

Chapter 21.12

REGULATIONS FOR MEDIUM DENSITY RESIDENTIAL ZONING DISTRICTS OR "MDR" DISTRICTS

Sections:

21.12.010	Purpose.
21.12.020	Applicability.
21.12.030	Uses Allowed.
21.12.040	Uses Allowed, Administrative Permit Required in Each Case.
21.12.050	Uses Allowed, Use Permit Required in Each Case.
21.12.060	Site Development Standards.
21.12.070	Special Regulations

21.12.010 PURPOSE.

The purpose of this Chapter is to provide a district to accommodate Medium Density Residential uses in those areas of the County of Monterey where adequate public services and facilities exist or may be developed to support medium density developments. It is intended within this Chapter to require adequate on-site facilities and amenities to assure proper, usable and livable development while allowing sufficient design flexibility to provide such development.

21.12.020 APPLICABILITY.

The regulations of this Chapter shall apply in all "MDR" districts and are subject to Chapter 21.62 (Height and Setback Exceptions) of this Title.

21.12.030 USES ALLOWED.

- A. The first single family dwelling per lot;
- B. The keeping of pets, but not more than 4 dogs per dwelling unit;
- C. Guesthouses meeting the development standards of Section 21.64.020;
- D. Temporary residence, pursuant to Section 21.64.070, used as living quarters during the construction of the first dwelling on a lot;
- E. Small family day care home;

- F. Licensed residential care homes for aged persons or hospices of not more than six persons including any permitted rooming and boarding;
- G. Water system facilities including wells and storage tanks serving four or fewer service connections, pursuant to Title 15.04, Monterey County Code, and replacement of water tanks and wells where no increase in service connections is created. The screening of any tanks and associated structures shall be approved by the Director of Planning and Building Inspection;
- H. Accessory structures and accessory uses to any permitted use;
- I. Cultivation, cutting and removal of Christmas trees;
- J. Home occupations, pursuant to Section 21.64.090;
- K. Rooming and boarding of not more than two persons;
- L. Other uses of a similar character, density and intensity to those listed in this Section;
- M. Intermittant livestock farming or animal husbandry uses such as "4-H" projects on a minimum of 20,000 square feet.

21.12.040 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED IN EACH CASE. (Chapter 21.70)

- A. Second single family dwelling provided the gross density does not exceed the dwelling units/acre specified on the Sectional District Map (Not in Del Monte Forest);
- B. The first duplex on a vacant lot, not exceeding 2 dwelling units/acre provided the gross density does not exceed the dwelling units/acre specified on the Sectional District Map (Not in Del Monte Forest);
- C. Senior citizen units meeting the development standards of Section 21.64.010;
- D. Tract sales or rental offices;
- E. Reduction in setback requirements of ten percent or less of the required setbacks;
- F. Small water system facilities including wells and storage tanks of five to fourteen service connections.
- G. Other uses of a similar character, density and intensity to those listed in this Section.

**21.12.050 USE ALLOWED, USE PERMIT REQUIRED IN EACH CASE.
(Chapter 21.74)**

- A. Any residential use, except the first single family dwelling on a vacant lot, exceeding 2 dwelling units/acre, gross, and not exceeding four units, total (Not in Del Monte Forest);
- B. Rooming and boarding houses;
- C. Rasthonas;
- D. Public and quasi-public uses including churches, cemeteries, parks, playgrounds, schools, public safety facilities, public utility facilities, but not including uses of a non residential nature such as jails, rehabilitation centers, detention facilities, or corporation yards;
- E. Parking lots used in conjunction to an adjoining commercial or retail use (ZA);
- F. Legal nonconforming use of a portion of a structure extended throughout the structure (ZA);
- G. Legal nonconforming use changed to a use of a similar or more restricted nature;
- H. Bed and Breakfast facilities, pursuant to Section 21.64.100;
- I. Commercial and noncommercial wind energy conversion systems;
- J. Development in Carmel Valley Floodplain, pursuant to Section 21.64.130;
- K. Ridgeline development;
- L. Water system facilities including wells and storage tanks serving fifteen or more service connections;
- M. Removal of minerals and natural materials for commercial purposes;
- N. Assemblages of people, such as carnivals, festivals, races and circuses not exceeding ten days and not involving construction of permanent facilities (ZA);
- O. Accessory structures and uses prior to establishment of main use or structure (ZA);
- P. Large family day care home;

- Q. Cottage industries, pursuant to Section 21.64.095 (ZA);
- R. Other uses of a similar nature, density and intensity as those listed in this Section;
- S. The exploration for and the removal of oil and gas (ZA).

21.12.060 SITE DEVELOPMENT STANDARDS.

A. Minimum Building Site

The minimum building site which may be created shall be 6,000 square feet unless otherwise approved as part of a condominium, planned unit development or similar clustered residential subdivision.

B. Development Density, Maximum

The maximum development density shall not exceed the units/acre as shown for the specific "MDR" district as shown on the zoning map. (e.g. "MDR/4" means an "MDR" district with a maximum gross density of 4 units per acre.)

C. Structure Height and Setback Regulations

The following structure height and setback regulations apply unless superceded by a structure height limit noted on the zoning map (e.g. "MDR/5 (24)" would limit structure height to 24 feet), setback requirements when combined with a "B" district or setbacks shown on a recorded final or parcel map, or setback lines on a Sectional District Map.

1. Main Structures

a. Minimum Setbacks

Front: 20 feet

Side: 5 feet

Rear: 10 feet

b. Height

Maximum height: 30 feet

2. Accessory Structures (Habitable)

a. Minimum Setbacks

Front: 50 feet

Side: 6 feet

Rear: 6 feet

b. Height

Maximum Height: 15 feet

3. Accessory Structures (Non-habitable)

a. Minimum Setbacks

Front: To be located on rear one half of property to a minimum required of 50 feet.

Side: 6 feet on front on half of property; 1 foot on rear one half of property.

Rear: 1 foot

b. Height

Maximum Height: 15 feet

D. Minimum distance between Structures

Main structures: 10 feet

Accessory/Main structure: 6 feet

Accessory/Accessory: 6 feet

E. Building site coverage, maximum: 35%.

F. Parking regulations:

Parking for all development shall be established pursuant to Chapter 21.58.

G. Landscaping requirements:

For development of more than 2 residential units, a minimum of 10% of the developed lot area shall be landscaped prior to occupancy, pursuant to a landscaping plan approved by the Director of Planning and Building Inspection.

H. Lighting plan requirements:

For developments of more than 2 residential units all exterior lighting shall be unobtrusive, harmonious with the

local area and constructed or located so that only the area intended is illuminated and off-site glare is fully controlled. The location, type and wattage of the exterior lighting must be approved by the Director of Planning and Building Inspection prior to the issuance of building permits or the establishment of the use.

I. Sign regulations:

Signing for all development shall be established pursuant to Chapter 21.60.

21.12.070 SPECIAL REGULATIONS.

A. Developments in excess of 5 dwelling units on a lot shall provide a trash enclosure area for the residents of the development. The location of and the design of the trash enclosure area shall be approved by the Director of Environmental Health and the Director of Planning and Building Inspection. A plan showing the trash enclosure area shall contain the following:

1. A site plan of the overall development;
2. The location of the trash enclosure area;
3. Elevations of the design of the trash enclosure area;
4. Adequate fencing to ensure safety of the residents and the public.
5. Adequate area for the separation and holding of recyclable materials.

B. Developments in excess of 5 dwelling units on a lot shall provide a recreational area for the residents of the development. The location of and the design of the recreational area shall be approved by the Director of Planning and Building Inspection. A plan showing the recreational area shall contain the following:

1. A site plan of the overall development;
2. The location of the recreational area;
3. A list and location of all recreational area facilities to be provided;
4. The recreational area shall consist of at least 3% of the lot.