

ORDINANCE NO. 10 C.S.

AN ORDINANCE ESTABLISHING ZONING DISTRICTS FOR PARKS AND BEACHES, RECREATION AREAS, AND OFF-STREET PARKING WITH LANDSCAPING; AND RECLASSIFYING LOTS 18 and 20, BLOCK 54, CARMEL-BY-THE-SEA, TO DISTRICT R-1-P-3

BE IT ORDAINED by the City Council of the City of Carmel-by-the-Sea as follows:

Section 1. That the Municipal Code be amended by the addition of a new article to Part X thereof, which article shall be entitled Article 3-A, and shall read as follows:

"Article 3-A

District P-1 Regulations

Section 1305.7. Purpose. In order to preserve publicly owned park and beach lands for the benefit and enjoyment of present and future generations, and to prevent inharmonious use of such lands and to prevent the destruction of the city's beautiful natural open spaces through inappropriate development, District P-1 is hereby established.

Section 1305.71. Use. The following use only is permitted in District P-1, namely, the maintenance of such property primarily in its natural state with the addition thereto of only such improvements and maintenance as would enhance such natural state, or enable the better enjoyment thereof."

Section 2. That the Municipal Code be amended by the addition of an article to Part X thereof, to be known as Article 3-B, which shall read as follows:

"Article 3-B

District P-2 Regulations

Section 1305.8. Purpose. To provide appropriately

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located areas for recreation and recreation facilities needed by the residents of the city and the surrounding area, District P-2 is hereby established.

Section 1305.81. Uses. The following uses only are permitted in District P-2: All uses permitted in District P-1 and in addition thereto, facilities and structures devoted to public recreation."

Section 3. Part X of the Municipal Code is hereby amended by the addition thereto of an article to be known as Article 3-C, which shall read as follows:

"Article 3-C

District P-3 Regulations

Section 1305.9. Purpose. In order to enable the city to suitably locate off-street parking facilities to the best advantage of the city and its residents, considering traffic flow, traffic congestion, density of business development, the need for off-street parking facilities both in the city at large and in specific areas thereof, and like matters, District P-3 is hereby established.

Section 1305.91. Use. The use permitted by District P-3 shall be off-street parking with landscaping. Property zoned as belonging in District P-3 shall retain such other use and be subject to such other regulation as may apply to the basic zoning of such property, it being the intention of this section that District P-3 property shall not lose any other zoning district classification such property might have upon being zoned District P-3.

Section 1305.92. Development Regulations. Before any property ~~being~~ zoned as belonging in District P-3 be used for off-street parking, the owner of such property must first apply for and obtain from the Planning Commission approval of said owner's plan of development, and no person, firm or corporation shall

develop or use property in District P-3 for off-street parking except in conformance with a resolution of the Planning Commission approving such a plan of development. The owner's application should be accompanied by a plot plan showing location and number of driveways and the grade thereof at the property line, areas devoted to landscaping and the type thereof, and the number and location of parking stalls and aisles. Said application shall be certified by the Superintendent of Streets to the effect that the driveways shown on said plot plan and the grades thereof comply with all municipal ordinances and regulations regulating driveways. The Planning Commission shall thereupon determine if the proposed development of the parking use provides for safe driveway access and for sufficient landscaped areas and properly located landscaped areas, considering in this connection the desirability of shielding parking areas from the contiguous properties and the public street, and shielding adjacent structures from public view. In general, landscaped areas shall occupy not less than 20% of the property. All frontages on streets or public ways, exclusive of driveways, shall be landscaped; not less than 75% of such landscaping shall be at least five (5) feet in height. All property lines contiguous to residential property shall be likewise landscaped by hedge or suitable material not less than five feet in height along the entire property line. All landscaping requirements of this section may be varied by the Planning Commission not more than 20% so as to either increase or decrease said requirements by such percentage, depending on location, topography or other circumstances unique to the property in question. Any other provision of this section notwithstanding, all areas not devoted to parking stalls, aisles or driveways in the use of said property for off-street parking, shall be landscaped. Insofar as the requirements of this section are concerned, the owner shall be entitled to proceed with his plan of development upon the Planning Commission's adopting its resolution approving same, which resolution may reasonably limit the time of commencement of development under it. The application

required by this section may be filed by any property owner together with, or any time after, he has applied to have his property reclassified as District P-3. The Planning Commission may consider and issue its resolution approving the property owner's plan of development any time after it has formally approved and recommended the redistricting of owner's property to District P-3, without waiting for Council action. Property owner shall be entitled to proceed with his use of the property for off-street parking when he has obtained Planning Commission approval of his plan of development and his property redistricted as District P-3 without regard to which action became final first in point of time.

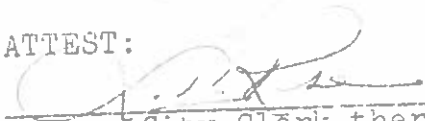
No property shall be devoted to P-3 usage if such usage will impinge on or reduce the minimum building site requirements or other site requirements of the zoning law. Any property, after being devoted to P-3 usage, may not be used to constitute or fulfill any building site requirement or other site requirement of the zoning law so long as the P-3 usage is continued. P-3 usage, once commenced, shall be deemed continued until the owner of the property ceases to devote it to such usage and files with the Planning Commission a notice of abandonment of such usage. Upon the filing of such notice of abandonment, the resolution approving plan of development for P-3 usage shall be of no further force and effect."

Section 4 That Lots 18 and 20, Block 54, as said lots and block are shown on Map of "Carmel-By-The-Sea, Monterey County, California", filed for record March 7, 1902 in the office of the County Recorder of the County of Monterey, State of California, in Volume 1 of Maps, "Cities and Towns", at page 2, be and they are hereby ordered reclassified to District R-1-P-3, and Section 1390 of the Municipal Code is hereby ordered amended accordingly to show said reclassification.

PASSED AND ADOPTED by the City Council of the City of Carmel-by-the-Sea this 25th day of January <sup>1960</sup>~~1959~~, by the following vote:

AYES:	COUNCILMEN:	CHITWOOD, BUFFINGTON, KNIGHT, MAY, NORBERG
NOES:	COUNCILMEN:	None
ABSENT:	COUNCILMEN:	None

ATTEST:

  
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 City Clerk thereof.


APPROVED:  
  
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 Mayor of said city.

**CERTIFICATION OF ORDINANCE**

I, the undersigned, City Clerk of the City of Carmel-by-the-Sea, California, do hereby certify that the foregoing is a true and correct copy of City Ordinance No. 10 C.S., which has been published or posted pursuant to the laws of the State of California and the City of Carmel-by-the-Sea.

DATED this 25th day of February, 19 60.



  
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CITY CLERK