

ZONING ORDINANCE

COUNTY OF MONTEREY
STATE OF CALIFORNIA

ORD. 911

Adopted Apr. 18, 1955

OCT 31 1973

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MONTEREY COUNTY ZONING ORDINANCE NO. 911

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 of 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 movement 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
"O"	Districts	Open Space Districts
"K"	Districts	Agricultural-Residential Districts
"ST"	Districts	Special Treatment 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
"PC"	Districts	Planned Commercial Districts
"C-2"	Districts	General Commercial Districts
"L-M"	Districts	Limited Industrial Districts
"M"	Districts	Industrial Districts
"Y"	Districts	Airport Districts
"T"	Districts	Transitional Districts
"SC"	Districts	Scenic Conservation Districts
"N"	Districts	Rural Districts
"AP"	Districts	Agricultural Preserve Districts
"CR"	Districts	Commercial-Recreational 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

Amended by Ordinance No. 1123, January 25, 1960; Ordinance No. 1195, July 17, 1961; Ordinance No. 1409, April 5, 1965; Ordinance No. 1705, November 12, 1969.

**Amended by Ordinance No. 1123, January 25, 1960; Ordinance No. 1230, April 23, 1962; Ordinance No. 1414, May 3, 1965; Ordinance No. 1615, July 2, 1968.

"G"	Rural Professional Districts
"S"	Integrated Districts
"FP-1"	Primary Flood Plain Districts
"FP-2"	Secondary Flood Plain Districts
"FP-3"	Tertiary Flood Plain Districts
"E"	Frontage Exemption Districts
"J"	Trailer Exclusion 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
"B-6"	Second 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 designation, 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.

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 10-10T, 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

**Amended by Ordinance No. 1120, January 4, 1960.*

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.

- * (1.1) Airport: A place, either on land or on water, where aircraft may land and take off and where additional space may be provided to discharge or receive cargoes and passengers, make repairs, or take in fuel.
- (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 designated 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.

* Amended by Ordinance No. 977, October 1, 1956.

- (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: A parcel of land occupied or intended to be occupied by one main building, and buildings and uses customarily accessory or incidental thereto, including such open spaces as are provided or are intended to be used in connection therewith or are required by the regulations for the district wherein such parcel is located.
- (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 per cent (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.
- ** (16a) Density: The ratio of single family living unit to acreage.
- *** (16b) Drive-in Restaurants: A restaurant where food and beverages are sold and served to customers in motor vehicles and which are regularly and customarily consumed in motor vehicles on the premises.

* Amended by Ordinance No. 1123, January 25, 1960.

** Amended by Ordinance No. 1309, July 29, 1963.

*** Adopted by Ordinance No. 1685, August 19, 1969.

- (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. Farm labor quarters shall also mean farm labor family housing where two or less families are provided living quarters or housing accommodations.
- (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.

*Amended by Ordinance No. 1424, June 21, 1965.

- *(26a) Golf Course, Regulation: A golf course whose minimum total length for 9 holes is 3,000 yards and for 18 holes is 6,000 yards.
- *(26b) Golf Course, Short: A golf course whose minimum total length is 5,000 yards, with some holes over 250 yards.
- *(26c) Golf Course, 3-Par: A golf course in which the longest hole does not exceed 250 yards.
- ** (26d) Golf Course, Practice Fairway: A practice and instructional facility for golf purposes. It shall not include any concessions or commercial sales of merchandise.
- (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 or more guest rooms used, designed, or intended to be used, let or hired out to be occupied, or which are occupied by six or more guests, whether the compensation for hire be paid directly or indirectly.
- *** (31a) Hotel, Resort: A hotel and accessory recreational components as well as service uses designed primarily for the convenience of guests and containing guest rooms with a maximum density of ten guest rooms per acre and with a minimum of ten percent of the total area maintained for landscaping.
- (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 materials, and/or for the dismantling or "wrecking" of automobiles or other vehicles or machinery.

○ Amended by Ordinance No. 1451, February 1, 1966.
 **Adopted by Ordinance No. 1525, February 21, 1967.
 ***Amended by Ordinance No. 1229, March 26, 1962.

- * (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. Labor camp shall also mean farm labor family housing. Farm labor family housing is hereby defined to be any place, area, or piece of land where three or more families are provided living quarters or housing accommodations.
- (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.
- ** (35a) Mobile Home Park: A parcel of land under one ownership which has been planned and improved for the placement of mobile homes for non-transient use.
- *** (35b) Mobile Home: A vehicle designed and equipped for human habitation and for being drawn by a motor vehicle.
- (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.

**Amended by Ordinance No. 1424, June 21, 1965.*

***Amended by Ordinance No. 1177, February 27, 1961.*

****Adopted by Ordinance No. 1941, January 23, 1973.*

- *(39a)** Parking Space: An accessible and usable space on the building site at least eight (8) feet by twenty (20) feet located off the street with access for the parking of automobiles, not including use of established front yard dimensions.
- ** (39b)** Professional Office: An establishment for professional, executive and administrative offices, including those of accountants, lawyers, doctors, dentists, architects, engineers, drafting offices, insurance agents, real estate agents, and other occupations which are of similar character to those enumerated, but not including barbers, beauty parlors, cosmetologists, or other service establishments and building trades contractors.
- *** (39c)** Poultry Farms: The raising and/or keeping of more than five hundred (500) chickens, ducks, geese, pigeons, pheasants, peafowl, or guinea fowl.
- (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 visible 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.
- **** (43a)** Sign, Directional and Informational: Any sign which is confined to the giving of directions to a community or population center, or which, in addition to such directions, also gives general information as to the services, products, or facilities available therein, without, however, naming or otherwise identifying any particular establishment, purveyor of goods or services, or brand or manufacturer of products.
- ***** (43b)** Refreshment Stand: An establishment or portion thereof, where prepared food and beverages are sold, substantial portions of which are sold on a self-service basis or are sold and served for consumption outside of buildings on the premises.

* Amended by Ordinance No. 991, January 7, 1957.

** Amended by Ordinance No. 1229, March 26, 1962.

*** Amended by Ordinance No. 1285, March 25, 1963.

**** Amended by Ordinance No. 1384, November 16, 1964.

***** Adopted by Ordinance No. 1685, August 19, 1969.

- * (44) Sign, Outdoor Advertising: Any sign other than an appurtenant sign or a directional and informational sign.
- (45) Small Livestock Farming: The raising and/or keeping of not more than twelve chicken hens or twelve pigeons, or twelve similar fowl and/or twelve rabbits, or twelve 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, road or way, but not an alley, owned by or maintained by a State, County or incorporate city.
- (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: A vehicle designed and used for human habitation and with its wheels in place.
- *** (54) Trailer Camp: Any area or tract of land where space is rented or held out for rent to two or more owners or users of trailers; or where the free use of such space is permitted owners or users of trailers for the purpose of securing their trade.

* Amended by Ordinance No. 1384, November 16, 1964.

** Amended by Ordinance No. 1123, January 25, 1960.

*** Amended by Ordinance No. 1109, September 28, 1959.

- (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 30 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 30a. of this Ordinance.

a. Uses Permitted:

- (1) Any uses except those listed in subsection b. of this section requiring use permits, and except outdoor advertising signs and outdoor advertising structures.
- (2) Signs appurtenant to any permitted use for each establishment according to the following formula:

Sign shall be permitted to have an area not to exceed three square feet for each one (1) foot of frontage provided that any business established 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 single or double-faced signs; said formula shall apply to each street frontage.

*Amended by Ordinance No. 1130, March 28, 1960.

**Amended by Ordinance No. 1123, January 25, 1960.

*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 tracts.
- (5) Commercial amusement enterprises.
- (6) Distillation of bones.
- (7) Drilling for and/or removal of oil and 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 manufactures 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.
- (22) Trailer camps.
- ** (23) Poultry farms.
- *** (24) Activities involving the assemblage of people or automobiles including, but not limited to, circuses, carnivals, festivals, and races.
- **** (25) Riding and roping arena operations on a minimum of ten acres.

*****c. The following minimum building site area shall be required but may be modified subject to first securing a Use Permit in each case.

Two and one-half acres, except where an interim ordinance is adopted for the area, then in such case, the provisions of the interim ordinance shall govern.

*****d. Other Regulations:

Building height limits, minimum yard requirements, and other regulations for any use requiring a Use Permit shall be as specified by such permit.

**Amended by Ordinance No. 1109, September 28, 1959.*

***Amended by Ordinance No. 1285, March 25, 1963.*

****Amended by Ordinance No. 1834, October 12, 1971.*

*****Amended by Ordinance No. 1916, September 26, 1972.*

******Amended by Ordinance No. 1501, October 4, 1966.*

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 14b. 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, drive-in restaurants, refreshment stands, and retail stores.
- (4) Nurseries and greenhouses.
- (5) Non-commercial guest houses. (See Section 30b. (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 square feet for each one foot of frontage provided that any business establishment shall be allowed a sign of fifty square feet and no more than three hundred square feet and further provided that the area permitted may be divided into not more than six single or double faced signs; said formula shall apply to each street frontage.

- (7) Signs not over one hundred square feet in the aggregate advertising the sale of a subdivision.

c. Building Site Area Required:

Six thousand square feet, except where combined with any "B" District.

d. Average Building Site Width Required:

Sixty (60) feet.

Amended by Ordinance No. 1685, August 19, 1969.

e. Maximum Building Site Depth:

Not to exceed three times building site width.

f. Maximum Percentage of Building Site Coverage Permitted:

Forty percent.

g. Minimum Front Yard Required:

Thirty feet, except as otherwise indicated on the Sectional District Map.

h. Minimum Side Yards Required:

Six feet except where combined with any "B" District. The side yard on the rear one-half of the street side of a corner lot, where there is reversed frontage, shall not be less than the front 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 feet.

*j. Maximum Building Height Limit:

Thirty-five feet provided that additional height may be allowed upon the obtaining of a Use Permit.

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, aviaries, except that the uses indicated in Section 14b. shall not be established until a Use Permit is first secured.
- (2) Accessory buildings and accessory uses, including barns, stables, and other farm outbuildings; farm labor quarters and quarters for servants employed on the premises; one family dwellings, but not including tents, when accessory to an agricultural operation on the same building site.
- (3) Name plates and non-illuminated signs not over twenty square feet, appurtenant to any permitted use.
- (4) Signs not exceeding six square feet in area in the aggregate for each building site may be displayed for the purpose of advertising the sale or lease of property on which displayed.

Amended by Ordinance No. 1398, January 25, 1965.

Amended by Ordinance No. 1405, March 8, 1965.

*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) Animal sales yards.
- (6) Agricultural processing plants.
- (7) Storage, rental and sales of irrigation equipment.
- (8) Stands for sale of products grown on the premises and signs appurtenant thereto, not to exceed twenty square feet.
- (9) Public or quasi-public uses including churches, fire houses, schools (public and parochial) or schools accredited to State School System, and public utility uses.
- (10) 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.
- (11) Signs over twenty square feet and appurtenant to any permitted use.
- (12) Signs, not over one hundred square feet in the aggregate, advertising the sale of a subdivision.
- ** (13) Animal hospitals.
- *** (14) Poultry farms.
- **** (15) Private airstrip for the operation of fixed wing aircraft and helicopters. The airstrip shall be used only by aircraft of the airstrip owner or his lessees and only for the purposes of loading agricultural materials, for flying purposes directly related to agricultural operations, and for emergencies.
- ***** (16) Storage and sale of hay and grain, not grown on the premises, provided that the use is established on a minimum of five acres.

c. Maximum Building Height Limit:

Thirty-five feet.

d. Building Site Area Required:

Two and one-half acres, except where combined with any "B" District.

e. Average Building Site Width Required:

One hundred feet.

f. Percentage of Building Site Coverage Permitted:

Thirty-five percent.

* Amended by Ordinance No. 1009, May 27, 1957.

** Amended by Ordinance No. 1132, April 25, 1960.

*** Amended by Ordinance No. 1285, March 25, 1963.

** Adopted by Ordinance No. 1749, July 21, 1970.

* Adopted by Ordinance No. 1753, August 18, 1970.

g. Minimum Front Yard Required:

Thirty feet.

h. Minimum Side Yard Required:

Ten percent of lot width but not more than twenty feet shall be required.

i. Minimum Rear Yard Required:

Twenty feet.

j. Special Yards and Distances Between Buildings Required:

Accessory buildings used as guest houses or as barns, stables or farm outbuildings shall not be less than twenty feet from any side or rear property line and not less than fifty feet from the front property line nor less than twenty feet from any dwelling unit on the property.

*SECTION 14.1 REGULATIONS FOR OPEN SPACE OR "O" DISTRICTS

The purpose of the "O" District is to promote a rural atmosphere in an otherwise urban or semi-urban development, to hold for future generations open space in which trees and plants can grow.

The following regulations shall apply in all "O" Districts:

a. Uses Permitted:

- (1) Crop and tree farming and grazing of horses and cattle, sheep, and goats.

b. Uses Permitted Subject to First Securing a Use Permit in Each Case:

- (1) Buildings accessory to any permitted use.
- (2) Non-profit recreational uses.
- (3) Any structure or use or removal of any vegetation or natural materials that might tend to defeat the purpose of this district.
- ** (4) Golf courses with standard length fairways.
- *** (5) Public utility uses and accessory buildings, not including corporation yards or similar uses.

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, live-stock farming, and animal husbandry.

* Amended by Ordinance No. 1108, September 28, 1959.

** Amended by Ordinance No. 1267, January 7, 1963.

*** Amended by Ordinance No. 1723, March 17, 1970.

- (3) Rooming and boarding of not over two persons.
- (4) Name plates not over two 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 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 30b. (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) Storage, rental and sales of irrigation equipment.
- (10) Stand for sale of agricultural products grown on the premises.
- (11) Airports, heliports, or landing strips for aircraft.
- (12) Art galleries.
- (13) Tract offices.
- (14) Country clubs.
- (15) Golf courses with standard length fairways.
- (16) Practice fairway golf course, provided that the use is established on a minimum of ten acres of property usable for said purpose.
- (17) Kennels for dogs or cats.
- (18) 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.
- (19) Riding academies and public stables.
- (20) Signs, not over twenty square feet appurtenant to any permitted use.
- (21) Labor camps.
- (22) Signs, not over one hundred square feet in the aggregate, advertising the sale of a subdivision.
- (23) Animal hospitals.
- (24) Poultry farms.
- ** (25) Storage and sale of hay and grain, not grown on the premises, provided that the use is established on a minimum of five acres.
- *** (26) Riding and roping arena operations on a minimum of ten acres.

* Amended by Ordinance No. 1009, May 27, 1957; Amended by Ordinance No. 1132, April 25, 1960; Amended by Ordinance No. 1285, March 25, 1963; Amended by Ordinance No. 1525, February 21, 1967.

** Adopted by Ordinance No. 1753, August 18, 1970.

*** Amended by Ordinance No. 1916, September 26, 1972.

- c. Maximum Building Height Limit:
Thirty-five (35) feet.
- d. Building Site Area Required:
Ten thousand 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 feet except where combined with any "B" District.
- h. Minimum Side Yard Required:
Six 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 buildings used as guest houses or as barns, stables, or farm outbuildings, shall be not less than twenty feet from any side or rear property line and not less than fifty feet from the front property line nor less than twenty feet from any dwelling unit on the property.

***SECTION 16: REGULATIONS FOR SPECIAL TREATMENT OR "ST" DISTRICTS**

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

- a. Uses Permitted:
 - (1) Agriculture and grazing of cattle, horses, or sheep.
 - (2) Single-family residences.

** Amended by Ordinance No. 2295, July 27, 1967.*

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

- (1) If the size of a parcel is five acres in one ownership or contiguous properties in individual ownership who have formed a legal corporation for the purpose of development within the special treatment zone, single family residences and multiple residence to the designated density (e.g., ST Max. 4/Ac.) may be considered for special treatment as demonstrated by a plot plan of the entire plot to be developed. The plot plan shall be submitted in sufficient copies and in a manner which will, in the opinion of the Planning Director, give ample opportunity for review by authorized officials of the County, and it shall show:
 - (a) The area to be developed completely dimensioned to a scale which will clearly show size and details of development including roads and parking.
 - (b) Contours as existing and as they will be after development.
 - (c) Other outstanding topography including all trees over six inches in diameter or groves of trees where grouped. Trees which will be removed by proposed development shall be so marked.
 - (d) Location of all proposed buildings with those for immediate construction so designated.
 - (e) Areas reserved for open space shall be defined and boundaries clearly shown.
 - (f) Character, materials, color to show development design.
 - (g) Elevations and perspectives to show relationship of building heights to surrounding topography.
- (2) Any addition to or development of buildings on parcels of less than five acres, if sold as a portion of a development approved by the Planning Commission in a "ST" District.
- (3) Any addition to or development of buildings on parcels of less than five acres, if ownership is established prior to the effective date of the applicable "ST" District.
- * (4) Public and quasi-public uses.

c. Accessory Buildings and Accessory Uses Permitted:

Accessory buildings and accessory uses when appurtenant to any permitted use on a parcel of five acres or more.

- d. Maximum Building Height Limit:
None except as shown on approved plan.
- e. Minimum Building Site Area Required:
Five acres, except under conditions specified in b. (2) and b. (3) of this section.
- f. Average Building Site Width Required:
None except as shown on approved plan.
- g. Maximum Building Site Depth Allowed:
None except as shown on approved plan.
- h. Percentage of Building Site Coverage Permitted:
Maximum determined by density designation shown on map for particular "ST" District (e.g., "ST" 2/Ac.).
- i. Minimum Front Yard Required:
None except as shown on approved plan.
- j. Minimum Side Yards Required:
None on interior development. Ten feet along property line adjoining another ownership.
- k. Minimum Rear Yard Required:
None on interior development. Ten feet along rear property line adjacent to another ownership.
- l. Parking Required:
Not less than two parking spaces for each dwelling unit. To be designated on plans submitted for Use Permit.

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 provisions 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 persons.
 - (3) Name plates not over two square feet when appurtenant to any permitted use, not to be illuminated.

- (4) The keeping of not to exceed two cats and/or two 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 30b. (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 30b. (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 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 feet. Accessory buildings - Fifteen feet.

e. Minimum Building Site Area Required:

Six thousand square feet, except where combined with any "B" District,

f. Average Building Site Width Required:

Sixty 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 percent.
- i. Minimum Front Yard Required:
Twenty feet, except where combined with any "B" District.
- j. Minimum Side Yards Required:
Six feet, except where combined with any "B" District.
- k. Minimum Rear Yard Required:
Ten feet, except where combined with any "B" District.
- l. Parking Required:
Not less than one 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 persons.
- (4) Name plates not over two square feet, when appurtenant to any permitted use, not to be illuminated.
- (5) The keeping of not to exceed two cats and/or two 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 30b.
- (2) of this Ordinance.)

* Amended by Ordinance No. 1089, April 27, 1959.

- (2) Hospitals, rest homes, sanitariums, and clinics.
- (3) Art Galleries.
- (4) Tract Offices.
- (5) Country Clubs.
- (6) Golf courses with standard length fairways.
- (7) Public and quasi-public uses including churches, fire houses, parks and playgrounds, schools (public and parochial) or schools accredited to State School System, and public utility buildings and uses.
- (8) Private stables. (See Section 30b. (1), of this Ordinance.)
- (9) Airports, heliports, and landing strips for aircraft.
- (10) Off-street parking when appurtenant to any permitted use in the district, or when adjacent to any "C", "M", "H", or "L" District.
- (11) 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 when 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" DISTRICTS

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) Professional offices.
- (5) 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.
- (6) Art Galleries.
- (7) Airports, heliports, and landing strips for aircraft.
- (8) Private stables (subject to Section 30b. (1) of this Ordinance).
- (9) Country Clubs.
- (10) Golf Courses with standard length fairways.
- (11) Off-street parking when appurtenant to any permitted use in the district, or when adjacent to any "C" or "M" District.
- (12) 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.
- (13) Signs not over one hundred (100) square feet in the aggregate, advertising the sale of a subdivision.

* Amended by Ordinance No. 1029, January 6, 1958.

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 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 a 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 to a maximum density of ten units per acre.
- (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.

**Amended by Ordinance No. 1941, January 23, 1973.*

- (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 30b. (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 square feet and appurtenant to any permitted use, provided that the area permitted may be divided into not more than three single or double faced signs.
- (14) Signs not over one hundred square feet in the aggregate advertising the sale of a subdivision.
- *(15) Mobile home parks may be applied for if they comply with Section 30b. (3) of this Ordinance.
- ** (16) Multiple dwellings and dwelling groups exceeding a density of ten units per acre, to a maximum density of one unit per 1200 square feet of land area.

c. Accessory Uses and Accessory Buildings Permitted:

Accessory uses and accessory buildings appurtenant to any permitted use.

**d. Maximum Building Height Limit:

Thirty-five feet, provided that additional height may be allowed upon the obtaining of a Use Permit.

e. Building Site Area Required:

Six thousand square feet, except where combined with any "B" District, but not less than one thousand square feet of land area for each living unit in any multiple dwelling or dwelling group and not less than five hundred 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 feet.

g. Maximum Building Site Depth Permitted:

Average not to exceed three times building site width.

h. Percentage of Building Site Coverage Permitted:

Sixty per cent.

**Amended by Ordinance No. 1177, February 27, 1961.*

***Amended by Ordinance No. 1941, January 23, 1973.*

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 a 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:

- (1) One covered and one-half uncovered parking space for each dwelling unit.
- (2) One covered or uncovered parking space for each hotel or motel unit.

*n. Special Regulations:

- (1) That the site be landscaped and that the landscaping plan be approved by the Director of Planning.
- (2) That all landscaped areas shall be continuously maintained in a litter-free, weed-free condition and all plant material shall be continuously maintained in a healthy, growing condition.

**Amended by Ordinance No. 1941, January 23, 1973.*

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, 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, refreshment stands, 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) Storage warehouses when incidental to a use allowed in this district.

** Amended by Ordinance No. 1685, August 19, 1969.*

*** Amended by Ordinance No. 991, January 7, 1957.*

- (7) Airports, heliports, and landing strips for aircraft.
- (8) 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 a corner lot abuts on a "R", "K", or "F" District, in which case the side yard of the street 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 21.1 REGULATIONS FOR PLANNED COMMERCIAL OR "PC" DISTRICT**

Purpose:

To design and promote the orderly development of a business area as primarily a retail shopping facility to serve present and future needs of the residential community, with emphasis on preserving and expanding the characteristics of the area in which the commercial use is proposed.

**Amended by Ordinance No. 1717, January 27, 1970.*

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

- a. Prior to the establishment of any use or the construction of any building in a "PC" District, the Planning Commission shall consider a general development plan for each "PC" District, prepared either by the Department of Planning or by an applicant.

The Planning Commission shall submit a report of its findings and recommendations with respect to the proposed plan to the Board of Supervisors; the Board of Supervisors may adopt the proposed plan or any part thereof in such form as said Board may deem advisable.

The adoption of a General Development Plan does not allow the establishment of any use, but shall be the general guide for the development of the "PC" District.

- b. Uses permitted, subject to first securing a Zoning Permit in each case, as set forth in this Section:
 - (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, 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) Hotels, clubs, lodges, churches, public and quasi-public uses and buildings, public utility uses and buildings, service stations, drive-in banks, dancing academies, retail plan nurseries, drive-in restaurants, refreshment stands, theaters, amusement centers, pet shops, laundrettes, undertaking establishments, development laboratories, 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.
- c. Signs appurtenant to any permitted use shall be permitted for each establishment according to the following formula:
 - (1) Signs shall be permitted to have an area not to exceed three square feet for each one foot of frontage provided that any business establishment shall be allowed a sign of fifty square feet and no more than three hundred square feet, and further provided that the area permitted may be divided into not more than six single or double faced signs; said formula shall apply to each street frontage.

(2) Signs not exceeding fifteen 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.

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

The Planning Commission may allow additions to uses existing in a "PC" District at the time any provision of this section becomes applicable thereto, provided that such additions do not exceed one half of the area of the existing use.

- e. Maximum allowable height:

Thirty-five feet. Additional height may be permitted upon first securing a Zoning Permit.

- f. Maximum building site coverage by buildings or structures:

Twenty-five percent of the gross area of the building site.

- g. Minimum off-street parking required:

Sixty-five percent of the gross area of the building site.

- h. Landscaping required:

Ten percent of the gross area of the building site shall be landscaped.

- i. Application for Zoning Permit:

An application for a Zoning Permit in a "PC" District shall be submitted to the Planning Commission and shall be accompanied by drawings showing the size and the total dimensions of the property belonging to the applicant, the location of proposed buildings and signs on said property with dimensions and height of the buildings and signs and dimensions to front, side and rear property lines from the buildings, elevations of the buildings, proposed parking layout and location, proposed landscaping plans, and relationship to buildings on adjacent property within 100 feet of applicant's property.

- j. Planning Commission Action:

The Planning Commission shall consider such plans, drawings, use, and supporting data in relation to its conformance to the general development plan adopted for the "PC" District in which the applicant's property is located. To this end,

the Planning Commission shall require any change in the proposed use or the plans of such proposed buildings, structures and other improvements as it may deem to be necessary to assure conformance to the general development plan and to accomplish the purpose of this Section, and it shall not approve any such plans or use unless it is satisfied that such purposes will be accomplished thereby.

The Planning Commission may designate such conditions in connection with the Zoning Permit as it deems necessary to secure the purposes of this Ordinance. Such conditions may include, but are not limited to, architectural and site approval, time limitations, street dedication, and street and drainage improvements. The Planning Commission may also require such bond and guarantees as it deems appropriate to assure the compliance of the conditions.

k. Appeal:

An appeal to the Board of Supervisors may be filed by the applicant if aggrieved by a decision of the Planning Commission. Such appeal shall be in writing and shall be filed with the Clerk of the Board of Supervisors and with the Planning Commission within ten days after written notice of the decision has been mailed to the applicant. An appeal shall set forth specifically the points at issue, the reasons for the appeal, and wherein the appellant believes there was an error or abuse of discretion by the Planning Commission.

Upon receipt of the notice of appeal, the Board of Supervisors shall set a date for public hearing thereon. The Board of Supervisors may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision, or determination as should be made, and such action shall be final.

l. Revocation:

In any case where the conditions of granting of a Zoning Permit have not been, or are not being, complied with, the Planning Commission shall give notice in writing to the permittee of their intention to revoke such Zoning Permit at least ten days prior to a hearing thereon. After conclusion of the hearing, the appropriate authority may revoke or modify such Zoning Permit.

Appeals from such revocation or modification may be taken in the same manner as provided in subdivision k. of this section.

m. Effect:

No building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the Zoning Permit granted or after granting of such Zoning Permit by the Board of Supervisors in the event of appeal.

***SECTION 21.2: REGULATIONS FOR COMMERCIAL-RECREATIONAL OR "CR" DISTRICTS**

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

a. Uses Permitted:

- (1) Boat and motor rentals.
- (2) Docks, Piers, Ships, floating docks, marinas.
- (3) Marina oriented clubs.
- (4) Launching ramps, launching hoists or other devices for launching boats but not for boat construction.
- (5) Retail sales of marine supplies, fishing supplies, gas and oil products, not including automobile service stations.
- (6) Signs appurtenant to any permitted use and not to exceed one sign fifty square feet in area for each permitted use.
- (7) Signs not exceeding fifteen 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) Excursion or sport fishing boat mooring and ticket offices.
- (2) Marine service establishments, including but not limited to ice and refrigeration sales and services, marine engine repairs and other services which are of a similar nature and are a service to boats and boat owners, but do not require removing a boat from water to make repairs.
- ** (3) Restaurants, drive-in restaurants, refreshment stands, motels, trailer camps, gift shops, grocery stores and other retail stores which, in the opinion of the Planning Commission, are of similar nature and will not be detrimental to uses in the surrounding area and meet the purposes of this Section.

**Adopted by Ordinance No. 1506, October 25, 1966.*

***Amended by Ordinance No. 1685, August 19, 1969.*

- (4) Automobile service stations.
- *(5) Warehouses and open air facilities for the storage of boats, trailers, and other marine or recreation oriented equipment of similar nature.

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:

Six thousand (6000) square feet.

e. Average Building Site Width Required:

Sixty (60) feet.

f. Minimum Front Yard Required:

None, except where frontage in a block is partially in a "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 the "R", "K", "N", "T", 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 a "R", "K", "N", "T", or "F" District, in which case the side yard of the street shall be the same as the front or side yard required in such "R", "K", "N", "T", or "F" District.

h. Rear Yard Required:

None.

**i. Parking:

Off street parking shall be provided for permitted uses according to the following formula:

- (1) Boat and motor rentals and retail sales of marine supplies, fishing supplies, gas and oil products - one parking space for each one hundred fifty square feet, and one loading space for each five thousand square feet of store floor area.

*Adopted by Ordinance No. 1619, July 23, 1968.

**Adopted by Ordinance No. 1619, July 23, 1968.

- (2) Marina oriented clubs - one parking space for each four seats and/or one parking space for each two hundred feet of floor area.
- (3) Docks, piers, slips, floating docks, marinas - one parking space for each slip or mooring space for a boat and/or one parking space for each boat available for rental.
- (4) Launching ramps, launching hoists or other devices for launching boats - a minimum of 20 parking spaces for automobile and boat trailer in tandem position. Each space must be accessible and usable and at least 10 feet by 40 feet in size located off the street.

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, laundrettes, cleaner or laundry agents, dress shops, drug stores, food stores, furniture shops, millinery shops, offices, radio sales, restaurants, 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 subsection 22b.), auto repair shops, service stations (except those requiring a Use Permit under subsection 22b.), 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.

*Added by Ordinance No. 1685, August 19, 1969.

- * (4) Drive-in banks, open air retail and wholesale sales, drive-in restaurants, refreshment stands, 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, contractors 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 feet provided that additional height may be allowed upon the obtaining of a Use Permit.

e. Minimum Building Site Area Required:

Two thousand square feet.

f. Average Building Site Width Required:

Twenty-five feet.

g. Minimum Front Yard Required:

None, except where frontage in a block is partially in a "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 yard 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 feet, and except where the street side of a corner lot abuts on a "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 feet where alley exists; fifteen feet where no alley exists.

**Amended by Ordinance No. 1685, August 19, 1969.*

*SECTION 22.1: REGULATIONS FOR LIMITED INDUSTRIAL OR "L-M" DISTRICTS

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

a. Uses Permitted:

- (1) Light industry such as the manufacture of ties, shirts, hats, and other articles of clothing, upholstery; household effects such as lamps, rugs, draperies, and woven fabrics; shops for the assembling and completion of finished products, such as interior decorating and picture framing, craft shops for the manufacture of art, jewelry, silverware, ceramics, leather goods, toys, cartography, book binding, editorial and designing, printing, lithography, etc.; other light industries of a similar character providing that none of the above uses produce undue odor, dust, smoke, noise, or other objectionable effects.
- (2) Executive and professional offices.
- (3) Research laboratories provided such use does not produce undue odor, smoke, noise, or other objectionable effects.
- (4) Nurseries and greenhouses.

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

- (1) Storage warehouses, furniture manufacturing, finish paper products from finished paper stock.
- (2) Public and quasi-public uses and buildings including schools, churches, public utility buildings and uses.
- (3) All residential uses, including auto courts and trailer camps.
- (4) Airports, heliports, and landing strips for aircraft.
- (5) Signs appurtenant to any permitted use.
- ** (6) Carpentry shops, paint, paperhanging and decorator's shops, plumbing shops, tinsmith shops, and other uses of similar nature, provided that all activity is conducted within a building.
- ** (7) Contractor's offices, storage of equipment, including vehicles, within a building.
- ** (8) Retail sales which are accessory and incidental to the main uses permitted in this Section, and provided that the sales area not exceed twenty-five percent of the total floor area.

c. Accessory uses and buildings permitted:

Accessory uses and buildings permitted appurtenant to any permitted use.

d. Maximum Building Height Limit:

Thirty-five feet.

e. Building Site Area Required:

One acre.

Amended by Ordinance No. 991, January 7, 1957; Amended by Ordinance No. 1024, October 28, 1957.

**Amended by Ordinance No. 1606, May 28, 1968.

f. Maximum Percentage of Lot Coverage Permitted:

Twenty-five percent.

g. Minimum Front Yard Required:

Fifty feet.

h. Minimum Side Yard Required:

Ten percent of average width with a maximum of twenty-five feet.

i. Minimum Rear Yard Required:

Fifty feet.

j. Special Regulations:

- (1) Off-street parking and loading: Adequate off-street parking should be provided on the premises for all vehicles of persons employed and of visitors and customers. A minimum of two parking spaces shall be provided for every three employees on the two adjoining shifts having the largest number of employees.

All loading and unloading operations shall be provided for on the premises. Off-street parking and loading facilities may be located within the required yard and setback areas, except for a ten foot deep landscaping strip adjacent to side and rear property lines and a thirty foot deep area to be landscaped adjacent to front property lines.

- (2) Manufacturing and Storage Areas: All manufacturing and fabrication operations shall be conducted within buildings. All equipment and material storage areas shall be screened by solid walls, fences, or by adequate plantings of not less than six feet in height, said fencing and screening shall conform to all yard requirements.

***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.

**Amended by Ordinance No. 1505, October 25, 1966.*

- (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, laundrettes, 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 23b.
- (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 square feet for each one foot of frontage provided that any business establishment shall be allowed a sign of fifty square feet and no more than three hundred square feet and further provided that the area permitted may be divided into not more than six single or double faced signs; said formula shall apply to each street frontage.
 - (b) Signs not exceeding fifteen 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.
- (7) Agricultural uses, provided that those uses listed in Section 14b, shall not be established until a Use Permit is first secured.

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)
 - (a) Commercial excavation of stone or earth materials, drilling for and/or removal of oil, gas.
 - (b) Distillation of bones, fat rendering.
 - (c) Dumping, disposal, reduction of garbage, sewage, offal, dead animals, or refuse.
 - (d) Food processing, fish canning and other uses of similar character.
 - (e) Hog raising.
 - (f) Junk yard, wrecking yards not requiring incineration.
- (3) Manufacture of acid, cement, electric power, explosives, fireworks, fertilizer, gas, glue, gypsum, inflammable fluids or gasses, incineration of garbage, wrecking yards requiring incineration, refining of petroleum and its products, tank farms, smelting of copper, iron, tin, zinc, and other ores and other uses which might be objectionable by reason of the production or emission of noise, offensive odor, smoke, dust, bright lights, vibration or involving the handling of explosives or dangerous materials; provided, however, each application for a Use Permit for said activities shall include estimates of

maximum quantities and types of each air contaminant which might be emitted under normal operating conditions during a 24 hour period. The application shall be referred to the Monterey County Air Pollution Control Officer for a report and recommendation on the following matters:

- (a) Whether the proposed construction, expansion and operation of the facilities described in said application would result in an emission of harmful quantities of air contaminants, including but not limited to oxides of sulfur, oxides of nitrogen, hydrocarbons and particulate matter.
- (b) An estimated quantity of air contaminants that would be emitted and the relation thereof to the dispersion capacity of the area.
- (c) Recommended emission limits of air contaminants.

Provided further, that the Planning Commission shall not act upon said application for a period of 30 days after said application has been referred to said Air Pollution Control Officer, and provided further that a Use Permit for such uses shall be granted only where the Planning Commission, or the Board of Supervisors on appeal, shall have found that the applicant has proven to the satisfaction of said Planning Commission, or Board of Supervisors, by plant example, plans, specifications, new equipment, and technical advances in the particular industry that the applicant's particular use will not be detrimental to surrounding property or to any portion of the County of Monterey; and provided further that said Use Permit shall be conditional, and conditions attached thereto shall include a condition that the use of the property pursuant to the Use Permit shall not violate any of the regulations of the Monterey County Air Pollution Control District or the Central Coastal Regional Water Quality Control Board, and provided further that the permit shall contain a condition that the recipient of the permit shall not exceed the maximum emission limits determined by the Planning Commission to be applicable except under non-recurring and unusual circumstances.

- (4) Airports, heliports, and landing strips for aircraft.
- (5) Signs appurtenant to any permitted use of a greater area than allowed under Section 23a(6).
- (6) Outdoor advertising signs and structures other than those appurtenant to any permitted use, including signs for the sale or lease of 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 feet.
- e. Building Site Area Required: Ten thousand square feet.
- f. Average Building Site Width Required: One hundred feet.
- g. Front Yard Required: Ten percent of average lot depth with a maximum of fifty feet, and a minimum of fifteen feet.
- h. Minimum Side Yard Required: Ten percent of average lot width with a maximum of twenty-five feet.
- i. Minimum Rear Yard Required: Ten percent of average lot depth with a maximum of fifty feet.
- j. Maximum Lot Coverage Permitted: Fifty percent.
- k. Parking Required: One off-street parking space of 8 feet x 20 feet for each three employees on the largest shift, and one loading space of 10 feet x 50 feet for each 5000 square feet of floor area.
None of the off-street parking may occupy the front yard required. Side and rear yards may be used for the parking required if approved by the Planning Commission.
- l. Landscaping: Landscaping of the front, side and rear yards shall be performed by the developer when required by the Planning Commission. Planting shall be maintained in a condition of optimum growth by the developer at all times.

*SECTION 23.1: REGULATIONS FOR AIRPORT OR "Y" DISTRICTS

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

a. Uses Permitted:

(1) Airports.

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

(1) Uses which, in the opinion of the Planning Commission, are accessory or incidental to operation of the airport and which are found not to be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

**SECTION 23.2 REGULATIONS FOR TRANSITIONAL OR "T" DISTRICTS

The Transitional District shall be considered as a holding district until more detailed land use studies can be made and more precise zoning adopted for the area covered by said Transitional District.

The following regulations shall apply in all "T" 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 30b. (2).)

(2) Frog farms.

(3) Commercial hog and turkey raising.

(4) Cattle feed yards.

* Amended by Ordinance No. 977, October 7, 1956.

* Amended by Ordinance No. 1048, May 26, 1958.

- (5) Fertilizer plants or yards,
- (6) Animal sales yards.
- (7) Dairies.
- (8) Agricultural processing plants.
- (9) Storage, rental and sales of irrigation equipment.
- (10) Stand for sale of agricultural products grown on the premises.
- (11) Airports, heliports, or land strips for aircraft.
- (12) Art galleries.
- (13) Tract offices.
- (14) Country clubs.
- (15) Golf courses with standard length fairways.
- *(16) Practice fairway golf course, provided that the use is established on a minimum of ten acres of property usable for said purpose.
- (17) Kennels for dogs or cats.
- (18) 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.
- (19) Riding academies and public stables.
- (20) Signs, not over twenty square feet, appurtenant to any permitted use.
- (21) Labor camps.
- (22) Signs, not over one hundred square feet in the aggregate, advertising the sale of a subdivision.
- ** (23) Animal hospitals.
- *** (24) Poultry farms.
- **** (25) Storage and sale of hay and grain, not grown on the premises, provided that the use is established on a minimum of five acres.
- ***** (26) Riding and roping arena operations on a minimum of ten acres.

c. Maximum Building Height Limit:

Thirty-five feet.

d. Building Site Area Required:

Ten thousand square feet, except where combined with any "B" District.

e. Average Building Site Width Required:

Sixty feet.

f. Percentage of Building Site Coverage Permitted:

Thirty-five percent.

g. Minimum Front Yard Required:

Twenty feet except, where combined with any "B" District.

**Adopted by Ordinance No. 1525, February 21, 1967.*

***Amended by Ordinance No. 1132, April 25, 1960.*

****Amended by Ordinance No. 1285, March 25, 1963.*

*****Adopted by Ordinance No. 1753, August 18, 1970.*

******Amended by Ordinance No. 1916, September 26, 1972.*

h. Minimum Side Yard Required:

Six feet except where combined with any "B" District.

i. Minimum Rear Yard Required:

Twenty 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 feet from any side or rear property line and not less than fifty feet from the front property line nor less than twenty feet from any dwelling unit on the property.

*SECTION 23.3: REGULATIONS FOR SCENIC CONSERVATION OR "SC" DISTRICTS

The Board of Supervisors of the County of Monterey hereby finds and declares (a) that the rapid and unprecedented growth of urban development in the unincorporated areas of California and of Monterey County in recent years has encroached upon and eliminated many scenic areas; (b) that the beauty and rural character of scenic areas are permanently destroyed by the uncontrolled and unregulated placement therein of structures and public and private roads; (c) that the County of Monterey contains many areas of unusual scenic beauty which are unique in the United States and which, if preserved, will constitute physical, social, spiritual, cultural, recreational, aesthetic, and economic resources of great value to the people of the County and to the public generally; (d) that the regulations hereby established in this section are designed to apply to such unusually scenic areas, and will promote and protect the general welfare by contributing to the physical, moral, spiritual, and economic well-being of the people and by encouraging and safeguarding the County's important tourist industry.

The following regulations shall apply in all "SC" 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) All agricultural uses including crop and tree farming, provided that those uses listed in Subdivision b. shall not be established until a Use Permit is first secured; and further provided that livestock farming and animal husbandry shall not be conducted on parcels of less than two and one-half acres in area.
- (3) Rooming and boarding of not over two persons.
- (4) Name plates not over two square feet, appurtenant to any permitted use.
- (5) Accessory buildings and accessory uses.
- (6) Quarters for servants and farm laborers employed on the premises.
- (7) Barns, stables and other farm outbuildings.

* Amended by Ordinance No. 1309, July 29, 1963.

** Amended by Ordinance No. 1624, August 20, 1963.

(8) Signs not exceeding in the aggregate, six 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) One non-commercial guest house (subject to the provisions of Section 30 b. (2) of this Ordinance).
- (2) Airports, heliports, or landing strips for aircraft.
- (3) Art galleries.
- (4) Tract offices.
- (5) Country clubs, golf courses with standard length fairways.
- (6) Kennels for dogs and cats, animal hospitals.
- (7) Public or quasi-public uses, including churches, fire houses, parks and playgrounds, public and parochial schools and schools accredited to State School System, public utility uses, and parking lots.
- (8) Duplexes, multiple dwellings, dwelling groups, and apartments where the density proposed does not exceed the minimum building site area as shown on the Sectional District Maps.
- (9) Hotels, resort hotels, clubs, lodges, automobile courts, and trailer camps where the density proposed does not exceed the minimum building site area as shown on the Sectional District Maps.
- (10) Signs, not over thirty-five square feet appurtenant to any permitted use.
- (11) Signs, not over thirty-five square feet in the aggregate, advertising the sale of a subdivision.
- (12) The following uses, on a minimum of five acre building sites:
 - (a) Frog farms, commercial hog farms, turkey farms, and poultry farms.
 - (b) Cattle feed yards, fertilizer plants or yards, animal sales yards, dairies, and agricultural processing plants.
 - (c) Storage, rental and sales of irrigation equipment.
 - (d) Stand for sale of agricultural products grown on the premises.
 - (e) Riding academies and public stables.
 - (f) Labor camps.
- (13) Clustering of dwellings provided that the prescribed maximum density is maintained by sufficient open space perpetuated by "O" District classification and/or scenic easement to provide minimum building site area required.
- *(14) Mobile homes and trailers used for living quarters.

**c. Special Regulations:

- (1) The regulations for Design Control or "D" Districts (Section 25 of this Ordinance) shall prevail in all "SC" Districts.
- (2) Prior to the commencement of construction of any building, fence, or structure, or the removal or deposit of natural material, the Planning Commission shall approve applicable parts of the following:

Adopted by Ordinance No. 1624, August 20, 1968.
*** Amended by Ordinance No. 1319, September 23, 1963.*

- (1) The location of buildings.
- (2) The location, type, and design of fences.
- (3) The plans for the removal or deposit of natural materials.
- (4) Location of roads, driveways, and terraces.
- (5) Plans for drainage and erosion control.
- (6) Plans for landscaping where required by the Planning Commission to conceal the results of the removal or deposit of natural materials.

Applications for approval shall be presented to the Planning Commission and shall be accompanied by drawings and sketches showing, in reasonable scale and detail, the proposed building locations, fence locations, and plans for removal and depositing of natural materials outlined above, including plans for retaining walls, planting, and other methods of preventing soil erosion. The Planning Commission shall consider applications to the end that the proposed improvements will not present an unsightly appearance, impair the desirability of residence in the same area, limit the opportunity to obtain the optimum use and value of land improvements, or impair the desirability of living conditions in the same or adjacent areas. It shall be the objective of the Commission to retain the natural topography, vegetation, and scenic beauty of the area as far as possible. To achieve these ends, the Planning Commission may suggest changes as deemed necessary to accomplish the purpose of this section. The Planning Commission shall not give its approval until satisfied that the purpose set out herein shall be accomplished. No Zoning Permit or Building Permit shall be issued until approval is given.

Appeal may be taken by an applicant from a decision of the Planning Commission under the procedure provided for in Section 25 c. of this Ordinance.

d. Minimum Building Site Area Required and Maximum Density Allowance:

Building Site area and acres per living unit shall be as shown on the Sectional District Maps with a number following the zoning designation (e.g. "SC/10" shall mean "SC" District with ten acres per living unit).

e. The following regulations shall apply but may be modified subject to first securing a Use Permit in each case:

(1) Maximum Building Height Limit:

Twenty feet.

(2) Minimum Building Site Width Required:

One hundred feet.

(3) Minimum Front Yard Required:

One hundred feet, except as otherwise indicated on the Sectional District Maps.

(4) Minimum Side Yard Required:

Ten feet.

(5) Minimum Rear Yard Required:

Twenty feet.

f. Special Yards and Distances Between Buildings Required:

Accessory buildings used as barns, stables, or farm outbuildings, shall be not less than twenty feet from any side or rear property line and not less than fifty feet from the front property line nor less than twenty feet from any dwelling unit on the property.

*SECTION 23.4 REGULATIONS FOR RURAL OR "N" DISTRICTS

The following regulations shall apply in all "N" Districts 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 the provisions of Section 30, then the provisions of this Section shall govern.

a. Uses Permitted:

- (1) One-family dwellings.
- (2) All agricultural uses including crop and tree farming, live-stock farming, and animal husbandry.
- (3) Rooming and boarding of not over two persons.
- (4) Name plates not over two 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 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 30b (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) Storage, rental and sales of irrigation equipment.
- (10) Stand for sale of agricultural products grown on the premises.
- (11) Airports, heliports, or landing strips for aircraft.

* Amended by Ordinance No. 1409, April 5, 1965.

** Adopted by Ordinance No. 1525, February 21, 1967.

- (12) Art galleries.
- (13) Tract offices.
- (14) Country clubs.
- (15) Golf courses with standard length fairways.
- (16) Practice fairway golf course, provided that the use is established on a minimum of ten acres of property usable for said purpose.
- (17) Kennels for dogs or cats.
- (18) 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.
- (19) Riding academies and public stables.
- (20) Signs, not over twenty square feet appurtenant to any permitted use.
- (21) Labor camps.
- (22) Signs not over one hundred square feet in the aggregate, advertising the sale of a subdivision.
- (23) Animal hospitals.
- (24) Poultry farms.
- *(25) Storage and sale of hay and grain, not grown on the premises, provided that the use is established on a minimum of five acres.
- ** (26) Riding and roping arena operations on a minimum of ten acres.

c. Minimum Building Site Area Required:

Twenty thousand square feet, except as otherwise indicated on the Sectional District Maps.

d. The following regulations shall apply but may be modified subject to first securing a Use Permit in each case:

(1) Maximum Building Height Limit:

Thirty-five feet.

(2) Minimum Building Site Width Required:

One hundred feet.

(3) Minimum Front Yard Required:

Sixty feet from the center line of any road right-of-way.

(4) Minimum Side Yard Required:

Ten feet.

(5) Minimum Rear Yard Required:

Ten feet.

e. Building Site Frontage Required:

None.

* Adopted by Ordinance No. 1753, August 18, 1970.

** Adopted by Ordinance No. 1893, June 27, 1972.

*SECTION 23.5 REGULATIONS FOR AGRICULTURAL PRESERVE OR "AP" DISTRICTS

The purpose of the "AP" District is to provide an agriculture district to protect and maintain lands which are determined to be an economic benefit to the county from an agricultural or open space standpoint.

The following regulations shall apply in all "AP" 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, aviaries, except that the uses indicated in Section 23.5 b. shall not be established until a Use Permit is first secured.
- (2) Accessory buildings and accessory uses, including barns, stables, and other farm outbuildings; farm labor quarters and quarters for servants employed on the premises; one family dwellings, but not including tents, when accessory to an agricultural operation on the same building site.
- (3) Name plates and non-illuminated signs, not over twenty square feet, appurtenant to any permitted use.
- (4) Signs not exceeding six square feet in area in the aggregate for each building site may be displayed for the purpose of advertising the sale or lease of property upon which it is displayed.

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

- (1) Non-commercial guest house
- (2) Frog and poultry farms, commercial hog and turkey raising
- (3) Cattle feed yards and animal sales yards
- (4) Agricultural processing plants
- (5) Storage, rental and sales of irrigation equipment
- (6) Stands for the sale of products grown on the premises
- (7) Public or quasi-public uses, including churches, firehouses, schools (public and parochial), or schools accredited to the State School System; public utility uses.
- (8) Labor camps, including necessary or appurtenant buildings but not including any type of subdivision development, whether by Official Map, Parcel Map, or Recorded Subdivision

**Adopted by Ordinance No. 1705, November 12, 1969.*

- (9) Animal hospitals, small and large
- (10) Aircraft landing strip incidental to the agricultural use of the land
- (11) Public or private hunting and or fishing clubs and structures accessory to the use of the land for hunting of wildlife or fishing
- (12) Public or private rifle and pistol practice range, trap or skeet field, archery range or other similar use.
- (13) Public or private riding or hiking clubs with accessory buildings and trails developed for such use.

c. Maximum Building Height Limit:

Thirty-five feet

d. Minimum Building Site Required:

40 acres, except where combined with any "B" District

e. Minimum Yard Required:

- (1) Front yard: Thirty feet
- (2) Side yard: Twenty feet
- (3) Rear yard: Twenty feet
- (4) Special yards: Accessory buildings used as barns, stables, or farm outbuildings shall not be less than twenty feet from any side or rear property line, and not less than fifty feet from the front property line, or less than twenty feet from any dwelling unit on the property.

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. Additional Accessory 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. Additional Accessory 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 or products produced on the premises.
- (4) Riding academies.
- (5) Art galleries.

**Amended by Ordinance No. 1026, November 25, 1957.*

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 lines, 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; provided further, that such of the following regulations as are specifically made applicable only to "L-M" Districts when combined with "D" Districts shall apply as additional regulations only to "L-M" Districts when combined with "D" Districts.

**a. Application for Permit:

An application for a Zoning Permit pursuant to Section 33, and including all fences, in a district combined with a "D" District, shall be accompanied by drawings showing front, side and rear elevations of the proposed building, structure, sign, fence, or improvement or addition thereto, and by a statement indicating the proposed color scheme for such, and in "L-M" Districts, when combined with a "D" District, the applicant shall also submit plans or drawings showing, in reasonable detail, proposed building or structure location, topography, existing vegetation, proposed parking layout and location and proposed landscaping plans.

***(1) Where signs are allowable under the regulations of the district with which the "D" District is combined, the total area of such signs shall not exceed thirty-five square feet in the aggregate. This limitation in total area shall apply even though the use has frontage on two or more streets.

b. Planning Commission Action:

The Planning Commission shall consider such plans, drawings, and statement in an endeavor to provide that such buildings, structures, or other improvements shall be so designed and constructed and, only in "L-M" Districts when combined with "D" Districts, so located, that they will not be of unsightly, undesirable or obnoxious appearance to the extent that they will hinder the orderly and

* Amended by Ordinance No. 1054, July 21, 1958; Amended by Ordinance No. 1061, October 27, 1958.

* Amended by Ordinance No. 1358, June 22, 1964.

* Amended by Ordinance No. 1336, February 17, 1964.

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, and, only in "L-M" Districts when combined with "D" Districts, such locations of buildings, structures, and other improvements, 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. 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 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 districts 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 a "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, and subject to maintaining the density as specified on the Sectional District Maps designating any such districts:

- (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.
- (7) Mobile home parks.

****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 Depths Required</u>	<u>Side Yard Widths Required</u>	<u>Rear Yard Depths Required</u>
"B-1"	Eight Thousand (8000) sq. feet.	Twenty-five (25) feet.	Ten percent (10%) with a maximum of eight (8) ft.	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) feet.
"B-4"	One (1) acre.	Thirty (30) feet.	Ten percent (10%) with a maximum of twenty (20) ft.	Twenty (20) feet.
"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.			
"B-6"	Building site area as shown on subdivision maps of record. Front yard, rear yard and side yards to be not less than "B-4" regulations unless otherwise indicated on the subdivision map of record.			

* Amended by Ordinance No. 1864, March 28, 1972.

** Amended by Ordinance No. 1108, September 28, 1959.

***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 herein-before 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 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 five thousand (5,000) square feet of store floor area.
 - (b) Office buildings - One (1) parking space for each three hundred (300) square feet of floor space with a minimum of four (4) parking spaces.
 - (c) Wholesale and Industry - One (1) parking space for each three (3) employees on the largest shift, and one (1) loading space for each five thousand (5,000) square feet of floor area.
 - (d) Restaurants, Bars, and Cocktail Lounges - 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 four (4) seats.
 - (f) Theaters - One parking space for each six (6) seats.
 - (g) Hotels - One (1) parking space for each two (2) guest rooms.
 - (h) Motels - One (1) parking space for each guest room.

** Amended by Ordinance No. 1024, October 28, 1957.*

- (i) Hospitals - One (1) parking space per bed plus one (1) parking space for each three (3) staff members.
- (j) 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.
- (k) 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 28.1: REGULATIONS FOR RURAL-PROFESSIONAL OR "G" DISTRICTS

The following regulations shall apply in all districts with which are combined "G" District in addition to the regulations herein before specified therefor, and shall be subject to the provisions of Section 28 (Regulations for Parking), and Section 30 (General Provisions and Exceptions) of this Ordinance, provided, however, that if any of the regulations specified in this Section differ from any of the corresponding regulations specified in the Ordinance for any district with which is combined a "G" 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 "G" District is combined.

b. Uses Permitted, subject to first securing a Use Permit in each case, and subject to the provisions of Section 25 (Regulations for Design Control).

- (1) Resort Hotels and Clubs: Minimum building site required - Ten (10) acres to a maximum of one hundred (100) guest rooms, with an additional one (1) acre required for each ten (10) guest rooms or fraction thereof, exceeding one hundred (100).

ended by Ordinance No. 997, January 7, 1957.

- (2) Hospitals, rest homes, sanitariums, and clinics: Minimum building site required - Ten (10) acres.
- (3) Executive offices of commercial or industrial firms where only managerial functions are carried on: Minimum building site required - Five (5) acres.
- (4) Research laboratories, provided that no manufacturing of products for sale is carried on and that such laboratory does not cause effects that might be objectionable for reason of the production or emission of noise, offensive odors, smoke, dust, bright lights, vibration, or involving the handling of explosives or dangerous materials: Minimum building site required - Ten (10) acres.

*SECTION 28.2: REGULATIONS FOR INTEGRATED OR "S" DISTRICTS

The following regulations shall apply in all districts with which are combined "S" 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 "S" 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 "S" District is combined.

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

(1) Duplexes, multiple dwellings, and dwelling groups, if they comply with the following regulations:

- (a) The foregoing dwelling uses shall provide front, side, and rear yards as required in the "R-4" District.
- (b) Minimum Building Site Area Required: One Acre.
- (c) Dwelling Density Required: As specified on the Sectional District Maps designating any such districts.

**SECTION 28.3: REGULATIONS FOR PRIMARY FLOOD PLAIN OR "FP-1" DISTRICTS

PURPOSE

This district classification is intended to be applied to properties which lie within a primary flood plain zone, which, for the purpose of this Ordinance, shall be construed to be a stream channel and the portions of the adjacent flood plain as are required to efficiently carry the flood flows of the stream, and on which properties special regulations

*Amended by Ordinance No. 1211, November 27, 1961.

**Adopted by Ordinance No. 1615, July 2, 1968.

are necessary for protection of the public health, welfare and safety and of property and improvements from the hazards and damages resulting from flood waters.

The following regulations shall apply in all districts with which are combined "FP-1" 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 "FP" District, then in such case the provisions of this Section shall govern.

a. Uses Permitted:

- (1) Crop farming and other agricultural uses and tree farming.
- (2) Other uses which are found by the Planning Commission to be similar to the above uses provided that such similar uses will not endanger life or significantly restrict the carrying capacity of the floodway. Such findings by the Planning Commission may be appealed to the Board of Supervisors within 10 days from the decision of the Planning Commission.

The Board of Supervisors shall hold a hearing on the appeal, giving notice thereof to the appellant and the Planning Commission. The Board of Supervisors may affirm, reverse, or modify the findings of the Planning Commission.

b. Uses Permitted, subject to first securing a Use Permit in each case, and provided that the uses contemplated do not significantly restrict the carrying capacity of the flood way:

- (1) All uses permitted in the respective district with which the "FP-1" District is combined when properties which lie within Primary Flood Plain Districts have been protected with man-made dikes or levees.
- (2) Public and Private recreational uses, exclusive of structural improvements except rest rooms and appurtenant facilities which shall be designed to withstand inundation due to floods.

SECTION 28.4: REGULATIONS FOR SECONDARY FLOOD PLAIN OR "FP-2" DISTRICTS

PURPOSE

This district classification is intended to be applied to those properties which lie within areas where inundation may be caused by stream overflow and back water which are relatively free of any current, excluding areas in "FP-1" Districts, but which require special regulations for the protection of such properties and their improvements from hazards and damages which may be caused from flood waters.

The following regulations shall apply in all districts with which are combined "FP-2" Districts, in addition to the regulations hereinbefore specified therefore, and shall be subject to the provisions of Section 30 of this Ordinance, provided, however, that if any of the corresponding regulations specified in this Ordinance for any district with which is combined and "FP-2" District, or from the provisions of Section 30, then in such case, the provisions of this Section shall govern.

a. Uses Permitted:

All uses permitted in the respective district with which the "FP-2" District is combined provided that the lowest habitable floor level of buildings, structures and uses are above flood profile level as shown on the Flood Plain Zoning Map of the particular area.

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

- (1) Public and private recreational uses, exclusive of structural improvements except rest rooms and appurtenant facilities which shall be designed to withstand inundation due to floods.
- (2) Improvements in accordance with existing or permitted uses or improvements or additions to existing buildings and structures where the floor levels do not meet the requirements set forth in Section 28.4a.
- (3) All uses permitted in the respective district with which the "FP-2" District is combined when lands which lie within Secondary Flood Plain Districts have been protected by man-made dikes or levees.

SECTION 28.5: REGULATIONS FOR TERTIARY FLOOD PLAIN OR "FP-3" DISTRICTS

PURPOSE

This district classification is intended to be applied to lands which lie within a primary or secondary flood plain zone, but which have been protected by man-made dikes or levees constructed by local, state, or federal agencies for the protection of the area so zoned, or protected by dikes or levees constructed by private individuals, firms, or corporations, provided that such protective devices meet the criteria adopted by the County of Monterey.

The following regulations shall apply in all districts with which are combined "FP-3" Districts, in addition to the regulations hereinbefore specified therefore, 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 "FP-3" District, or from the provisions of this Section shall govern.

a. Uses Permitted:

All uses permitted in the respective district with which the "FP-3" District is combined.

*SECTION 28.6: REGULATIONS FOR "E" OR FRONTAGE EXEMPTION DISTRICTS.

The following regulations shall apply in all districts with which are combined "E" Districts, in addition to the regulations hereinbefore specified therefore, 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 "E" District, or from the provisions of Section 30, then in such case, the provisions of this Section shall govern.

a. Uses Permitted:

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

b. Building Site Frontage:

Every building site shall have frontage on a public street as set forth in Section 30d., unless such site is 2-1/2 acres or more in area, in which case said site may front on a private road right-of-way and provided that a building setback of sixty feet from the center line of said road be held.

**SECTION 28.7: REGULATIONS FOR TRAILER EXCLUSION OR "J" DISTRICTS.

The following regulations shall apply in all districts with which are combined "J" Districts, in addition to the regulations hereinbefore specified therefore, 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 "J" District, then in such case the provisions of this Section shall govern.

No trailer or mobile home shall be used as living quarters.

***SECTION 28.8: REGULATIONS FOR MOBILE HOME OR "L" DISTRICTS.

The following regulations shall apply in all districts with which are combined "L" Districts, in addition to the regulations hereinbefore specified therefore, 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 "L" 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 "L" District is combined.

* Amended by Ordinance No. 1414, May 3, 1965.

** Adopted by Ordinance No. 1632, September 24, 1968.

* Adopted by Ordinance No. 1819, August 3, 1971.

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

Trailers or mobile homes used as living quarters.

***SECTION 28.9: REGULATIONS FOR IMPROVEMENT OR "Z" DISTRICT.**

The following regulations shall apply in all districts with which are combined "Z" Districts, in addition to the regulations hereinbefore specified therefore, 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 "Z" District, then in such case the provisions of this Section shall govern.

The following regulations shall apply, but may be modified subject to first securing a Use Permit in each case:

Except for Building Permits to remodel, whose declared value is less than twice the assessed value of the building as shown on the latest adopted assessment roll, no Building Permit shall be issued, nor any use conducted, until the following improvements are made by the property owner or developer:

1. If the property has frontage on a County road, grant to the County by deed any portion of the property within Official Plan Lines. If there are no Official Plan Lines, a grant shall be made to the County by deed of property 30 feet in width measured from the center line of the roadway and running the entire frontage of the parcel being used.
2. Install sidewalk, curb, and gutter and extend existing pavement to join the gutter
3. The foregoing requirement for the extension of existing pavement shall not apply to churches, schools, or "R-1" Districts.

**Adopted by Ordinance No. 1894, July 11, 1972.*

*SECTION 28.10: REGULATIONS FOR INDUCIVE OR "I" DISTRICTS.

PURPOSE

This district classification is intended to be applied to properties on which there are substandard residential dwelling units and the regulations hereby established in this Section are designed to act as an inducement to redevelop the property.

The following regulations shall apply in all districts with which are combined "I" Districts, in addition to the regulations hereinbefore specified therefore, 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 "I" District, then in such case the provisions of this Section shall govern.

a. Use Permitted:

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

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

Multiple dwellings and dwelling groups to a maximum density of one unit per 1200 square feet of land area.

c. Special Regulations:

Prior to the construction of any units granted by a Use Permit, all substandard dwelling units on the property must be removed or brought into complete conformity with all building code requirements.

**Adopted by Ordinance No. 1941, January 23, 1973.*

***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	10-6J	10-8S	10-12V
10-3H	10-5J	10-6Q	10-9H	10-13V
10-3J	10-5P	10-7I	10-9I	10-14X
10-3M	10-5PS	10-7R	10-9S	10-15Z
10-3N	10-6F	10-8I	10-10T	10-24R
10-4I	10-6I	10-8K	10-12H	

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 feet to the boundary of any residential district, unless a Use Permit is first secured in each case.
- (2) Repealed by Ordinance No. 1834, October 12, 1971.
- ** (3) (a) The following Uses shall be allowed in any district upon the issuance of a Use Permit in each case:
 - (1) The removal of minerals and natural materials for commercial purposes;
 - (2) The drilling for and/or removal of oil and gas;
 - (3) The cutting or removal of conifers for commercial purposes;
 - (4) Activities involving the assemblage of people or automobiles including, but not limited to, circuses, carnivals, festivals, and races, where such use does not exceed a period of 10 days and does not involve the construction of permanent facilities.

Amended by Ordinance No. 1102, August 24, 1959; Amended by Ordinance No. 1177, February 27, 1961; Amended by Ordinance No. 1309, July 29, 1963.

***Amended by Ordinance No. 1499, September 27, 1966; Amended by Ordinance No. 1834, October 12, 1971.*

(b) The foregoing paragraphs shall not apply to nor prohibit the following activities:

- (1) The excavation or removal of materials for the normal construction of buildings, structures, or underground facilities;
- (2) The removal of minerals, natural materials or conifers where such removal is motivated by land leveling as its prime objective;
- (3) Cutting or removal of trees for the purpose of land clearing for public roads and rights of way, or for the purpose of providing firewood;
- (4) The cutting or removal of trees by the property owner to a maximum of 2500 board feet per month and a maximum of 15,000 board feet per year;
- (5) The cutting or removal of Christmas trees.

*(4) Public utility distribution and transmission line towers and poles and underground facilities for distribution of gas, water, telephone, and electricity and telephone booths shall be allowed in all districts, and without limitations as to height, without the necessity of first obtaining a Use Permit therefore, provided however, that the routes of proposed gas, water, telephone, and electric transmission lines, and the proposed locations of telephone booths, shall be submitted to the Planning Commission for recommendation at any time prior to but at least thirty days in advance of the acquisition of rights of way for any such routes, or, in the case of telephone booths, in advance of the erection thereof.

** (5) No accessory building shall be constructed nor shall any accessory use be conducted on any property in any "R" District unless and until the main building is constructed or until a Use Permit is first obtained.

*** (6) Directional and informational signs may be permitted in any district upon first securing a Use Permit in each case. The location, copy, and design of said signs shall be subject to approval of the Planning Commission. No one sign shall exceed a maximum area of 400 square feet. Such signs shall be permitted only on property adjacent to freeways approaching cities and communities, and which freeways pass through or near said cities and communities.

* Amended by Ordinance No. 99L, January 7, 1957; Amended by Ordinance No. 1062, October 27, 1958.

** Amended by Ordinance No. 1026, November 25, 1957.

*** Amended by Ordinance No. 1384, November 16, 1964.

- * (7) No person, firm, or corporation shall use any land, or erect construct, or use any building, structure, or enclosure for the purpose of raising, maintaining, or keeping of mink unless and until a Use Permit is first secured in each case.
- * (8) Mobile homes and trailers may be used as living quarters in any district during a period of construction of a main residence, provided that a Use Permit is secured in each case.
- ** (9) No trailer or mobile home shall be used in any zoning district for any purpose other than a single family residence or for residential or agricultural storage purposes unless a Use Permit is first secured in each case.

Trailers or mobile homes used as temporary construction offices are allowed without the securing of a Use Permit. Such use shall be permitted only during the period of construction.

Trailers or mobile homes used by public utility companies for temporary emergency equipment or supplies shall be allowed in any district without the securing of a Use Permit, provided, however, that such use shall not exceed ninety days duration.

- *** (10) Licensed residential care homes for aged persons of not more than six people, including any permitted rooming and boarding, may be allowed in any zoning district, which allows residential uses.
- *** (11) Licensed nursery schools may be permitted in any zoning district upon first securing a Use Permit in each case.
- **** (12) Mobile homes and trailers, used as living quarters, not located in mobile home parks or trailer camps shall be allowed in all districts, other than in those districts where such use is prohibited, upon first securing a Use Permit in each case; and the following regulations shall apply in all cases where a Use Permit is granted:
 - (a) Skirting shall be provided around the perimeter of the mobile home or trailer.
 - (b) The face of all cut and fill slopes shall be planted with a ground cover approved by the Director of Planning to protect the slopes against erosion.

**Adopted by Ordinance No. 1632, September 24, 1968.*

***Amended by Ordinance No. 1658, March 18, 1969; Amended by Ordinance No. 1753, August 18, 1970.*

****Adopted by Ordinance No. 1801, May 4, 1971.*

*****Adopted by Ordinance No. 1941, January 23, 1973.*

- ***(c)** All cut and fill slope landscaped areas shall be continuously maintained by the applicant in a litter-free, weed-free condition, and all plant material shall be continuously maintained in a healthy, growing condition.

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.

**Adopted by Ordinance No. 1941, January 23, 1973.*

- (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 feet from the nearest property line, both sides and rear. It shall not be closer than six feet from the nearest point of the main residence.
- (5) The guest house together with the other accessory building shall not exceed thirty percent of the rear yard on which it is built.
- (6) A guest house shall not exceed a height of twelve feet as measured in accordance with Section 11a. (29), "Height of Building".
- (7) No guest house or any part thereof shall be rented, let, or leased separately from the main residence.

* (3) Regulations for Mobile Home Parks:

- (a) The following regulations shall apply in all cases where a Use Permit has been issued for a mobile home park.
 - (1) The minimum lot area for a mobile home park shall be five acres.
 - (2) No mobile home park shall have commercial uses other than those used primarily by the residents of the park such as: coin operated machines for laundry, soft drinks, cigarettes, and similar uses on condition that the uses shall be located in the interior of the park.
 - (3) The density of the mobile home park shall be limited to eight homes per acre with the minimum mobile home site to be not less than 3,000 square feet.
 - (4) Minimum yard setbacks from adjoining streets and properties shall be as follows: front yard setback, 20 feet; side yard setback, 10 feet; and rear yard setback, 10 feet.
 - (5) Landscaping and fences shall be provided and shall be designed to screen the mobile home park from the street and adjoining properties. Landscape and fencing plans shall be approved by the Director of Planning.
 - (6) All landscaped areas shall be continuously maintained by the applicant in a litter-free, weed-free condition and all plant material shall be continuously maintained in a healthy, growing condition.
 - (7) Ten percent of the total area of the trailer park shall be developed for recreational purposes.

* Amended by Ordinance No. 1177, February 27, 1967; Amended by Ordinance No. 1762, September 29, 1970.

- (8) Two parking spaces shall be provided for each site and they shall not be a part of the minimum street width.
- (9) All utility distribution facilities, including but not limited to electric, communication and cable television lines installed in and for the purpose of supplying service within any mobile home park, shall be placed underground, except as follows:
 - (a) Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts, or such equipment when concealed by shrubbery, landscaping or other screening and approved by the Director of Planning.

The Planning Commission may waive the requirements of this Section if topographical, soil or other physical conditions make underground installation of said facilities unreasonable or impractical.

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 foot for each one 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 the 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 feet, public and quasi-public buildings, schools, churches, hospitals, and other institutions permitted in such districts

may be erected to a height not to exceed seventy-five feet, providing that the front, rear, and side yards shall be increased one foot for each one foot of height that such building exceeds the height limit hereinbefore established for such districts.

- (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 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 foot rise or fall in seven feet of distance from the established street elevation at the property line, one story in addition to the number permitted in the district in which said lot is situated shall be permitted on the down hill side of any building, provided that the height of the building shall not be increased above the limit specified for said district.

d. Repealed by Ordinance 1714, January 20, 1970.

e. Yards:

- (1) In any case, where an Official Plan Line has been established as a part of the 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 feet.
- (4) Uncovered porches, or stairways, fire escapes or landing places may extend into any required front or rear yard not exceeding six feet, and into any required side yard not exceeding three feet.
- (5) In any "R" or "K" District, where fifty 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 sites, 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 feet from such lot line.
- (7) In case a building site is less than sixty feet in width, side yards equal to ten percent of the lot width but no less than five 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 feet of the side line of the **Key** lot shall be equal to the front yard required on the key **1st.** and if more than twenty-five feet from such side line, the required side yard shall be fifty 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) Except as otherwise provided in paragraphs (12) and (13) of this subdivision of this Section, detached accessory buildings shall not be located:

- (a) within six (6) feet from the main building;
- (b) within fifty (50) feet from the front property line;
- (c) within six (6) feet from the sidelines of the front one half of the lot;
- (d) within six (6) feet of the sidelines of the front one half of any adjacent lot;
- (e) within one (1) foot of any lot line on the rear one half of the lot;
- (f) so as to encroach on any easement or right of way of record.

* (12) Detached accessory buildings used as guest houses or as living or sleeping quarters of any kind shall not be located within six (6) feet from the rear and side property lines.

* (13) Detached accessory buildings which have access from any alley shall not be located within six (6) feet of the alley.

(14) In case of a lot abutting upon two or more streets, the main building and accessory buildings 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.

** (17) Structures, except utility poles and utility equipment appurtenant, thereto shall not be located so as to encroach on any utility or road easement or right of way.

***f. Any off-street parking space required by the terms of this Ordinance for any building or use wherein more than two automobile parking spaces are required shall be designed so as to provide for maneuvering of the vehicles on the building site in such a way that they may leave the building site to enter any public or private road in a forward direction.

* Amended by Ordinance No. 1072, January 5, 1959.

** Amended by Ordinance No. 1474, May 24, 1966.

*** Amended by Ordinance No. 1331, January 6, 1964.

***SECTION 31: VARIANCES**

Variances to the yard, coverage, and area regulations of this Ordinance may be authorized by a variance permit granted in accordance with the provisions of this section.

a. Authority:

The Zoning Administrator shall hear and decide all applications for variance permits.

****b. Application:**

Application for variance shall be made in writing on a form prescribed by the Zoning Administrator, and shall be accompanied by a fee of twenty-five dollars, no part of which shall be returnable to the applicant, and by statements, plans, and other evidence showings:

1. That because of special circumstances applicable to subject property, including size, shape, topography, location, or surroundings, the strict application of this ordinance is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification, and
2. That the grant of a variance permit would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

c. Public Hearing:

A public hearing shall be held after filing application, and after the determination of the Zoning Administrator that the information submitted by the applicant is sufficient to consider the matter; and not less than ten calendar days prior thereto the Zoning Administrator shall give notice of hearing thereon by one publication in a newspaper of general circulation and by posting notice thereof in conspicuous places close to the property involved. In addition, the Zoning Administrator may also give notice of such hearing by mailing postage prepaid a notice of the time and place of such hearing to all persons owning property adjacent to the exterior boundaries of the area actually occupied or to be occupied by the use for which the variance was applied. Addresses shall be used from the last equalized assessment roll, or alternatively, from such other records of the assessor or the tax collector as contain more recent addresses in the opinion of the Zoning Administrator.

* Amended by Ordinance No. 1476, May 31, 1966.

** Amended by Ordinance No. 1562, September 5, 1967.

d. Action by Zoning Administrator:

After conclusion of the public hearing, the Zoning Administrator shall make his decision in writing, which decision shall include findings of fact as to whether the qualifications under Section 31 b. (1), and (2) apply to the land, building, or use for which variance is sought. The Zoning Administrator may include such conditions in connection with the variance as he deems reasonable and necessary under the circumstances to preserve the integrity and character of the district and to secure the general purposes of this ordinance. Such conditions may include, but are not limited to architectural and site approval, time limitations, street dedication, and street and drainage improvements. The Zoning Administrator may also require such bond and guarantees as he deems appropriate to assure the compliance of the conditions.

* e. Appeal:

An appeal to the Board of Supervisors may be filed by any person aggrieved by a decision of the Zoning Administrator. Such appeal shall be in writing and shall be filed with the clerk of the Board of Supervisors and with the Zoning Administrator within ten days after written notice of the decision has been mailed to the applicant. At the time of the filing of the appeal, the appellant other than the applicant, shall pay a filing fee of twenty-five dollar to the clerk of the Board of Supervisors. An appeal shall set forth specifically the points at issue, the reasons for the appeal, and wherein the appellant believes there was an error or abuse of discretion by the Zoning Administrator.

Upon receipt of the notice of appeal, the Board of Supervisors shall set a date for public hearing thereon, giving notice thereof pursuant to subdivision e. of this section. The Board of Supervisors may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision, or determination as should be made, and such action shall be final.

f. Revocation:

1. In any case where the conditions of granting of a variance have not been, or are not being, complied with, the Zoning Administrator shall give notice in writing to the permittee of his intention to revoke such variance at least ten days prior to a hearing thereon. Notice of such hearing shall be given pursuant to subdivision c. of this section. After conclusion of the hearing, the Zoning Administrator may revoke or modify such variance.

Appeals from such revocation or modification may be taken in the same manner as provided in subdivision e. of this section.

* Amended by Ordinance No. 1562, September 5, 1967.

2. All variances issued by the Zoning Administrator shall be valid until the date of expiration stated on the permit, or if no date of expiration is stated, or unless otherwise specified by the Zoning Administrator, all such permits shall expire one year from the date of granting said permit unless construction on, or use of, the subject property has started within this period.

g. Effect:

No building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the variance granted nor until ten days after the mailing of notice of granting of such variance by the Zoning Administrator, or after granting of such variance by the Board of Supervisors in the event of appeal.

*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.

The Zoning Administrator shall have the power to hear and decide applications for, and issue Use Permits, for those uses specified in Section 42 of this Ordinance. The Planning Commission shall have the power to hear and decide applications for, and issue Use Permits, for all other uses for which a Use Permit is required or permitted.

As used in this section, the words "appropriate authority" mean the Zoning Administrator when the application for a Use Permit is one which is within his power to issue, and mean the Planning Commission when the application for a Use Permit is one which is within its power to issue.

** a. Application:

Application for a Use Permit shall be made to the appropriate authority in writing on a form prescribed by it, and shall be accompanied by statements, plans and elevations necessary to show the detail of the proposed use or building.

Such application shall be accompanied by a fee of twenty-five dollars, no part of which shall be returnable to the applicant.

b. Public Hearing:

A public hearing shall be held after filing of application, and after the determination of the Zoning Administrator that the information submitted by the applicant is sufficient to consider the matter, and not less than ten calendar days prior thereto the

* Amended by Ordinance No. 1476, May 31, 1966.

** Amended by Ordinance No. 1562, September 5, 1967.

appropriate authority shall give notice of hearing thereon by one publication in a newspaper of general circulation and by posting notice thereof in conspicuous places close to the property involved. In addition, the appropriate authority may also give notice of such hearing by mailing postage prepaid a notice of the time and place of such hearing to all persons owning property adjacent to the exterior boundaries of the area actually occupied or to be occupied by the use for which the Use Permit was applied. Addresses shall be used from the last equalized assessment roll, or alternatively, from such other records of the assessor or the tax collector as contain more recent addresses in the opinion of the appropriate authority.

c. Action by Appropriate Authority:

In order to grant any Use Permit, the findings of the appropriate authority 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 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 appropriate authority may designate such conditions in connection with the Use Permit as it deems necessary to secure the purposes of this Ordinance. Such conditions may include, but are not limited to, architectural and site approval, time limitations street dedication, and street and drainage improvements. The appropriate authority may also require such bond and guarantees as it deems appropriate to assure the compliance of the conditions.

* d. Appeal:

An appeal to the Board of Supervisors may be filed by any person aggrieved by a decision of the appropriate authority. Such appeal shall be in writing and shall be filed with the clerk of the Board of Supervisors and with the appropriate authority within ten days after written notice of the decision has been mailed to the applicant. At the time of the filing of the appeal, the appellant other than the applicant, shall pay a filing fee of twenty-five dollars to the clerk of the Board of Supervisors. An appeal shall set forth specifically the points at issue, the reasons for the appeal, and wherein the appellant believes there was an error or abuse of discretion by the appropriate authority.

Upon receipt of the notice of appeal, the Board of Supervisors shall set a date for public hearing thereon, giving notice thereof pursuant to subdivision b. of this section. The Board of Supervisors may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision, or determination as should be made, and such action shall be final.

* Amended by Ordinance No. 1562, September 5, 1967.

e. Revocation:

1. In any case where the conditions of granting of a Use Permit have not been, or are not being, complied with, the appropriate authority shall give notice in writing to the permittee of his intention to revoke such Use Permit at least ten days prior to a hearing thereon. Notice of such hearing shall be given pursuant to subdivision c. of this section. After conclusion of the hearing, the appropriate authority may revoke or modify such Use Permit.

Appeals from such revocation or modification may be taken in the same manner as provided in subdivision e. of this section.

2. All Use Permits issued by the appropriate authority shall be valid until the date of expiration stated on the permit, or if no date of expiration is stated, or unless otherwise specified by the appropriate authority, all such permits shall expire one year from the date of granting said permit unless construction on, or use of, the subject property has started within this period.

f. Effect:

No building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the Use Permit granted nor until ten days after the mailing of notice of granting of such Use Permit by the appropriate authority, or, after granting of such Use Permit by the Board of Supervisors in the event of appeal.

SECTION 33: Repealed by Ordinance No. 1424, June 21, 1965.

SECTION 34: NON-CONFORMING USES

- *a. The lawful use of land existing at the time any provision of this Ordinance becomes applicable to such land, although such use does not conform to such provision, may be continued, except that:

- (1) 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 such provision became applicable, and except that if any such use ceases, as hereinafter provided, any 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.

* Amended by Ordinance No. 1123, January 25, 1960; Amended by Ordinance No. 1130, March 28, 1960; Amended by Ordinance No. 1154, July 25, 1960; Amended by Ordinance No. 1350, April 20, 1964.

- (2) All non-conforming outdoor advertising signs and outdoor advertising structures in "H", "F", "O", "K", "L", "R", "Y", and "T", Districts shall be removed entirely on or before July 1, 1960.
 - (3) All non-conforming outdoor advertising signs and outdoor advertising structures located on property in a "U" District shall be removed entirely within one year from the date said property is reclassified into some other zoning district, unless the reclassification is to a "C-1", "C-2", or "M" District and a Use Permit has been obtained within such one year period.
 - (4) All non-conforming wrecking yards and junk yards shall be enclosed by a solid board or masonry fence at least six feet in height for fire prevention and prevention of the spread of litter and debris and except that no junk, dismantled cars or machinery shall be stacked higher than the fence. Wrecking yards and junk yards shall comply with these special regulations, or shall be removed entirely by July 1, 1961, or secure a Use Permit.
- *b. The lawful use of a building existing at the time any provisions of this Ordinance becomes applicable thereto may be continued, although such building and/or use does not conform to such provision.
- 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 at the time any provision of this Ordinance becomes applicable to it, which does not conform to such provision, be damaged or destroyed by fire, explosion, act of God, or act of the public enemy, to the extent to not more than seventy-five (75) percent of the assessed value thereof, as shown on the latest adopted Monterey County Assessment roll, prior to such destruction, 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 or land ceases for a continuous period of six months, it shall be presumed that such use has been abandoned; and without further action by the Planning Commission, the said building or land shall be subject to all the regulations specified by this Ordinance for the district in which such building and land are located.

* Amended by Ordinance No. 1123, January 25, 1960.

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, non-conforming only as to height and yard regulations, may be permitted if said additions or improvements conform to all the regulations of the district in which they are located.

(4) Ordinary maintenance and repairs may be made to any non-conforming building provided no structural alterations are made and provided that such work does not exceed twenty-five percent of the assessed value in any one year period.

** (5) No non-conforming building, structure, or sign shall be moved in whole or in part to any other location unless every portion of such building, structure, or sign which is moved is made to conform to all the regulations of the district in which it is located.

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.

***i. A parcel of land which does not comply with the size, shape, dimension, or frontage requirements of the district in which it is located shall be deemed a lawful building site if:

(1) Such parcel was a lawful building site immediately prior to the time said requirements became applicable to it, and

(2) At the time said requirements became applicable to it, the owner or owners thereof owned no adjoining land, unless said parcel and such adjoining land are lots in a subdivision which

*Amended by Ordinance No. 1171, January 3, 1961.

**Amended by Ordinance No. 1229, March 26, 1962.

***Amended by Ordinance No. 1123, January 25, 1960.

has been approved by the Board of Supervisors of the County of Monterey, with the exception of lots, 25 feet or less in width. Such 25 feet or less lots must meet the following minimum widths:

1. Single lot in one ownership or record or under contract of sale - 25 feet.
2. Two such lots whose side lines adjoin - 50 feet.
3. Three such lots whose side lines adjoin - 37.5 feet.
4. Four or more such lots whose side lines adjoin - 50 feet.

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 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 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 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 one hundred dollars, no part of which shall be returnable to the petitioner, or by

* Amended by Ordinance No. 1562, September 5, 1967.

(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 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.

*(4) Action by Board of Supervisors:

**Upon receipt of such report from the Planning Commission, when the Planning Commission has recommended a proposed amendment, the Board of Supervisors shall set the matter for public hearing and shall give notice thereof by one publication in a newspaper of general circulation within the County at least ten 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.

***When the Planning Commission recommendation is to disapprove the proposed amendment, the matter shall not be set for public hearing and no further action shall be taken unless the amendment was initiated by the adoption of a resolution of intention by the Board of Supervisors, or unless or until the

*Amended by Ordinance NO. 1250, August 6, 1962.

**Amended by Ordinance No. 1405, March 8, 1965.

***Amended by Ordinance No. 1661, April 22, 1969.

applicant requests such hearing. Such request shall be made by filing with the Clerk of the Board of Supervisors and with the Planning Commission within ten days after written notice of the decision has been mailed, a written request for hearing before the Board of Supervisors. The Planning Commission shall thereupon forthwith transmit to the Board of Supervisors all of the papers constituting the record upon which the recommended action was taken. Upon receipt of such request, the Board of Supervisors shall set a date for public hearing thereon, giving notice thereof pursuant to this Section. After the 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.

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 of intention 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.

*c. Conditions:

The Board of Supervisors may impose conditions to the zoning reclassification of property where it finds that said conditions must be imposed so as not to create problems inimical to the public health, safety, and general welfare of the County of Monterey.

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

**Adopted by Ordinance No. 1789, February 16, 1971.*

guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars or by imprisonment in the County Jail of said County for a term not exceeding six 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 enjoinder 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, subsection, 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, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, 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 days after the date of its passage.

*SECTION 42: ZONING ADMINISTRATOR

a. Creation:

The office of the Zoning Administrator is hereby created.

b. Appointment:

The Zoning Administrator shall be appointed by the Director of Planning.

c. Powers:

- (1) The Zoning Administrator shall have the authority to hear and decide applications for variance and to grant, deny, revoke and modify variances pursuant to Section 31 of this Ordinance.
- (2) The Zoning Administrator shall have the authority to hear and decide applications for Use Permits for the following uses and to grant, deny, revoke and modify Use Permits for such uses pursuant to Section 32 of this Ordinance:
 1. Drilling for and/or removal of oil and gas.
 2. Frog and turkey farms.
 3. Poultry farms.
 - **4. Trailers, mobile homes, dwellings, duplexes, multiple family dwellings, hotels, and automobile courts.
 5. Nurseries and greenhouses.
 6. Non-commercial guest houses.
 7. Appurtenant and subdivision signs which require Use Permit action.
 8. Service stations.
 9. Commercial hog raising.
 10. Storage, rental and sales of irrigation equipment.
 11. Stands for and the sale of products grown on the premises.
 12. Animal hospitals.
 13. Churches.
 14. Art galleries.

* Amended by Ordinance No. 1476, May 31, 1966.

* Amended by Ordinance No. 1632, September 24, 1968.

15. Tract offices.
16. Kennels for dogs and cats.
17. Riding academies and public stables.
18. Private stables.
19. Servants quarters.
20. Private nurseries and private green houses.
21. Off-street parking.
22. Rooming and boarding houses.
23. Professional offices.
24. Auto sales.
25. Drive-in banks, drive-in restaurants, and other uses which are similar in character.
26. Open air retail and wholesale sales.
27. Pet shops.
28. Launderettes.
29. Used car sales.
30. Used or second hand goods.
31. Additional animals.
32. Storage warehouses.
33. Trout farms.
34. Accessory building or use prior to main building.
35. Height limit regulations which require Use Permit action.
36. Buildings accessory to any permitted use.
37. Dancing academies or halls.
- *38. Storage and sale of hay and grain not grown on the premises.
39. Reduction in building site, width or yard requirements.
- **40. Refreshment stands.
- ***41. Licensed nursery schools.
- ****42. Restaurants and retail stores.
- ****43. Agricultural processing plants.
- ****44. Golf courses with standard length fairways.
- ****45. Practice fairway golf course, provided that the use is established on a minimum of ten acres of property usable for said purpose.
- ****46. Auto repair shops.
- ****47. Garages.
- ****48. Theaters.
- ****49. Storage garages.
- ****50. Undertaking establishments.
- ****51. Development laboratories.
- ****52. Restaurants.
- ****53. Gift shops.
- ****54. Laundries.
- ****55. Carpentry shops, paint, paperhanging and decorator's shops, plumbing shops, tinsmith shops, and other uses of similar nature, provided that all activity is conducted within a building.
- ****56. Contractor's offices, storage of equipment, including vehicles, within a building.
- ****57. Retail sales which are accessory and incidental to the main uses permitted in this Section, and provided that the sales area not exceed twenty-five percent of the total floor area.
- ****58. Trailers or mobile homes used as living quarters.
- *****59. Riding and roping arena operations on a minimum of ten acres.
- *****60. Mobile homes and trailers, used as living quarters, not located in mobile home parks or trailer camps.

**Amended by Ordinance No. 1755, August . . ., 1970.*

***Adopted by Ordinance No. 1685, August 19, 1969.*

***Adopted by Ordinance No. 1801, May 4, 1971.*

****Adopted by Ordinance No. 1816, July 5, 1971.*

*****Adopted by Ordinance No. 1819, August 3, 1971. - 74 -*

******Adopted by Ordinance No. 1893, June 27, 1973.*

******Adopted by Ordinance No. 1941, January 23, 1973.*

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: None.

Absent: None.