

ORDINANCE NO. 443

1 AN ORDINANCE OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA,
2 APPLYING CERTAIN REGULATIONS TO THE ERECTION OR CONSTRUCTION OF
3 CERTAIN BUILDINGS, STRUCTURES AND IMPROVEMENTS AND TO CERTAIN USES
4 OF LAND IN CERTAIN AREAS, PENDING THE ADOPTION BY THE BOARD OF
5 SUPERVISORS OF SAID COUNTY OF PRECISE ZONING PLANS FOR SUCH AREAS;
6 AND PRESCRIBING THE PENALTIES FOR THE VIOLATION OF ANY OF THE
7 PROVISIONS HEREOF, AND DECLARING THIS ORDINANCE TO BE AN URGENCY
8 MEASURE, TO TAKE EFFECT IMMEDIATELY.

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

11 SECTION 1.

12 The Board of Supervisors of the County of Santa Clara, State of
13 California, having adopted a zoning ordinance under the provisions
14 of which zoning ordinance precise zoning regulations may be applied
15 in any unincorporated area of said county, said Board of
16 Supervisors hereby declares it to be its intention to instruct the
17 County Planning Commission to proceed to prepare zoning studies
18 for certain portions of the unincorporated territory of said
19 county, and to adopt zoning plans for said portions of the unin-
20 corporated territory of said county in the manner prescribed by
21 law. Said Board of Supervisors hereby finds that owing to the
22 territorial extent of said portions of the unincorporated
23 territory of said county, the diversity of interests therein and
24 the necessity for the making of maps of careful studies and a
25 thorough analysis of facts in the preparation of the aforesaid
26 zoning plans, considerable time will necessarily elapse before the
27 the adoption of said plans and that certain regulations of an
28 interim or emergency nature are necessary to be adopted at this
29 time in order to protect the public interest, health, comfort
30 and convenience and to preserve the public peace, safety and
31 welfare pending the preparation and adoption of the aforesaid

DEC 19 1949
ALBERT D. NEWLIN, Clerk
DEPUTY

1 zoning plan. Said regulations are hereafter in this ordinance set
2 forth and constitute Section 2 thereof.

3 SECTION 2.

4 No person, firm or corporation shall hereafter within those por-
5 tions of the unincorporated territory of said county of Santa Clara
6 which are set forth, and specified in Section 3 of this ordinance
7 erect or construct any building or structure designed and/or intended
8 to be used or occupied for any use other than a single family
9 dwelling, or establish any multiple family, auto court, commercial
10 or industrial business or use until a permit therefor shall first
11 have been secured from the Board of Supervisors of said county.

12 Application for any such permit shall be made to the Board of
13 Supervisors of said county. Said application shall be referred to
14 the County Planning Commission and said County Planning Commission
15 shall consider in detail any such application within fifteen (15)
16 days after the filing thereof and shall thereupon report its
17 recommendations with respect thereto to the Board of Supervisors.
18 Said Board of Supervisors shall consider such application and
19 report at its next succeeding meeting following receipt of such
20 report from the Planning Commission. Said Board of Supervisors may
21 issue such permit if it shall find that the proposed building and/or
22 structure, and its occupancy and use will not be detrimental to
23 the character or development of the aforesaid territory and will not
24 otherwise adversely affect the welfare of said territory and/or
25 said county

26 SECTION 3.

27 The portions of the unincorporated territory of said county which
28 are referred to in Section 2 of this ordinance are as follows,
29 to-wit:
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1 The area bounded by San Antonio Road and Alma southeasterly
2 along Alma to Moffett Boulevard, excluding a small portion of
3 property that may fall within the city limits of Mountain View,
4 thence northeasterly along Moffett Boulevard to Bayshore High-
5 way, thence north along the westerly boundary of Moffett Field
6 and following the boundary of Moffett Field northeasterly to
7 San Francisco Bay, thence northeasterly along the shore line
8 of San Francisco Bay to a prolongation of San Antonio Road,
9 thence southwesterly along San Antonio Road to Alma to the
10 point of beginning.

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1 SECTION 4.

2 It shall be the duty of the sheriff of the County of Santa Clara,
3 State of California, and of all officers of said county herein
4 and/or otherwise charged by law with the enforcement of this
5 ordinance to enforce this ordinance and all the provisions of the
6 same.

7 Any person, firm or corporation, whether as principal, agent,
8 employee or otherwise, violating any of the provisions of this
9 ordinance shall be guilty of a misdemeanor, and upon conviction
10 thereof shall be punishable by a fine of not more than three hundred
11 (300) dollars or by imprisonment in the county jail of said County
12 of Santa Clara for a term not exceeding three (3) months or by
13 both such fine and imprisonment. Such person, firm or corporation
14 shall be deemed guilty of a separate offense for each and every
15 day during any portion of which any violation of this ordinance
16 is committed, continued or permitted by such person,,
17 firm or corporation, and shall be punishable as herein provided.

18 SECTION 5.

19 If any section, sub-section, sentence, clause or phrase of this
20 ordinance is for any reason held by a court of competent juris-
21 diction to be invalid, such decision shall not affect the validity
22 of the remaining portions of this ordinance. The Board of
23 Supervisors hereby declares that it would have passed this ordi-
24 nance and each section, sub-section, sentence, clause and phrase
25 thereof, irrespective of the fact that any one or more sections,
26 sub-sections, sentences, clauses or phrases be held invalid.

27 SECTION 6.

28 This ordinance is hereby declared to be an urgency measure and
29 shall be in full force and effect immediately upon its adoption.

30 The facts constituting such urgency are as follows:

31 The unregulated erection or construction of buildings or structures

1 designed and/or intended to be used or occupied for multiple family,
2 auto court, commercial or industrial purposes, and the unregulated
3 establishment of multiple family, auto court, commercial or industrial
4 businesses or uses within the aforesaid portion of the unincorporated
5 territory of said county would injure the public health, safety,
6 peace, comfort and general welfare of said county and particularly of
7 the neighborhood within said territory. The Board of Supervisors
8 of said county believes that various persons intend to erect or
9 construct such buildings or structures for such uses, and to establish
10 such businesses or uses within said territory and that said persons
11 will do so unless prevented from so doing by the immediate adoption
12 of this ordinance.

13 Passed and adopted by the Board of Supervisors of the County of
14 Santa Clara, State of California, on the 19th day of December,
15 1949, by the following roll call vote:

- 15 AYES: Supervisors, Campbell, McKinnon, Pfeifle, Wool
16 NOES: Supervisors, None
17 ABSENT: Supervisors, Brown

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19 Acting E. O. Wool
20 Chairman of the Board of Supervisors
21 of the County of Santa Clara, State
22 of California.

23 ATTEST: ALBERT J. NEWLIN
24 County Clerk and ex-officio clerk of
25 the Board of Supervisors of the
26 County of Santa Clara, State of
27 California.

28 By Richard Olson
29 Deputy Clerk

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