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BOOK 4 OF ORDINANCES, PAGE 238

ORDINANCE NO. 67-10

AN ORDINANCE OF THE COUNTY OF DEL NORTE, STATE OF CALIFORNIA, ADOPTING A ZONING ENABLING PLAN FOR SAID COUNTY; SPECIFYING THE PURPOSES AND THE EFFECTS OF THE ADOPTION OF SAID PLAN WHEREBY VARIOUS ZONES MAY BE ESTABLISHED IN SAID COUNTY; SPECIFYING THE USES OF LAND IN SAID ZONES; PROVIDING REGULATIONS FOR THE HEIGHT AND BULK OF BUILDINGS AND CERTAIN YARDS AND OPEN SPACES WITHIN SAID ZONES; PROVIDING FOR CERTAIN PERMITS FOR CERTAIN USES OF LAND; SPECIFYING THE PROCEDURE FOR THE AMENDMENT HEREOF; AND PRESCRIBING PENALTIES FOR VIOLATION OF ANY OF THE PROVISIONS HEREOF.

The Board of Supervisors of the County of Del Norte, State of California, does ordain as follows:

CHAPTER ONE

ZONING ENABLING PLAN

SECTION 1.0100 ADOPTION OF ZONING ENABLING PLAN

There is hereby adopted a Zoning Enabling Plan for the County of Del Norte, State of California, as provided by law.

1.0101 Purpose of Adoption of Zoning Enabling Plan

Said Zoning Plan is adopted to provide for the promotion and protection of the public health, safety, peace, morals, comfort, convenience, and general welfare, for the following more particularly specified purposes:

- (a) 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.

- (b) 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.

1.0102 Nature of Zoning Enabling Plan and Procedure for Establishment

Said Zoning Enabling Plan provides the necessary legal procedure for the future establishment of various zones within the unincorporated territory of said County; within such zones it shall be unlawful or lawful to erect, construct, alter or maintain certain buildings or to carry on certain trades or occupations or to conduct certain uses of land and/or buildings, and within which certain open spaces shall be required about future buildings, and consisting further of appropriate regulations to be enforced in such zones, all as set forth in this Ordinance.

1.0103 Procedure

Protective zones shall be established upon initiation by the Board of Supervisors, the Planning Commission, or upon initiation by a petition signed by one or more

persons owning property in the area affected, and shall be according to the procedures provided in Section 5.0300 of this Ordinance.

1.0104 Unclassified Areas

All the unincorporated area of the County not classified under any specific zoning district is classified as Zone Classification "U". These areas have not yet been studied sufficiently to justify precise zoning; therefore, precise zoning is deferred until such time as complete studies may be made.

CHAPTER TWO

DEFINITIONS

SECTION 2.0100 DEFINITIONS

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

- (a) All words used in the present tense shall include the future tense; all words in the plural number shall include the singular, unless the natural construction of the wording indicates otherwise. The word "lot" includes the word "plot"; the word "building" includes the word "structure"; and the word "shall" is mandatory and not directory.

The word "County" as used herein shall mean the County of Del Norte, State of California; the words "Board of Supervisors" shall mean the Board of Supervisors of the County of Del Norte, State of California; the words "Planning Commission" shall mean the Planning Commission of the County of Del Norte, State of California; and the words "county boundary" shall mean the boundary of the County of Del Norte, State of California, and/or the boundary of any incorporated municipality within said County.

- (1) Agriculture: The tilling of the soil, the raising of crops, horticulture, viticulture, including all uses customarily incidental thereto for commercial purposes, but not including slaughter houses, fertilizer yards, bone yards or plants for the reduction of animal matter or any other industrial use which is similarly objectionable because of noise, odor, smoke, dust, or fumes.
- (2) Animal Husbandry: The keeping of any or all livestock except hogs.

- (3) Airport: The operation of any area of land or water designed and set aside for the landing and taking off of aircraft, but not including private agricultural operations.
- (4) Alley: Any public thoroughfare, not exceeding 20 feet in width, for the use of pedestrians and/or of vehicles which affords only a secondary means of access to abutting property.
- (5) Apartment: A room or suite of two or more rooms which is designed for, intended for and/or occupied by one family doing its cooking therein.
- (6) Apartment Court: (See Dwelling Group)
- (7) Apartment House: (See Dwelling, Multiple)
- (8) Area, Building-Site: The total of the ground area of a building or buildings together with all open spaces required by this ordinance.
- (9) Automobile Camp: Land or premises used or intended to be used, let or rented, for occupancy by campers traveling by automobile

or otherwise, or for occupancy by or of trailers or moveable dwellings, rooms or sleeping quarters of any kind.

(10) Automobile Wrecking: (See Wrecking Yards)

(11) Basement: A story wholly or partly underground and having at least one-half of its height below grade. A basement shall be counted as a story if the vertical distance from grade to the ceiling is over 5 feet.

(12) Block: That property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or railroad rights-of-way, or unsubdivided acreage, or a combination thereof.

(13) Building: Any structure having a roof supported by columns and/or by walls and intended for the shelter, housing and/or enclosure of any person, animal or chattel. When any portion thereof is completely separated from every other portion thereof by a masonry division or fire wall without any window, door or other opening therein, which wall extends from the ground to the upper

surface of a roof at every point, then each such portion shall be deemed to be a separate building.

- (14) Building, Accessory: A subordinate building, the use of which is incidental to that of a main building on the same lot. On any lot upon which is located a dwelling, any building which is incidental to the conducting of the permitted use of the lot shall be deemed to be an accessory building.
- (15) Building, Main: A building in which is conducted the principal use of the lot upon which it is situated. In any "R" District any dwelling shall be deemed to be a main building upon the lot upon which the same is situated.
- (16) Business or Commerce: The purchase, sale or other transaction involving the handling or disposition (other than is included in the term "industry" as defined herein) of any article, substance or commodity for profit or livelihood, including, in addition, office buildings, offices, shops for

the sale of personal services, garages, outdoor advertising structures, automobile camps, automobile courts, hotels and recreational or other enterprises conducted for profit.

- (17) Caretaker: Shall mean any person who is on the premises only in the absence of the property owner, and all other persons, from the property to be cared for. He must provide manual labor and maintenance services for the owner to substantial physical improvements (buildings, equipment, crops on 5 acres or more, etc.).
- (18) Court: An open, unoccupied space on the same lot with a building or buildings and which is bound on two or more sides by such building or buildings, including the open space in a house court or court apartment providing access to the units thereof.
- (19) Coverage, Lot or Building: That portion of the lot area covered by buildings.
- (20) District: A portion of the unincorporated territory of the County within which certain uses of land, premises and buildings are permitted and certain other uses of land, premises and buildings are not permitted and within which certain yards and other open spaces are required and certain building site

- areas are established and certain height limits are established for buildings, all as set forth and specified in this Ordinance.
- (21) Duplex: A single story dwelling designed for or used exclusively for residence purposes by 2 families in separate housekeeping units.
- (22) Dwelling, One-Family: A building designed for and/or occupied exclusively by one family, not including trailers. (See definition of Trailer).
- (23) Dwelling, Two-Family: A building designed for and/or occupied exclusively by 2 families living independently of each other.
- (24) Dwelling, Multiple: A building or portion thereof used and/or designed as a residence for 3 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.

- (25) Dwelling, Group: A group of 2 or more detached or semi-detached one-family, two-family or multiple dwellings occupying a parcel of land in one ownership and having any yard or court in common, including house courts and apartment courts, but not including automobile courts.
- (26) Employee, Full Time: Shall mean a person working for a monetary wage or salary at least 32 hours per week.
- (27) 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.
- (28) Family, Immediate: Shall mean parents, children, brothers or sisters of either the property owner or spouse of the property owner.
- (29) Front Wall: The wall of the building or other structures nearest the street upon which the building faces but excluding

- certain architectural features as specified in Subsection 5.0108 of this Ordinance.
- (30) Garage, Private: An accessory building for only the non-commercial storage of self-propelled vehicles.
- (31) Garage, Public: Any premises, except those herein defined as private or storage garage, used for the storage and/or care of self-propelled vehicles, or where any such vehicles are equipped for operation or repair, or kept for remuneration, hire or sale.
- (32) Garage, Storage: Any premises, except those herein defined as a private garage, used exclusively for the storage of self-propelled vehicles.
- (33) Guest Room: A room which is intended, arranged or designed to be occupied or which is occupied by one or more guests, but in which no provision is made for cooking and not including dormitories for sleeping purposes.

(34) Height of Building: The vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building, to the highest point of the building.

(35) Home Occupations: A use conducted entirely within a dwelling by the inhabitants thereof of which use is clearly incidental and secondary to the use of the property for dwelling purposes and does not change the character thereof and which use:

- a. Is confined within the dwelling and occupies not more than 25 percent of the floor space thereof.
- b. Involves no sales of merchandise other than that produced on the premises, or merchandise directly related to, and incidental to the services offered.
- c. Is carried on by the members of the family occupying the dwelling with no other person employed.
- d. Does not entail the conversion of a room into a salesroom.

- e. Produces no evidence of its existence beyond the dwellings (except unlighted signs of not more than one square foot) such as noise, smoke, odors, vibration, etc.
- f. Does not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which located.
- g. Clinics, hospitals, antique shops, tea rooms, eating establishments, specialty bakeries, barber shops, beauty shops, animal hospitals, and woodworking or repair shops, shall not be deemed to be home occupations.

(36) House Court: (See Dwelling Group)

(37) Household Pets: Shall be limited to dogs (canis familiaris), cats (felis catus) and animals whose normal place of abode is within the dwelling unit, such as caged birds, caged rodents, and fish, reptiles, and amphibia confined to aquaria and terraria.

(38) Hotel: Any building or portion thereof containing 6 or more guest rooms used, designed,

or intended to be used, let or hired out to be occupied, or which are occupied by 6 or more individuals for compensation, whether the compensation be paid directly or indirectly.

(39) Industry: The manufacture, fabrication, reduction or destruction of any article, substance or commodity, or any other treatment thereof in such a manner as to change the form or character thereof, including, in addition, the following: ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ bottling works, building materials or contractors yards, cleaning and dyeing establishments, creameries, junk yards, wrecking yards, laundries, lumber yards, milk bottling or distributing stations, stockyards, storage elevators, truck storage, service or repair, warehouses and wholesale storage.

(40) Junk: Any worn out, cast off, or discarded article or material which is ready for destruction or has been collected or stored for salvage or conversion to some use. Any

article or material which, unaltered or unchanged and without further reconditioning can be used for its original purpose as readily as when new shall not be considered as junk.

- (41) Junk Yards: The use of more than 200 square feet of the area of any lot for the storage or keeping of junk, including scrap metals or other scrap materials.
- (42) Livestock Farming: Dairying, ranching or the keeping of large livestock, except fowl.
- (43) Loading Space: An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.
- (44) Lot: Land occupied or unoccupied, which may be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required under the

provisions of this Ordinance, having not less than the minimum area required by this Ordinance for a building site in the district in which such lot is situated, and having access to a public road.

- (45) Lot, Corner: A lot situated at the intersection of 2 or more streets, or bounded on 2 or more adjacent sides by street lines.
- (46) Lot, Interior: A lot other than a corner lot.
- (47) Lot, Key: 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 on which the corner lot fronts.
- (48) Lot Area: The total horizontal area included within lot lines.
- (49) Lot Depth: The average distance from the street line of the lot to its rear line measured in the general direction of the side lines of the lot.

- (50) Lot Frontage: The dimension of a lot or portion of a lot abutting on a street, except the side of a corner lot.
- (51) Lot Lines: The lines bounding a lot as defined herein.
- (52) Lot Line, Front: Means in the case of an interior lot, a line separating the lot from the street. In the case of a corner lot, the front lot line shall be the line separating the narrowest street frontage of the lot line from the street.
- (53) Lot Line, Rear: Ordinarily, that line of a lot which is generally opposite the lot line along the frontage of said lot. In cases in which this definition is not applicable, the Planning Commission shall designate the rear lot line.
- (54) Lot Line, Side: Shall mean any lot line not a front line or rear lot line.
- (55) Mining: Processes for the commercial removal of minerals from the earth.
- (56) Mobile Home: Any trailer used for living purposes as defined under "Trailer Coach"

which is over 8 feet wide and/or over 40 feet long.

- (57) Motel: A building or group of buildings containing guest rooms and/or apartments with automobile storage space serving such rooms and/or apartments provided in connection therewith, which group is designed, intended, and/or used primarily for the accommodation of automobile travelers; including, but not limited to, buildings designated as automobile courts, auto cabins, motor lodges.
- (58) Mutual Water Company: Any corporation, including a non-profit corporation organized for or engaged in the business of developing, distributing, supplying, or delivering water for irrigation, commercial or domestic use or both, and not operated as a public utility.
- (59) Non-Conforming Use: A building or land occupied by a use that does not conform to the regulations for the district in which it is situated.
- (60) Nuisance: Anything that by its use or by its permitted existence works annoyance, harm, inconvenience or damage to another.
- (61) One Ownership: Ownership of property 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.

(62) Outdoor Advertising Sign: Any card, cloth, paper, metal, painted, glass, wooden, plaster, stone, or other sign or any kind or character whatsoever placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. The term "placed" as used in the definitions of "outdoor advertising sign" shall include erecting, constructing, posting, painting, printing, tacking, mailing, gluing, sticking, carving or otherwise fastening, affixing or making visible in any manner whatsoever.

(63) Outdoor Advertising Structure: Any structure of any kind or character erected or maintained for outdoor advertising purposes upon

which any outdoor advertising sign may be placed, including also outdoor advertising statuary.

- (64) Professional Office: An establishment for professional, executive and administrative offices, including those of accountants, lawyers, physicians, 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.
- (65) Public Sewage Disposal System: Means a sewage disposal system for domestic or commercial use owned and operated by a political jurisdiction.
- (66) Public Use: A use operated exclusively by a governmental agency or public agency, which has the purpose of serving the public health, safety, convenience or general welfare, and including but not limited to such uses as schools, parks, playgrounds, educational.

recreational and social facilities, libraries, museums, firehouses, courthouses, hospitals and administrative service facilities.

- (67) Public Water Supply: Means a supply of water for domestic or commercial use furnished or to be furnished from waterworks owned and operated by a political jurisdiction.
- (68) Quasi-Public Use: A use operated by a private non-profit educational, religious, recreational, charitable, fraternal, or medical institution, association, or organization, and including but not limited to such uses as churches, private schools, universities, community recreational, educational and social facilities, meeting halls, private hospitals and the like.
- (69) Saw Mill: Any structure and land used for the manufacture or remanufacture of lumber from saw logs by the use of power equipment.
- (70) Set-Back: Means a line parallel to the road centerline and a specified distance therefrom normal to said centerline.

- (71) Small Livestock Farming: The raising and/or keeping of more than 12 chicken hens or 12 pigeons or 12 similar fowl and/or 12 rabbits or 12 similar animals or any roosters, quacking ducks, geese, guinea fowl, peafowl, goats, sheep, or similar livestock; or the raising and/or keeping for commercial purposes of any cats or dogs; provided that the term "small livestock farming" as used in this ordinance shall not include hog farming, dairying or the raising and/or keeping of horses, mules, or similar livestock as determined by the Planning Commission.
- (72) Stable, Private: An accessory building where not more than one horse per 20,000 square feet of property is kept for the use of owner and guests.
- (73) Stable, Public: A stable other than a private stable for the commercial rental and boarding of horses.
- (74) 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.

- (7.5) Story, Half: A story with at least one exterior side meeting a sloping roof not more than 2 feet above the floor of such story.
- (7.6) Street: A public or private thoroughfare which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except an alley as defined herein.
- (7.7) Street Line: The boundary between a street and abutting property.
- (7.8) Structure: Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.
- (7.9) Structural Alterations: Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

- (80) Trailer: Any vehicle without motive power designed to be drawn by a motor vehicle on the public streets and highways and to be used in such a manner as to permit occupancy thereof as sleeping quarters or use as a selling or advertising device, or use for storage or conveyance of tools, equipment, machinery or livestock.
- (81) Trailer Coach: Any trailer designed to permit occupancy thereof as living or sleeping quarters by any person or persons. The term "Trailer coach" as used in this Ordinance shall include mobile homes and travel trailers both dependent and independent of plumbing facilities.
- (82) Trailer Court: Any property developed and maintained for use of one or more trailer coaches and offered for rent with or without a trailer coach.
- (83) Travel Trailer: Any trailer used for living purposes as defined under "Trailer Coach" which is 8 feet or less in width and 40 feet or less in length. The term "Travel Trailer"

shall also include any removable body designed to be carried by a vehicle, which can be used for occupancy as living or sleeping quarters and which can be carried on the public roads and highways. The term "Travel Trailer" shall also include self powered trailer coaches and truck houses.

(84) 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.

(85) Use, Accessory: A use customarily incidental and accessory to the principal use of a lot or a building located on the same lot as the accessory use.

(86) Wrecking Yard: The use of more than 200 square feet of the area of any lot for the dismantling or wrecking of automobiles or other vehicles or machinery.

(87) Yard: An open space other than a court on the same lot with a building, which open space is unoccupied and unobstructed from the ground upward, except as otherwise provided in Subsection 5.0108 of this Ordinance. In measuring a yard, as hereinafter provided, the line of a building shall be deemed to mean a line parallel to the nearest lot line drawn through the point of a dwelling group or building nearest to such lot line, exclusive of the respective architectural features enumerated in Subsection 5.0108 of this Ordinance which are not to be considered in measuring said yard dimensions, and which said respective architectural features are defined as being permitted to extend into any front, side or rear yard, respectively; and the measurement shall be taken from the line of the building to the nearest lot line; provided, however, that if any Official Plan Line has been established for the street on which the lot faces or if any future width line is specified therefor by the provisions

of this Ordinance, then such measurements shall be taken from such Official Plan Line or such future width line to the nearest line of the building.

- (8B) Yard, Front: A yard extending across the front of the lot between the side property lines, and lying between the front line of the lot and the nearest line of the building.
- (8C) Yard, Rear: A yard extending across the full width of the lot and lying between the rear line of the lot and nearest line of the building.
- (9) Yard, Side: A yard between the side line of the lot and the nearest line of the building and extending from the front line of the building to the rear yard.

CHAPTER THREE

DISTRICT PROVISIONS AND PROCEDURES

SECTION 3.0100 DESIGNATION OF DISTRICTS

The several classes of districts hereby provided and into which the County may be divided are designated as follows:

"U" Districts: Unclassified.

- "A" Districts: Agricultural Districts
- "R-1A" Districts: Single Family residential-agricultural Districts.
- "R-2A" Districts: Multiple family residential-agricultural Districts.
- "R-1" Districts: Single family residence Districts.
- "R-2" Districts: Low Density multiple family residence Districts.
- "R-3" Districts: High Density multiple family residence Districts.
- "R-H" Districts: Residential-Highway Districts.
- "C-1" Districts: Neighborhood Commercial Districts.
- "C-2" Districts: Central Business Districts.
- "C-3" Districts: General Commercial Districts.
- "M" Districts: Industrial Districts.
- "P-C" Districts: Planned Community Districts.
- "F-R" Districts: Forest-Recreation Districts.
- "T" Districts: Trailer and Mobile Home Districts.
- "FP-1" Districts: Primary Flood Plain Districts.
- "FP-2" Districts: Secondary Flood Plain Districts.
- "FP-3" Districts: Tertiary Flood Plain Districts.
- "B" ^{Combining} Districts: Building Site Area Districts.

3.0101 Establishment of Districts

The designation, location, and boundaries of the afore-said Districts shall be by written description or by

delineation on zoning maps which may hereafter be adopted as provided in Section 5.0300 hereof. Said maps and all notations, references, data and other information shown thereon shall become a part of these regulations and subject thereto, and all such written descriptions and maps shall constitute Section 3.0104 hereof.

3.0102 Interpretation of District Boundaries

Where uncertainty exists as to the boundaries of any of the aforesaid districts as shown on said zoning maps, the Planning Commission, upon written application or upon its own motion, shall determine the location of such boundaries.

3.0103 Effect of Establishment of Districts

Except as hereinafter otherwise provided, the following shall apply to established districts.

- (a) Upon the establishment by ordinance of any of the districts within the unincorporated areas of the County the regulations for such districts and the provisions set forth in this Ordinance shall apply and shall be enforced in all such districts.
- (b) No building shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land, building, or pre-

mises be used for any purpose, or in any manner other than is included among the uses hereinafter indicated as permitted in the district in which such building, land or premises is located.

- (c) No building shall be erected, reconstructed or structurally altered to exceed in height the limit hereinafter designated for the district in which such building is located.
- (d) 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.
- (e) 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 lot shall be considered as providing a yard or open space for a building on any other lot.

3.0104 Zoning Maps of the County of Del Norte, State of California

This section consists of zoning maps of the County of Del Norte.

SECTION 3.0200 REGULATIONS FOR "U" UNCLASSIFIED DISTRICT

Land areas in this district are not yet ready for precise zoning. With the exception of those few uses, which, because of their nature or other regulations, must be controlled throughout the County, all uses which are not prohibited by law are hereby permitted in this District.

The following regulations shall apply in all "U" Districts, and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.0201 Uses Permitted

- (a) All uses except those specified in Section 3.0202 hereof.

3.0202 Uses Permitted with a Use Permit

- (a) Trailers, trailer coaches, and trailer houses.
(b) Hog farms, turkey farms, frog farms, and fur farms.
(c) Animal products processing plants.
(d) Cemeteries.
(e) Amusement parks and commercial amusement enterprises.
(f) Mining.

- (g) Junk yards, wrecking yards, and garbage dumps.
- (h) Manufacturing, refining and storage by manufacturers or wholesalers of petroleum or petroleum products, acids, cement, explosives, fireworks, gas, glue, gypsum, and inflammable fluids or gases.
- (i) Asphalt, rock aggregate, and concrete plants.
- (j) Pulp mills, paper mills, and Chemical Manufacturing plants.
- (k) Smelting or reduction of metallic ores.
- (l) Billboards and off-site outdoor advertising structures.

3.0203 Building Height Limit

None.

3.0204 Minimum Lot Area Required

7200 square feet where either a public or mutual water supply and sewer is available and 12,000 square feet where both public or mutual water supply and public sewer are not available. See also Section 5.0107.

3.0205 Front Yard Required

None, except as provided in Section 5.0108.

3.0206 Side Yard Required

5 feet

3.0207 Rear Yard Required

5 feet

SECTION 3.0300 REGULATIONS FOR "A" AGRICULTURAL DISTRICTS

Since there is a limited area within the county which is suitable for and used intensively as agricultural land, this district is designed for the protection of agricultural and related industry against encroachment by other uses which may be in conflict therewith. The provisions of this section, therefore, shall be liberally interpreted to apply to agricultural pursuits and related services, to the end that no other use shall be permitted, and no regulation shall be deemed or construed to interfere with any normal accessory use conducted in conjunction therewith. It is the intention of this section to deter developers from considering prime agricultural lands as potential urban subdivision property, and changes of zone from "A" to another classification are to be made only where such uses are in accord with the General Plan.

The following regulations shall apply in all "A" Districts, subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.0301 Uses Permitted

- (a) One-family dwellings, including one non-commercial guest house.
- (b) Home occupations.
- (c) Nurseries and greenhouses.

- (d) Accessory buildings and accessory uses including barns, stables, and other farm buildings, quarters for farm labor and/or servants employed on the premises.
- (e) All agricultural uses, including crop and tree farming, small livestock farming and animal husbandry.
- (f) Dairies and Cheese Processing Plants.
- (g) Signs, not over 35 square feet and appurtenant to any permitted use.

3.0302 Uses Permitted with a Use Permit

- (a) Country clubs and golf courses.
- (b) Commercial enclosed kennels for dogs and cats.
- (c) Animal hospitals and Veterinary Clinics.
- (d) Public or quasi public uses.
- (e) Guest ranches and public stables.
- (f) Trailer houses and mobile homes.
- (g) Billboards not related to permitted use.
- (h) Airports.
- (i) Commercial excavations for rock and gravel and rock aggregate processing plants.
- (j) Asphalt and concrete batch plants.
- (k) Oil and gas drilling.
- (l) Stockyards, slaughter houses and tanneries.
- (m) Hog ranch.

3.0303 Building Height Limit

None.

3.0304 Minimum Lot Area Required

5 acres.

3.0305 Front Yard Required

25 feet. Also refer to Section 5.0108.

3.0306 Side Yard Required

20 feet unless the building site is less than 200 feet in width in which case side yards of 10 percent of such width, but not less than 5 feet, shall be required.

3.0307 Rear Yard Required

20 feet for main building, 5 feet for accessory buildings.

3.0308 Special Yards and Distances between Buildings Required

- (a) Accessory buildings used as barns, stables or farm out-buildings shall be not less than 20 feet from any side of rear property line, and not less than 50 feet from the front property line, and not less than 20 feet from any dwelling unit on the property.
- (b) Yards for the use of livestock shall be fenced to keep animals not less than 20 feet from any dwelling.

SECTION 3.0400 REGULATIONS FOR "R1-A" RESIDENTIAL-AGRICULTURAL DISTRICTS

This district classification is designed for the orderly development of suburban homesites in the 1 to 5 acre category, to encourage a suitable environment for family life for those who

desire small residential type farm land.

The following regulations shall apply in all "R1-A" Districts and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.0401 Uses Permitted

- (a) Single-family dwellings including one non-commercial guest house.
- (b) Agriculture, except the sale of any products from a roadside stand on the premises.
- (c) Animal husbandry and small livestock farming other than hogs provided that not more than one horse, mule, cow or steer nor more than 3 goats, sheep, or similar livestock shall be kept for each 20,000 square feet of lot area.
- (d) Nurseries and greenhouses.
- (e) Home occupations and professional offices in home.
- (f) Private stables and corrals.
- (g) Accessory buildings and accessory uses customarily appurtenant to a permitted use.
- (h) Signs subject to regulations for residential use.

3.0402 Uses Permitted with a Use Permit

- (a) Small livestock farming.
- (b) Hogs as under Subsection 3.0401-c.

- (c) Airports.
- (d) Public and quasi public buildings and uses of an educational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, and warehouses.
- (e) Public and private recreation area and facilities, such as country clubs, golf courses and swimming pools.

3.0403 Building Height Limit

35 feet.

3.0404 Minimum Lot Area Required

One acre.

3.0405 Minimum Lot Width Required

100 feet.

3.0406 Percentage of Lot Coverage Permitted

20 percent.

3.0407 Front Yard Required

25 feet. Also refer to Section 5.0108.

3.0408 Side Yard Required

10 feet unless the building site is less than 100 feet in width in which case side yards of 10 percent of such width, but not less than 5 feet, shall be required.

3.0409 Rear Yard Required

20 feet for main buildings. 5 feet for accessory buildings.

3.0410 Special Yards and Distances between Buildings Required

- (a) Accessory buildings used as barns, stables or farm out-buildings shall be not less than 20 feet from any side or rear property line, and not less than 50 feet from the front property line, and not less than 20 feet from any dwelling unit on the property.
- (b) Yards for the use of livestock shall be fenced to keep animals not less than 20 feet from any dwelling.

SECTION 3.0500 REGULATIONS FOR "R-2A" RESIDENTIAL-AGRICULTURAL DISTRICTS

This district classification is designed for the orderly development of suburban homesites and sprawling country type multiple housing on parcels of land in the 1 to 5 acre category, to encourage a suitable environment for the development of rental units with space for family living and outdoor space for relaxation.

The following regulations shall apply in all "R2-A" Districts and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.0501 Uses Permitted

- (a) All uses permitted in "R1-A" Districts subject to the securing of a Use Permit for any use for which a Use Permit is required in an "R1-A" District.

- (b) Two-family dwellings.
- (c) Three and four family dwellings in one building.
- (d) Multiple dwellings and dwelling groups on a single parcel provided that not less than 6000 square feet of property is required for each living unit.

3.0502 Uses Permitted with a Use Permit

- (a) Multiple dwellings where the area per unit is less than 6000 square feet.
- (b) Trailer houses and mobile homes.
- (c) Trailer Courts.
- (d) Motels.

3.0503 Building Height Limit

35 feet.

3.0504 Minimum Lot Area Required

One acre.

3.0505 Minimum Lot Width Required

100 feet.

3.0506 Percentage of Lot Coverage Permitted

35 percent.

3.0507 Front Yard Required

25 feet. Also refer to Section 5.0108.

3.0508 Side Yard Required

10 feet unless the building site is less than 100 feet in

width in which case side yards of 10 percent of such width, but not less than 5 feet, shall be required.

3.0509 Rear Yard Required

20 feet for main buildings. 5 feet for accessory buildings.

3.0510 Special Yards and Distances between Buildings Required

- (a) Accessory buildings used as barns, stables or farm out-buildings shall be not less than 20 feet from any side or rear property line, and not less than 50 feet from the front property line, and not less than 20 feet from any dwelling unit on the property.
- (b) Yards for the use of livestock shall be fenced to keep animals not less than 20 feet from any dwelling.

SECTION 3.0600 REGULATIONS FOR "R-1" ONE-FAMILY RESIDENCE DISTRICTS

The regulations of this district are designed to protect the residential qualities of high density single family residences to the exclusion of other uses which may be detrimental to the orderly development of single family urban areas. Lot sizes suitable for building shall be dependent on the availability of public water and sewage systems with the minimum of 7200 square feet permitted only where one or both systems are available.

The following regulations shall apply in all "R-1" Districts and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.0601 Uses Permitted

- (a) One-family dwellings.
- (b) Accessory buildings and accessory uses appurtenant to a permitted use.

3.0602 Uses Permitted with a Use Permit

- (a) Golf courses and country clubs.
- (b) Public and quasi public uses.
- (c) One guest cottage not including cooking facilities where the building site area is 10,000 square feet or more.
- (d) Private stable where the building site area is one acre or more.
- (e) Agriculture where building site area is one acre or more.
- (f) Home occupations.

3.0603 Building Height Limit

Main buildings, 35 feet. Accessory buildings, 20 feet.

3.0604 Minimum Lot Area Required

7200 square feet where either a public or mutual water supply or public sanitary system is available, and 12,000 square feet where both public or mutual water supply and public sanitary system are not available. Also refer to Section 5.0107.

3.0605 Minimum Lot Width Required

60 feet.

3.0606 Percentage of Lot Coverage Permitted

35 percent. Also refer to Section 5.0108.

3.0607 Front Yard Required

25 feet. Also refer to Section 5.0108.

3.0608 Side Yard Required

6 feet, unless building site is less than 60 feet in width, in which case side yards not less than 5 feet, shall be required.

3.0609 Rear Yard Required

20 feet for main buildings. 5 feet for accessory buildings.

SECTION 3.0700 REGULATIONS FOR "R-2" LOW DENSITY MULTIPLE FAMILY RESIDENCE DISTRICT

This district classification is designed to be applied in areas close to urban centers where housing demands justify residences of from 2 to 4 families.

The following regulations shall apply in all "R-2" Districts and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.0701 Uses Permitted

- (a) All uses permitted in "R-1" Districts, subject to the securing of a Use Permit for any use for which a Use Permit is required in an "R-1" District.

- (b) 2 family dwellings.
- (c) 3 and 4 family dwellings in one building.
- (d) Accessory buildings and accessory uses appurtenant to a permitted use.

3.0702 Uses Permitted with a Use Permit

- (a) One trailer coach or mobile home for each building site.

3.0703 Building Height Limit

35 feet.

3.0704 Minimum Lot Area Required

7200 square feet where either a public or mutual water supply or public sanitary system is available, and 12,000 square feet where both public or mutual water supply and public sanitary system are not available. There shall be a minimum lot area of 4000 square feet for each dwelling unit for a 2, 3, or 4 family single story dwelling and 3000 square feet of lot area for each unit of a 2 story dwelling where water and sanitary facilities are contained on the property, all State and County health regulations shall apply. Also refer to Section 5.0107.

3.0705 Minimum Lot Width Required

60 feet.

3.0706 Percentage of Lot Coverage Permitted

35 percent. Also refer to Section 5.0108.

3.0707 Front Yard Required

25 feet. Also refer to Section 5.0108.

3.0708 Side Yard Required

6 feet, unless building site is less than 60 feet in width, in which case side yards not less than 5 feet, shall be required.

3.0709 Rear Yard Required

20 feet for main building. 5 feet for accessory building.

SECTION 3.0800 REGULATIONS FOR "R-3" HIGH DENSITY MULTIPLE FAMILY RESIDENCE DISTRICT

This district classification is designed for high density urban type living preferably where water or sewer facilities are available and where it is desirable because of housing demands to build garden type apartments and general apartment type buildings.

The following regulations shall apply in all "R-3" Districts and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.0801 Uses Permitted

- (a) All uses permitted in "R-1" and "R-2" Districts, subject to securing a Use Permit for any use for which a Use Permit is required in any "R-1" and "R-2" District.
- (b) Multiple dwellings and dwelling groups.

- (c) Accessory uses and accessory buildings appurtenant to a permitted use.

3.0802 Uses Permitted with a Use Permit

- (a) Hotels, motels, trailer parks, clubs and lodges.
- (b) Hospitals, rest homes, sanitariums and clinics.
- (c) Mortuaries.
- (d) Professional offices.
- (e) Signs, not over 20 square feet and appurtenant to any permitted use. Wall signs not over 10 percent of wall coverage.

3.0803 Building Height Limit

45 feet.

3.0804 Minimum Lot Area Required

7200 square feet where either a public or mutual water supply or public sanitary system is available, and 12,000 square feet where both public or mutual water supply and public sanitary system are not available. There shall be a minimum lot area of 3000 square feet for each dwelling unit for a single story multiple dwelling and 2000 square feet for each unit of a 2 story dwelling. Where water supply and sanitary facilities are contained on the property, all State and County health regulations shall apply. Also refer to Section 5.0107.

3.0805 Minimum Lot Width Required

60 feet.

3.0806 Percentage of Lot Coverage Permitted

60 percent over 12,000 square feet. 35 percent under 12,000 square feet. Also refer to Section 5.0108.

3.0807 Front Yard Required

20 feet. Also refer to Section 5.0108.

3.0808 Side Yard Required

5 feet.

3.0809 Rear Yard Required

15 feet for main buildings. 5 feet for accessory buildings.

3.0810 Special Yards Required for Dwelling Groups

See Subsection 4.0101 and 5.0109.

SECTION 3.0900 REGULATIONS FOR "R-H" RESIDENTIAL-HIGHWAY DISTRICTS

The general use of this district shall apply to highway and county road frontages where the general land use adjacent to urban areas is primarily of the drive-in or drive-up type of business which generally appeals to the traveling public.

The following regulations shall apply in all "R-H" Districts and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.0901 Uses Permitted:

(a) One-family and 2 family dwellings.

- (b) Multiple dwellings and dwelling groups.
- (c) Hotels, motels and inns.
- (d) Hospitals, rest homes, sanitariums and clinics.
- (e) New and used car, boat and trailer sales and rentals, automobile service stations, and repair garages for minor repairs.
- (f) Real estate sales offices.
- (g) Restaurants, refreshment stands.
- (h) Commercial recreation facilities such as bowling alleys, skating rinks.
- (i) Nurseries, greenhouses, fruit stands.
- (j) Agriculture, where site area is 1 acre or more.
- (k) Accessory uses such as incidental storage facilities.
- (l) Non-flashing signs appurtenant to any permitted use, not to exceed 40 square feet in aggregate area.

3.0902 Uses Permitted with a Use Permit

- (a) Animal hospitals and veterinary clinics.
- (b) Drive-in theatres, provided that the screen shall not be located so as to be visible from arterial streets or highways.
- (c) Retail shops of light commercial nature.
- (d) Electrical, plumbing or heating shops, furniture upholstery shops, storage warehouses and mortuaries.

- (e) Bakeries, creameries, soft drink bottling plants, laundries and cleaning and dyeing establishments.
- (f) Lumber storage and sales yards.
- (g) Billboards and off-site outdoor advertising structures not to exceed 300 square feet in area.
- (h) Trailer.
- (i) Grocery store.
- (j) Trailer courts.
- (k) One guest house per site.
- (l) Golf courses and country clubs.

3.0903 Building Height Limit

35 feet.

3.0904 Minimum Lot Area Required

7200 square feet where either a public or mutual water supply or public sanitary system is available, and 12,000 square feet where both public or mutual water supply and public sanitary system are not available. There shall be a minimum lot area of 4000 square feet for each dwelling unit for a 2, 3, or 4 family single story dwelling and 3000 square feet of lot area for each unit of a 2 story dwelling. Where water and sanitary facilities are contained on the property, all State and County Health regulations shall apply. See also Section 5.0107.

3.0905 Minimum Lot Width

80 feet.

3.0906 Percentage of Lot Coverage Permitted

60 percent over 12,000 square feet. 35 percent under 12,000 square feet. Also refer to Section 5.0108.

3.0907 Front Yard Required

30 feet for any dwelling, hotel or motel. Also refer to Section 5.0108.

3.0908 Side Yard Required

10 feet.

3.0909 Rear Yard Required

10 feet for main building, 5 feet for accessory buildings.

3.0910 Special Yards Required for Dwelling Groups

See Subsection 5.0109.

3.0911 Parking Areas

See Subsection 4.0101.

SECTION 3.1000 REGULATIONS FOR "C-1" NEIGHBORHOOD COMMERCIAL DISTRICTS

This district classification is designed to be applied to areas such as small community shopping centers and business districts which cater to quiet enclosed businesses which are accessory to residential, urban, or suburban living. Shops and services which cater to residential needs are to be encouraged to the exclusion of other businesses.

The following regulations shall apply in all "C-1" Districts and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.1001 Uses Permitted

- (a) Multiple dwellings and dwelling groups, subject to the height limit, building site area, average lot width and yard requirements specified for "R-3" Districts.
- (b) Hotels, motels, clubs and lodge halls, hospitals, sanitariums and clinics.
- (c) Retail stores and shops of a light commercial character and conducted within a building including appliance stores, bakeries, banks, barber shops, beauty parlors, boat and trailer sales yards, book stores, bus terminals, cleaner and laundry agencies, commercial recreation facilities, department stores, dress shops, drug stores, furniture stores, grocery stores, general merchandising establishments, laundrettes, millinery shops, new and used car sales, office buildings, professional offices, real estate offices, regional shopping centers, restaurants, refreshment stands, service stations, shoe shops, storage garages, studios, theatres, 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, except those which contain department store, variety store or dry goods sales area of greater than 5000 square feet.

- (d) Agriculture where site area is one acre or more.
- (e) Accessory buildings and accessory uses appurtenant to a permitted use.

3.1002 Uses Permitted with a Use Permit

- (a) Public and quasi public uses.
- (b) Trailer courts.
- (c) Trailers.
- (d) Single family residence.

3.1003 Building Height Limit

45 feet.

3.1004 Minimum Lot Area Required

None where both a public or mutual water supply and public sanitary system is available, and 12,000 square feet where both public or mutual water supply and public sanitary system are not available. Where water and sanitary facilities are contained on the property, all State and County health regulations shall apply. See also Section 5.0107.

3.1005 Minimum Lot Width Required

25 feet.

3.1006 Percentage of Lot Coverage Permitted

Up to 100 percent of the building site where both a public or mutual water supply and public sanitary system are available. Where water and sanitary facilities are contained on the property adequate yard space shall be provided. See also Section 5.0108.

3.1007 Front Yard Required

None, except as provided in Section 5.0108. On corner lots or where frontage in a block is partially in an "R" District, the front yard shall be one-half that required in such "R" District, or not less than 10 feet.

3.1008 Side Yard Required

None, except where the side of a lot abuts upon the side of a lot in an "R" District, in which case the abutting side yard shall be not less than 5 feet. Where the side yard on the street side of a corner lot abuts on an "R" District, the side yard on the street side shall comply with the standard corner lot set-backs adjacent to key lots.

3.1009 Rear Yard Required

None

3.1010 Special Yards Required for Dwelling Groups

See Section 5.0109.

3.1011 Parking Areas

See Section 4.0101.

SECTION 3.1100 REGULATIONS FOR "C-2" CENTRAL BUSINESS DISTRICTS

This district classification is intended to be applied to areas such as would be developed into a "downtown" or central shopping area which cater to shoppers in a high density urban area.

The following regulations shall apply in all "C-2" Districts and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.1101 Uses Permitted

- (a) All permitted uses in a "C-1" District.
- (b) Multiple dwellings and dwelling groups, subject to the height limit, building site area, average lot width and yard requirements specified for "R-3" Districts, provided that this shall not apply to any dwelling use to be located over a commercial establishment.
- (c) Department stores, regional shopping centers, general merchandise sales establishments using more than 5000 square feet of floor area, furniture sales,

theatres, hotels, bus terminals, and office buildings.

(d) Accessory uses and buildings appurtenant to any permitted use.

3.1102 Uses Permitted with a Use Permit

(a) Public and quasi public uses.

3.1103 Building Height Limit

45 feet.

3.1104 Minimum Lot Area Required

None, where both a public or mutual water supply and public sanitary system is available, and 12,000 square feet where both public or mutual water supply and public sanitary system are not available. Where water and sanitary facilities are contained on the property, all State and County health regulations shall apply. See also Section 5.0107.

3.1105 Minimum Lot Width Required

20 feet.

3.1106 Percentage of Lot Coverage Permitted

Up to 100 percent of the building site where both a public or mutual water supply and public sanitary system are available. Where water and sanitary facilities are contained on the property adequate yard space shall be provided. See also Section 5.0107.

3.1107 Front Yard Required

None, except as provided in Section 5.0108. Where frontage in a block is partially in an "R" District, the front yard shall be one-half that required in such "R" District or not less than 10 feet.

3.1108 Side Yard Required

None, except where the side of a lot abuts upon the side of a lot in an "R" District, in which case the abutting side yard shall not be less than 5 feet. Where the side yard on the street side of a corner lot abuts on an "R" District, the side yard on the street side shall comply with the standard corner lot set-backs adjacent to key lots.

3.1109 Rear Yard Required

None.

3.1110 Special Yards Required for Dwelling Groups

See Section 5.0109.

3.1111 Parking Areas

See Section 4.0101.

SECTION 3.1200 REGULATIONS FOR "C-3" GENERAL COMMERCIAL DISTRICTS

This district classification is intended to be applied to areas in which heavy commercial and light manufacturing uses of the non-nuisance type and large administrative facilities are the desired predominant uses.

The following regulations shall apply in all "C-3" Districts, and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.1201 Uses Permitted

- (a) All permitted uses in "C-1" Districts.
- (b) Storage and warehousing, bottling works, carpenter shops, contractor yards, lumber yards, machine shops, plumbing shops, public garages, welding shops, and other uses of a similar character but not including sawmills and planing mills.
- (c) Manufacture of clothing, handicraft products, printing, lithographing and other light manufacturing or industrial uses of a similar character.
- (d) Manufacture of food products, and pharmaceuticals but not including the production of fish, meat products, vinegar, or sauerkraut or the like.
- (e) Accessory uses and buildings appurtenant to a permitted use.

3.1202 Uses Permitted with a Use Permit

- (a) All uses where a Use Permit is required in the "C-1" Districts.
- (b) Animal hospitals, enclosed kennels and veterinary clinics.

- (c) Drive-in Theatres.
- (d) Trailers.
- (e) Single family residences.

3.1203 Building Height Limit

45 feet.

3.1204 Minimum Lot Area Required

None, where both a public or mutual water supply and public sanitary system is available, and 12,000 square feet where both public or mutual water supply and public sanitary system are not available. Where water and sanitary facilities are contained on the property, all State and County health regulations shall apply. See also Section 5.0107.

3.1205 Minimum Lot Width Required

25 feet.

3.1206 Percentage of Lot Coverage Permitted

Up to 100 percent of the building site where both a public or mutual water supply and public sanitary system are available. Where water and sanitary facilities are contained on the property adequate yard space shall be provided. See also Section 5.0107.

3.1207 Front Yard Required

None, except as provided in Section 5.0108. Where

frontage in a block is partially in an "R" District, the front yard shall be one-half that required in such "R" District or not less than 10 feet.

3.1208 Side Yard Required

None, except where the side of a lot abuts upon the side of a lot in an "R" District, in which case the abutting side yard shall not be less than 5 feet. Where the side yard on the street side of a corner lot abuts on an "R" District, the side yard on the street side shall comply with the standard corner lot set-back adjacent to key lots.

3.1209 Rear Yard Required

None.

3.1210 Special Yards Required for Dwelling Groups

See Section 5.0109.

3.1211 Parking Areas

See Section 4.0101.

SECTION 3.1300 REGULATIONS FOR "M" MANUFACTURING AND INDUSTRIAL DISTRICTS

This district classification is intended to apply to areas suited to normal operations of industries, subject only to such regulations as are needed to control congestion and protect surrounding areas.

The following regulations shall apply in all "M" Districts

and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.1301 Uses Permitted

- (a) All commercial uses permitted in "C-3" Districts (except residential buildings) and all other commercial and manufacturing uses except as set forth in Section 3.1302.
- (b) Accessory uses appurtenant to a permitted use including watchman's residences.

3.1302 Uses Permitted with a Use Permit

- (a) Airports.
- (b) Commercial excavation of stone or earth materials.
- (c) Distillation of bones.
- (d) Drilling for and/or removal of oil or gas.
- (e) Dumping, disposal, incineration or reduction of garbage, sewage, offal, dead animals or refuse.
- (f) Fat rendering.
- (g) Hog ranches.
- (h) Junk yards or wrecking yards.
- (i) Fish or meat processing.
- (j) Manufacturing of acid, chemicals, cement, explosives, fireworks, fertilizer, gas, glue, gypsum, inflammable fluids or gases.

- (k) Professional offices.
- (l) Animal hospitals, enclosed kennels, and veterinary clinics.
- (m) Refining of petroleum and its products.
- (n) Sawmills and planing mills.
- (o) Smelting of copper, iron, tin, zinc, and other ores.
- (p) Stockyards and slaughter houses.
- (q) Tanneries.
- (r) Pulp mills and paper mills.
- (s) Other uses which might be objectionable by reason of production or emission of noise, offensive odor, smoke, dust, bright lights, vibration or involving the handling of explosive or dangerous materials.

3.1303 Building Height Limit

75 feet.

3.1304 Minimum Lot Area Required

None, where both a public or mutual water supply and public sanitary system is available, and 12,000 square feet where both public or mutual water supply and public sanitary system are not available. Where water and sanitary facilities are contained on the property, all State and County health regulations shall apply. See also Section 5.0107.

3.1305 Minimum Lot Width

25 feet.

3.1306 Percentage of Lot Coverage Permitted

Up to 100 percent of the building site where both a public or mutual water supply and public sanitary system are available. Where water and sanitary facilities are contained on the property adequate yard space shall be provided. See also Section 5.0107.

3.1307 Front Yard Required

None, except as provided in Section 5.0108. Where frontage in a block is partially in an "R" District, the front yard shall be one-half that required in such "R" District or not less than 10 feet.

3.1308 Side Yard Required

None, except where the side of a lot abuts upon the side of a lot in an "R" District, in which case the abutting side yard shall not be less than 5 feet. Where the side yard on the street side of a corner lot abuts on an "R" District, the side yard on the street side shall comply with the standard corner lot set-back adjacent to a key lot.

3.1309 Rear Yard Required

None.

3.1310 Parking Areas

See Section 4.0101.

SECTION 3.1400 REGULATIONS FOR "P-C" PLANNED COMMUNITY DISTRICTS

This district classification is applicable to parcels of land which are suitable for and of sufficient size to contain a planned development comprised of one or more land uses which are compatible and are integrated to the zones adjacent to the parcel, and to affect a design control over the development.

The following regulations shall apply in all "P-C" Districts and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance, except that where apparent conflict in regulations occurs, the regulations specified in this section shall apply.

3.1401 "P-C" Districts may be established on parcels of land containing a minimum of one acre, and which are suitable for a planned community for which complete development plans have been submitted to and approved by the Planning Commission.

3.1402 Application for the establishment of a "P-C" District shall include an application for a Use Permit for all developments within the District. Such application for a Use Permit shall include the following:

(a) A map or maps showing:

1. Topography of the land. Show one foot contour

interval where the natural terrain is in general under 20 percent slope and 5 foot contours on terrain of over 20 percent slope.

2. Proposed street system and lot design.
 3. Areas proposed to be dedicated or reserved for parks, parkways, playgrounds, school sites, public or quasi public buildings and other such uses.
 4. Areas proposed for commercial uses, off-street parking, multiple and single family dwellings and all other uses proposed to be established within the District.
 5. Proposed locations of buildings on the land.
- (b) Elevations of all proposed buildings and structures other than single family residences.
- (c) Other data and information which may be deemed necessary by the Planning Commission for proper consideration of the application.

3.1403 Uses Permitted

- (a) All uses permitted in "R-1", "R-2", "R-3", "R-H", "C-1", "P-R" and "T" Districts, subject to the securing of a Use Permit as specified in Section 3.1402.
- (b) Additional uses which are, in the opinion of the Planning Commission, proper uses to be included in

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- the total development within a particular "P-C" District.
- (c) Standards for building heights, area, coverage, density, yard requirements, parking and screening for "P-C" uses shall be determined by the Planning Commission, and shall be governed by standards of the residential, commercial or other districts most similar in nature and function to the proposed "P-C" uses.

SECTION 3.1500 REGULATIONS FOR "F-R" FOREST-RECREATION DISTRICTS

This district classification is to be applied to areas where recreation and recreational development would be a more desirable use than any other development to the extent that other development would hamper or destroy the recreational value of the area.

The following regulations shall apply in all "F-R" Districts, subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.1501 Uses Permitted

- (a) Single family residence.
- (b) Vacation cottages.
- (c) Hunting and fishing camps.
- (d) Guest ranches, public stables, private stables.
- (e) Pack stations.
- (f) Logging.
- (g) Country clubs, golf courses.
- (h) Home occupations.

- (i) Agriculture.
- (j) Other similar uses which in the opinion of the Planning Commission are not detrimental to the full use and enjoyment of the County's recreational and forest resources.

3.1502 Uses Permitted with a Use Permit

- (a) Airports.
- (b) Trailers and trailer courts.
- (c) Guest houses.
- (d) Sales stands for fruits and vegetables.
- (e) Hotels, motels.
- (f) Restaurants, refreshment stands.
- (g) Indoor recreation facilities.
- (h) Drive-in theatres.
- (i) Excavation of rock, gravel, and sand.
- (j) Rock crushers.
- (k) Oil and gas drilling.
- (l) Mining.
- (m) Animal husbandry.

3.1503 Building Height Limit

35 feet.

3.1504 Minimum Lot Area Required

1/2 acre.

3.1505 Front Yard Required

30 feet. Also refer to Section 5.0108.

3.1506 Side Yard Required

10 feet unless the building site is less than 100 feet in width in which case side yards of 10 percent of such width, but not less than 5 feet, shall be required.

3.1507 Rear Yard Required

20 feet for main buildings. 5 feet for accessory buildings.

3.1508 Percentage of Lot Coverage Permitted

30 percent.

SECTION 3.1600 REGULATIONS FOR "T" TRAILER DISTRICT

This district classification is intended to allow the parking of independent trailer coaches and mobile homes for residential purposes on individual lots and parcels and to prevent the encroachment upon these areas of incompatible uses of property as may be in conflict therewith. It is further the purpose of this district to provide maximum protection to future residents within the district and to encourage the highest and best use of land, including necessary supporting and accessory uses incidental thereto.

The following regulations shall apply in all "T" Districts, and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.1601 Uses Permitted

- (a) One independent trailer coach bearing a tag of approval of the California Division of Housing or equivalent.
- (b) Public parks and public playgrounds.
- (c) Not more than 2 accessory structures for private use limited to the following: garage, carport, utility room, recreation room, storage room, cabana, greenhouse, swimming pools and related structures, patios and other open recreational uses.
- (d) Cooperative, corporate, or community recreation, utility and/or sanitary facilities.

3.1602 Uses Permitted with a Use Permit

- (a) Schools and libraries.
- (b) Launderette.
- (c) Golf courses and country clubs.
- (d) Public and quasi public uses including churches, fire houses, hospitals.

3.1603 Building Height Limit

Building height is limited to one story and not to exceed 20 feet. This height does not include antennae.

3.1604 Minimum Lot Area Required

6,000 square feet for each trailer if a public or mutual water system and public sanitary system is provided, otherwise 12,000 square feet.

3.1605 Minimum Lot Width Required

50 feet.

3.1606 Front Yard Required

Minimum front yard required, 15 feet. Also refer to Section 5.0108.

3.1607 Side Yard Required

(a) Minimum side yard required, 5 feet.

(b) On a corner lot the side yard facing the street shall not be less than 10 feet.

3.1608 Rear Yard Required

Minimum rear yard required, 5 feet.

3.1609 Special Requirement

All trailers shall have a protective screen or skirt to prevent immediate access under the trailer.

SECTION 3.1700 REGULATIONS FOR "FP-1" DISTRICTS

This district classification is intended to be applied to properties which lie within a primary flood zone which, for the purposes 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 flow of the stream, and on which properties special regulations are necessary for the minimum protection of the public health and safety, and of property and improvements from hazards and damage resulting from flood waters.

The following regulations shall apply in all "FP-1" Districts, and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.1701 Uses Permitted

- (a) Public parks and recreation developments, boating facilities, campgrounds, and trailer parks operated on a seasonal basis between the months of May and November inclusive except as provided in Subsection (d) below. Rest rooms and utility facilities shall be located and constructed in accordance with Health Department requirements. Such buildings shall be designed to withstand inundation due to floods and shall be submitted to the Planning Commission for approval. Floating docks shall be sectional with no portion longer than 60 feet. Portable buildings and floating docks are to be removed from the zoned areas at the end of the season.
- (b) Crop farming, truck gardening, livestock grazing, and other agricultural uses which are of the same or closely similar nature.
- (c) Public utility wire and pipe lines for transmission and local distribution purposes.
- (d) Travel trailers are permitted in trailer parks, and

such trailer parks are permitted to operate to serve said travel trailers, between the months of December and April inclusive, providing that such travel trailer is maintained in a condition that will permit its removal from the flood plain without the need for a special towing vehicle or apparatus; that the access to such travel trailers, including but not limited to drives, roads, and streets, be adequate to provide egress and ingress at any time under all weather conditions; that no cabanas, ramadas, or structures shall be constructed, placed or attached to or adjacent to such trailer; that each such travel trailer located in the "FP-1" District under the provisions of this subsection shall be limited to a period of stay not to exceed 7 consecutive calendar days.

3.1702 Uses Permitted with a Use Permit

The following uses, buildings, and structures when it is found by the Planning Commission that such buildings or structures will be so constructed or placed, or will be so protected by levees or other flood proofing that they will not be appreciably damaged, will offer a minimum obstruction to stream flow, and will resist floatation in the event of flooding. Dikes and other structures designed

to protect properties from flooding shall be so constructed that they will not endanger life or restrict the flow or carrying capacity of the flood channels.

- (a) Single, non-expandable trailers not over 12 feet wide, maintained in a readily movable state, and having no auxiliary buildings attached thereto when they are occupied by the owner or caretaker of properties listed in 3.1701 (a).
- (b) Commercial excavation of natural materials, filling of land areas, construction of levees, dikes, or other structures designed to protect property from natural flooding.
- (c) Floating docks during off season.
- (d) Private trailers on private parcels of ground used on a seasonal basis as in Section 3.1701 (a).

SECTION 3.1800 REGULATIONS FOR "FP-2" DISTRICTS

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

The following regulations shall apply in all "FP-2" Districts, and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.1801 Uses Permitted

- (a) Single family dwellings and accessory residential and agricultural structures located on agricultural properties, provided that the ground floor level of such buildings shall be above the flood profile level as shown on the zoning map of the particular area in question or provided that the building area is protected from flooding by dikes, levees or other safety measures.
- (b) Public parks, recreation developments and trailer parks. Rest rooms and utility facilities shall be located and constructed in accordance with Health Department requirements. Such buildings shall be designed to withstand inundation due to floods.

3.1802 Uses Permitted with a Use Permit

- (a) Single, non-expandable trailers not over 12 feet wide, maintained in a readily movable state, and having no auxiliary buildings attached thereto.
- (b) Improvements to existing buildings, and accessory residential and agricultural structures whose floor level does not meet the requirements as set forth in Section 3.1801 (a).
- (c) Occasional isolated commercial buildings, and in-

dustrial structures where such do not create congestion and whose design has been approved by the Planning Commission.

SECTION 3.1900 REGULATIONS FOR "FP-3" DISTRICTS

This district classification is intended to be applied to properties which lie within a flood zone, but which have been protected by man-made dikes or levees constructed by local, state, or federal agencies solely for the protection of the area so zoned.

The following regulations shall apply in all "FP-3" Districts, and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

3.1901 Uses Permitted

- (a) All uses permitted in the various zoning classifications which may be applied thereto.

SECTION 3.2000 REGULATIONS FOR "B" COMBINING DISTRICTS

In a district which is combined with a "B" District the following regulations shall apply in lieu of the respective regulations as to building site area and yards which are herein specified for such district.

3.2001 Special Regulations

- (a) Building site area required shall be as indicated by the figure following the "B" District designation, which figure represents the minimum area required in thousand square feet.

- (b) The minimum front, side, and rear yard set-back requirements shall be as indicated in the legend on the zoning map designating such "B" District.

CHAPTER FOUR
PARKING REGULATIONS

SECTION 4.0100 PARKING REGULATIONS

In all districts, in connection with every industrial, business, institutional, recreational, residential, or any other use, there shall be provided, at the time any building or structure is erected, or is enlarged, or increased in capacity, off-street parking spaces for automobiles in accordance with the requirements herein.

- 4.0101 The number of off-street parking spaces required for each use in all districts shall be as follows:
- (a) Automobile or machinery sales and service garages: 1 for each 400 square feet of floor area.
 - (b) Banks, business and professional offices: 1 for each 200 square feet of floor area.
 - (c) Bowling alleys: 5 for each alley.
 - (d) Churches and schools: 1 for each 3.5 seats in auditoriums or 1 for each 17 classroom seats, whichever is greater.

- (e) Dance halls and assembly halls without fixed seats, exhibition halls except church assembly rooms in conjunction with auditorium: 1 for each 100 square feet of floor area for assembly or dancing.
- (f) Dwellings, single family, duplexes: 1 for each family or dwelling unit.
- (g) Dwellings, multiple: 3 for each 2 families or dwelling units.
- (h) Funeral homes, mortuaries: 4 for each parlor or 1 for each 50 square feet of floor area, whichever is greater.
- (i) Furniture and appliance stores, household equipment or furniture repair shop: 1 for each 200 square feet of floor area.
- (j) Hospitals: 1 for each 2 patient beds and 1 added for each 3 staff members and employees.
- (k) Rooming and lodging houses: 1 for each 2 bedrooms.
- (l) Manufacturing plants, research or testing laboratories, bottling plants: 1 for each 2 employees on the maximum working shift.
- (m) Medical or dental clinics: 5 spaces for each physician or dentist.
- (n) Hotels and motels: 1 space for each living or sleeping unit.

- (o) Sanitariums, asylums, orphanages, convalescent homes, homes for the aged and infirm, and rest homes: 1 space for each 6 patient beds plus 1 space for each staff member or visiting physician plus 1 space for each 3 employees.
- (p) Restaurants, beer parlors, and night clubs: 1 for each 3.5 seats.
- (q) Retail stores, shops, etc.: 1 for each 100 square feet of floor area.
- (r) Sports arenas, auditoriums, theatres, assembly halls: 1 for each 3.5 seats.
- (s) Wholesale establishments or warehouses: 1 for each 2 employees in the maximum working shift.

4.0102 The off-street parking facilities required for the uses mentioned in Section 4.0101 of this Ordinance and for other similar uses, shall be on the same or adjacent lot or parcel of land as the structure they are intended to serve. When practical difficulties, as determined by the Planning Commission, prevent their establishment upon the same or immediately adjacent lot, they may be located within 300 feet of the premises to which the parking requirement pertains, and may be located in a residence zone if the land lies adjacent to any building being erected in a commercial

or industrial zone. Space for required off-street parking shall not occupy any part of any required front yard except in the "R-H" District, but where uncovered or unroofed, may be included as part of a required rear or side yard. On corner lots, parking space may not be included as part of required yards lying adjacent to either street.

4.0103 Each off-street parking space shall have an area of not less than 180 square feet, exclusive of access drives or aisles, and shall have a width of not less than 9 feet or a length of not less than 20 feet.

4.0104 No part of an off-street parking area required for any building or use for the purpose of complying with the provisions of this Ordinance, shall be included as a part of an off-street parking area similarly required for another building or use unless the type of structure indicates, in the opinion of the Planning Commission, that the periods of usage of such structures will not be simultaneous with each other. The size of multiple use lots used in shopping centers or for more than one business at the same time shall be based on the combined requirements of the businesses concerned.

4.0105 Whenever a parking lot or a driveway to a parking lot is established so as to abut the side or rear line of a lot

in a residential district, a fence or screen of planting shall be constructed and maintained along said side or rear lot line.

CHAPTER FIVE

GENERAL PROVISIONS, EXCEPTIONS AND PROCEDURES

SECTION 5.0100 GENERAL PROVISIONS AND EXCEPTIONS

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

5.0101 General Uses Permitted with Use Permit

The following uses may be permitted in any district subject to the securing of a Use Permit in each case:

- (a) Public parking lots.
- (b) Public, including City, County, District, State, or Federal, and quasi public or utility uses of buildings.
- (c) The commercial removal of minerals, earth or construction materials.
- (d) Signs, not over 20 square feet, advertising the sale of a subdivision.
- (e) Signs not otherwise prohibited, and which are placed above the permitted height of buildings.
- (f) Cemeteries.

5.0102 Assemblage of Persons or Vehicles

- (a) No circus, carnival, open air theatre, race track or similar establishment, or use involving assemblages of people and automobiles shall be permitted in any district unless a Use Permit is first secured in each case.

5.0103 Signs and Nomenclates

- (a) Signs, not over 6 square feet in area may be displayed on any parcel of land or building for the purpose of advertising such parcel or building for sale or lease.
- (b) Signs which are appurtenant to any permitted use may be displayed in any "R-H", "C" or "M" District, provided that no more than 3 signs of not more than 40 square feet of aggregate area shall be permitted for any one establishment. These provisions shall not apply to signs using the wall of a building as the surface, or attached to the wall of a building, providing such signs do not project more than 12 inches beyond the exterior face of such wall, providing such wall is a non projecting, integral part of the building, and providing the aggregate area of such wall sign does not exceed 20 percent of the total area of such wall; and further provided that such signs shall

advertise only such general product, or products and/or services as is or are, actually sold, dispensed, or rendered on the premises.

- (c) No red, green or amber lights or illuminated signs may be placed in such a position that they could reasonably be expected to interfere with, or be confused with any official traffic control device or traffic signal or official guide sign.
- (d) Name plates and numbers not over 2 square feet in area, may be permitted in any "R" District.

5.0104 Lighting

- (a) In all districts the lighting, including any permitted illuminated sign shall be arranged so that there will be no annoying glare directed or reflected toward residence buildings or residence district.

5.0105 Storage of Trailers, Repair Work, and Junk

- (a) Storage of Trailers:
 1. No trailer will be permitted in the front yard of any "R", "RA", "R-H", or "C-1" District.
 2. In all districts listed in 1. above, unoccupied and functional travel trailers, and trailers other than those having sleeping accommodations may be stored in any side or rear yard providing that the trailer is placed on the lot in compliance with side and rear yard setbacks for auxiliary buildings.

3. Unoccupied and functional trailers may be stored in all "U", "A", "C-3", "M", "FR", and "T" Districts in any location on the lot provided that the yard setbacks for the particular zone are complied with.

- (b) No vehicle undergoing repair or inoperable shall be stored in the front yard of any "R", "R-A", "R-H", or "C-1" District.
- (c) The storage or keeping of junk in any district shall be confined to areas not visible from any street.

5.0106 Height

- (a) Chimneys, vents, and other architectural or mechanical appurtenances, and 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.
- (b) No fence, wall or hedge shall be constructed or grown to exceed 4 feet in height along the front edge or sides of any required front yard or 8 feet in height along any side yard or rear yard unless a Use Permit is first secured in each case, provided that in no case may a fence, wall, or hedge within 50 feet of any street intersection be permitted to exceed the height of 3 feet above the road level.

5.0107 Building Site Area and Minimum Lot Width

- (a) A legal use of land as a building site shall be permitted on a lot of less area or frontage than that required by the regulations of this Ordinance, providing such site is shown as a lot on a subdivision map of record or is a parcel of land which was under one ownership on the effective date an area is zoned or rezoned under this Ordinance, and provided that in

either case the owner of such lot or parcel has not owned or purchased any adjoining property since the effective date the area is zoned or rezoned under this Ordinance.

- (b) When it becomes necessary for an owner to combine 2 or more lots for one building site, and such combination results in a site with square footage in considerable excess of the minimum size lots set forth herein, then in that case, lots 17 percent smaller will be permitted upon approval of the County Planning Consultant, except that in no case shall any lot size be less than 10,000 square feet where both public or mutual water supply and public sanitary system are not available nor less than 6,000 square feet where both public water and sanitary systems are available. Requests for approval of reduced lot sized in conformance with this paragraph shall set forth the type and location of the water supply, the septic tank and the drain field.
- (c) Land proposed as a building site and not having its principal frontage on a public street but in accordance with all other requirements of this Ordinance may be so used, subject to the securing of a Use Permit.

(d) Special Lot Sizes for "C", "R-II", and "M" Zones.

1. Lot sizes for buildings with a commercial or manufacturing use only, and with no living quarters of any type, using large amounts of water such as restaurants, self service laundries, etc., may be required by the County Planning Consultant or Health Department to have more area than those specified in Chapter 3.
2. Lot sizes smaller than those set forth in Chapter 3 may be used if approved by the Planning Consultant and Health Department.
3. Where a combined commercial and residential use is proposed for a parcel, a larger area than set forth in Chapter 3 may be required by the County Planning Consultant or Health Department.

5.0108 Yards and Building Locations

- (a) Where the front yard set-back requirements, as set forth in Chapter 3, are less than those specified hereinafter, then in that case the front yard set-back shall be as follows in all districts:
1. On major highways, one-half the right-of-way width in commercial or industrial manufacturing areas but in no case less than 60 feet. In all other

areas one-half the right-of-way width plus 20 feet, but in no case less than 70 feet.

2. On major county roads in commercial, industrial, or manufacturing areas, one-half the right-of-way width, but in no case less than 40 feet.
 3. On major county roads in all other areas, one-half the right-of-way width, plus 20 feet but in no case less than 50 feet.
 4. On all minor county roads and non-county public roads in commercial, industrial, or manufacturing areas, one-half the right-of-way width but in no case less than 30 feet.
 5. On all other minor county roads and non-county public roads, except private driveways, one-half the right-of-way width plus 20 feet, but in no case less than 40 feet.
- (b) Where public or mutual water or public sanitary systems are available, the lot coverage on any residential lot may be increased to permit up to 60 percent lot coverage, providing all other regulations of the zoning ordinance are followed.
- (c) Cornices, eaves, canopies, balconies, galleries, and similar architectural features may extend into any

- required yard a distance not exceeding 3 feet.
- (d) Uncovered porches or stairways, fire escapes or loading docks may extend into any required front or rear yard a distance not exceeding 6 feet and into any required side yard a distance of not exceeding 3 feet.
- (e) The average set-back of adjacent buildings may be substituted for front yard requirements on approval of the Planning Commission.
- (f) In case a dwelling is to be located so that the front or rear thereof faces any side lot line such dwelling shall be located not less than 10 feet from such lot line.
- (g) In the case of a corner lot adjacent to a key lot in any "R" District, the required side yard on the street side of the corner lot within 25 feet of the side line of a key lot shall be equal to the front yard required on the key lot and the balance of such side yard shall be equal to not less than one-half of the front yard required on the key lot.
- (h) In case an accessory building in any "R" District 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.

- (i) Detached accessory buildings in any "R" District shall be located not less than 10 feet from the main building.
- (j) Where such is not specified, detached accessory buildings shall be located not less than 5 feet from any side lot line, alley, or rear lot line and shall not encroach on any easement or right-of-way of record.
- (k) An accessory building used as a private stable shall be located not less than 20 feet from any side or rear property line, not less than 50 feet from the front property line, not less than 20 feet from any dwelling unit on the lot.
- (l) Yards for the use of horses shall be fenced to keep animals not less than 20 feet from any dwelling.
- (m) Minimum side and rear yard requirements for a main building, where such are not specified, shall be 5 feet for side yards and 10 feet for rear yards.
- (n) Nothing contained in the general provisions shall be deemed to reduce special yard requirements as set forth in the regulations for any "R" or "A" District.
- (o) The shorter street frontage of a corner lot shall be considered the front of the lot.

5.0109 Special Yards for Dwelling Groups

- (a) In case the buildings of a 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 20 feet to any other such buildings and the side yard providing access shall not be less than 8 feet.

- (b) In case the buildings of a group are so located on the lot that the rears thereof abut upon one side yard and the fronts thereof abut the other side (i.e., in a single row "side to side" series) the side yard providing front access shall have a width of not less than 12 feet.
- (c) In case the buildings of a group are so located on the lot that the rears thereof abut 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 30 feet.
- (d) Any separate building of the group shall be located not less than 10 feet from any other building of the group.
- (e) No building in any group shall be so located on the lot that the rear thereof abuts on any street line except where architectural treatment similar to the building front is provided.

(f) Distances required between buildings on the same lot and as yards and courts for dwelling groups shall be increased by 2 feet for each story that the height of any building or dwelling group exceeds 2 stories.

5.0110 Household Pets

Will be permitted in all districts provided they do not create a nuisance.

SECTION 5.0200 NON-CONFORMING USES

5.0201 The lawful use of land existing on the effective date of areas zoned or rezoned under this Ordinance, although such use does not conform to the regulations specified by this Ordinance for the district in which such land is located, is a non-conforming use and may be continued as hereinafter provided, except that no such use shall be enlarged or increased nor be extended to occupy a greater area than that occupied by such use at the time the area is zoned or rezoned under this Ordinance except as provided by Section 5.0205 (c). If any such use ceases the subsequent use of such land shall be in conformance with the regulations of the Ordinance. Any trailer, trailer coach, or trailer house on any land within any district in which it is not permitted as a matter of right (not including conditional uses), shall be removed within 5 years from the effective

date any property is classified or reclassified to any such district by this or by any preceding Ordinance, unless a Use Permit shall have been obtained. Any billboard or outdoor advertising sign, except as otherwise permitted in any "R-1A", "R-2A", "R-1", "R-2" or "R-3" District that is located within any "R-1A", "R-2A", "R-1", "R-2", or "R-3" District shall be removed within 5 years from and after the effective date an area is zoned or rezoned under this Ordinance. Any truck terminal, or truck repair shop, or junk yard located within any ^{"R-1A", "R-2A",} "R-1", "R-2", or "R-3" District shall be removed within 7 years from and after the effective date an area is zoned or rezoned under this Ordinance.

5.0202 The lawful use of a building existing at the time of adoption of this Ordinance may be continued, although such building and/or use does not conform to the regulations specified for the district in which such building is located.

5.0203 If at any time, any building in existence on the effective date an area is zoned or rezoned under this Ordinance which does not conform to the regulations for the district in which it is located, be damaged or destroyed by fire, explosion, Act of God, or act of the public enemy, to the extent of more than 50 percent of the market value thereof, according to the appraisal by the County Assessor for the

fiscal year during which such destruction occurs, the land and building shall be thereafter subject to all the regulations specified by the Ordinance, for the district in which such land and buildings are located.

5.0204 If the actual operation of a non-conforming use of a building ceases for a continuous period of 12 months, unless the legal owner can establish valid proof to the contrary, such cessation of non-conforming use shall be considered abandonment; then without further action by the Planning Commission the said building and the land on which said building is located shall be subject to all the regulations specified by this Ordinance for the district in which such land and building are located.

5.0205 The following additional regulations shall apply to non-conforming buildings:

- (a) 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.
- (b) 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.
- (c) The enlargement, extension, reconstruction or structural alteration of a non-conforming building may be

permitted provided that in each case a Use Permit is first secured.

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

5.0206 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 an area is zoned or rezoned under this Ordinance. Actual construction is hereby defined to be: The actual placing of construction materials in their permanent position, fastened in a permanent manner or actual work in excavating a basement, provided that in all cases actual construction work shall be diligently carried on until the completion of the building or structure involved.

SECTION 5.0300 PROCEDURE FOR PRECISE ZONING AND AMENDMENTS

This Ordinance may be amended to establish detailed zoning districts, to change district boundaries or to change any other provisions thereof whenever the public necessity and convenience and the general welfare require such amendment by following the procedure of this section.

5.0301 Initiation

An amendment may be initiated by:

- (a) The petition of one or more property owners, or their authorized agents, affected by the proposed amendments, which petition shall be filed with the Planning Commission.
- (b) The Board of Supervisors.
- (c) The Planning Commission.

5.0302 Application

An application for an amendment pursuant to Section 5.0301(a) shall be accompanied by a fee of \$25.00, no part of which shall be refundable, and shall also be accompanied by the following data necessary to demonstrate that the proposed amendment is in general conformance with the General Plan and that the public necessity, convenience, and general welfare, require the adoption of the proposed amendment.

- (a) An accurate legal description and map showing:
 - 1. Properties within the proposed or amended zoning district.
 - 2. Boundary of the district.
 - 3. Roads, rights-of-way or other data deemed pertinent by the Planning Commission.
- (b) Said map shall be drawn on a sheet or sheets 18" x 26"

with a 1" border, and shall be drawn on tracing paper or similar material, to a scale of 1"=400 feet.

5.0303 Public Hearings

- (a) The Planning Commission shall hold one or more public hearings on any proposed amendment, at least 10 days apart, and shall give notice thereof by at least one publication in a newspaper of general circulation within the County at least 10 days prior to the first of such hearings.
- (b) In case the proposed amendment consists of a change of the boundaries of any district so as to reclassify property from any other district, the Planning Commission shall give additional notice of the time and place of such hearings and of the purpose thereof by: Posting public notices thereof not less than 10 days prior to the date of the first of such hearings along the streets or roads upon which the property proposed to be reclassified abuts and in the vicinity thereof. Any failure to post public notices as aforesaid shall not invalidate any proceedings for amendment of this Ordinance.

5.0304 Action by Planning Commission

Following the aforesaid hearings, the Planning Commission

shall submit a written report of its findings and a summary of hearings, together with its written recommendation with respect to the proposed amendment to the Board of Supervisors. 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. Where an amendment has been referred by the Board of Supervisors to the Planning Commission for a report, such report shall be made to the Board of Supervisors within 40 days. Failure to do so shall be deemed an approval of the proposed regulation or amendment by the Planning Commission.

5.0305 Action by Board of Supervisors

Upon receipt of the recommendations from the Planning Commission, 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 10 days prior to such hearing. The Board may approve, modify or disapprove any recommendation of the Planning Commission. Any modification of the proposed ordinance or amendment shall be referred back to the Planning Commission for a report and recommendation. Within 90 days from the date of receipt, the Board of Supervisors

may adopt the proposed amendment or any part thereof. The Board of Supervisors by resolution may abandon any proceedings for an amendment initiated by its own action, provided that such abandonment may be made only when such proceedings are before such body provided that any hearing of which public notice has been given shall be held.

SECTION 5.0400 VARIANCES

Variances from the terms of the Zoning Ordinance shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

5.0401 Application

Application for a variance shall be made in writing on a form prescribed by the Planning Commission and shall be accompanied by a fee of \$10.00, no part of which shall be returnable to the applicant. Before any variance may be

granted by the Board of Supervisors, all of the following must be shown:

- (a) That there are exceptional or extraordinary circumstances, or conditions apply to the land referred to in the application, which circumstances or conditions do not apply to other land in the same district.
- (b) That the granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.
- (c) That the granting of such variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

5.0402 Public Hearing

A public hearing shall be held within 60 days after filing of application, notice of which shall be given by one

publication in a newspaper of general circulation in the County and/or by posting notice on the property involved or adjacent thereto at least 10 days prior to such hearing.

5.0403 Action by Planning Commission

Following the public hearing the Planning Commission shall make a written report showing whether the qualifications under Section 5.0401 apply to the land for which variance is sought and whether such variance shall be in harmony with the general purposes of this Ordinance. Such written report together with a written recommendation shall be submitted to the Board of Supervisors.

5.0404 Action by Board of Supervisors

The Board of Supervisors shall consider the variance application within 60 days after the receipt of the Planning Commission reports and if the Board of Supervisors finds that the qualifications under Section 5.0401 do in fact apply to the land for which variance is sought and that such variance is in harmony with the general purposes of this Ordinance, said Board shall by resolution grant such variance. The Board of Supervisors may designate conditions and guarantees in connection with the variance to secure the purposes of this Ordinance.

5.0405 Revocation

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

SECTION 5.0500 USE PERMITS

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

5.0501 Application

- (a) Application for a Use Permit except as provided in Section 5.0501(b) shall be made to the Planning

Commission in writing on a form provided by the Planning Commission and shall be accompanied by plans and elevations necessary to show details of the proposed use or building. Such application shall be accompanied by a fee of \$10.00, no part of which shall be returnable to the applicant.

- (b) Application for a Use Permit for use of a mobile home or trailer shall be made to the Building Department in writing on a form prescribed by the Planning Commission and shall be accompanied by a fee of \$25.00, \$15.00 of which is returned to the applicant in the event that the use permit is denied.

5.0502 Public Hearing

The Planning Commission may hold such public hearings thereon as it may deem to be necessary.

5.0503 Action by Planning Commission

- (a) The Planning Commission may issue the Use Permit if the findings of the Commission shall be that the establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood, and that such

use is in harmony with the general purposes of this Ordinance.

- (b) The Planning Commission may designate such conditions as it deems necessary to secure the purposes of this Ordinance, and may require a guarantee and/or bond that such conditions will be complied with.

5.0504 Revocation

- (a) In any case where the conditions of granting of a Use Permit have not, or are not, complied with, the Planning Commission shall give notice to the permittee by certified mail sent to the address shown on the application for the Use Permit, at least 10 days prior to a hearing thereon. At the conclusion of the hearing the Planning Commission may revoke such permit. Such revocation shall be subject to the right of appeal in the same manner as set forth in Section 5.0600 of this Ordinance.
- (b) In any case where a Use Permit has not been used within 6 months after the date of granting thereof, then, without further action by the Planning Commission or Board of Supervisors, the Use Permit granted shall be null and void.

SECTION 5.0600 APPEALS

Any person aggrieved by an action of the Planning Commission may take an appeal to the Board of Supervisors by filing a notice of appeal with the Clerk of the Board of Supervisors and with the Planning Commission within 10 days of the action of the Planning Commission. Upon receipt of the Planning Commission Records, the Board of Supervisors shall notify the Planning Commission, at least 5 days previous, of the time the Board will consider the appeal.

5.0601 Action by the Board of Supervisors

The Board of Supervisors shall consider the appeal and the record upon which the action appealed from was taken, and may, at its own discretion, cause the matter to be set for a public hearing.

5.0602 Public Hearing

If the Board of Supervisors causes the matter to be set for a public hearing, notice of the hearing shall be given by publication in a newspaper of general circulation printed and published in the county at least 10 days prior to the hearing. The hearing may be continued from time to time.

5.0603 Decision of the Board of Supervisors

Within 60 days of the filing of the notice of appeal, the

Board of Supervisors shall render its decision on the matter. Failure of the Board of Supervisors to render its decision on the matter within 60 days of the filing of the notice of appeal shall be deemed to be a denial of the appeal and an affirmation of the action of the Planning Commission. The decision of the Board of Supervisors upon an appeal is final and conclusive as to all things involved in the matter.

CHAPTER SIX

ENFORCEMENT, REPEALING, VALIDITY AND REFERENCE

SECTION 6.0100 ENFORCEMENT, LEGAL PROCEDURE, PENALTIES

All departments, officials and public employees of the County 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 permit or license for uses, buildings, or purposes where the same would be in conflict with the provisions of this Ordinance.

6.0101 It shall be the duty of the Building Department and any designated officer of the County to enforce this Ordinance and all provisions of the same. For purposes of the enforcement of this Ordinance, the Building Department shall have police powers.

6.0102 Any person, firm or corporation, whether as principal, agent, employee or otherwise,, violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment in the County Jail for a term not exceeding three months or by both such fine and imprisonment. Such person, 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.

6.0103 Any building or use operated or maintained contrary to the provisions of these regulations shall be, and the same hereby is declared to be a public nuisance and shall be subject to injunction and abatement as such.

SECTION 6.0200 REPEALING

All ordinances and parts of ordinances of the County in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed; provided, however, that nothing herein contained shall be deemed to repeal or amend any ordinance of said County requiring a permit or license or both, to cover any business, trade or occupation; provided, further, that Ordinance

No. 200, as amended, is hereby repealed only when zoning maps amending this Ordinance are adopted and come into conflict therewith.

SECTION 6.0300 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 6.0400 REFERENCE

This Ordinance shall be known and cited as the "ZONING ENABLING ORDINANCE OF THE COUNTY OF DEL NORTE". Copies shall be available to the general public for a fee sufficient to cover cost of publication.

SECTION 6.0500 ENACTMENT

This Ordinance shall take effect and be in force thirty (30) days after the date of its passage and approval.

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PASSED AND ADOPTED by the Board of Supervisors of the County
of Del Norte this 23 day of October, 1967 by the fol-
lowing vote:

AYES: Supervisors McNamara, Mellon, Hight, Del Ponte, Chairman
McClendon.

NOES: None.

ABSENT: None.

Bernard McClendon
CHAIRMAN OF THE BOARD

ATTEST:

Loiseth Sinclair
CLERK OF THE BOARD