceed three (3) times building site width.

- g. Maximum Percentage of Lot Coverage Permitted: Thirty-five (35) percent.
- h. Minimum Front Yard Required: Twenty (20) feet, except where combined with any "B" District.
- i. Minimum Side Yard Required: Six (6) feet except where combined with any "B" District.
- j. Minimum Rear Yard Required: Ten (10) feet.
- k. Off Street Parking Required:
 - (1) Retail Stores - one (1) parking space for each one hundred fifty (150) square feet of store floor area.
 - (2) Banks and office buildings - one (1) parking space for each three hundred (300) square feet of floor area.
 - (3) Restaurants - one (1) parking space for each four (4) seats.
 - (4) Places of public assembly, including churches - one (1) parking space for each six (6) seats.
 - (5) Theaters - one (1) parking space for each six (6) seats.
 - (6) Clinics and medical offices - one (1) parking space for each three hundred (300) square feet of floor area, plus one (1) additional space for each doctor and staff member.
 - (7) Residential uses - one (1) parking space per dwelling unit.
 - (8) Boarding and rooming houses - one (1) parking space for each two (2) guest rooms.
 - (9) All other uses permitted but not enumerated in this section shall furnish parking as required by the Planning Commission.

SECTION 17. REGULATIONS FOR ONE FAMILY RESIDENCE OR "R-1" DISTRICTS.

The following regulations shall apply in all "R-1" Districts and shall be subject to the provision of Section 30 of this Ordinance.

a. Uses Permitted.

- (1) One family dwellings, not including tents or trailers.
- (2) Rooming and boarding of not over two (2) persons.
- (3) Name plates not over two (2) square feet when appurtenant to any permitted use, not to be illuminated.
- (4) The keeping of not to exceed two (2) cats and/or two (2) dogs.
- (5) Signs not exceeding in the aggregate, six (6) square feet in area, for each building site, may be displayed for the purpose of advertising the sale or lease of property upon which displayed.

- b. Uses Permitted, subject to first securing a Use Permit in each case:
- (1) Private nurseries and private green houses used only for the propagating and cultivating of plants.
 - (2) One non-commercial guest house, subject to Section 30-b-(2) of this Ordinance.
 - (3) Art Galleries.
 - (4) Tract Offices.
 - (5) Country Clubs.
 - (6) Golf Courses with standard length fairways.
 - (7) Servants quarters, with or without kitchen facilities, for servants employed on the premises.
 - (8) Public and quasi-public uses including churches, fire houses, hospitals, parks and playgrounds, schools (public and parochial) or schools accredited to State School System, and public utility buildings and uses.
 - (9) Private stables, subject to Section 30-b-(1) of this Ordinance.
 - (10) Airports, heliports, and landing strips for aircraft.
 - (11) Off-street parking when appurtenant to any permitted use in the district, or when adjacent to any "H", "L", "C", or "M" District.
 - (12) Signs not over one hundred (100) square feet in the aggregate for advertising the sale of a subdivision. Limit of one sign in each case.
- c. Accessory Buildings and Accessory Uses Permitted: Accessory buildings and uses when appurtenant to any permitted use.
- d. Maximum Building Height Limit: Main Buildings - Thirty (30) feet. Accessory buildings -Fifteen (15) feet.
- e. Minimum Building Site Area Required: Six Thousand (6000) square feet, except where combined with any "B" District.
- f. Average Building Site Width Required: Sixty (60) feet.
- g. Maximum Building Site Depth Allowed: Average not to exceed three (3) times building site width.
- h. Percentage of Building Site Coverage Permitted: Thirty-five (35) percent.
- i. Minimum Front Yard Required: Twenty (20) feet, except where combined with any "B" District.
- j. Minimum Side Yards Required: Six (6) feet, except where combined with any "B" District.
- k. Minimum Rear Yard Required: Ten (10) feet, except where combined with any "B" District.

1. Parking required: Not less than one (1) parking space for each dwelling unit.

SECTION 18. REGULATIONS FOR DUPLEX RESIDENCE OR "R-2" DISTRICTS.

The following regulations shall apply in all "R-2" Districts and shall be subject to the provisions of Section 30 of this Ordinance.

- a. Uses Permitted:
 - (1) One family dwellings, not including tents or trailers.
 - (2) Duplexes.
 - (3) Rooming and boarding of not over two (2) persons.
 - (4) Name plates not over two (2) square feet, when appurtenant to any permitted use, not to be illuminated.
 - (5) The keeping of not to exceed two (2) cats and/or two (2) dogs, for each dwelling unit.
 - (6) Signs not exceeding in the aggregate, six (6) square feet in area for each building site, may be displayed for the purpose of advertising the sale or lease of property upon which displayed.
- b. Uses Permitted, subject to first securing a Use Permit in each case:
 - (1) One non-commercial guest house (subject to Section 30-b-(2) of this Ordinance.
 - (2) Art Galleries.
 - (3) Tract Offices.
 - (4) Country Clubs.
 - (5) Golf Courses with standard length fairways.
 - (6) Public and quasi-public uses including churches, fire houses, hospitals, parks and playgrounds, schools, (public and parochial) or schools accredited to State School System, and public utility buildings and uses.
 - (7) Private stables (See Section 30-b-(1) of this Ordinance.)
 - (8) Airports, heliports, and landing strips for aircraft.
 - (9) Off-street parking when appurtenant to any permitted use in the district, or when adjacent to any "C", "M", "H", or "L" District.
 - (10) Signs not over one hundred (100) square feet in the aggregate, advertising the sale of a subdivision. Limit of one sign in each case.
- c. Accessory Buildings and Accessory Uses Permitted: Accessory buildings and uses when appurtenant to any permitted use.
- d. Maximum Building Height Limit: Main Building - Thirty (30) feet. Accessory Buildings - ~~Fifteen~~ (15) feet.

- e. Minimum Building Site Area Required: Six thousand (6000) square feet, except where combined with any "B" District.
- f. Average Building Site Width Required: Sixty (60) feet.
- g. Maximum Building Site Depth Permitted: Average not to exceed three (3) times building site width.
- h. Percentage of Building Site Coverage Permitted: Forty (40) percent.
- i. Minimum Front Yard Required: Twenty (20) feet except where combined with any "B" District.
- j. Minimum Side Yard Required: Six (6) feet, except where combined with any "B" District.
- k. Minimum Rear Yard Required: Ten (10) feet, except where combined with any "B" District.
- l. Parking Required: Not less than one (1) parking space for each dwelling unit.

SECTION 19. REGULATIONS FOR LIMITED MULTIPLE FAMILY RESIDENCE OR "R-3" DISTRICT

The following regulations shall apply in all "R-3" Districts and shall be subject to the provisions of Section 30 of this Ordinance.

a. Uses Permitted:

- (1) Single family dwellings, not including tents or trailers.
- (2) Duplexes.
- (3) Non-illuminated name plates not over four (4) square feet, when appurtenant to any permitted use.
- (4) The keeping of not to exceed one (1) cat and/or one (1) dog for each dwelling.
- (5) Signs not exceeding in the aggregate, six (6) square feet in area, for each building site, may be displayed for the purpose of advertising the sale or lease of property upon which displayed.

b. Uses Permitted subject to first securing a Use Permit in each case:

- (1) Resort hotels, rooming and boarding houses.
- (2) Hospitals.
- (3) Automobile Courts.
- (4) Public and quasi-public uses including churches, fire houses, parks and playgrounds, schools (public and parochial) or schools accredited to the State School System, and public utility buildings and uses.
- (5) Art Galleries.
- (6) Airports, Heliports, and landing strips for aircraft.

- (7) Private stables (subject to Section 30-b-(1) of this Ordinance.)
 - (8) Country Clubs.
 - (9) Golf Courses with standard length fairways.
 - (10) Off-street parking when appurtenant to any permitted use in the district, or when adjacent to any "C" or "M" District.
 - (11) Signs not over seventy-five (75) square feet in area, and appurtenant to any permitted use, provided that the area permitted may be divided into not more than three (3) single or double faced signs.
 - (12) Signs not over one hundred (100) square feet in the aggregate, advertising the sale of a subdivision.
- c. Accessory Uses and Accessory Buildings Permitted: Accessory uses and accessory buildings appurtenant to any permitted use.
 - d. Maximum Building Height Limit: Forty-five (45) feet.
 - e. Building Site Area Required: Six Thousand (6000) square feet, except where combined with any "B" District, but not less than one thousand (1000) square feet of land area for each living unit in any multiple dwelling or dwelling group, and not less than five hundred (500) square feet of land area for each guest room in any hotel, rooming house, boarding house or similar establishment.
 - f. Average Building Site Width Required: Sixty (60) feet.
 - g. Maximum Building Site Depth Allowed: Average not to exceed three (3) times building site width.
 - h. Maximum Percentage of Lot Coverage Permitted: Sixty (60) percent.
 - i. Minimum Front Yard Required: Twenty (20) feet except where combined with any "B" District.
 - j. Minimum Side Yard Required: Five (5) feet except where combined with any "B" District.
 - k. Minimum Rear Yard Required: Ten (10) feet, except where combined with any "B" District.
 - l. Special Yards Required for Dwelling Groups:
 - (1) In case the buildings of the group are so located on the lot that the rear of the building which faces the street is faced by the front of a building to the rear (i.e., in a "front to back" series) no such building shall be closer than twenty (20) feet to any other such building and the side yard, providing access shall not be less than eight (8) feet.

- (2) In case the buildings of the group are so located on the lot that the rears thereof abut upon one side yard and the fronts thereof abut upon the other side (i.e., in a single row "side to side" series), the side yard providing access shall have a width of not less than twelve (12) feet.
- (3) In case the building of a group are so located on the lot that the rears thereof abut upon each side yard and the fronts thereof face a court (i.e., in a double row "side to side" series) the court shall have a width of not less than twenty (20) feet.
- (4) In no case shall any separate building of the group be closer to any other building of the group than a distance of ten (10) feet.
- (5) No building in any group shall be so located on the lot that the rear thereof abuts on any street line.
- (6) Distances required between buildings on the same lot and as yards and courts for dwelling groups shall be increased by two (2) feet for each story that the height of any building or dwelling group exceeds two (2) stories.

m. Parking Required: Not less than one (1) parking space for each dwelling unit.

SECTION 20. REGULATIONS FOR MULTIPLE FAMILY RESIDENCE OR "R-4" DISTRICTS.

The following regulations shall apply in all "R-4" Districts and shall be subject to the provisions of Section 30 of this Ordinance.

a. Uses Permitted:

- (1) Single family dwellings, not including tents and trailers.
- (2) Duplexes.
- (3) Multiple dwellings and dwelling groups.
- (4) Name plates not over four (4) square feet when appurtenant to any permitted use.
- (5) The keeping of not to exceed one (1) cat and/or one (1) dog for each dwelling unit.
- (6) Signs not exceeding in the aggregate, six (6) square feet in area, for each building site may be displayed for the purpose of advertising the sale or lease of property upon which displayed.

b. Uses Permitted, subject to first securing a Use Permit in each case.

- (1) Hotels, clubs, rooming and boarding houses.
- (2) Hospitals, rest homes, sanitariums and clinics.
- (3) Automobile courts.
- (4) Professional offices.
- (5) Tract offices.
- (6) Art Galleries.
- (7) Country Clubs.
- (8) Golf Courses with standard length fairways.

- (9) Public and quasi-public uses including churches, fire houses, parks and playgrounds, schools (public and parochial) or schools accredited to the State School System, and public utility buildings and uses.
 - (10) Private stables (See Section 30-b-(1) of this Ordinance.)
 - (11) Airports, Heliports, and landing strips for aircraft.
 - (12) Off-street parking when appurtenant to any permitted use in the district, or when adjacent to any "C" or "M" District.
 - (13) Signs not over seventy-five (75) square feet and appurtenant to any permitted use, provided that the area permitted may be divided into not more than three (3) single or double faced signs.
 - (14) Signs not over one hundred (100) square feet in the aggregate advertising the sale of a subdivision.
- c. Accessory Uses and Accessory Buildings Permitted: Accessory uses and accessory buildings appurtenant to any permitted use.
 - d. Maximum Building Height Limit: Forty-five (45) feet.
 - e. Building Site Area Required: Six thousand (6000) square feet, except where combined with any "B" District, but not less than one thousand (1,000) square feet of land area for each living unit in any multiple dwelling or dwelling group and not less than five hundred (500) square feet of land area for each guest room in any hotel, rooming house, boarding house, or similar establishment.
 - f. Average Building Site Width Required: Sixty (60) feet.
 - g. Maximum Building Site Depth Permitted: Average not to exceed three (3) times building site width.
 - h. Percentage of Building Site Coverage Permitted: Sixty (60) percent.
 - i. Minimum Front Yard Required: Twenty (20) feet, except where combined with any "B" District.
 - j. Minimum Side Yard Required: Five (5) feet, except where combined with any "B" District.
 - k. Minimum Rear Yard Required: Ten (10) feet, except where combined with any "B" District.
 - l. Special Yards Required for Dwelling Groups:
 - (1) In case the buildings of the group are so located on the lot that the rear of the building which faces the street is faced by the front of a building to the rear (i.e., in a "front to back" series) no such building shall be closer than twenty (20) feet to

any other such building and the side yard providing access shall not be less than eight (8) feet.

- (2) In case the buildings of the group are so located on the lot that the rears thereof abut upon one side yard and the fronts thereof abut upon the other side (i.e., in a single row "side to side" series), the side yard providing access shall have a width of not less than twelve (12) feet.
- (3) In case the buildings of a group are so located on the lot that the rears thereof abut upon each side yard and the fronts thereof face a court (i.e., in a double row "side to side" series) the court shall have a width of not less than twenty (20) feet.
- (4) In no case shall any separate building of the group be closer to any other building of the group than a distance of ten (10) feet.
- (5) No building in any group shall be so located on the lot that the rear thereof abuts on any street line.
- (6) Distances required between buildings on the same lot and as yards and courts for dwelling groups shall be increased by two (2) feet for each story that the height of any building or dwelling group exceeds two (2) stories.

m. Parking Required: No less than one (1) parking space for each dwelling unit.

SECTION 21. REGULATIONS FOR RETAIL BUSINESS OR "C-1" DISTRICTS.

The following regulations shall apply in all "C-1" Districts and shall be subject to the provisions of Section 30 of this Ordinance.

a. Uses Permitted:

- (1) Retail stores and shops of a light commercial character and conducted within a building, including appliance stores, banks, barber shops, beauty parlors, book stores, cleaner or laundry agents, dress shops, drug stores, food stores, furniture shops, millinery shops, offices, radio sales, restaurants, refreshment stands, shoe shops, studios and tailor shops, and other uses which are of similar character to those enumerated and which will not be detrimental or obnoxious to the neighborhood in which they are to be located.
- (2) Signs appurtenant to any permitted use shall be permitted for each establishment according to the following formula:
 - (a) Signs shall be permitted to have an area not to exceed three (3) square feet for each one (1) foot of frontage provided that any business establishment shall be allowed a sign of fifty (50) square feet and no more than three hundred (300) square feet, and further provided that the area permitted may be divided into not more than six (6) single or double faced signs; said formula shall apply to each street frontage.
 - (b) Signs not exceeding fifteen (15) square feet in area

for each building site may be displayed for the purpose of advertising the sale or lease of property upon which displayed.

- b. Uses Permitted, subject to first securing a Use Permit in each case.
- (1) Dwellings, duplexes, multiple dwellings, dwelling groups, hotels, clubs and lodges.
 - (2) Automobile courts and trailer camps.
 - (3) Labor camps.
 - (4) Public and quasi-public uses including schools and churches, and public utility buildings and uses.
 - (5) Animal hospitals, auto repair shops, garages, auto sales service stations, drive-in banks, dancing academies or halls, open air retail sales, drive-in restaurants, theaters, amusement centers, race tracks, pet shops, storage garages, laundrettes, undertaking establishments, development laboratories, used car sales, used or second hand goods and other uses which are of a similar character.
 - (6) Airports, Heliports, and landing strips for aircraft.
 - (7) Outdoor advertising signs and structures other than those appurtenant to any permitted use; including signs for the sale or lease of any land, building or subdivision.
- c. Maximum Building Height Limit: Thirty-five (35) feet, provided that additional height may be allowed upon the obtaining of a Use Permit.
- d. Minimum Building Site Area Required: Two Thousand (2000) square feet.
- e. Average Building Site Width Required: Twenty-five (25) feet.
- f. Minimum Front Yard Required: None, except where frontage in a block is partially in an "R" District, in which case the front yard shall be the same as required in such "R" District.
- g. Minimum Side Yard Required: None, except where the side of a lot abuts upon the side of a lot in a "R", "K", or "F" District, in which case the abutting side yard shall not be less than five (5) feet, and except where the street side of corner lot abuts on a "R", "K", or "F" District, in which case the side yard of the street side shall be the same as the front or side yard required in such "R", "K", or "F" District.
- h. Rear Yard Required: Five (5) feet where alley exists, fifteen (15) feet where no alley exists.

SECTION 22. REGULATIONS FOR GENERAL COMMERCIAL OR "C-2" DISTRICTS.

The following regulations shall apply in all "C-2" Districts and shall be subject to the provisions of Section 30 of this Ordinance.

a. Uses Permitted:

- (1) Retail stores and shops of a light commercial character and conducted within a building, including appliance stores, banks, barber shops, beauty parlors, book stores, launderettes, cleaner or laundry agents, dress shops, drug stores, food stores, furniture shops, millinery shops, offices, radio sales, restaurants, refreshment stands, shoe shops, storage garages, studios and tailor shops, and other uses which are of similar character to those enumerated and which will not be detrimental or obnoxious to the neighborhood in which they are to be located.
- (2) Pet shops and boarding kennels, auto sales (except used cars), dancing academies, wholesale stores or storage (except those requiring a Use Permit under sub-section 22-b.), auto repair shops, service stations (except those requiring a Use Permit under sub-section 22-b.), auto laundries, bottling works, carpenter shops, lumber yards, undertaking establishments, paint, paperhanging and decorator's shops, plumbing shops, tinsmith shops, storage of household goods.
- (3) Signs appurtenant to any permitted use shall be permitted for each establishment according to the following formula:
 - (a) Signs shall be permitted to have an area not to exceed three (3) square feet for each one (1) foot of frontage, provided that any business establishment shall be allowed a sign of fifty (50) square feet and no more than three hundred (300) square feet, and further provided that the area permitted may be divided into not more than six (6) single or double faced signs; said formula shall apply to each street frontage.
 - (b) Signs not exceeding fifteen (15) square feet in area for each building site may be displayed for the purpose of advertising the sale or lease of property upon which displayed.

b. Uses Permitted, subject to first securing a Use Permit in each case:

- (1) Dwellings, duplexes, multiple dwellings, dwelling groups, hotels, clubs and lodges.
- (2) Labor camps and trailer camps.
- (3) Public and quasi-public uses, including schools, churches and public utility buildings and uses.
- (4) Drive-in banks, open air retail and wholesale sales, drive-in restaurants, theaters, laundries, development laboratories, used car sales, used or second hand goods, and other uses which are of similar character.
- (5) Wholesale distributors of petroleum products, contractor yards, welding shops, and other uses of a similar character.

- (6) Manufacture of clothing, handicraft products, printing, lithographing and other light manufacturing or industrial uses of a similar character.
 - (7) Outdoor advertising signs and structures other than those appurtenant to any permitted use including signs for the sale or lease of any building, land or subdivision.
 - (8) Airports, heliports and landing strips for aircraft.
- c. Accessory uses and buildings permitted: Accessory uses and buildings appurtenant to any permitted use.
 - d. Maximum building height limit: Forty-five (45) feet provided that additional height may be allowed upon the obtaining of a Use Permit.
 - e. Minimum building site area required: Two thousand (2000) square feet.
 - f. Average building site width required: Twenty-five (25) feet.
 - g. Minimum front yard required: None, except where frontage in a block is partially in an "R" District, in which case the front yard shall be the same as required in such "R" District.
 - h. Minimum side yard required: None, except where the side of a lot abuts upon the side of a lot in a "R", "K", or "F" District, in which case the abutting side yard shall not be less than five (5) feet, and except where the street side of a corner lot abuts on an "R", "K", or "F" District, in which case the side yard on the street side shall be the same as the front or side yard required in such "R", "K", or "F" District.
 - i. Minimum rear yard required: Five (5) feet where alley exists; fifteen (15) feet where no alley exists.

SECTION 23. REGULATIONS FOR INDUSTRIAL OR "M" DISTRICTS.

The following regulations shall apply in all "M" Districts and shall be subject to the provisions of Section 30 of this Ordinance.

a. Uses Permitted:

- (1) Retail stores and shops of a light commercial character and conducted within a building, including appliance stores, banks, barber shops, beauty parlors, book stores, cleaner or laundry agents, dress shops, drug stores, food stores, furniture shops, millinery shops, offices, radio sales, restaurants, refreshment stands, shoe shops, storage garages, studios and tailor shops, and other uses which are of similar character to those enumerated and which will not be detrimental or obnoxious to the neighborhood in which they are to be located.
- (2) Animal hospitals, auto repair shops, auto sales, service stations, drive-in banks, dancing academies or halls, open air retail and wholesale sales, drive-in restaurants

theaters, pet shops, wholesale stores or storage, laundries, launderettes, undertaking establishments, used car sales, used or second hand goods, bulk storage of oil and gasoline (not including tank farms) and other uses which are of similar character.

- (3) Bottling works, carpenter shops, contractors yards, lumber yards, plumbing shops, welding shops, public utility buildings and uses, and other uses of a similar character.
 - (4) Manufacture of clothing, handicraft products, printing, lithographing, and other light manufacturing or industrial uses of a similar character.
 - (5) Industrial manufacturing uses, except those set forth in Section 23-b.
 - (6) Signs appurtenant to any permitted use shall be permitted for each establishment according to the following formula:
 - (a) Signs shall be permitted to have an area not to exceed three (3) square feet for each one (1) foot of frontage provided that any business establishment shall be allowed a sign of fifty (50) square feet and no more than three hundred (300) square feet and further provided that the area permitted may be divided into not more than six (6) single or double faced signs; said formula shall apply to each street frontage.
 - (b) Signs not exceeding fifteen (15) square feet in area, for each building site may be displayed for the purpose of advertising the sale or lease of property upon which displayed.
- b. Uses Permitted, subject to first securing a Use Permit in each case:
- (1) Public and quasi-public uses and buildings and all residential uses, including auto courts and trailer camps.
 - (2) Commercial excavation of stone or earth materials; distillation of bones; drilling for and/or removal of oil, gas; dumping, disposal, incineration or reduction of garbage, sewage, offal, dead animals, or refuse; fat rendering; hog raising; junk yards; wrecking yards; manufacture of acid, cement, explosives, fireworks, fertilizer, gas, glue, gypsum, inflammable fluids or gases; refining of petroleum and its products; tank farms, smelting of copper, iron, tin, zinc, and other ores; stockyards and slaughter houses; tanneries, and other uses which might be objectionable by reason of production or emission of noise, offensive odor, smoke, dust, bright light, vibration, or involving the handling of explosive or dangerous materials.
 - (3) Airports, heliports, and landing strips for aircraft.
 - (4) Signs appurtenant to any permitted use of a greater area than allowed under Section 23-a-(6).

- (5) Outdoor advertising signs and structures other than those appurtenant to any permitted use, including signs for the sale or lease of any land, building or subdivision.
- c. Accessory uses and buildings permitted: Accessory uses and buildings permitted appurtenant to any permitted use.
- d. Building height limit: Seventy-five (75) feet.
- e. Building site area required: Two thousand (2000) square feet.
- f. Average building site width required: Twenty-five (25) feet.
- g. Front yard required: None, except where frontage in a block is partially in an "R" District, in which case the front yard shall be the same as required in such "R" District.
- h. Side yard required: None, except where the side of a lot abuts upon the side of a lot in an "R", "K", or "F" District, in which case the abutting side yard shall be not less than five (5) feet, and except where the street side of a corner lot abuts on an "R", "K", or "F" District, in which case the side yard on the street side shall be the same as the front or side yard required in such "R", "K", or "F" District.
- i. Rear yard required: Five (5) feet where an alley exists; fifteen (15) feet where no alley exists.

SECTION 24. REGULATIONS FOR LIMITED AGRICULTURAL OR "A" DISTRICTS.

The following regulations shall apply in all districts with which are combined "A" Districts in addition to the regulations hereinbefore specified therefor, and shall be subject to the provisions of Section 30 of this Ordinance, provided, however, that if any of the regulations specified in this Section differ from any of the corresponding regulations specified in this Ordinance for any District with which is combined an "A" District, then in such case the provisions of this Section shall govern.

- a. Uses Permitted:
 - (1) All uses permitted in the respective district with which the "A" District is combined.
 - (2) Animal husbandry and small livestock farming, provided that not more than one horse, mule, cow, or steer or similar livestock shall be kept for each twenty thousand (20,000) square feet of area, to a maximum of three (3) such animals on land under one ownership.
 - (3) Crop farming, tree farming, and viticulture.
- b. Uses permitted, subject to first securing a Use Permit in each case.
 - (1) Additional animals may be allowed on land area

- exceeding two (2) acres.
- (2) Dog and cat kennels.
- (3) Sales of products produced on the premises.
- (4) Riding academies.
- (5) Art galleries.

c. Special yards and distances between buildings required: Barns, stables, chicken houses, or similar accessory buildings, shall be not less than fifty (50) feet from the front property line, nor less than twenty (20) feet from any side or rear property line, nor closer than forty (40) feet from any dwelling on the same or adjacent property.

SECTION 25. REGULATIONS FOR DESIGN CONTROL OR "D" DISTRICTS.

The following regulations shall apply in all districts with which are combined "D" Districts in addition to the regulations hereinbefore specified therefor, and shall be subject to the provisions of Section 30 of this Ordinance, provided however, that if any of the regulations specified in this Section differ from any of the corresponding regulations specified in this Ordinance, for any district with which is combined a "D" District, then in such case the provisions of this section shall govern.

- a. Application for Permit: Any application for a zoning permit in any district combined with a "D" District shall be accompanied by drawings showing front, side, and rear elevations of the proposed building, structure, sign, or improvement or addition thereto, and by a statement indicating the proposed color scheme for such.
 - (1) No signs which are allowable under the regulations of the district with which the "D" District is combined shall exceed **thirty-five (35) square feet.**
- b. Planning Commission Action: The Planning Commission shall consider such drawings and statement in an endeavor to provide that such buildings, structures, or other improvement shall be so designed and constructed that they will not be of unsightly, undesirable or obnoxious appearance to the extent that they will not hinder the orderly and harmonious development of the County, impair the desirability of residence or investment or occupation in the County as appearing to travelers passing through or traveling in the County, limit the opportunity to attain the optimum use and value of land and improvements, impair the desirability of living conditions in the same or adjacent agricultural, residential or commercial areas, and/or otherwise adversely affect the general property and welfare. To this end, the Planning Commission shall suggest any changes in the plans of such proposed buildings, structures, and other improvements, as it may deem to be necessary to accomplish the purposes of this Section, and shall not approve any such plans until it is satisfied that such purposes will be accomplished thereby. No zoning permit shall be issued for any such buildings, structures

or other improvements, unless such elevations, lettering, designs and color scheme shall have been approved, and any such buildings, structures or improvements for which such approval shall have been obtained shall be constructed substantially in accordance with such plan and color scheme, and no change shall be made subsequently without the approval having first been obtained.

- c. Architectural Standards: In order to establish standards of good taste and proportions, those certain drawings entitled "Drawings, Illustrating Architectural Standards for Certain Areas Embraced in Zoning Maps No. 3, 4, 5 and 6, Monterey County, California", etc., copies of which drawings are on file with the County Recorder, are hereby adopted. Said drawings show desirable architectural standards but are not designs which must be copied in order to secure approval of plans.
- d. Appeal: In case the applicant is not satisfied with the action of the Planning Commission, he may within thirty (30) days after such action, appeal in writing to the Board of Supervisors. Said Board shall hold a hearing on said appeal and shall render its decision thereon within thirty (30) days after the filing thereof. No permit, as provided herein, shall be issued unless the plans filed with the application therefor, as required in this Section shall first have been approved by the Planning Commission or Board of Supervisors. Upon such approval, the Secretary of the Planning Commission shall issue such permit provided all other provisions of law have been complied with. Every drawing or sketch filed under the provisions of this Section shall become a part of the records of the Planning Commission.

SECTION 26. REGULATIONS FOR CAMP OR "X" DISTRICTS.

The following regulations shall apply in all district with which are combined "X" Districts, in addition to the regulations hereinbefore specified therefor, and shall be subject to the provisions of Section 30 of this Ordinance, provided however, that if any of the regulations specified in this Section differ from any of the corresponding regulations specified in this Ordinance for any district with which is combined an "X" District, then in such case the provisions of this Section shall govern.

a. Uses Permitted:

All uses permitted in the respective district with which the "X" District is combined.

b. Uses Permitted, subject to first securing a Use Permit in each case.

- (1) Camp grounds.
- (2) Tent camps.
- (3) Trailer camps.

- (4) Automobile courts.
- (5) Trout farms.
- (6) Other uses which are of the same general character as those above enumerated.

SECTION 27. REGULATIONS FOR BUILDING SITE OR "B" DISTRICTS.

The following regulations shall apply in all districts which are combined with such "B" District and shall be applied in lieu of the building site area required, the front yard required, and side yards required, in the combined district, except that in no case shall yard requirements be less than specified in "R-1" Districts, and shall be subject to the provisions of Section 30 of this Ordinance.

<u>Combining Designation</u>	<u>Building Site Area.</u>	<u>Front Yard Depth Required</u>	<u>Side Yard Widths Required</u>	<u>Rear Yard Depths Required.</u>
"B-1"	Eight thousand (8000) sq. ft.	Twenty-five (25) feet.	Ten percent (10%) with a maximum of eight (8) feet.	Ten (10) feet.
"B-2"	Ten thousand (10,000) sq. ft.	Twenty-five (25) feet.	Ten percent (10%) with a maximum of ten (10) ft.	Ten (10) feet.
"B-3"	Twenty thousand (20,000) sq. ft.	Thirty (30) feet.	Ten Percent (10%) with a maximum of fifteen (15) feet.	Fifteen (15) ft.
"B-4"	One (1) acre.	Thirty (30) feet.	Ten percent (10%) with a maximum of twenty (20) feet.	Twenty (20) ft.
"B-5"	As specified on the Sectional District Maps designating any such district, except that in no case shall these regulations be less than those required under the "B-4" regulations.			

SECTION 28. REGULATIONS FOR PARKING OR "P" DISTRICTS.

The following regulations shall apply in all districts with which are combined "P" Districts, in addition to the regulations hereinbefore specified therefor, and shall be subject to the provisions of Section 30 of this Ordinance; provided however, that if any of the regulations specified in this Section differ from any of the corresponding regulations specified in this Ordinance for any district with which is combined a "P" District, then in such case the provisions of this Section shall govern.

a. Uses Permitted:

All uses permitted in the respective districts with which the "P" District is combined, subject to approval of design of building and design and location of parking lots, provided however, as follows:

- (1) Off-street parking shall be required in all districts with which the "P" District is combined according to the following formula:
 - (a) Retail stores - one (1) parking space for each one hundred fifty (150) square feet, and one (1) loading space for each ten thousand (10,000) square feet of store floor area.
 - (b) Office Buildings - one (1) parking space for each five hundred (500) square feet of floor space, with a minimum of four (4) parking spaces.
 - (c) Wholesale and Industry - one (1) parking space for each five (5) employees, and one (1) loading space for each five thousand (5,000) square feet of floor area.
 - (d) Restaurants - one (1) parking space for each four (4) seats, and/or one (1) parking space for each two hundred (200) square feet of floor area.
 - (e) Public Assembly, including churches - One (1) parking space for each six (6) seats.
 - (f) Theaters - one (1) parking space for each six (6) seats.
 - (g) Hotels - one (1) parking space for each four (4) guest rooms.
 - (h) Hospitals - one (1) parking space for each five hundred (500) square feet of floor area.
 - (i) Clinics - one (1) parking space for each three hundred (300) square feet of floor area, plus one (1) parking space for each member of the staff.
 - (j) Schools as specified by Planning Commission.

- b. Building Locations: In case no building line is established by the Street and Highway Plan of the Master Plan of the County or by the provisions of this Ordinance, for the street on which any building will front, in any district with which the "P" District is combined, no such building shall be erected, constructed, moved or structurally altered so that the same shall be closer to the line of such street than a distance to provide adequate space for the traffic movements and the standing of vehicles which will be incidental to the use of such building. Such distance may be designated by the Planning Commission as a part of the action on plans submitted with the application for a permit for such building.

SECTION 29. BUILDING LINES.

For the purpose of determining building locations with respect to street or highway right-of-way lines, building lines are hereby established as shown on the following Sectional District Maps:

10-2J	10-5I	10-7I	10-9I
10-3H	10-5J	10-8I	10-24R
10-3J	10-6I	10-8K	
10-4I	10-6J	10-9H	

SECTION 30. GENERAL PROVISIONS AND EXCEPTIONS.

The regulations specified in this Ordinance shall be subject to the following general provisions and exceptions:

a. Use.

- (1) No dance hall, road house, night club, commercial club, or any establishment where liquor is served, or commercial place of amusement or recreation, or any place where entertainers are provided whether as social companions or otherwise, shall be established in any district closer than two hundred (200) feet to the boundary of any residential district, unless a Use Permit is first secured in each case.
- (2) No circus, carnival, open air theater, race track, or similar establishment involving assemblages of people and automobiles shall be permitted in any district unless a Use Permit is first secured in each case.
- (3) Removal of minerals or natural materials, including building and construction materials to be used for commercial purposes shall be allowed in any district but not unless or until a Use Permit is first secured in each case. This does not include the on-site excavation or removal of materials for normal construction of buildings, structures or underground facilities, or where such removal is motivated by land leveling as its prime objective.

b. Special Regulations.

(1) Regulations for private stables:

- (a) The following regulations shall apply in all cases where a Use Permit has been issued for the maintenance of a private stable.

-1- The minimum lot area upon which a horse may be kept is one (1) acre and two (2) horses may be kept on such area. One additional horse may be kept for each twenty-thousand (20,000) square feet by which the parcel of land exceeds one (1) acre.

- 2- Stables shall be located midway between the side lot lines and in no case closer than twenty (20) feet from the side lines, and not closer than fifty (50) feet to the front lot line. Paddocks shall be located on the rear half of the lot and not closer than twenty (20) feet to any property line, nor closer than forty (40) feet from any dwelling on the same or adjacent property.

(2) Regulations for Guest houses.

(a) The following regulations shall apply to all guest houses in "K", "F", "H" and "R" Districts.

- 1- Guest House: Detached living quarters of a permanent type of construction, without kitchen or cooking facilities, clearly subordinate and incidental to the main building on the same building site, and not to be separately rented, let, or leased, whether compensation be direct or indirect.
- 2- No guest house shall be erected or enlarged and no existing accessory building shall be converted into a guest house without first obtaining a Use Permit in accordance with Section 32 of this Ordinance.
- 3- There shall be but one guest house on any one building site. No kitchen or cooking facilities shall be permitted in any such guest house.
- 4- All guest houses shall be located on the rear half of the building site and shall not be built closer than six (6) feet from the nearest property line, both sides and rear. It shall not be closer than six (6) feet from the nearest point of the main residence.
- 5- The guest house together with the other accessory buildings shall not exceed thirty (30) percent of the area of the rear yard on which it is built.
- 6- A guest house shall not exceed a height of twelve (12) feet as measured in accordance with Section 11-a-(29), "Height of Building".
- 7- No guest house or any part thereof shall be rented, let, or leased separately from the main residence.

c. Height:

- (1) Chimney, vents, and other architectural or mechanical appurtenances may be erected to a greater height than the limit established for the district in which the building is located.

- (2) Towers, poles, water tanks, and similar structures may be erected to a greater height than the limit established for the district in which they are to be located subject to securing a Use Permit in each case.
Local distribution poles for public utilities shall be allowed in all districts and to greater heights than allowed for the districts without receiving a Use Permit.
- (3) Any building in any "R", "H", "F", or "K" District may be erected to a greater height than the limit established for the district in which the building is to be located, provided that the required side yards shall be increased by one (1) foot for each one (1) foot over the height limit and subject to securing a Use Permit in each case.
- (4) Any building in any "L", "C", or "M" District may be erected to a greater height than the limit established for the district in which the building is to be located, provided that the cubical contents of the building shall not be greater than that possible for a building erected within the height limit, and subject to securing a Use Permit in each case.
- (5) In a district with a height limit of less than seventy-five (75) feet, public and quasi-public buildings, schools, churches, hospitals, and other institutions permitted in such district, may be erected to a height not to exceed seventy-five (75) feet, providing that the front, rear, and side yards shall be increased one (1) foot for each one (1) foot of height that such building exceeds the height limit hereinbefore established for such district.
- (6) Upon the securing of a Permit as provided in Section 32 of this Ordinance, any building may be erected to a height exceeding that hereinbefore specified for the respective districts, provided that the total floor area of such building shall not exceed that possible for a building in such respective district erected within the height limit hereinbefore specified for such district.
- (7) Accessory buildings in "R", "K", "H", and "F" Districts shall be limited to a maximum height of fifteen (15) feet, provided that additional height may be permitted upon obtaining a Use Permit.
- (8) Subject to any other provisions of law and subject to first obtaining a Use Permit, towers, gables, spires, penthouses, scenery lofts, cupolas, water tanks (completely closed in with solid walls on all sides down to the ground or to the main part of the building), similar structures and necessary mechanical appurtenances may be built and used to a greater height than the limit established for the district in which the building is located.
- (9) Where the average slope of a lot is greater than the ratio of one (1) foot rise or fall in seven (7) feet of distance from the established street elevation at the property line, one (1) story in addition to the number permitted in the district in which said lot is situated shall be permitted on the downhill

side of any building; provided that the height of the building shall not be increased above the limit specified for said District.

d. Building Site Area and Average Lot Width:

- (1) The use of land as permitted for the district in which it is located shall be permitted on a building site of less area or frontage than that required by the regulations for such district, providing such is shown as a lot on a subdivision map of record or is a parcel of land which was under one ownership on the effective date of this Ordinance, and provided that in either case the owner of such lot has not owned or purchased any adjoining property since the effective date of this Ordinance.
- (2) Land proposed as a building site and not having its principal frontage on a public street but in accordance with all other requirements of this Ordinance may be permitted subject to securing a Use Permit.

e. Yards:

- (1) In any case, where an Official Plan Line has been established as a part of Street and Highway Master Plan, the required yards on the street side shall be measured from such Official Plan Lines and in no case shall the provisions of this Ordinance be construed as permitting any structure to extend beyond such Official Plan Line.
- (2) In any case where a building line has been established in accordance with Section 29 of this Ordinance, the required yards on the street side shall be not less than the distance from the street specified for such building line and in no case shall the provisions of this Ordinance be construed as permitting any structures to extend beyond such building line.
- (3) Cornices, eaves, canopies and similar architectural features may extend into any required yard not exceeding two and one-half ($2\frac{1}{2}$) feet.
- (4) Uncovered porches or stairways, fire escapes or landing places may extend into any required front or rear yard not exceeding six (6) feet, and into any required side yard not exceeding three (3) feet.

- (5) In any "R" or "K" District, where fifty (50) percent or more of the building sites on any one block or portion thereof in the same district have been improved with buildings, the required front yard shall be of a depth equal to the average of the front yards of the improved building site, to a maximum of that specified for the district in which such building site is located.
- (6) In case a dwelling is to be located so that the front or rear thereof faces any side lot line, such dwelling shall not be less than ten (10) feet from such lot line.
- (7) In case a building site is less than sixty (60) feet in width, side yards equal to ten (10) percent of the lot width but no less than five (5) feet shall be required, except in "C" or "M" Districts.
- (8) Any dwelling use to be located in any "C" or "M" district shall provide side and rear yards as required in the "R-3" district, provided that this shall not apply to any dwelling use to be located over a commercial or industrial establishment.
- (9) In the case of a corner lot adjacent to a key lot, the required side yard on the street side for any building within twenty-five (25) feet of the side line of the key lot shall be equal to the front yard required on the key lot, and if more than twenty-five (25) feet from such side line, the required side yard shall be fifty (50) percent of the front yard required on the key lot.
- (10) In case an accessory building is attached to the main building, it shall be made structurally a part thereof and shall comply in all respects with the requirements of this Ordinance applicable to the main building.
- (11) Detached accessory buildings shall not be located closer than six (6) feet to the main building and shall not be located closer to the front property line than fifty (50) feet. In no case shall any accessory building be located within six (6) feet of the side-lines of the front half ($\frac{1}{2}$) of any adjacent lot.
- (12) Detached accessory buildings used as guest houses or as living or sleeping quarters of any kind, shall be at least six (6) feet from rear or side property lines and at least six (6) feet from the main building.
- (13) Detached accessory buildings shall not be located within six (6) feet of any alley or within six (6) feet of the side line on the front one-half ($\frac{1}{2}$) of the lot, and one (1) feet of any lot line on the rear one-half ($\frac{1}{2}$) of the lot, and shall not encroach on any easement or right-of-way of record.
- (14) In case of a lot abutting upon two or more streets, the main building and accessory building shall not be erected so as to encroach upon the front yard required on any of the streets.

- (15) Notwithstanding any requirements in this Section, in cases where the elevation of the front half of the lot at a point fifty (50) feet from the center line of the traveled roadway, is seven (7) feet above or below the grade of said center line, a private garage attached or detached, may be built to within five (5) feet of the front line of the lot.
- (16) Nothing contained in the general provisions shall be deemed to reduce special yard requirements as set forth in the regulations for any "R", "H", "L", "K" or "F" District.

SECTION 31. VARIANCES.

Where practical difficulties, unnecessary hardships or results inconsistent with the purpose and intent of this Ordinance may result from the strict application of certain provisions thereof, variance may be granted as provided in this Section.

a. Application:

Application for variance shall be made in writing on a form prescribed by the Planning Commission, and shall be accompanied by a fee of ten (10) dollars, no part of which shall be returnable to the applicant, and by statement, plans, and other evidence showing:

- (1) That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to land, building, and/or uses in the same district, and
- (2) That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner, and
- (3) That the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health, or safety of persons residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

b. Public Hearings:

A public hearing shall be held within sixty (60) days after filing of application, notice of which shall be given by one publication in a newspaper of general circulation in the County, and by posting notice on the property involved or adjacent thereto, at least five (5) days prior to such hearing.

c. Action by Planning Commission:

After conclusion of the public hearing, the Planning Commission shall make a written finding of facts whether the qualifications under Section 31a (1), (2), and (3) apply to the land, building or use for which variance

is sought and whether such variance shall be in harmony with the general purposes of this Ordinance. Such written finding of facts shall be submitted to the Board of Supervisors.

d. Action by Board of Supervisors:

The Board of Supervisors shall consider the variance application within sixty (60) days after receipt of the Planning Commission report, and if the Board of Supervisors finds that the qualifications under Section 31a (1), (2), and (3) apply to the land, building or use for which variance is sought, and that such variance is in harmony with the general purposes of this Ordinance, said Board shall grant such variance. The Board of Supervisors may designate such conditions in connection with the variance as it may deem necessary to secure the purposes of this Ordinance and may require guarantees and evidence.

e. Revocation:

- (1) In any case, where the conditions of granting of a variance have not or are not complied with, the Planning Commission shall give notice to the permittee of intention to revoke such variance at least ten (10) days prior to a hearing thereon. After conclusion of the hearing, the Planning Commission may revoke such variance. Such revocation shall be subject to confirmation by the Board of Supervisors.
- (2) In any case, where a variance has not been used within one (1) year after date of granting thereof, then without further action by the Planning Commission or Board of Supervisors, the variance granted shall be null and void.

f. Effect:

No building or zoning permit shall be issued unless in accordance with the conditions and terms of the variance granted.

SECTION 32. USE PERMITS.

Use Permits, revocable, conditional, or valid for a term period may be issued for any of the uses or purposes for which such permits are required or permitted by the terms of this Ordinance.

a. Application:

Application for use permit shall be made to the Planning Commission in writing on a form prescribed by the Commission and shall be accompanied by plans and elevations necessary to show the detail of the proposed use or building. Such application shall be accompanied by a fee of ten (10) dollars, no part of which shall be returnable to the applicant.

b. Public Hearing:

The Planning Commission may hold hearings thereon as it

may deem to be necessary. Notice of hearing shall be given by the publication in a newspaper of general circulation within the County at least five (5) days prior to such hearing.

c. Action by Planning Commission:

In order to grant any use permit, the findings of the Planning Commission shall be that the establishment, maintenance or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. The Planning Commission may designate such conditions in connection with the use permit as it deems necessary to secure the purposes of this Ordinance, and may require such guarantees and evidence that such conditions are being or will be complied with.

d. Appeal:

In case the applicant is not satisfied with the action of the Planning Commission, he may within ten (10) days appeal in writing to the Board of Supervisors. A copy of such appeal shall be submitted to the Planning Commission by the applicant. Upon receipt of such notice by the Board of Supervisors and the Planning Commission, said Board shall set date for public hearing as provided in Section 31b. Said Board shall render its decision within sixty (60) days after the filing of such appeal.

e. Revocation:

- (1) In any case where the conditions of granting of a use permit have not or are not complied with, the Planning Commission shall give notice to the permittee of intention to revoke such permit at least ten (10) days prior to a hearing thereon. After conclusion of the hearing, the Planning Commission may revoke such Permit. Such revocation shall be subject to confirmation by the Board of Supervisors.
- (2) In any case, where a use permit has not been used within one (1) year after the date of granting thereof, then without further action by the Planning Commission or Board of Supervisors, the use permit granted shall be null and void.

SECTION 33. ZONING PERMITS:

Zoning permits shall be required for all buildings, structures, signs, and fences over six (6) feet, structures hereinafter erected, constructed, altered, repaired, or moved within or into any district established by this Ordinance, except "U" Districts, and for the use of vacant land or for a change in the character of the use of land within any district

established by this Ordinance, except "U" Districts. Said zoning permit shall be displayed in a conspicuous place until occupancy check is made.

- a. Application:
Application for zoning permit shall be made in writing on a form prescribed by the Planning Commission and shall be accompanied by plans necessary to determine compliance with this Ordinance. All applications shall be accompanied by the fee prescribed by the Board of Supervisors, which shall be deposited in the treasury of the County.
- b. Issuance:
The zoning permit shall be issued if the proposed use or building is in conformance with the provisions of this Ordinance. If any permit is issued by error or otherwise, where a proposed use or building is not in conformance with the provisions of this Ordinance, such permit shall be null and void.
- c. Inspection Required:
A representative of the Planning Commission, upon notification of the permit holder, shall make the following inspection:
 - (1) Foundation Inspection:
To be made after forms are erected and before any permanent installations are made.
 - (2) Occupancy Check:
To be made after building is completed but before occupancy.
- d. Revocation:
 - (1) In any case, where the conditions of granting of a zoning permit have not, or are not complied with, the Planning Commission shall give notice to the permittee of intention to revoke such permit at least ten (10) days prior to a hearing thereon. After conclusion of the hearing, the Planning Commission may revoke such zoning permit. Such revocation shall be subject to confirmation by the Board of Supervisors.
 - (2) In any case, where a zoning Permit has not been used within one (1) year after the date of granting thereof, then without further action by the Planning Commission or Board of Supervisors, the zoning permit granted shall be null and void.

SECTION 34: NON-CONFORMING USES.

- a. The lawful use of land existing on the effective date of this Ordinance, although such use does not conform to the regulations specified by this Ordinance for the district in which such land is located, may be continued, provided that no such use shall be enlarged or increased, nor be

extended to occupy a greater area than that occupied by such use at the time of the adoption of this Ordinance, and that if any such use ceases, as hereinafter provided, the subsequent use of such land shall be in conformity to the regulations specified by this Ordinance, for the district in which such land is located, except that all non-conforming outdoor advertising signs and outdoor advertising structures in "U", "H", "F", "K", "L", and "R" Districts, shall be removed entirely on or before July 1, 1960.

- b. The lawful use of a building existing at the time of adoption of this Ordinance may be continued, although such building and/or use does not conform to the regulations specified for the district in which such building is located.
- c. Any use for which a Use Permit is required by the terms of this Ordinance shall be considered a non-conforming use unless and until a Use Permit is obtained in accordance with Section 32 hereof.
- d. If at any time any building in existence on the effective date of this Ordinance, which does not conform to the regulations for the district in which it is located, be damaged or destroyed by fire, explosion, Act of God, or act of the public enemy, to the extent of more than seventy-five (75) percent of the assessed value thereof, according to the assessment by the said Assessor for the fiscal year during which such destruction occurs, the land and building shall be subject to all the regulations specified by the Ordinance for the District in which such land and building are located, provided such building may be rebuilt to a total floor area not exceeding that of the building destroyed and may continue as herein provided for non-conforming uses, if a Use Permit is first secured.
- e. If the actual operation of a non-conforming use of a building ceases for a continuous period of six (6) months, unless the legal owner can establish valid proof to the contrary, such cessation of the non-conforming use shall be considered abandonment, then without further action by the Planning Commission, the said building and the land on which said building is located, shall be subject to all the regulations specified by this Ordinance for the district in which such land and building are located.
- f. The following additional regulations shall apply to non-conforming buildings:
 - (1) The non-conforming use of a building may be changed to a use of the same or more restricted nature provided that in each case a Use Permit is first secured.
 - (2) The non-conforming use of a portion of a building may be extended throughout the building provided that in each case a Use Permit is first secured.

- (3) The enlargement, extension, reconstruction or structural alteration of a non-conforming building may be permitted if the use is made to conform to the uses allowed in the district in which the use is located, providing that in each case a Use Permit is first secured.
 - (4) Ordinary maintenance and repairs may be made to any non-conforming building providing no structural alterations are made and provided that such work does not exceed twenty-five (25) percent of the assessed value in any one (1) year period.
- g. Nothing contained in this Ordinance shall be deemed to require any change in the plans, construction or designated use of any building upon which actual construction was lawfully begun prior to the effective date of this Ordinance. Actual construction is hereby defined to be: the actual placing of construction materials in their permanent position, fastened in a permanent manner; actual work in excavating a basement, or the demolition or removal of an existing structure begun preparatory to rebuilding; provided, that in all cases actual construction work shall be diligently carried on until the completion of the building or structure involved.
- h. The foregoing provisions shall also apply to non-conforming uses in districts hereafter changed.

SECTION 35. APPEALS.

The Planning Commission shall have the power to hear and decide appeals based on the enforcement of this Ordinance, or the interpretation of the provisions thereof.

- a. Application:
Application for appeal or interpretation shall be made in writing to the Planning Commission.
- b. Action by Planning Commission:
The Planning Commission shall consider application and render its decision within sixty (60) days after the receipt thereof.
- c. Appeal:
In case the applicant is not satisfied with the decision of the Planning Commission, he may, within ten (10) days, appeal in writing to the Board of Supervisors. A copy of such appeal shall be submitted by the applicant to the Planning Commission. The Board of Supervisors shall render its decision within sixty (60) days after receipt by said Board and the Planning Commission of such appeal.

SECTION 36. AMENDMENTS.

This Ordinance may be amended by changing the boundaries of Districts or by changing any other provision thereof whenever

the public necessity and convenience and the general welfare require such amendment by following the procedure of this section.

a. Initiation: An amendment may be initiated by:

- (1) The verified petition of one or more owners of property affected by the proposed amendment, which petition shall be filed with the Planning Commission and shall be accompanied by a fee of fifty (50) dollars, no part of which shall be returnable to the petitioner, or by
- (2) Resolution of Intention by the Board of Supervisors.
- (3) Resolution of Intention by the Planning Commission.

b. Public Hearings:

- (1) The Planning Commission shall hold at least one public hearing on any proposed amendment. At least ten (10) days prior to the first public hearing said Planning Commission shall give notice thereof by at least one (1) publication in a newspaper of general circulation within the County of such public hearing.
- (2) In case the proposed amendment consists of a change of the boundaries of any district so as to reclassify the property from any district to any other district, the Planning Commission shall give additional notice of the time and place of such hearing and of the purpose thereof by: Posting three (3) public notices thereof not less than ten (10) days prior to the date of the first of such hearings along the street or road upon which the property proposed to be reclassified abuts, and in the vicinity thereof. Such notices shall consist of the words "Notice of Proposed Change of Zoning District", printed or lettered in plain type with letters not less than one (1) inch in height, and in addition thereto, a statement in small type setting forth a general description of the property involved in the proposed change of district, the time and place at which the public hearing on the proposed change will be held, and any other information which the Planning Commission may deem to be necessary. Any failure to post public notices as aforesaid shall not invalidate any proceedings for amendment of this Ordinance.
- (3) Action by Planning Commission:
Following the aforesaid hearing, the Planning Commission shall make a report of its findings and recommendations with respect to the proposed amendment and shall file with the Board of Supervisors an attested copy of such report within ninety (90) days after the notice of the first of said hearings; provided that such time limit may be extended upon mutual agreement of the parties having an interest in the proceedings. Failure of the

Planning Commission to so report within ninety (90) days without the aforesaid agreement, shall be deemed to be approval of the proposed amendment by the Planning Commission.

(4) Action by Board of Supervisors:

Upon receipt of such report from the Planning Commission or upon the expiration of the ninety (90) days as aforesaid, the Board of Supervisors shall set the matter for public hearing and shall give notice thereof by one (1) publication in a newspaper of general circulation within the County at least ten (10) days prior to such hearing. After conclusion of the hearing, the Board of Supervisors may adopt the proposed amendment or any part thereof in such form as said Board may deem advisable.

The decision of the Board of Supervisors shall be rendered within ninety (90) days after the receipt of a report and recommendation from the Planning Commission, or after the expiration of such ninety (90) days as aforesaid. Upon the consent of the Planning Commission any petition for an amendment may be withdrawn upon the written application of a majority of all the persons who signed such petition. The Board of Supervisors or the Planning Commission, as the case may be, may by resolution, abandon any proceedings for an amendment initiated by its own resolution of intention, provided that such abandonment may be made only when such proceedings are before such body for consideration and provided that any hearing of which public notice has been given shall be held.

SECTION 37. ENFORCEMENT, LEGAL PROCEDURES, PENALTIES.

All departments, officials, and public employees of the County of Monterey which are vested with the duty or authority to issue permits or licenses, shall conform to the provisions of this Ordinance, and shall issue no such permits or licenses for uses, buildings, or purposes where the same would be in conflict with the provisions of this Ordinance, and any such permits or licenses, if issued in conflict with the provisions of this Ordinance, shall be null and void.

- a. It shall be the duty of the Planning Commission to enforce the provisions of this Ordinance pertaining to the erection, construction, reconstruction, moving, conversion, alteration or addition to any building or structure. It shall be the duty of the Sheriff of the County of Monterey, and all officers of said County herein and/or otherwise charged by law with the enforcement of this Ordinance to enforce this Ordinance, and all the provisions of the same.
- b. Any person, firm or corporation, whether as principal, agent, employee, or otherwise, violating or causing or

permitting the violation of any of the provisions of this Ordinance, shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred (500) dollars or by imprisonment in the County Jail of said County for a term not exceeding six (6) months, or by both fine and imprisonment. Such persons, firm, or corporation shall be deemed to be guilty of a separate offense for each and every day during any portion of which any violation of this Ordinance is committed, continued, or permitted by such person, firm or corporation, and shall be punishable as herein provided.

- c. Any building or structure set up, erected, constructed, altered, enlarged, converted, moved, or maintained, contrary to the provisions of this Ordinance, and/or any use of any land, building or premises, established, conducted, operated, or maintained contrary to the provisions of this Ordinance, shall be, and the same is hereby declared to be unlawful and a public nuisance, and the District Attorney of said County shall, upon order of the Board of Supervisors, immediately commence action or proceedings for the abatement and removal and injunction thereof in the manner provided by law, and shall take such other steps, and shall apply to such court or courts as may have jurisdiction, to grant such relief as will abate and remove such building or structure, and restrain and enjoin any person, firm or corporation, from setting up, erecting, building, maintaining, or using any such building or structure or using any property contrary to the provisions of this Ordinance.
- d. The remedies provided for herein shall be cumulative and not exclusive.

SECTION 38. REPEALING.

All Ordinances and parts of Ordinances of said County in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed.

SECTION 39. VALIDITY.

If any section, sub-section, sentence, clause or phrase of this Ordinance, is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, sub-section, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared invalid.

SECTION 40. REFERENCE.

This Ordinance shall be known and cited as "The Zoning Ordinance of the County of Monterey".

SECTION 41. ENACTMENT.


This Ordinance shall be and is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage.

Regularly passed and adopted by the Board of Supervisors of the County of Monterey, State of California, this 18th day of April, 1955, by the following vote:

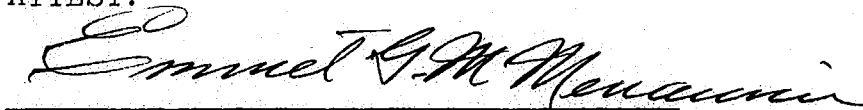
AYES: Supervisors: Deaver, Talcott, Redding, Bunte, and Jacobsen.

NOES: Supervisors: None

ABSENT: Supervisors: None


Chairman of the Board of Supervisors
of the County of Monterey, State of
California.

ATTEST:


Clerk of Said Board