

ORDINANCE NO. 345

AN ORDINANCE OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, AMENDING ORDINANCE NO. 120, THE ZONING ORDINANCE OF SAID COUNTY.

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

SECTION 1. Section 12 of said Ordinance No. 120 is hereby amended to read as follows:

SECTION 12. REGULATIONS FOR "A-1" DISTRICTS

12.1. The following regulations shall apply in all "A-1" districts and shall be subject to the provisions of Section 29 of this ordinance:

12.2. Uses permitted: All uses permitted in any "H", "R" or "C" District.

12.3. All uses not otherwise prohibited by law, including the following, upon the securing of a use permit in each case, as provided in Section 35 of this ordinance:

12.3.1. Junk Yard.

12.3.2. Commercial excavating of natural materials within a distance of one thousand (1000) feet from any public street.

12.3.3. Storage of any inflammable fluid in a greater quantity than two thousand (2000) gallons if such storage is in any container the uppermost portion of which is at an elevation higher than four (4) feet below the surface of the ground.

12.3.4. Cemetery, crematory, mausoleum or any other place for the burial or other disposal of the human dead, or any addition thereto.

12.3.5. Construction, maintenance or operation of any automobile court, automobile camp, auto trailer or camp car camp, dwelling group, transient labor camp or other type of camp where ten or more persons or two or more families are housed within the area of one acre.

12.3.6. Airport.

12.3.7. Amusement park, circus, carnival, fair ground, open air theater, race track, recreational center privately operated, or any establishment or enterprised involving a large assemblage of people and/or automobiles.

12.4. Additional regulations: No building shall hereafter be erected, nor shall any use of land be conducted except the use of land for agricultural purposes so that the same will be closer to the right of way line of any street than any Official Plan Line or any building line which has been established for such street by the Street and Highway Plan, or section thereof, of the Master Plan of the County, or than any future width line or building line which may be specified therefor by the provisions of this ordinance.

SECTION 2. Section 24 of said Ordinance No. 120 is hereby amended to read as follows:

SECTION 34. ADJUSTMENTS, VARIANCES AND APPEALS

34.1. The Planning Commission, subject to the approval and confirmation of the Board of Super-

visors in each case, as hereinafter provided, shall have power to grant adjustments, variances and exceptions in and to any of the provisions of this ordinance to the extent of the following and no further:

34.2. To vary or modify the strict application of any of the regulations or provisions contained in this ordinance in cases in which there are practical difficulties or unnecessary hardships in the way of such strict application.

34.3. To permit the extension of a district where the boundary line thereof divides a lot in one ownership at the time of the passage of this ordinance.

34.4. Application for any adjustment or variance permissible under the provisions of this section shall be made to the Planning Commission in the form of a written application for a building permit or for a permit to use the property or premises as set forth in said application, and shall be accompanied by a fee of Ten (10) Dollars no part of which shall be returnable to the petitioner, provided however that the County of Santa Clara, State of California and United States of America shall be exempt from the payment of any fee required under this section. Upon receipt of any such application by the officer or employee of the Planning Commission designated in the rules of the Commission for such purpose, such officer or employee shall set a time and place for a public hearing before the Planning Commission on such application. Such officer or employee shall cause public notice of such public hearing to be given by causing one notice thereof to be published in a newspaper of general circulation in the County at least ten (10) days before the date of said hearing. At said hearing the applicant shall present a statement and adequate evidence, in such form as the planning Commission may require, showing:

34.5. That there are special circumstances or conditions applicable to the land, building or use referred to in the application.

34.6. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights.

34.7. That the granting of such application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

34.8. The Commission shall thereupon make its decision upon the said application and shall report such decision to the Board of Supervisors within forty-five (45) days after the filing of the application.

34.9. In granting any adjustment or variance under the provisions of this section, the Planning Commission shall designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of the regulation or provision to which such adjustment or variance is

granted, as to light, air, and the public health, safety, comfort, convenience and general welfare. No permit shall be issued under the provisions of this section unless and until a decision of the Planning Commission, as aforesaid, approving the same, is approved and confirmed by the Board of Supervisors. In reporting its decision to the Board of Supervisors, the Planning Commission shall report its findings with respect thereto and all facts in connection therewith, and shall specifically and fully set forth any adjustment or variance granted and the conditions designated. Upon receipt of such report, if the decision of the Planning Commission approved the granting of the application, the Board of Supervisors either shall, by resolution, approve and confirm said decision, whereupon the permit as applied for may issue: or shall refuse to approve and confirm such decision. In all cases in which adjustments or variances are granted under the provisions of this section, the Planning Commission shall require such evidence and guarantees as it may deem to be necessary that the conditions designated in connection therewith are being and will be complied with.

34.10. The Planning Commission shall have power to decide any question involving the interpretation of any provision of this ordinance.

34.11. Any person who is dissatisfied with any decision or ruling of the Planning Commission may, within thirty (30) days after the date of such decision or ruling, appeal therefrom in writing to the Board of Supervisors, who shall have power to over-rule such decision or ruling.

SECTION 3. Section 35 of said Ordinance No. 120 is hereby amended to read as follows:

SECTION 35. USE PERMITS.

35.1. Use permits may be issued for any of the following:

35.2. Any of the uses or purposes for which such permits are required or permitted by the provisions of this ordinance.

35.3. Public utility or public service uses or public buildings in any district when found to be necessary for the public health, safety, convenience or welfare.

35.4. Commercial excavating of natural materials used for building or construction purposes, in any district.

35.5. To classify as a conforming use any use permitted in "C-2" districts, but not in more restricted districts, which use is existing at the time of the adoption of this ordinance as a non-conforming use in a "C-1" district.

35.6. To classify as a conforming use any institutional use existing in any district at the time of the establishment of such district.

35.7. To permit the location of any of the following uses in a district from which they are excluded by the provisions of this ordinance: airport, library, community center, church, hospital, any institution of an educational, philanthropic or charitable nature, cemetery, crematory, mausoleum

or any other place for the disposal of the human dead.

35.8. Such use permits shall be issued under the same procedure as that specified in Section 34 of this ordinance, for the granting of adjustments or variances, except that:

35.9. No public hearing need be held thereon; provided, that the Planning Commission may hold such hearings thereon as it may deem to be necessary; and provided, further, that a public hearing shall be held on any application for a use permit for the establishment of any use listed in the preceding paragraph numbered "35.7" of this section.

35.10. The findings of the Planning Commission, except as otherwise provided in this section, need include only that the establishment, maintenance and/or conducting of the use for which a use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or welfare of persons residing or working in the neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood.

35.11. Any proceedings to classify certain uses as conforming uses, as provided in this section, may be initiated by the Board of Supervisors or by the Planning Commission, or by petition as hereinbefore provided.

35.12. All other provisions of said Section 34 and all sub-sections thereunder, including the designation by the Planning Commission of any conditions upon which the use permit may be issued and guarantees that such conditions will be complied with, shall apply to the granting of a use permit.

35.13. Any use permitted under the terms of any use permit shall be established and conducted in conformity to the terms of such use permit and of any conditions designated in connection therewith.

35.14. Every application for a use permit shall be accompanied by a fee of Five (5) Dollars no part of which shall be returnable to the petitioner, provided, however, that the County of Santa Clara, State of California and United States of America shall be exempt from the payment of any fee required under this section.

SECTION 4. Section 36 of said Ordinance No. 120 is hereby amended to read as follows:

SECTION 36

36.1. This ordinance may be amended by changing the boundaries of districts or by changing any other provision hereof whenever the public necessity and convenience and the general welfare require such amendment by following the procedure specified in this section. Said amendment may be initiated by:

36.1. (a) The verified petition of one or more owners of property affected by the proposed amendment which petition shall be filed with the Planning Commission and

shall be accompanied by a fee of Fifty (50) Dollars, no part of which shall be returnable to the petitioner; or by

36.1. (b) Resolution of intention of the Board of Supervisors; or by

36.1. (c) Resolution of intention of the Planning Commission.

36.2. The Planning Commission, not later than at its next succeeding meeting following the filing of such verified petition or following the adoption of such resolution of intention, shall set the times and places for such public hearings as may be required by law. Such notice shall include notice of the proposed amendment. In case the proposed amendment consists of a change of boundaries of any district so as to reclassify property from any district, except an "A-1" or "A-2" district, to any other district, the Planning Commission shall give additional notice of the time and place of such hearings and of the purpose thereof by:

36.2.1. Posting public notices thereof not less than ten (10) days prior to the date of the first such hearings along each and every street upon which the property proposed to be reclassified abuts. In case a majority of the property proposed to be reclassified has been subdivided into parcels of one (1) acre or less in area, such notices shall be placed not more than five hundred (500) feet apart and such posting shall extend along said street or streets a distance of not less than five hundred (500) feet from the exterior limits of such properties as are proposed for reclassification. In the case of all other property proposed to be reclassified such notices shall be placed not more than one (1) mile apart. Each notice shall consist of the words, "Notice of proposed change of zoning," printed in plain type with letters not less than one (1) inch in height, and in addition thereto a statement in small type setting forth a general description of the property involved in the proposed change of district, the time and place at which the public hearings on the proposed change will be held and any other information which the Planning Commission may deem to be necessary; and by

36.2.2. Mailing a notice not less than ten days prior to the date of the first of such hearings to the owners of all property within the posting area above defined, using for this purpose the last known name and address of such owners as shown upon the records of the Assessor of the County.

36.3. Any failure to post public notices or to mail notices as aforesaid shall not invalidate any proceedings for amendment of this ordinance.

36.4. Following the aforesaid hearings the Planning Commission shall make a report of its findings and recommendations with respect to the proposed amendment and shall file with the Board of Supervisors an attested copy of such report within ninety (90) days after date of the meeting at which said

Commission set the times and places for said hearings. Failure of the Planning Commission so to report within said ninety (90) days shall be deemed to be approval of the proposed amendment by said Planning Commission.

36.5. Upon receipt of such report from the Planning Commission or upon the expiration of such ninety (90) days as aforesaid, the Board of Supervisors shall set the matter for public hearing after notice thereof and of the proposed amendment, given as provided by law. After the conclusion of such hearing the Board of Supervisors may adopt the amendment or any part thereof set forth in the petition or in the resolution of intention in such form as said Board may deem to be advisable; provided, however, that if the report of the Planning Commission be unfavorable and recommends disapproval of said proposed amendment no hearing need be held by said Board of Supervisors, and said Board may immediately adopt a resolution approving the action of the Planning Commission upon the receipt of said report.

36.6. The decision of the Board of Supervisors shall be rendered within sixty (60) days after the receipt of a report and recommendations from the Planning Commission or after the expiration of such ninety (90) days, as aforesaid.

36.7. Upon the consent of the Planning Commission any petition for an amendment may be withdrawn upon the written application of a majority of all the persons who signed such petition. The Board of Supervisors or the Planning Commission, as the case may be, may by resolution, abandon any proceedings for an amendment initiated by its own resolution of intention, provided that such abandonment may be made only when such proceedings are before such body for consideration and provided that any hearing of which public notice has been given shall be held.

SECTION 5. This ordinance shall be and is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage.

Passed and adopted by the Board of Supervisors of Santa Clara County, State of California, on the 29th day of December, 1947, by the following roll call vote:

AYES: Supervisors, Brown, Cooley, McKinnon, Pfeifle, Wool.

NOES: Supervisors, None.

ABSENT: Supervisors, None.

E. O. WOOL,
Chairman of the Board of Supervisors of the County of Santa Clara, State of California.

ALBERT J. NEWLIN,
County Clerk and ex officio clerk of the Board of Supervisors of the County of Santa Clara, State of California.

ATTEST: (Seal)

By Richard Olson,
Deputy Clerk.

1948 Zoning - Sectional Maps

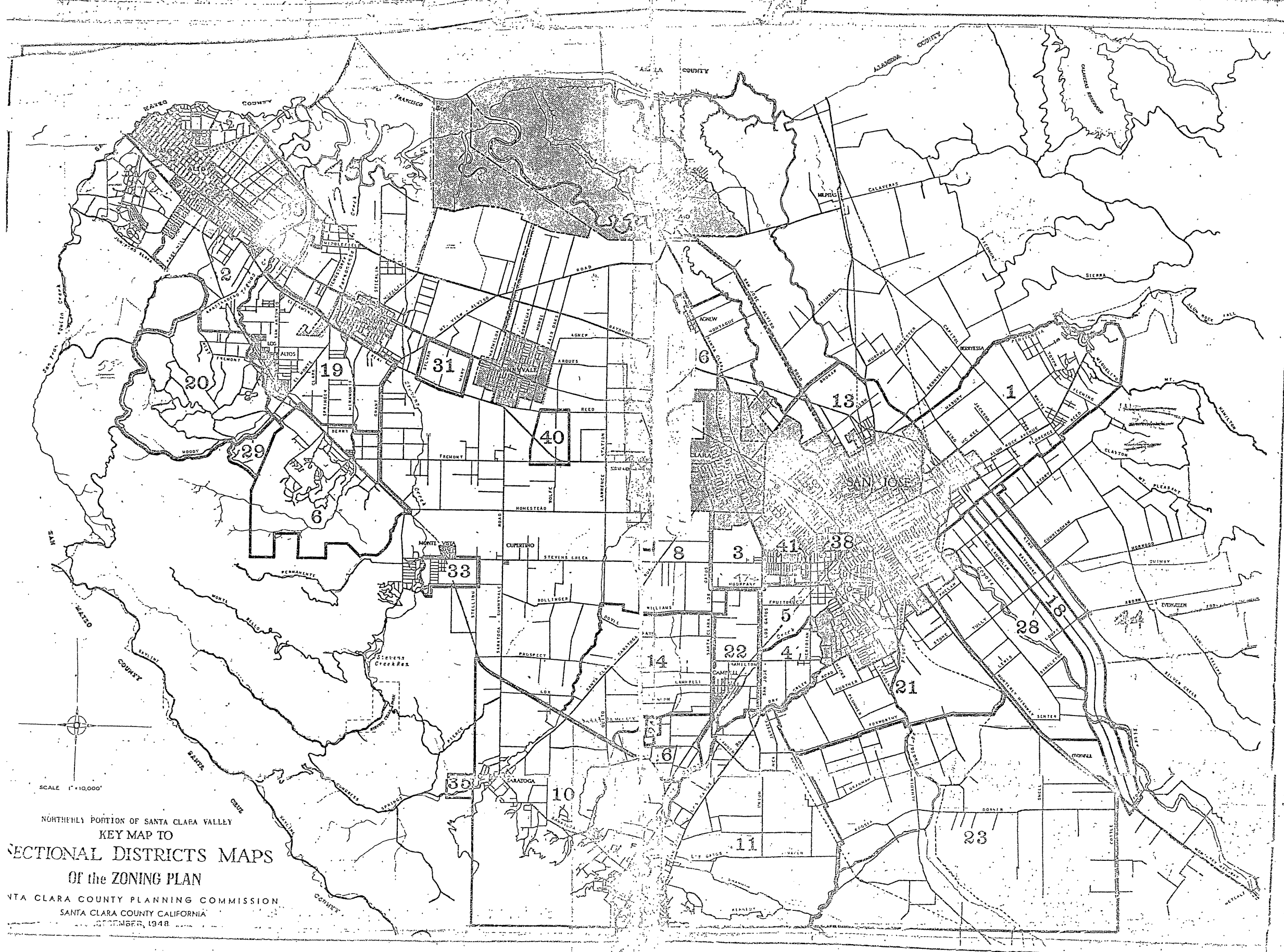
(A1 if not designated per Section 8, A1 Districts)

pg 3

1948

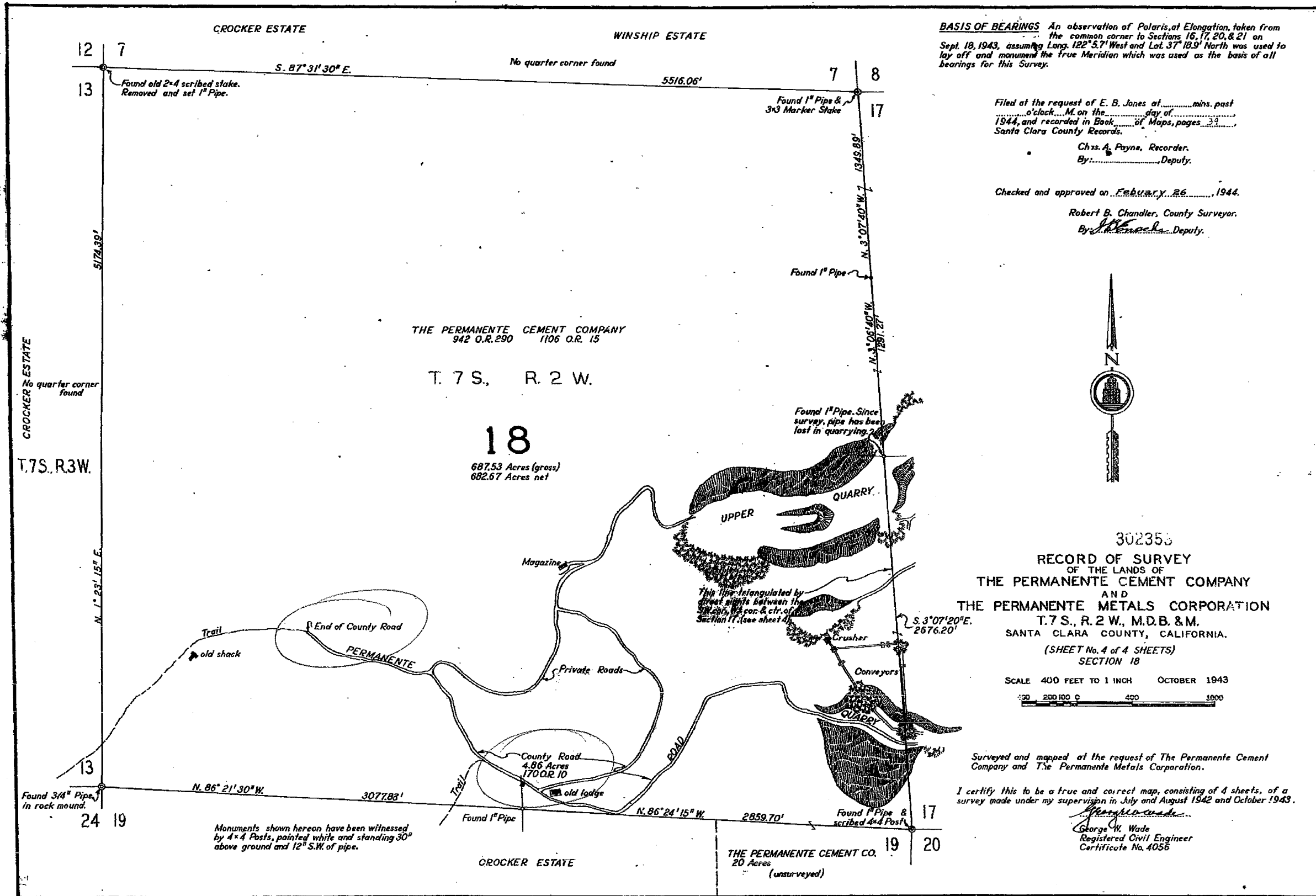
A1

Zoning District MAP



NORTHERLY PORTION OF SANTA CLARA VALLEY
 KEY MAP TO
SECTIONAL DISTRICTS MAPS
 Of the ZONING PLAN
 SANTA CLARA COUNTY PLANNING COMMISSION
 SANTA CLARA COUNTY CALIFORNIA
 DECEMBER, 1948

11/23



BASIS OF BEARINGS An observation of Polaris, at Elongation, taken from the common corner to Sections 16, 17, 20, & 21 on Sept. 18, 1943, assuming Long. 122° 57' West and Lat. 37° 18.9' North was used to lay off and monument the true Meridian which was used as the basis of all bearings for this Survey.

Filed at the request of E. B. Jones at mins. past o'clock M. on the day of 1944, and recorded in Book of Maps, pages 39 Santa Clara County Records.

Chas. A. Payne, Recorder.
By: Deputy.

Checked and approved on February 26, 1944.

Robert B. Chandler, County Surveyor.
By: Deputy.



302356
RECORD OF SURVEY
OF THE LANDS OF
THE PERMANENTE CEMENT COMPANY
AND
THE PERMANENTE METALS CORPORATION
T. 7 S., R. 2 W., M.D.B. & M.
SANTA CLARA COUNTY, CALIFORNIA.
(SHEET No. 4 of 4 SHEETS)
SECTION 18

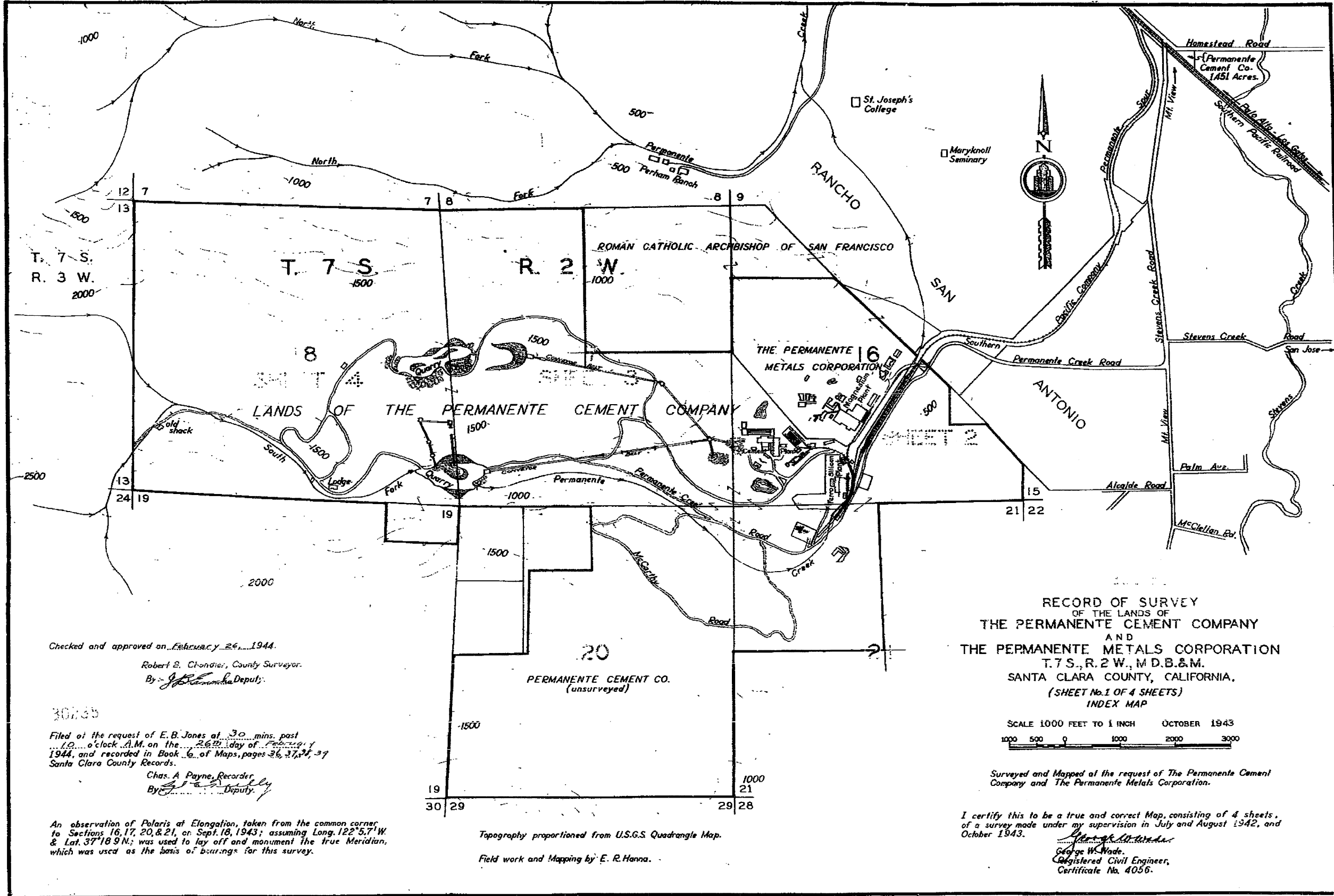
SCALE 400 FEET TO 1 INCH OCTOBER 1943



Surveyed and mapped at the request of The Permanente Cement Company and The Permanente Metals Corporation.

I certify this to be a true and correct map, consisting of 4 sheets, of a survey made under my supervision in July and August 1942 and October 1943.

George W. Wade
Registered Civil Engineer
Certificate No. 4056



Checked and approved on February 26, 1944.
 Robert E. Chondier, County Surveyor.
 By: J. P. ... Deputy.

30735
 Filed at the request of E. B. Jones at 30 mins. past
 10 o'clock A.M. on the 26th day of February
 1944, and recorded in Book 6 of Maps, pages 26, 27, 28, 29
 Santa Clara County Records.

Chas. A. Payne, Recorder
 By: ... Deputy.

An observation of Polaris at Elongation, taken from the common corner
 to Sections 16, 17, 20, & 21, on Sept. 18, 1943; assuming Long. 122° 5.7' W.
 & Lat. 37° 18.9' N.; was used to lay off and monument the true Meridian,
 which was used as the basis of bearings for this survey.

Topography proportioned from U.S.G.S. Quadrangle Map.
 Field work and Mapping by E. R. Hanna.

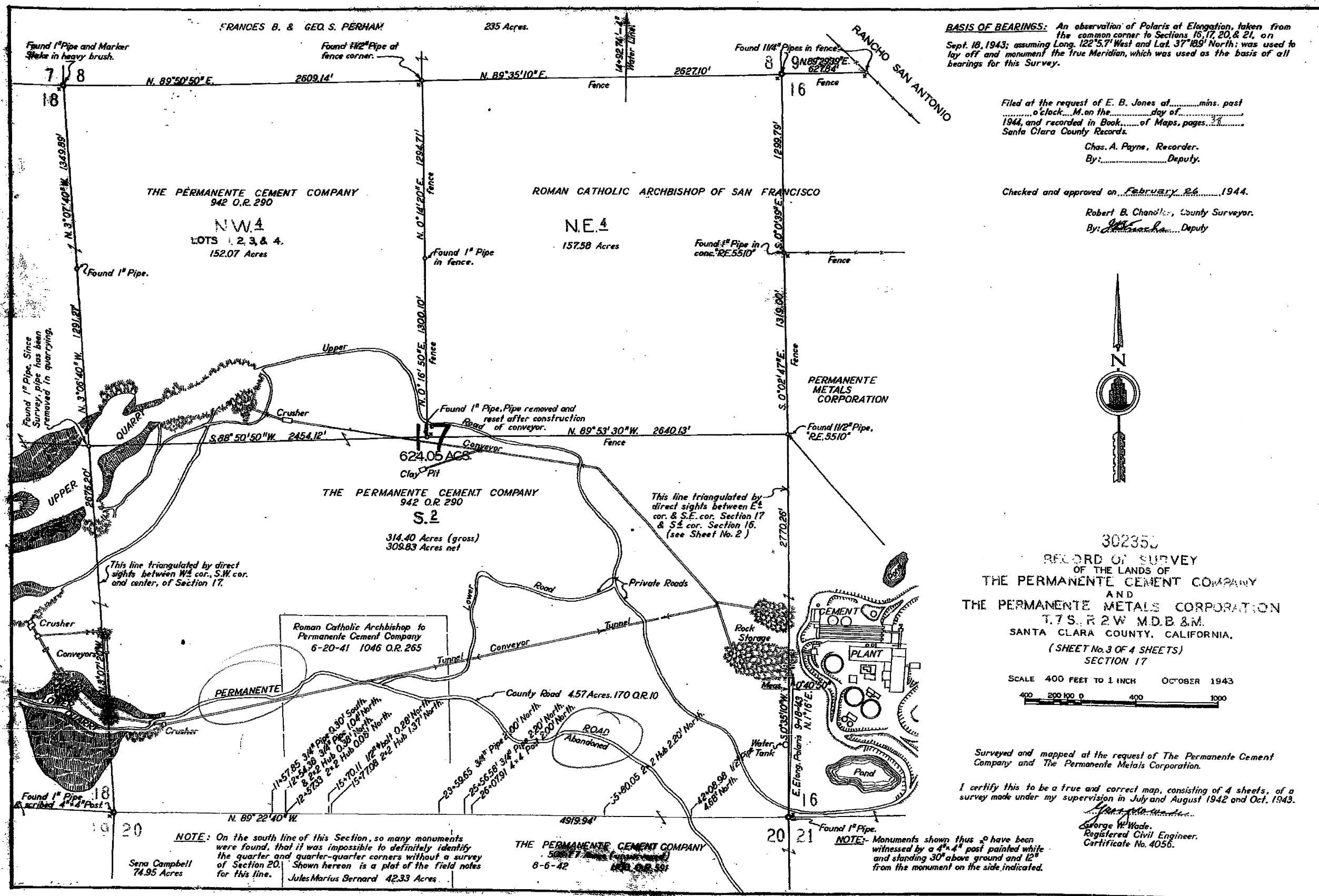
RECORD OF SURVEY
 OF THE LANDS OF
 THE PERMANENTE CEMENT COMPANY
 AND
 THE PERMANENTE METALS CORPORATION
 T. 7 S., R. 2 W., M. D. B. & M.
 SANTA CLARA COUNTY, CALIFORNIA.
 (SHEET No. 1 OF 4 SHEETS)
 INDEX MAP

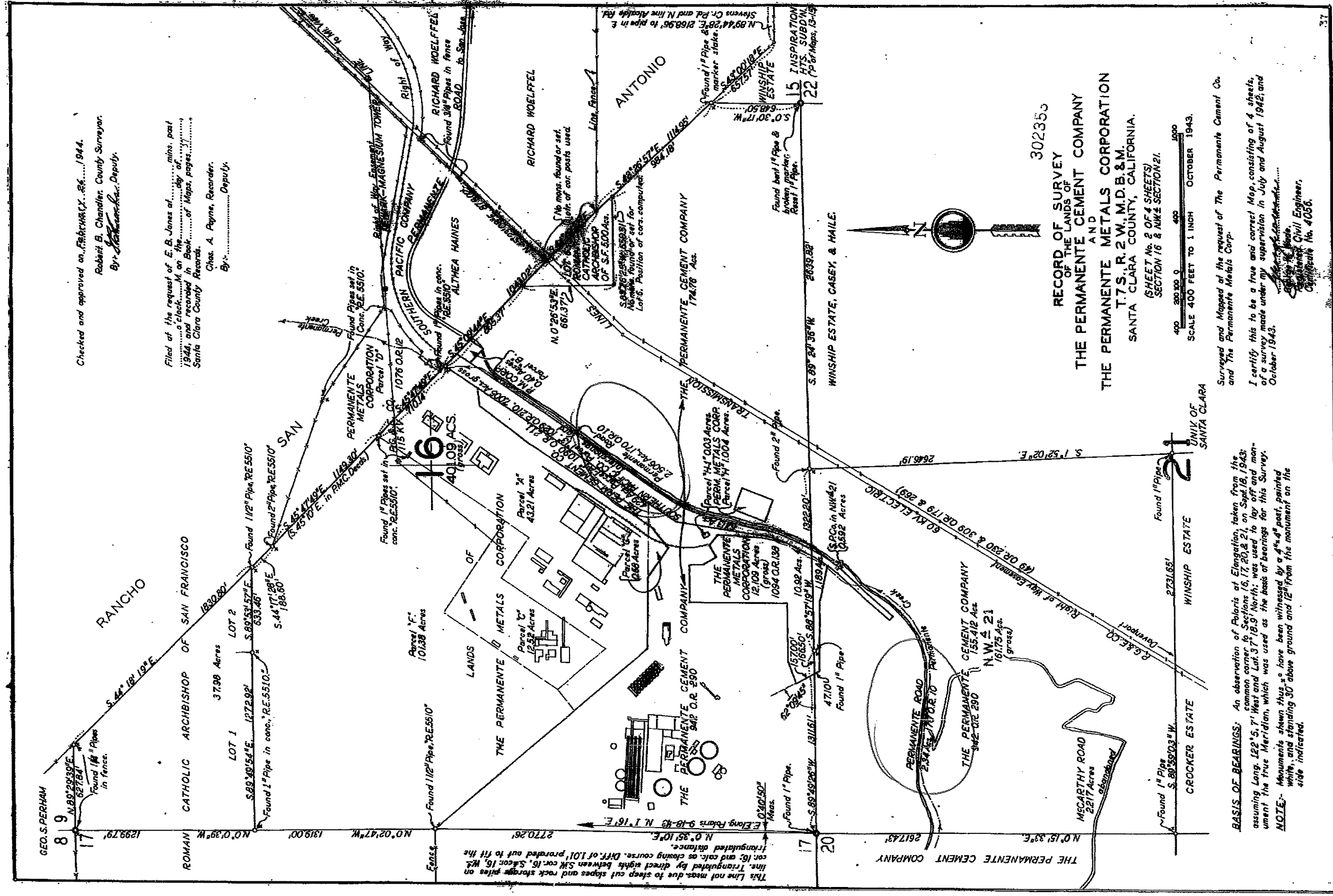
SCALE 1000 FEET TO 1 INCH OCTOBER 1943
 1000 500 0 1000 2000 3000

Surveyed and Mapped at the request of The Permanente Cement
 Company and The Permanente Metals Corporation.

I certify this to be a true and correct Map, consisting of 4 sheets,
 of a survey made under my supervision in July and August 1942, and
 October 1943.

George W. Wade
 George W. Wade,
 Registered Civil Engineer,
 Certificate No. 4056.





Checked and approved on, **FEBRUARY 26, 1944.**
 Robert B. Chandler, County Surveyor.
 By: *[Signature]*, Deputy.

Filed at the request of E. B. Jones et al., mins. post
 a block, in on the day of
 1944, and recorded in Book of Maps, pages,
 Santa Clara County Records.
 Chas. A. Payne, Recorder.
 By: *[Signature]*, Deputy.

302355
 RECORD OF SURVEY
 OF THE LANDS OF
 THE PERMANENTE CEMENT COMPANY
 AND
 THE PERMANENTE METALS CORPORATION
 T.T.S., R. 2 W., M.D. B. & M.
 SANTA CLARA COUNTY, CALIFORNIA.
 (SHEET No. 2 OF 4 SHEETS)
 SECTION 16 & NW 1/4 SECTION 21.

400 800 1200 1600
 SCALE 400 FEET TO 1 INCH
 OCTOBER 1943.

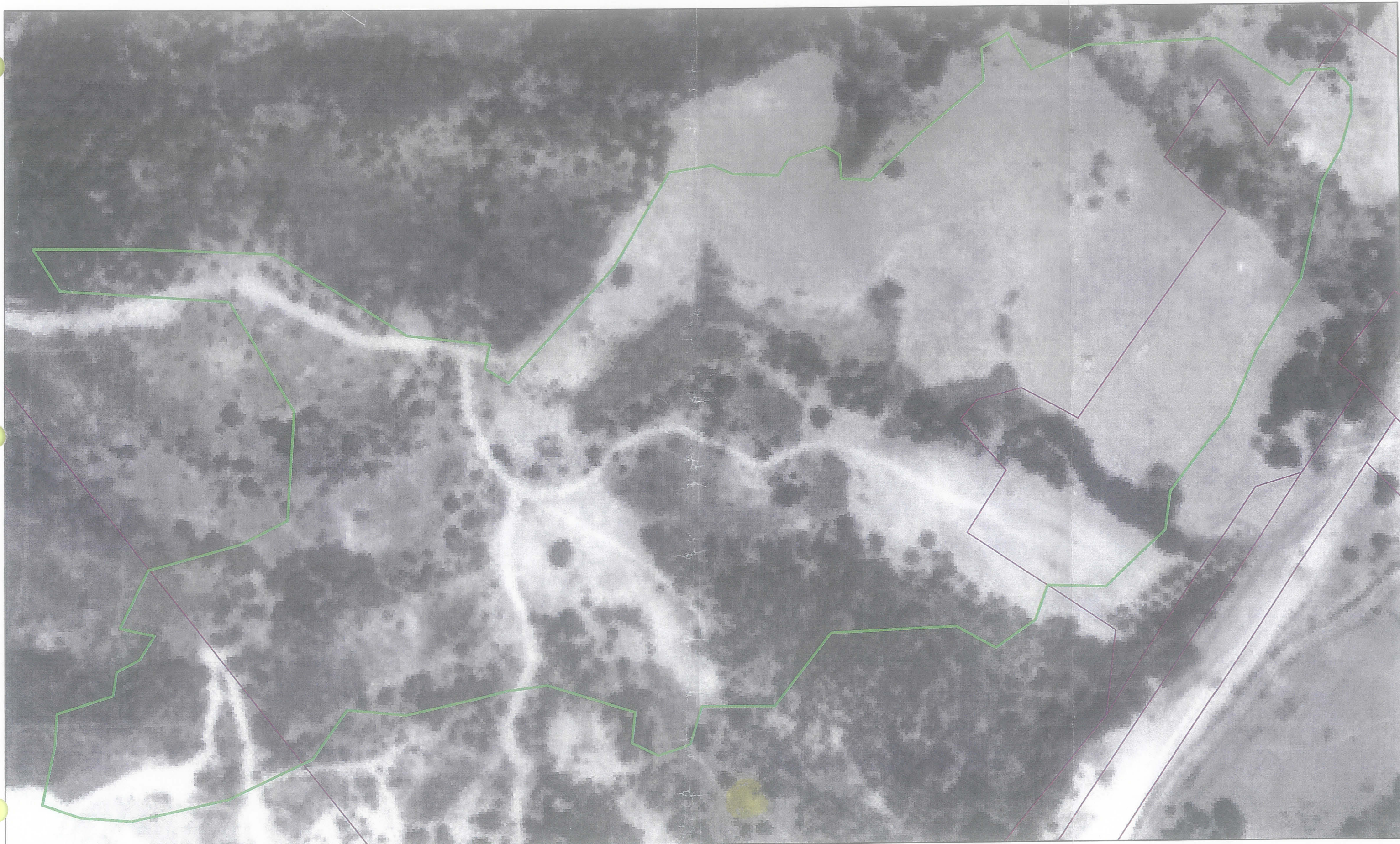
Surveyed and Mapped at the request of The Permanente Cement Co.
 and The Permanente Metals Corp.

I certify this to be a true and correct Map, consisting of 4 sheets,
 of a survey made under my supervision in July and August 1942, and
 October 1943.

[Signature]
 Civil Engineer,
 Certificate No. 4056.

BASIS OF BEARINGS: An observation of Polaris at Elongation, taken from the
 common corner to Sections 16, 17, 20, & 21, on Sept. 16, 1943;
 assuming Long. 122° 5.7' West and Lat. 37° 18.9' North; was used to lay off and mon-
 ument the true Meridian, which was used as the basis of bearings for this Survey.
NOTE: Monuments shown thus ^o have been witnessed by a 4" x 4" post, painted
 white, and standing 30" above ground and 12" from the monument on the
 side indicated.

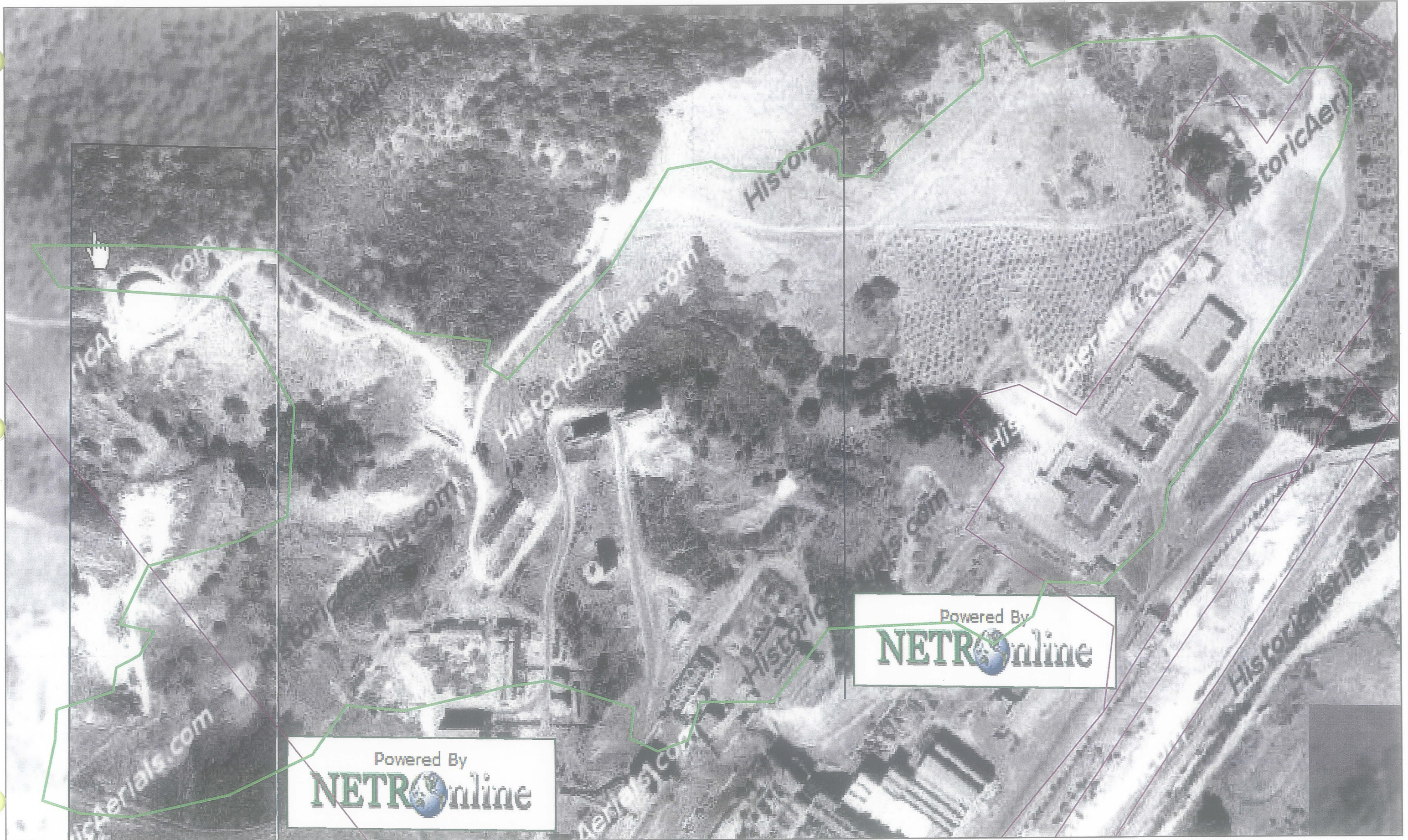
11/23



0 50 100 150 200 250 300 350 400
Feet

Air-photo (1939)

11/23



0 50 100 150 200 250 300 350 400
Feet

1948

11/23



0 50 100 150 200 250 300 350 400
Feet

Air-photo (1950)

11/23



0 50 100 150 200 250 300 350 400
Feet

Air-photo (1966)

11/23



0 50 100 150 200 250 300 350 400
Feet

Air-photo (2001)

11/23



0 50 100 150 200 250 300 350 400
Feet

Air-photo (2006)

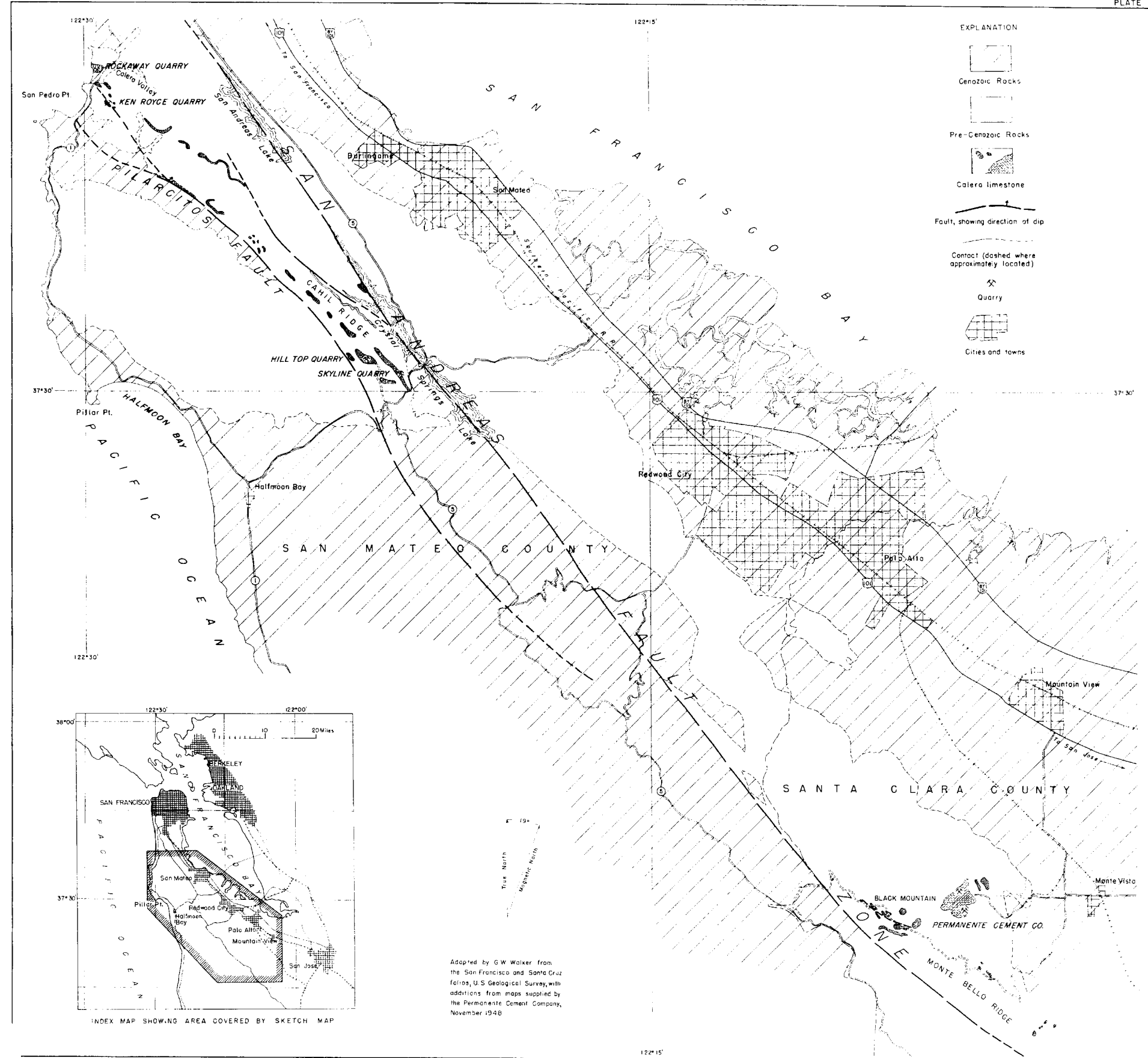
11/23



0 50 100 150 200 250 300 350 400
Feet

Air-photo (2009)

1/23



SKETCH MAP SHOWING APPROXIMATE DISTRIBUTION OF THE CALERA LIMESTONE, SAN MATEO AND SANTA CLARA COUNTIES, CALIFORNIA