



County of San Diego

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November 28, 2014

Update No. 97
11-14

TO: Persons Holding Copies of the San Diego County Zoning Ordinance
FROM: Planning & Development Services
RE: AMENDMENT PAGES FOR THE COUNTY ZONING ORDINANCE

Attached are pages containing changes to the San Diego County Zoning Ordinance amended by adoption of Ordinance No. 10359 (N.S.), effective November 28, 2014. This Ordinance makes additions and amendments to the Basic Provisions, Use Regulations, Animal Regulations, Development Regulations, Special Area Regulations, General Regulations and Procedures. These amendment pages are known as Zoning Ordinance Update No. 30, POD-13-003, adopted by the Board of Supervisors on October 29, 2014.

Please substitute these pages in your copy of the Zoning Ordinance by removing the obsolete pages and adding the new pages as follows:

REMOVE	ADD	SECTION CHANGES/DESCRIPTION
1000 Table of Contents (1 page)	1000 Table of Contents (1 page)	Table of Contents Part Six amended
Def. B - Def. B (1 page)	Def. B - Def. B (1 page)	Definition of "Boarding (Animals)" amended Definitions of "Boarding or Rooming House", "Brewery" and "Brewpub" added
Def. M - Def. M (1 page)	Def. M - Def. M (1 page)	Definition of "Microbrewery" added
Def. S - Def. S (1 page)	Def. S - Def. S (1 page)	Definition of "Single Housekeeping Unit" added Definitions of "Solar Energy System, Offsite Use" and "Solar Energy System, Onsite Use" amended
1430 - 1430 (1 page)	1430 - 1430 (1 page)	Automotive and Equipment amended
1700 - 1700 (1 page)	1700 - 1700 (1 page)	General Description of Agricultural Use Types amended
2322 - 2322 (1 page)	2322 - 2322 (1 page)	C32 Commercial Use Types amended

2523 - 2563 (4 pages)	2523 - 2563 (5 pages)	M52 Permitted Uses Subject to Limitations amended M52 Uses Subject to Minor Use Permit amended M54 Intent amended M54 Permitted Uses Subject to Limitations amended M54 Uses Subject to Minor Use Permit amended M56 Permitted Uses Subject to Limitations amended
2583 - 2584 (1 page)	2583 - 2584 (1 page)	M58 Permitted Uses Subject to Limitations amended M58 Uses Subject to Minor Use Permit amended
2818 - 2818 (1 page)	2818 - 2818 (1 page)	Special Provisions and Limitations amended
2980 - 2980 (1 page)	2980 - 2980 (1 page)	Note "21" amended
2990 - 2990 (2 pages)	2990 - 2990 (2 pages)	Use Matrix pages 3 and 4 amended
3100 - 3112 (2 pages)	3100 - 3112 (2 pages)	Animal Schedule amended Animal Enclosure Setback Table amended
4120 - 4120 (1 page)	4120 - 4120 (1 page)	Exceptions to Density Regulations amended
4818 - 4842 (6 pages)	4818 - 4842 (6 pages)	Through Lots to Have Two Front Yards amended Front Yard Requirements for Corner Lots Having Relinquished Access Rights amended Exceptions to Required Openness of Required Yards amended Setbacks for Detached Accessory Buildings and Structures amended
5802 - 5804 (1 page)	5802 - 5804 (1 page)	Application of Planned Development Special Area Regulations amended Limitation on Use and Construction amended
6102 - 6106 (1 page)	6102 - 6106 (1 page)	Identification of Permitted Temporary Uses amended Circus, Carnival or Other Outdoor Event amended
6122 - 6156 (7 pages)	6122 - 6156 (7 pages)	Certified Farmers' Markets amended Meteorological Testing Facility amended Commercial Filming amended Residential and Agricultural Use Types a. Attached Garages amended g. Detached Garages amended h. Barns and Agricultural Buildings amended m. Home Occupation amended
6156 - 6156 (1 page)	6156 - 6156 (1 page)	Residential and Agricultural Use Types hh. Agricultural Homestays amended

6156 - 6156 (1 page)	6156 - 6156 (1 page)	Ordinance notation added
6158 - 6158 (2 pages)	6158 - 6158 (3 pages)	Civic, Commercial, Industrial, or Extractive Use Types Accessory Uses e. Recycling of salvaged concrete, asphalt and rock amended j. Brewery or Microbrewery with an Eating and Drinking Establishment added
6454 - 6462 (3 pages)	6454 - 6462 (3 pages)	Recreational Vehicle Parks Regulations Permit Required amended Development Criteria amended
6758 - 6762 (4 pages)	6758 - 6762 (4 pages)	Parking Requirements: Residential amended Parking Requirements: Commercial amended Parking Requirements: Commercial Animal Services Equine or Horse Stable deleted
6814 - 6814 (2 pages)	6814 - 6814 (2 pages)	Exceptions to Enclosure Matrix amended
6881 - 6881 (1 page)	6881 - 6881 (1 page)	Nonconforming Structure - Damage or Destruction amended
6904 - 6904 (1 page)	6904 - 6904 (1 page)	Explosive Storage amended
6952 - 6952 (1 page)	6952 - 6952 (1 page)	Large Wind Turbine amended
6952 - 6952 (2 pages)	6952 - 6954 (2 pages)	Solar Energy System amended (renumbered)
6983 - 6983 (2 pages)	6983 - 6983 (2 pages)	Wireless Telecommunications Facility Definitions amended
7352 - 7357 (2 pages)	7352 - 7357 (2 pages)	Classification of Use Permits and Original Jurisdiction amended

Upon insertion of these pages, we suggest you fill in the space provided for Update No. 97 inside the front cover of your Zoning Ordinance. This will serve as a record that your copy has been updated. If you have any questions regarding this update, please contact Heather Lingelser at (858) 495-5802.



Darren Gretler, Assistant Director
Department of Planning & Development Services

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(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

Boarding: The provision of lodging, including room and board to paying guests on a monthly or longer basis.

(Added by Ord. No. 7160 (N.S.) adopted 6-18-86)
(Amended by Ord. No. 7363 (N.S.) adopted 8-19-87)

Boarding (Animals): The keeping of an animal or animals, such as a horse or dog, not owned by the property owner. In the case of a horse, this is part of the Horse Stable use type. In the case of other animals, boarding is allowed as part of a kennel or veterinary use type.

(Added by Ord. No. 10285 (N.S.) adopted 9-11-13)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

Boarding or Rooming House: A residence or dwelling, other than a hotel, wherein three or more rooms, with or without individual or group cooking facilities, are rented to individuals under separate rental agreements, leases or subleases, either written or oral, whether or not an owner, agent, or rental manager is in residence. This does not include a Family Care Home.

(Added by Ord. No. 10359 (N.S.) adopted 10-29-14)

Body Painting Studio: Any establishment or business which provides the service of applying paint or other substance whether transparent or nontransparent to or on the human body when such body is wholly or partially nude in terms of specified anatomical areas.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Bookstore: (See Adult Bookstore and General Bookstore)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Borrow Pit: Premises from which soil, sand, gravel, decomposed granite or rock are removed for any purpose. For exceptions to Extractive Use Regulations see section 6557.

(Amended by Ord. No. 6133 (N.S.) adopted 7-22-81)
(Amended by Ord. No. 6298 (N.S.) adopted 5-26-82)
(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)

Brewery: An establishment which produces ales, beers, meads, hard ciders, and/or similar beverages in keeping with the regulations of the Alcohol Beverage Control (ABC) and Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and other applicable state and local requirements. (See Microbrewery)

(Added by Ord. No. 10359 (N.S.) adopted 10-29-14)

Brewpub: A bona fide eating and drinking establishment (restaurant) with a limited area of the establishment designed and used for brewing beer, in keeping with the regulations of the Alcohol Beverage Control (ABC) and Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and other applicable state and local requirements. (See Brewery)

(Added by Ord. No. 10359 (N.S.) adopted 10-29-14)

Def. B

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

Building, Accessory: (See Accessory Building)

Building, Facing: The linear length of a building or portion of a building occupied by a single establishment.

Building Height: (See Height, Building)

Building, High Rise: Any building over 55 feet in height.

(Added by Ord. No. 9935 (N.S.) adopted 4-23-08)

Building, Main: (See Main, Building)

Building, Multiple-Entrance: Any nonresidential structure which provides primary access from sidewalks, parking areas, external balconies or arcades, or other public areas directly into any one of two or more individual tenant/user spaces in such structure without requiring passage through a common hallway, entry way or courtyard.

(Added by Ord. No. 6092 (N.S.) adopted 7-1-81)

Building Site: One or more legally created lots when used in combination for a building or group of buildings together with all open spaces as required by this ordinance. (See Lot Area, Net).

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

Building Site Front: (Deleted by Ordinance No. 7576 (N.S.) Adopted 1-11-89)

DEFINITIONS (M)

Main Building: A building or structure which is devoted primarily to a principal use or uses; or, the only building on a lot or building site.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

Major Use Permit: (See Use Permit, Major)

Manufactured Home: (See Mobilehome)

(Added by Ord. No. 6215 (N.S.) adopted 1-13-82)

Manufacturing Zone: A zone including a use regulation set forth in Sections 2500 through 2599, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

Market Rate Unit: A dwelling unit that is not a reserved unit.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Marijuana Dispensary - Non-Medical (Not Authorized Under State Law): Any store, office, business, building, property or other facility in or from which marijuana is sold, given, traded, supplied, bartered, consumed, raised, processed, stored, used, cultivated, possessed, or transported by any person other than a person authorized to possess or cultivate marijuana for the personal medical purposes of the qualified patient, pursuant to the provisions of the Compassionate Use Act of 1996 (Health and Safety Code Sections 11362.5 and following) and the Medical Marijuana Program Act (Health and Safety Code Sections 11362.7-11362.83). Persons authorized to possess or cultivate marijuana for the personal medical purposes of the qualified patient include persons, who under state law, are: (i) qualified patients, (ii) primary caregivers of qualified patients, or (iii) such patients and caregivers who associate to collectively or cooperatively cultivate marijuana for medical purposes.

(Added by Ord. No. 10062 (N.S.) adopted 6-30-10)

Massage Parlor: An establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the State of California.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

Master Antenna Television (MATV) System: A facility as described in Cable Television (CATV) System, but differentiated from the definition of a (CATV) System by virtue of (a) serving fewer than 50 subscribers, or (b) serving only the residents of an apartment dwelling under common ownership and consisting of not more than two buildings, or (c) providing service without charge.

Def. M

Materials Recovery Facility: A facility that accepts source-separated or commingled recyclable materials, usually in an enclosed building, from collection facilities and the public; processes the materials into resalable condition, and markets the materials to companies for reuse. The end-products are materials recovered through the process. A materials recovery facility is considered to be a General Industrial use type and as such is permitted in the same locations and under the same conditions as other general industrial uses.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

Maximum Allowable Residential Density: The density calculated under Section 4115 of the Zoning Ordinance. If the density allowed under the Zoning Ordinance is inconsistent with the density allowed under the land use element of the general plan, the general plan density shall prevail.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Meteorological Testing (MET) Facility: A tower with or without guy wires and any other equipment with a component, such as an anemometer or SODAR device, to measure meteorological phenomena, such as wind speed, wind direction, air pressure, rain, snow or sun exposure. A MET Facility shall not include a Wind Turbine.

(Added by Ord. No. 9971 (N.S.) adopted 02-25-09)

Mezzanine or Mezzanine Floor: An intermediate floor placed in any story or room. When the total area of any such Mezzanine Floor exceeds 33 1/3 percent of the total floor area in that room, it shall be considered as constituting an additional story. The clear height above or below a Mezzanine Floor construction shall be not less than 7 feet. An enclosed Mezzanine shall be counted as a story.

(Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)

Microbrewery: A brewery that produces no more than 15,000 barrels of ales, beers, meads, hard ciders, and/or similar beverages on-site per year, in keeping with the regulations of the Alcohol Beverage Control (ABC) and Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and other applicable state and local requirements. (See Brewery)

(Added by Ord. No. 10359 (N.S.) adopted 10-29-14)

Military Operating Area: A three dimensional airspace designated for military training and transport activities that has a defined floor (minimum altitude) and ceiling (maximum altitude) above mean sea level.

(Added by Ord. No. 10261 (N.S.) and Ord. No. 10262 (N.S.) adopted 5-15-13)

Mini-Mobilehome Park: A mobilehome park subject to the regulations of Sections 6530 through 6544, inclusive.

(Added by Ord. No. 5612 (N.S.) adopted 10-10-79)

Single Detached: (See Building Type, Residential)

Single Housekeeping Unit: Any household whose members are an interactive group of persons jointly occupying a dwelling unit, including joint access to and use of all common areas including living, kitchen, and eating areas within the dwelling unit, and sharing household activities and responsibilities such as meals, chores, expenses and maintenance, and whose makeup is determined by the members of the unit rather than by the landlord, property manager, or other third party. This does not include a Boarding or Rooming House.

(Added by Ord. No. 10359 (N.S.) adopted 10-29-14)

Site Plan Permit: A permit which may be granted by the appropriate County officer or body to provide a review procedure for development proposals which is concerned with physical design, siting, interior vehicular and pedestrian access, and the interrelationship of these elements.

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

Solar Energy System, Offsite Use: A solar energy conversion system consistent with the requirements of section 6954 for offsite energy use. The energy generated is predominately used offsite.

(Added by Ord. No. 10072 (N.S.) adopted 9-15-10)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

Solar Energy System, Onsite Use: A solar energy conversion system consistent with the requirements of section 6954 for onsite energy use. The energy generated is predominately used onsite.

(Added by Ord. No. 10072 (N.S.) adopted 9-15-10)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

Special Area: That element of the zone which indicates, by means of a letter designator, the Special Area Regulations which apply to that zone.

Special Parking District: An area, described in Section 5761, where reduced off-street parking may be authorized.

(Added by Ord. No. 8407 (N.S.) adopted 5-18-94)

Special Purpose Zone: A zone including a use regulations set forth in Sections 2800 through 2979, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

Specified Anatomical Areas:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areolae; or

Def. S

2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Specified Sexual Activities:

1. The fondling or other touching of human genitals, pubic region, buttocks, anus, or female breasts; or
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; or
3. Masturbation, actual or simulated; or
4. Excretory functions as part of or in connection with any of the activities set forth in 1 through 3 above.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Stable (See Horse Stable)

(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

Stacked: (See Building Type, Residential)

Stand: A structure for the display and sale of farm products with no space for customers within the structure itself.

Stand-Alone: A building, use, or facility that is physically separated from or otherwise unconnected to other buildings, uses or facilities, and that is either: (i) located on a separate lot or parcel from other buildings, uses or facilities; or (ii) located on the same lot or parcel with other buildings, uses or facilities and has its own dedicated parking. A Stand-Alone building, use or facility has required parking that is computed and provided separately from other buildings, uses or facilities.

(Added by Ord. No. 10251 (N.S.) adopted 2-6-13)

Standard Mobilehome Park: (See Mobilehome Park, Standard)

(Added by Ord. No. 5612 (N.S.) adopted 10-10-79)

- b. Automotive and Equipment: Fleet Storage. Storage or parking of one or more vehicles used regularly in business operations. Excluded from this use type are Automotive and Equipment: Sales/Rentals, (all types); and the incidental parking of vehicles as an accessory use to a permitted use on the same premises. Typical uses include taxi fleets, mobile catering truck storage or delivery truck fleets.
- c. Automotive and Equipment: Parking. Parking of motor vehicles on a temporary basis within a privately owned off-street parking area with or without a fee. Typical uses include commercial parking lots or garages.
- d. Automotive and Equipment: Repairs, Heavy Equipment. Repair of motor vehicles such as aircraft, boats, recreational vehicles, trucks, etc., as well as the sale, installation and servicing of automotive equipment and parts together with body repairs, painting and steam cleaning. Typical uses include truck transmission shops, body shops or motor freight maintenance groups.
- e. Automotive and Equipment: Repairs, Light Equipment. Repair of automobiles and the sale, installation and servicing of automobile equipment and parts but excluding body repairs and painting. Typical uses include muffler shops, auto repair garages or auto glass shops.
- f. Automotive and Equipment: Sales/Rentals, Heavy Equipment. Sale, retail or wholesale and/or rental from the premises of heavy construction equipment, trucks and aircraft together with incidental maintenance. Typical uses include aircraft dealers, boat dealers, or heavy construction equipment dealers.
- g. Automotive and Equipment: Sales/Rentals, Farm Equipment. Sale, retail or wholesale and/or rental from the premises of farm equipment together with incidental maintenance. Typical uses include farm equipment dealers.
- h. Automotive and Equipment: Sales/Rentals, Light Equipment. Sales, retail or wholesale and/or rental from the premises of autos, noncommercial trucks, motorcycles, motorhomes and trailers together with incidental maintenance. When used in this section noncommercial trucks shall mean vehicles that are not used for business purposes, e.g., trucks rented for moving household furnishings and driven by the owner of the items being moved. Typical uses include automobile dealers, car rental agencies or recreational vehicles sales and rental agencies.
- i. Automotive and Equipment: Storage, Nonoperating Vehicles. Storage of nonoperating or impounded motor vehicles, but not a junkyard or motor vehicle wrecking yard (as defined by Section 21.602 of the County Code). Typical uses include storage of private parking towaways or impound yards. (Also see Section 21.607 of the County Code for regulations). Any dismantling or wrecking of vehicles is regulated by Section 1530 Scrap Operations.

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- j. Automotive and Equipment: Storage, Recreational Vehicles and Boats. Storage of Recreational Vehicles and Boats. Typical uses include the collective storage of personal recreational vehicles or boats.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

1435 BUILDING MAINTENANCE SERVICES.

The Building Maintenance Services use type refers to establishments primarily engaged in the provision of maintenance and custodial services to firms rather than individuals. Typical uses include janitorial, landscape maintenance, or window cleaning services.

1440 BUSINESS EQUIPMENT SALES AND SERVICES.

The Business Equipment Sales and Services use type refers to establishments or places of business primarily engaged in the sale, rental or repair of equipment and supplies used by office, professional and service establishments to the firms themselves rather than to individuals, but excludes automotive, construction and farm equipment. Typical uses include office equipment and supply firms, small business machine repair shops or hotel equipment and supply firms.

1445 BUSINESS SUPPORT SERVICES.

The Business Support Services use type refers to establishments primarily engaged in the provision of services of a clerical, employment, protective, or minor processing nature to firms rather than individuals and where the storage of goods other than samples is prohibited. Typical uses include secretarial services, telephone answering services, or blueprint services.

1450 COMMUNICATIONS SERVICES.

The Communication Services use type refers to establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephone mechanisms but excludes those classified as Major Impact Services and Utilities. Typical uses include television studios, telecommunication service centers or telegraph service offices.

1455 CONSTRUCTION SALES AND SERVICES.

The Construction Sales and Services use type refers to establishments or places of business primarily engaged in construction activities and incidental storage on lots other than construction sites as well as the retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures other than retail sale of paint, fixtures and hardware; but excludes those classified as one of the Automotive and Heavy Equipment use types. Typical uses include building materials stores, tool and equipment rental or sales, or building contractors.

AGRICULTURAL USE TYPES

1700 GENERAL DESCRIPTION OF AGRICULTURAL USE TYPES.

Agricultural use types include the on-site production of plant and animal products by agricultural methods. They also include certain use accessory to the above as specified in Section 6150, Accessory Use Regulations. Prior to establishing an agricultural use on a property, all applicable provisions of the County Grading Ordinance (Title 8, Division 7 of the County Code) including Agricultural Grading and Agricultural Clearing shall be met.

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

1710 HORTICULTURE.c

Horticulture refers to premises primarily devoted to horticultural and floricultural specialties such as flowers, shrubs, and trees intended for ornamental or landscaping purposes. The following are Horticulture use types:

- a. Horticulture: Cultivation. Cultivation of plants for wholesale sales.
- b. Horticulture: Storage. Storage of plants, primarily in containers, for wholesale sales.

1715 TREE CROPS.

The Tree Crops use type refers to premises primarily devoted to the cultivation for sale at wholesale of tree-grown agricultural products such as avocados, walnuts and citrus fruits.

1720 ROW AND FIELD CROPS.

The Row and Field Crops use type refers to premises primarily devoted to the cultivation for sale at wholesale of agricultural products grown in regular or scattered patterns such as vines, field, forage and other plant crops intended to provide food or fibers.

1725 ANIMAL RAISING.

The Animal Raising use type refers to premises where animals are fed or kept for personal use, animal products, animal increase, value increase, for 4-H or other agricultural organization projects by the owner or occupant of the premises. Typical uses include horsekeeping for personal use and chicken or cattle ranches.

(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

1730 ANIMAL WASTE PROCESSING.

The Animal Waste Processing use type refers to the processing of animal waste and by-products, including but not limited to animal manure, animal bedding waste, and similar by-products of an animal raising agricultural operation, for use as a commercial fertilizer or soil amendment and including composting operations.

The Animal Waste Processing use type does not include poultry manure management practices involving drying and disposal of manure produced on site or brought to a poultry ranch from another poultry ranch owned or operated by the same person(s), provided the receiving site is zoned with an animal regulations designation which allows an unlimited number of poultry.

(Amended by Ord. No. 7817 (N.S.) adopted 9-26-90)

1735

1735 PACKING AND PROCESSING.

Packing and Processing refers to packing and processing of fresh agricultural products and does not include cooking, canning, tanning, rendering and reducing operations which are general industrial uses. Following are categories of Packing and Processing use types:

- a. Packing and Processing: Limited. The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or specialty animals raised for human consumption, produced on the same premises as the packing and processing operation. These products shall be considered to be produced on the same premises if they are solely grown or produced on land owned or operated by the same person who owns or operates the packing and processing facility.
- b. Packing and Processing: General. The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or specialty animals raised for human consumption, produced on premises other than that upon which the packing and processing operation is located.
- c. Packing and Processing: Support. Fabrication, assembly, reconditioning and sale of boxes, cartons, crates and pallets for handling and transporting crops provided this use is secondary to agricultural or horticultural production on the premises.
- d. Packing and Processing: Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of wine from fruit grown on or off the premises. A Winery may also include a tasting room and retail outlet as secondary uses.
- e. Packing and Processing: Small Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of less than or equal to 120,000 gallon of wine per year. A Small Winery may also include a tasting room and retail outlet as secondary uses.
- f. Packing and Processing: Boutique Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of up to 12,000 gallons of wine per year. A Boutique Winery may also include a tasting room and retail outlet as secondary uses.
- g. Packing and Processing: Wholesale Limited Winery. Crushing of grapes, berries and other fruits for the fermentation, storage, bottling and wholesaling of up to 12,000 gallons of wine per year.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)

(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)

(Amended by Ord. No. 7818 (N.S.) adopted 9-26-90)

(Amended by Ord. No. 7982 (N.S.) adopted 10-02-91)

(Amended by Ord. No. 9422 (N.S.) adopted 1-9-02)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

(Amended by Ord. No. 9940 (N.S.) adopted 6-18-08)

(Amended by Ord. No. 10067 (N.S.) adopted 8-4-10)

C32 CONVENIENCE COMMERCIAL USE REGULATIONS

2320 INTENT.

The provisions of Section 2320 through Section 2329, inclusive, shall be known as the C32 Convenience Commercial Use Regulations. The C32 Use Regulations are intended to create and enhance areas where a limited number of retail commercial goods and services are desired to meet day-to-day needs of local residents. Typically, the C32 Use Regulations would be applied within walking or short driving distance of a residential area, would be designed to serve only a limited local market, and would permit only those uses which do not create in the adjacent residential area increased traffic, noise or other such impacts considered incompatible with the residential use. Various applications of the C32 Use Regulations with appropriate development designators can create shopping areas which serve low-density neighborhoods, more urbanized, high-density residential or transient use areas.

2322 PERMITTED USES.

The following use types are permitted by the C32 Use Regulations:

a. Civic Use Types.

- Child Care Center
- Essential Services
- Fire Protection Services (see Section 6905)
- Law Enforcement Services
- Small Schools

b. Commercial Use Types.

- Convenience Sales and Personal Services
- Eating and Drinking Establishments
- Food and Beverage Retail Sales
- Personal Services, General

c. Agricultural Use Types.

- Horticulture: Cultivation
- Tree Crops
- Row and Field Crops

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)
 (Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)
 (Amended by Ord. No. 8175 (N.S.) adopted 11-18-92)
 (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

2323 PERMITTED USES SUBJECT TO LIMITATIONS.

The following use types are permitted by the C32 Use Regulations subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

2323

a. Residential Use Types.

Family Residential "1"

b. Commercial Use Types.

Recycling Collection Facility, Small or Large "2"
Recycling Processing Facility, Light or Heavy "3"

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)

(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)

2324 USES SUBJECT TO A MINOR USE PERMIT.

The following use types are permitted by the C32 Use Regulations upon issuance of a Minor Use Permit.

a. Civic Use Types.

Minor Impact Utilities

b. Commercial Use Types.

Automotive and Equipment: Parking
Participant Sports and Recreation: Indoor

c. Industrial Use Types.

Custom Manufacturing (see Section 6300)

d. Agricultural Use Types.

Horticulture: Storage

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 7843 (N.S.) adopted 12-19-90)

2325 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the C32 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Administrative Services
Ambulance Services
Civic, Fraternal or Religious Assembly
Clinic Services
Community Recreation
Cultural Exhibits and Library Services

d. Agricultural Use Types.

Horticulture (all types)
 Tree Crops
 Row and Field Crops
 Packing and Processing "Limited"
 Packing and Processing "Winery"
 Packing and Processing "General"

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
 (Amended by Ord. No. 8175 (N.S.) adopted 11-18-92)
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
 (Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)

2523 PERMITTED USES SUBJECT TO LIMITATIONS.

The following use types are permitted by the M52 Use Regulations subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Commercial Use Types.

Adult Entertainment Establishments "19"
 Agricultural and Horticultural Sales "8" (all types)
 Automotive and Equipment: Cleaning "8"
 Automotive and Equipment: Repairs, Heavy Equipment "8"
 Automotive and Equipment: Repairs, Light Equipment "8"
 Automotive and Equipment: Sales/Rentals, Farm Equipment "9"
 Automotive and Equipment: Sales/Rentals, Heavy Equipment "9"
 Automotive and Equipment: Sales/Rentals, Light Equipment "9" (see Section 6800)
 Building Maintenance Services "8"
 Construction Sales and Services "8" (see Section 6300)
 Eating and Drinking Establishments "21"
 Food and Beverage Retail Sales "10"
 Gasoline Sales "12"
 Recycling Collection Facility, Small or Large "2"
 Recycling Processing Facility, Light or Heavy "3"
 Wholesaling, Storage and Distribution: Light "8" (see Section 6300)

b. Industrial Use Types.

General Industrial "14"

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)
 (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
 (Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
 (Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
 (Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)
 (Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)
 (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

2524

2524 USES SUBJECT TO A MINOR USE PERMIT.

The following use types are permitted by the M52 Use Regulations upon issuance of a Minor Use Permit.

a. Civic Use Types.

Minor Impact Utilities
Small Schools

b. Commercial Use Types.

Convenience Sales and Personal Services

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)
(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

2525 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the M52 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Administrative Services
Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services
Cultural Exhibits and Library Services
Major Impact Services and Utilities

b. Commercial Use Types.

Funeral and Interment Services: Cremating
Participant Sports and Recreation: Outdoor
Transient Habitation: Campground (see Section 6450)
Wholesaling, Storage and Distribution: Heavy (see Section 6300)

c. Extractive Use Types.

Site Preparation

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

M54 GENERAL IMPACT INDUSTRIAL USE REGULATIONS

2540 INTENT.

The provisions of Section 2540 through Section 2549, inclusive, shall be known as the M54 General Impact Industrial Use Regulations. The M54 Use Regulations are intended to create and preserve areas where manufacturing and industrial uses not having high nuisance characteristics may locate. Non-industrial uses which support industrial uses are permitted within the zone, particularly administrative, sales, and services uses. Typically, the M54 Use Regulations would be applied near rail and trucking facilities, or other locations where impacts associated with noise, odor and traffic would not impact on residential or commercial areas. All outdoor storage areas would be subject to screening regulations in Section 6706. Various applications of the M54 Use Regulations with appropriate development designators can create a large transportation-dependent industrial center or a small, geographically isolated grouping of a few small scale industrial uses.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

2542 PERMITTED USES.

The following use types are permitted by the M54 Use Regulations:

a. Civic Use Types.

- Ambulance Services
- Community Recreation
- Emergency Shelters (see Section 6911)
- Essential Services
- Fire Protection Services (see Section 6905)
- Law Enforcement Services
- Minor Impact Utilities
- Parking Services
- Postal Services

b. Commercial Use Types.

- Administrative and Professional Services
- Agricultural and Horticultural Sales (all types)
- Animal Sales and Services: Veterinary, Large Animals
- Automotive and Equipment: Cleaning
- Automotive and Equipment: Fleet Storage
- Automotive and Equipment: Parking
- Automotive and Equipment: Repairs, Heavy Equipment
- Automotive and Equipment: Repairs, Light Equipment
- Automotive and Equipment: Sales/Rentals, Farm Equipment
- Automotive and Equipment: Sales/Rentals, Heavy Equipment
- Automotive and Equipment: Sales/Rentals, Light Equipment
- Automotive and Equipment: Storage, Recreational Vehicles & Boats

2542

Building Maintenance Services
Business Equipment Sales and Services
Business Support Services
Communications Services
Construction Sales and Services (See Section 6300)
Gasoline Sales
Laundry Services
Participant Sports and Recreation: Indoor
Recycling Processing Facility, Wood and Green Materials
Research Services
Wholesaling, Storage and Distribution: Mini-Warehouses (see Section 6300 and Section 6909)

c. Industrial Use Types.

Custom Manufacturing

d. Agricultural Use Types.

Horticulture (all types)
Tree Crops
Row and Field Crops
Packing and Processing "Limited"
Packing and Processing "Winery"
Packing and Processing "General"

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)
(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
(Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)
(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
(Amended by Ord. No. 8175 (N.S.) adopted 11-18-92)
(Amended by Ord. No. 8283 (N.S.) adopted 7-21-93)
(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
(Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)

2543 PERMITTED USES SUBJECT TO LIMITATIONS.

The following use types are permitted by the M54 Use Regulations subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Commercial Use Types.

Adult Entertainment Establishments "19"
Agricultural Services "14"
Eating and Drinking Establishments "21"
Food and Beverage Retail Sales "10"
Recycling Collection Facility, Small or Large "2"
Recycling Processing Facility, Light or Heavy "3"
Wholesaling, Storage and Distribution: Heavy "14"
Wholesaling, Storage and Distribution: Light "8"

b. Industrial Use Types.

General Industrial "14"

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)
 (Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
 (Amended by Ord. No. 9013 (N.S.) adopted 3-17-99)
 (Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)
 (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

2544 USES SUBJECT TO A MINOR USE PERMIT.

The following use types are permitted by the M54 Use Regulations upon issuance of a Minor Use Permit.

a. Civic Use Types

Small Schools

b. Commercial Use Types.

Convenience Sales and Personal Services

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)
 (Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)
 (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

2545 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the M54 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Administrative Services
 Child Care Center
 Civic, Fraternal or Religious Assembly
 Clinic Services
 Cultural Exhibits and Library Services
 Major Impact Services and Utilities

2545

b. Commercial Use Types.

Automotive and Equipment: Storage, Nonoperating Vehicles
Explosive Storage (see Section 6904)
Funeral and Interment Services: Cremating
Participant Sports and Recreation: Outdoor
Scrap Operations (see Section 6300)
Swap Meets
Transient Habitation: Campground (see Section 6450)

c. Extractive Use Types.

Site Preparation

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)
(Amended by Ord. No. 8283 (N.S.) adopted 7-21-93)
(Amended by Ord. No. 9013 (N.S.) adopted 3-17-99)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)

2560

M56 MIXED INDUSTRIAL USE REGULATIONS

2560 INTENT.

The provisions of Section 2550 through 2579, inclusive, shall be known as the M56 Mixed Industrial Use Regulations, (M56 Use Regulations). The M56 Use Regulations will create an industrial area, and a maximum of five percent of each lot to be designated as support commercial area. The right to develop a support commercial area shall be transferable. The M56 Use Regulations will generally be applied to large areas of 100 or more acres, where a unified appearance can be created. A Specific Plan will be required prior to or concurrent with each rezone to address the availability of public facilities. The types of uses in the M56 Use Regulations will include industrial plants that are primarily engaged in the manufacturing, compounding, processing, assembling, packaging, treatment, warehousing or fabrication of materials or products, and commercial use types necessary to support those uses. Site development will be reviewed for compliance with a Design review manual adopted for the area.

2561 SUPPORT COMMERCIAL AREA.

Support commercial areas shall be designated, and the transfer of the rights to develop support commercial area shall be subject to the following requirements.

- a. Designation of Commercial Area. Each lot in the specific plan area shall be granted a maximum of five percent of commercial use. At the time of application for a building permit, the applicant shall apply for an administrative permit indicating what portion of the site will be reserved for commercial use, and the location of the parking to be reserved for the use. If no area is designated through the administrative permit process at the time the lot is initially developed, the owner retains the right to make such designation at a later date. Additionally, the applicant may relinquish the permit at any time by making an application for relinquishment to the Director. When an applicant has either chosen not to use the right to develop the commercial area of the property or has relinquished the administrative permit to develop the area as a commercial use, the right may be transferred to another property through the process described in subsection b of this section.
- b. Transfer of Designated Commercial Area. Commercial development rights shall be transferable. Transfer shall only be to a site located within the contiguous area within which the M56 use regulation has been applied. The transfer shall not result in more than ten percent of any one site being utilized for support commercial development.

Prior to completing any transfers of development rights, the applicant shall obtain written approval from the Director. No purported transfer shall be of any force or effect without the Director's approval. The applicant shall notify the Department of the completion of the transfer on a form prescribed by the Department, and such notification shall be recorded. Failure to comply with the Department's requirements for notification shall be grounds for refusal to issue building permits.

2562 PERMITTED USES WITHIN THE INDUSTRIALLY DESIGNATED AREA

The following use types are permitted by the M56 Use Regulations within the industrially designated areas:

a. Civic Use Types.

- Ambulance Services
- Essential Services
- Fire Protection Services
- Law Enforcement Services
- Minor Impact Utilities
- Parking Services
- Postal Services

b. Commercial Use Types.

- Automotive and Equipment
 - b) Fleet Storage
 - c) Parking
 - d) Repairs [Heavy Equipment]
 - e) Repairs [Light Equipment]
 - f) Sales/Rentals [Heavy Equipment]
 - g) Sales/Rentals [Farm Equipment]
 - h) Sales/Rental [Light Equipment]
- Building Maintenance Services
- Construction Sales and Services
- Recycling Processing Facility, Wood and Green Materials
- Research Services
- Wholesale Storage and Distribution
 - a) Mini Warehouse (see Section 6300 and Section 6909)
 - b) Light
 - c) Heavy

c. Industrial Use Types.

- Custom Manufacturing
- General Industrial

2562

d. Agricultural Use Types.

Packing and Processing

- a) Limited
- b) Winery
- c) General
- d) Support

(Amended by Ord. No. 8175 (N.S.) adopted 11-18-92)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

2563 PERMITTED USES WITHIN THE INDUSTRIALLY DESIGNATED AREAS THAT ARE SUBJECT TO LIMITATIONS.

The following use types are permitted by the M56 Use Regulations within the industrially designated areas, subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Commercial Use Types.

- Eating and Drinking Establishments "21"
- Food and Beverage Retail Sales "10"
- Recycling Collection Facility, Small or Large "2"
- Recycling Processing Facility, Light or Heavy "3"

(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

2564 USES SUBJECT TO A MINOR USE PERMIT WITHIN THE INDUSTRIALLY DESIGNATED AREAS.

The following uses are permitted by the M56 Use Regulations in the industrially designated areas upon issuance of a Minor Use Permit.

a. Civic Use Types

- Small Schools

2565 USES SUBJECT TO A MAJOR USE PERMIT WITHIN THE INDUSTRIALLY DESIGNATED AREAS.

The following uses are permitted by the M56 Use Regulations in the industrially designated areas upon issuance of a Major Use Permit.

a. Civic Use Types.

- Administrative Services
- Civic, Fraternal or Religious Assembly
- Clinic Services
- Cultural Exhibits and Library services
- Child Care Center
- Major Impact Services and Utilities

(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

Laundry Services
 Participant Sports and Recreation: Indoor
 Recycling Processing Facilities, Wood and Green Materials
 Research Services
 Wholesaling, Storage and Distribution: Mini-Warehouses (see Section 6300 and Section 6909)

c. Industrial Use Types.

Custom Manufacturing (see Section 6300)

d. Agricultural Use Types.

Horticulture (all types)
 Tree Crops
 Row and Field Crops
 Packing and Processing (all types)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
 (Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)
 (Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
 (Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)
 (Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
 (Amended by Ord. No. 8175 (N.S.) adopted 11-18-92)
 (Amended by Ord. No. 8318 (N.S.) adopted 10-27-93)
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
 (Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)

2583 PERMITTED USES SUBJECT TO LIMITATIONS.

The following use types are permitted by the M58 Use Regulations subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Commercial Use Types.

Adult Entertainment Establishments "19"
 Agricultural Services "14"
 Automotive and Equipment: Storage, Nonoperating Vehicles "9"
 Eating and Drinking Establishments "21"
 Food and Beverage Retail Sales "10"
 Recycling Collection Facility, Small or Large "2"
 Recycling Processing Facility, Light or Heavy "3"
 Wholesaling, Storage and Distribution: Heavy "14"
 Wholesaling, Storage and Distribution: Light "8"

b. Industrial Use Types.

General Industrial "14"

2583

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)
(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
(Amended by Ord. No. 9013 (N.S.) adopted 3-17-99)
(Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

2584 USES SUBJECT TO A MINOR USE PERMIT.

The following use types are permitted by the M58 Use Regulations upon issuance of a Minor Use Permit.

a. Civic Use Types.

Small Schools

b. Commercial Use Types.

Convenience Sales and Personal Services

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)
(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

2585 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the M58 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Administrative Services
Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services
Cultural Exhibits and Library Services
Major Impact Services and Utilities

b. Commercial Use Types.

Animal Sales and Services: Stockyard
Explosive Storage (see Section 6904)
Funeral and Interment Services: Cremating
Participant Sports and Recreation: Outdoor
Scrap Operations (see Section 6300)
Swap Meets

c. Industrial Use Types.

Heavy Industrial (see Section 6300)

2818 SPECIAL PROVISIONS AND LIMITATIONS.

- a. When development is subject to issuance of a Coastal Act Permit pursuant to the California Coastal Act of 1976, said permit shall be issued in accordance with the requirements of the California Coastal Commission.
- b. In addition to the findings required for granting a major use permit pursuant to Section 7358, the following specific findings shall be made:
 1. The proposed use, activity or construction will not have any significant adverse effects on the habitat or scenic values of the wetlands or on associated rare, threatened or endangered species; or that adequate measures will be provided to mitigate such significant adverse effects.
 2. The proposed use, activity or construction will not:

Involve wetland fill, except as related to habitat enhancement;
Increase sedimentation of the wetland;
Adversely decrease stream flow into the wetland; nor
Reduce tidal interchange or internal water circulation.
 3. The proposed use, activity, or construction is consistent with the applicable goals and policies of the California Coastal Act and of the San Diego County Local Coastal Program Land Use Plan.
- c. The environmental review documentation prepared and submitted pursuant to Sections 7610 and 7611 shall be utilized to the maximum extent possible in carrying out the provisions of the S81 Use Regulations.

(Added by Ord. No. 6743 (N.S.) effective 1-11-85)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

2820

S82 EXTRACTIVE USE REGULATIONS

2820 INTENT.

The provisions of Section 2820 through Section 2829, inclusive, shall be known as the S82 Extractive Use Regulations. The S82 Use Regulations are intended to identify and create areas within the County where mining, quarrying, or oil extractive uses are permitted. Typically, the S82 Use Regulations would be applied to areas of mineral deposits, to signify the presence of such deposit and notify adjacent or affected properties of the intention to allow extraction of minerals within the zone. They may be used to preserve areas with valuable mineral deposits until extraction can take place. Special regulations are to be imposed governing the conduct of mineral extraction, associated operating characteristics, and care of the site at conclusion of the extraction operation.

2822 PERMITTED USES.

The following use types are permitted by the S82 Use Regulations:

a. Civic Use Types.

Essential Services
Fire Protection Services (see Section 6905)

b. Agricultural Use Types.

Horticulture (all types)
Tree Crops
Row and Field Crops

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

2823 PERMITTED USES SUBJECT TO LIMITATIONS.

The following use types are permitted by the S82 Use Regulations subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Commercial Use Types.

Recycling Collection Facility, Small or Large "2"
Recycling Processing Facility, Wood and Green Materials "3"

(Added by Ord. No. 6924 (N.S.) adopted 2-20-85)

(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)

"20" Secondary Use: On building sites 5 acres or less in size, the use shall be restricted to locations above the first story of a building or buildings the first story of which is reserved for permitted principal uses. On building sites larger than 5 acres, the use may, as an alternate to the foregoing, be located in a building or buildings intended and located solely for secondary uses provided that not less than 50 percent of the site area is devoted exclusively to permitted principal uses.

"21" Eating and Drinking Establishments. Allowed upon issuance of a Minor Use Permit, except when accessory to a Brewery or Microbrewery, then allowed upon issuance of an Administrative Permit subject to the provisions of Section 6158.j.

Eating and Drinking Establishments in M56 Use Regulations. Notwithstanding Section 2566, the provisions of "10" apply, however for additional area see Section 6158.j.

"22" Small, Boutique and Wholesale Limited Wineries. Allowed subject to the provisions of Section 6910.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)
 (Amended by Ord. No. 5652 (N.S.) adopted 11-21-79)
 (Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
 (Amended by Ord. No. 5840 (N.S.) adopted 7-30-80)
 (Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)
 (Amended by Ord. No. 6743 (N.S.) effective 1-11-85)
 (Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
 (Amended by Ord. No. 6983 (N.S.) adopted 07-03-85)
 (Amended by Ord. No. 7649 (N.S.) adopted 07-17-89)
 (Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
 (Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
 (Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
 (Amended by Ord. No. 9940 (N.S.) adopted 6-18-08)
 (Amended by Ord. No. 10067 (N.S.) adopted 8-4-10)
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
 (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

USE & ENCLOSURE MATRIX

SUMMARY PREPARED PURSUANT TO SECTIONS 2990 AND 6816

NOTE: This matrix is a summary only. For complete regulations see appropriate sections of The Zoning Ordinance. In case of conflict between the provisions graphically represented in this matrix and the provisions set forth in the text of The Zoning Ordinance, the provisions of The Zoning Ordinance shall apply.

USE TYPES COMMERCIAL (cont.)	USE TYPES												Use Regulations						
	1400	See Section 6816	1505	1510	1512	1513	1515	1520	1525	1530	1535	1540							
RESIDENTIAL													RESIDENTIAL						
RS			P	P	P	2				P	P		P	RS	Single-Family Residential				
RD			P	P	P	2				P	P		P	RD	Duplex/Two-Family Residential				
RM			P	P	P	2				P	P		P	RM	Multi-Family Residential				
RV			P	P	P	2				P	P		P	RV	Variable Family Residential				
RU			P	P	P	2				P	P		P	RU	Urban Residential				
RMH			P	P	P	2				P	P		P	RMH	Mobilehome Residential				
RR	●	●			M	2								RR	Rural Residential				
RRO*	●	●			P	M	P	2			P	P		P	RRO*	Recreation-Oriented Residential			
RC	●	m	m		P	P	P	2			m	m		P	RC	Residential-Commercial			
COMMERCIAL													COMMERCIAL						
C30	●			m		●	2	2	3	M		M			C30	Office-Professional			
C31	●			m		●	2	2	3	M		M			C31	Residential/Office Professional			
C32	●			m	m	●	2	2	3	M					C32	Convenience Commercial			
C34*	●	m	M	m	m	●	2	2	3	M	●	M	●	M	M	C34*	Gen. Commercial/Residential		
C35	●	m	M	m	m	●	2	2	3	M	●	M	●	●	M	M	C35	Gen. Comm./Ltd. Residential	
C36	●	m	M	●	●	●	2	2	3	M	●	M	●	●	●	M	C36	General Commercial	
C37	●	●	●	●	●	●	2	2	3	3	15	●	●	●	●	M	C37	Heavy Commercial	
C38	●	●	●	●	M		2	2	3	3	15	●	●		M	M	C38	Service Commercial	
C40	●	●	●	●	●	●	2	2	3	3	15	●	●	●	M	●	M	C40	Rural Commercial
C42*	●	●	●	●	●	●							●		M	M	C42*	Visitor Serving Commercial	
C44	●	●	●	●			2		3	M							C44	Freeway Commercial	
C46*	●						2		3	M							C46*	Medical Center	
INDUSTRIAL													INDUSTRIAL						
M50	●	m	M	m			2	2	3	M	●	●					M50	Basic Industrial	
M52	●	m	M	m	●	M	2	2	3	M	●	●					M52	Limited Impact Industrial	
M54	●	●	●	●	●	M	2	2	3	3	●	●		M		M	M54	General Impact Industrial	
M56+							2	2	3	M	●	●					M56+	Mixed Industrial	
M58	●	●	●	●	●	M	2	2	3	3	●	●		M		M	M58	High Impact Industrial	
AGRICULTURAL													AGRICULTURAL						
A70	●	●	●			M		A			m						A70	Limited Agriculture	
A72	●	●	●			M		A			m						A72	General Agriculture	
SPECIAL PURPOSE													SPECIAL PURPOSE						
S80*	●	S	M			M	2	m			m						S80*	Open Space	
S81																		S81	Ecological Resource Area
S82	●	●	●			M	2	m			m			M			S82	Extractive	
S86	●	●	●	●			2	m			m						S86	Parking	
S88+	●	●	●	●			2	m			m						S88+	Specific Plan Area	
S90+	●	●	●	●		M	2	m			m						S90+	Holding Area	
S92	●	●	●			M	2	m			m						S92	General Rural	
S94+	●	●	●	●		M	2	m			m						S94+	Transportation & Utility Corridor	
SWF																	SWF	Solid Waste Facility	

Commercial continued on next page

MATRIX LEGEND

- Permitted
- A Permitted by Administrative Permit
- S Permitted by Site Plan
- m Permitted by Minor Use Permit
- M Permitted by Major Use Permit
- P Permitted Only Within Planned Developments of 20 Acres or Larger

- 1-22 Subject to Limitations (See Section 2980)
- * May Be Subject to Site Plan Approval
- + Other Uses Not Shown on Matrix May be Permitted (See Text of Use Regulations)
- O Subject to Limitations (See Sections 2812 and 2818)
- E Exceptions to Enclosure Matrix (See Section 6814)

3100 ANIMAL SCHEDULE.

Animal designators used within the Animal Regulations shall be limited to those in the following Animal Schedule. The Animal Schedule is incorporated into this section, and all references to this section shall include references to it.

- (Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
- (Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
- (Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)
- (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
- (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
- (Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)
- (Repealed and Reenacted by Ord. No. 8166 (N.S.) adopted 10-21-92)
- (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
- (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
- (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
- (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
- (Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)
- (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

Animal Schedule

(Part of Section 3100)

ANIMAL USE TYPE (See Note 4)	Restrictions and Density Range	DESIGNATOR																							
		A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X
ANIMAL SALES AND SERVICES:																									
HORSE STABLE (see Section 3130)	Permitted						X	X	X							X								X	X
	Boarding of and riding lessons for up to 3 horses not owned by the property owner				X	X	X				X		X	X	X							X	X		
	10 Horses per acre of usable area up to 50 horses and 5 acres +Zoning Verification				X	X	X				X		X	X	X							X	X		
	10 Horses per acre of usable area up to 100 horses and 10 acres +Administrative Permit				X	X	X				X		X	X	X							X	X		
	More than 100 horses and more than 10 acres of usable area + by MUP				X	X	X				X		X	X	X							X	X		
KENNELS (see Note 1)	Permitted															X		X	X						
	Permitted provided fully enclosed						X	X	X																
	MUP required											X	X	X									X	X	
	ZAP required				X	X	X	X	X	X															
	One acre + by MUP	X	X	X																					
ANIMAL RAISING (see Note 6)																									
(a) Animal Raising Projects (see Section 3115)	Permitted						X	X	X															X	
	½ acre+ by ZAP				X	X	X				X		X	X	X	X	X						X	X	
	1 acre+ by MUP	X	X	X																					
(b) Small Animal Raising (includes Poultry) (See Note 8)	Permitted												X	X	X	X								X	
	½ acre+ permitted						X	X	X																
	100 maximum											X													
	25 maximum				X	X	X				X		X					X	X				X	X	
	½ acre+: 10 max	X	X	X																					
	Less than ½ acre: 100 Maximum							X	X	X															
	½ acre+ 25 max by ZAP	X	X	X																					
Chinchillas (See Note 5)	100 max by ZAP				X	X	X																	X	
	MUP required											X													
(c) Large Animal Raising (Other than horsekeeping)	4 acres + permitted															X							X		
	8 acres + permitted						X	X	X																
	2 animals plus 1 per ½ acre over 1 acre				X	X	X																	X	
	4 animals plus 4 for each ½ acre over ½ acre							X	X	X															
	1 ½ acres or less: 2 animals											X	X	X	X	X								X	
	1 ½ to 4 acres: 1 per ½ acre											X	X	X	X	X								X	

ANIMAL USE TYPE (See Note 4)	Restrictions and Density Range	DESIGNATOR																							
		A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X
(See Note 2)	4 acres+, 8 animals + 1 animal per 1 acre over 4 acres											X	X	X	X										
	2 animals										X						X	X	X				X		X
	½ acre plus 2 animals per ½ acre by ZAP	X	X	X																					X
	Grazing Only																				X	X			
(d) Horse keeping (other than Animal Sales and Services: Horse Stable) (see Section 3130)	Permitted							X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X
	2 horses + 1 horse per ½ acre over ½ acre + Administrative Permit	X	X	X	X	X	X																		
(e) Specialty Animal Raising: Bees (See Title 6, Division 2, Chapter 9, County Code) (See Note 7)	Permitted	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
(f) Specialty Animal Raising: Wild or Undomesticated (See Note 3)	ZAP Required				X	X	X	X	X			X	X	X	X	X				X	X	X		X	
(g) Specialty Animal Raising: Other (Excluding Birds)	25 maximum				X	X	X				X	X	X				X	X	X	X	X		X	X	
	25 maximum by ZAP	X	X	X																					
	25 plus by ZAP				X	X	X				X	X	X	X			X				X	X	X	X	
	Permitted							X	X	X					X	X								X	
(h) Specialty Animal Raising: Birds	25 maximum				X	X	X					X					X	X	X	X	X				
	100 maximum							X	X	X	X	X					X						X		
	Additional by ZAP	X	X	X				X	X	X	X	X					X					X	X		
	Permitted												X	X	X									X	
(i) Racing Pigeons	100 Maximum										X	X											X		
	100 Max 1/acre plus																	X							
	Permitted											X	X	X	X	X								X	
ANIMAL ENCLOSURE SETBACKS (See Section 3112)																									
Most Restrictive		X			X			X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Moderate			X			X			X																
Least Restrictive				X			X			X														X	

MUP = Major Use Permit

+ = plus

ZAP = Minor Use Permit

Notes:

1. Dogs and cats not constituting a kennel and up to two pot-belly pigs are accessory uses subject to the Accessory Use Regulations commencing at Section 6150 and are not subject to the animal enclosure setbacks.
2. On land subject to the "S" and "T" Animal Designators, grazing of horses, bovine animals and sheep permitted provided no buildings, structure, pen or corral shall be designated or used for housing or concentrated feeding of animals, and the number of such animals shall not exceed 1 animal per ½ acre of land.
3. One wild or undomesticated animal, kept or maintained in conformance with State and local requirements, is an accessory use subject to the Accessory Use Regulations commencing at Section 6150, and is not subject to the Animal Schedule. (Amended by Ordinance Number 7432 (N.S.) adopted January 6, 1988.)
4. The Animal Schedule does not apply to small animals, specialty animals, dogs or cats which are kept for sale in zones where the Retail Sales, General Use type is permitted provided that all activities are conducted entirely within an enclosed building, the building is completely soundproof, there are no outside runs or cages, no boarding of animals, no outside trash containers and no offensive odors.
5. Chinchillas are considered small animals except that a MUP may be approved for more than 25 chinchillas on property with the "L" Designator.
6. The number of animals allowed is per legal lot. This number shall not apply to the keeping of earthworms.
7. Additional regulations are applicable to beekeeping, see County Code Section 62.901 et seq.
8. Additional regulations are applicable to the keeping of roosters, see County Code Section 62.690 et seq.

3112 ANIMAL ENCLOSURE SETBACK TABLE.

Notwithstanding the provisions of an applicable setback designator, enclosures containing the animal use types listed in Section 3100 shall have the minimum setbacks specified in the Animal Enclosure Setback Table. The Animal Enclosure Setback Table is incorporated into this section, and all references to this section shall include references to it. Animals subject to the Animal Setback Table must be confined within an appropriate enclosure. A pasture containing a minimum of 1 acre for use as a riding area or grazing area, having no interior fencing and not used as an animal enclosure for the permanent keeping of an animal is exempt from the animal enclosure setback requirements. Stables, barns, agricultural buildings and other structures located adjacent to or within an animal enclosure must meet both animal enclosure setbacks and setback regulations in section 4800.

ANIMAL ENCLOSURE LOCATION	ANIMAL ENCLOSURE SETBACKS		
	MOST RESTRICTIVE	MODERATE	LEAST RESTRICTIVE
Distance from Street Center Line	Same as for standard setback(a)	Same as for standard setback (a)	Zero (0) feet (from street line)
Distance from Interior Side Lot Line	10 feet	Five (5) feet	Zero (0) feet for open enclosure. Five (5) feet for roofed enclosure.
Distance from Rear Lot Line	10 feet	Zero (0) feet for open enclosure. Five (5) feet for roofed enclosure.	Zero (0) feet

NOTE:

- a. Refer to applicable setback designator and setback schedule at Section 4810.
- b. See County Code Section 62.692 (b) for additional enclosure setback requirements for the keeping of roosters.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
 (Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)
 (Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
 (Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)
 (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

- c. Density Bonus Projects for Affordable or Senior Housing. An increase in density exceeding the applicable Density Regulations may be approved for projects that reserve housing units for moderate, low, or very low income households or for senior housing in accordance with the Density Bonus Program found at Sections 6350 through 6399.
- d. Employee Housing. Employee housing, pursuant to California Health & Safety Code §§ 17000 et seq., is not subject to Density Regulations.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 5676 (N.S.) adopted 12-19-79)

(Amended by Ord. No. 5781 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)

(Amended by Ord. No. 6029 (N.S.) adopted 4-22-81)

(Amended by Ord. No. 6045 (N.S.) adopted 4-29-81)

(Amended by Ord. No. 6479 (N.S.) adopted 12-01-82)

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 6634 (N.S.) adopted 08-03-83)

(Amended by Ord. No. 7319 (N.S.) adopted 06-10-87)

(Amended by Ord. No. 7525 (N.S.) adopted 09-07-88)

(Amended by Ord. No. 7790 (N.S.) adopted 08-01-90. This ordinance will expire on August 31, 1993, unless extended in connection with GPA 93-02)

(Amended by Ord. No. 9020 (N.S.) adopted 04-14-99)

(Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)

(Amended by Ord. No. 10068 (N.S.) adopted 8-4-10)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

4125 COMPUTATION OF MINIMUM NUMBER OF DWELLING UNITS.

The minimum number of dwelling units required within the exterior boundary lines of any subdivision, or a single lot shall be equal to the product of the total of the net lot area of such subdivision, or lot expressed in acres multiplied by the applicable minimum density designator, if any. A product with any fraction of a dwelling unit shall be rounded up to the nearest whole number of dwelling units.

(Renumbered and amended by Ord. No. 5508 (N.S.) adopted 5-16-79. Formerly 4116)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

Street	Minimum Setback From Centerline	Zone or Use Regulation Within Which Special Setback Applies
Parkside Street in Lakeside, between River and Vine Streets	30'	All Zones
Parkside Street (north side) in Lakeside, between Channel Road and River Street	40'	All Zones
River Street in Lakeside	40'	All Zones
San Diego County Hwy. Commission Route 8 in Lakeside between Vine Street and Julian Avenue	30'	All Zones
Mission Avenue in the Vista area, between East Vista Way & City of Oceanside	70'	All Zones
State Hwy. 78 (San Pasqual Valley Road) in the Escondido area, between Birch Avenue & Summit Drive	62	Residential Zones
South Santa Fe Avenue in the Vista area, between a point 150 feet north-westerly of Montgomery Drive and a point 450 feet southerly of Palmyra Drive	70'	Commercial & Industrial Zones
Via de la Valle (north side), between Via del Canon and Camino Real	75'	Commercial Zone
Vine Street (westerly side) in Lakeside between Mapleview Street & Woodside Avenue	40'	All Zones
Vine Street in Lakeside, between Woodside Avenue & Los Coches Road	30'	All Zones
Vista Avenue in the Escondido area	70'	All Zones
Willow Glen Drive in Dehesa between Dehesa Road & the south line of Section 16, T6S, R1E.	70'	Commercial Zones

4816

<u>Street</u>	<u>Minimum Setback From Centerline</u>	<u>Zone or Use Regulation Within Which Special Setback Applies</u>
Woodside Avenue in Lakeside, between Vine and River streets	30'	All Zones
All streets in Pine Hills zoned E1 as of January 1, 1978	50'	All Zones
Rancho Road and Date Lane in the Campo Del Dios subdivision (Map Nos. 1897, 1841, 1901, 1954, 2029)	40'	RR.5
All streets in the Campo Del Dios subdivision (Map Nos. 1819, 1837, 1841, 1901, 1954, 2029) with a 30 foot right-of-way, and the street opening that extends Grape Lane to Del Dios Highway.	25' (30' for garage structures)	RR.5

* Minimum setback shall be consistent with the Main Building Setback regulations in the applicable Fallbrook Village Zone Regulations.

(Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)
(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)
(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
(Amended by Ord. No. 8482 (N.S.) adopted 11-30-94)
(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)
(Amended by Ord. No. 9620 (N.S.) adopted 12-10-03)

4817 FRONT YARD SETBACK WHEN CENTERLINE NOT ADOPTED.

When the centerline of the street fronting a lot or building site has not been officially adopted, the front yard setback shall be measured perpendicularly to the assumed centerline of the street, determined as a point in the street equally distant from each outer edge of the street.

4818 THROUGH LOTS TO HAVE TWO FRONT YARDS.

A through lot shall maintain a front yard adjacent to each street upon which it fronts and to which it has access rights. When access rights are relinquished to one of the abutting streets, that portion of the lot shall maintain the rear yard setback.

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

4819 RELATION TO BUILDING TYPE REGULATIONS.

Setbacks required by an applicable setback designator shall apply to all buildings except that semi-detached, duplex and attached building types permitted by an applicable building type designator shall not be subject to the interior side yard requirements of such setback designator along those interior side lot lines where buildings are attached.

4822 REQUIRED FRONT AND REAR YARD FOR LOTS OF SUBSTANDARD DEPTH. Notwithstanding other provisions of these Setback Regulations, in any zone other than a commercial or manufacturing/industrial zone or the Fallbrook Village Zones any lot or parcel which existed prior to December 31, 1969, and which is 90 feet or less in depth shall have the following:

- a. A minimum front yard setback of 40 feet measured from the centerline of the abutting street;
- b. A minimum front yard setback of 20 feet measured from the front lot line; and
- c. A minimum rear yard setback of 15 feet measured from the rear lot line.

(Amended by Ord. No. 9620 (N.S.) adopted 12-10-03)

4823 FRONT YARD REQUIREMENTS FOR CORNER LOTS HAVING RELINQUISHED ACCESS RIGHTS.

For corner lots where all access rights except for a private easement road have been relinquished to an abutting street, the required front yard setback shall be measured from the street which provides access. That portion of the lot abutting the street where access rights have been relinquished shall observe the required exterior side yard setback. For a lot with streets on three sides, that portion of the lot which is opposite and most distant from the street which provides access, shall observe the required rear yard setback if access rights have been relinquished to that abutting street.

(Added by Ord. No. 7306 (N.S.) adopted 5-20-87)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

4825 YARD REQUIREMENTS INCREASED ON LOTS ABUTTING HALF STREETS.

A building or other structure shall not be erected or maintained on a lot or building site which abuts a street or alley having only a portion of its required width dedicated and where no part of such dedication would normally revert to said lot or building site if the street or alley were vacated, unless the yards provided and maintained in connection with such building or structure have a width or depth of that portion of the lot or parcel of land needed to complete the street or alley width, plus the width or depth of the yards required on the lot or parcel of land by an applicable setback designator. This section applies whether this ordinance requires yards or not. The Planning Commission, upon request, shall determine the required street or alley width.

4827

4827 FRONT YARD REQUIREMENTS ON CUL-DE-SACS.

Except where the column of the Setback Schedule headed "Front Yard-Abutting Private Thoroughfare" applies, the front yard setback of any lot or building site at the end of any cul-de-sac shall be measured as follows:

- a. Cul-de-Sac To Be Extended. Where provision has been made for the future extension of said cul-de-sac, then, for the purpose of determining the front yard setback, the centerline of said cul-de-sac shall be deemed to extend through the property reserved for such extension.
- b. Cul-de-Sac Not To Be Extended and Turnaround Space Provided. Where no provision has been made for the future extension of said cul-de-sac, and the terminal portion of said cul-de-sac has been enlarged in such a way that the diameter thereof is greater than the width of the portion of the street adjoining such terminal portion, then, for the purpose of determining the front yard setback, the centerline of such terminal portion shall be deemed to be one of the following depending on the diameter of such terminal portion:
 1. For any cul-de-sac with a terminal portion 80 feet or less in diameter, the point 1/2 of the width of said terminal portion distant from the intersection of said centerline of said cul-de-sac with the end of said cul-de-sac.
 2. For any cul-de-sac with a terminal portion greater than 80 feet in diameter, the line equidistant from and 40 feet within the exterior right-of-way line of such enlarged terminal portion.
- c. Cul-de-Sac Not To Be Extended and Turnaround Space Not Provided. Where no provision has been made for the future extension of said cul-de-sac, and the terminal portion of said cul-de-sac has not been enlarged in the manner described in subsection "b" hereof, then, for the purpose of determining the front yard setback, the centerline of such terminal portion shall be deemed a point on the centerline of such cul-de-sac which point is 1/2 of the width of the cul-de-sac distant from the intersection of said centerline of said cul-de-sac with the end of said cul-de-sac.

4829 YARDS ADJACENT TO SERVICE ROADS.

For any lot or building site abutting a service road or street or outer highway contiguous to a main street or thoroughfare, front yard and exterior side yard setbacks shall be measured from the centerline of the service road or street or highway and not from the centerline of the main street or thoroughfare.

4830 YARDS ADJACENT TO INTERNATIONAL BORDER WITHIN MOUNTAIN
EMPIRE SUBREGIONAL PLAN AREA

For any lot or building site located within the boundaries of the Mountain Empire Subregional Plan Area in the vicinity of the International Border, the applicable yard requirements shall be adjusted to provide 90 feet of open space northerly of the Public Reserve Boundary. This 90 feet of open space paralleling the International Border is intended to function along with the 60-foot wide Public Reserve Area as a view corridor and emergency access corridor to facilitate law enforcement and fire protection. The provisions of this section may be waived or modified through the Administrative Permit Procedure commencing at Section 7050 in cases where a hardship will be considered to exist if the remaining property (excluding the 90-foot wide Border setback) meets any of the following criteria:

1. Is less than 4,500 square feet in area;
2. is less than 45 feet deep;
3. has an average slope over 25%;
4. has unique characteristics which would render it unusable, such as rock outcroppings, drainage swales, or conflicting easements of record.

Such waivers of the Border setback as provided for herein shall not include waiver of setbacks otherwise required by zoning.

All requests for waiver or modification of the 90 foot Border setback will be referred to the local office of the Immigration and Naturalization Service (INS) subject to Section 7060(e).

(Added by Ord. No. 7246 (N.S.) adopted 12-10-86)

4832 FORMULA FOR MODIFYING YARD REQUIREMENT.

The Planning Commission may, by resolution, adopt a formula or establish standard practices by which to determine an appropriate and practical modification of required front, side and rear yard setbacks in all zones where geometric shape and dimensions and topography are such as to make the literal application of such required yard setbacks impractical. After the adoption of such formula or standard practices and the approval thereof by the Board of Supervisors, they shall be applied as an administrative act.

4835

4835 EXCEPTIONS TO REQUIRED OPENNESS OF REQUIRED YARDS.

Every part of each required yard shall be open and unobstructed from finished grade to the sky except for buildings, structures and projections allowed in such yard by the following table. Any building, structure or projection not specifically allowed in a required yard by the following table is prohibited. These restrictions shall not apply to buildings, structures or projections located in yards or portions thereof which are not required by an applicable setback designator or by other provisions of these Setback Regulations. (Provisions of the County Building Code, County Fire Code, local Fire Protection District Fire Code or other applicable regulations may be more restrictive. Detached accessory buildings shall observe the most restrictive setbacks, including those prescribed by Section 4842.)

(Amended by Ord. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)

(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

PERMITTED BUILDINGS, STRUCTURES AND PROJECTIONS IN REQUIRED YARDS
(Part of Section 4835)

Building, Structure or Projection	Front Yard	Interior Side Yard	Exterior Side Yard	Rear Yard of Interior Lot	Rear Yard of Corner Lot
a. Detached accessory storage buildings, work and hobby shops except: outdoor swimming pools, private garages, carports, stands, living units and other habitable space; must meet setback per Section 4842. The combined area of all structures projecting (partially or wholly) into the setback shall not exceed 1,000 sq. ft.	Not permitted.	Permitted in agricultural, residential, and S92 use regulations.	Not permitted.	Permitted in agricultural, residential and S92 use regulations but may not cover more than 50 percent of the required yard in combination with all detached accessory structures.	Permitted in agricultural, residential, and S92 use regulations, but may not cover more than 50 percent of required yard-in combination with all detached accessory structures.
b. Outdoor swimming pools; if indoor or the only structure on a lot or building site, it must meet main building_setbacks.	Not permitted.	Permitted in agricultural, residential, and S92 use.	Not permitted.	Permitted in agricultural, residential, and S92 use regulations but may not cover more than 50 percent of the required yard in combination with all detached accessory structures.	Permitted in agricultural, residential, and S92 use regulations, but may not cover more than 50 percent of the required yard in combination with all detached accessory structures.
c. Private detached garages and carports; must meet setback per Section 4842. The combined area of all structures projecting (partially or wholly) into the setback shall not exceed 1,000 sq. ft.	Permitted in agricultural and residential zones only if in conformance with regulations at Section 4837.	Permitted in agricultural, residential, and S92 use regulations.	Not permitted.	Permitted in agricultural, residential, and S92 use regulations, if detached, but may not cover more than 50 percent of the required yard in combination with all detached accessory structures.	Permitted in agricultural, residential, and S92 use regulations, if detached, but may not cover more than 50 percent of the required yard in combination with all detached accessory structures.
d. Living units including guest living quarters, enclosed pool houses, art or music studios and recreation rooms.	-----Not permitted-----	-----Not permitted-----	-----Not permitted-----	-----Not permitted-----	-----Not permitted-----

PERMITTED BUILDINGS, STRUCTURES AND PROJECTIONS IN REQUIRED YARDS

(Part of Section 4835)

Building, Structure or Projection	Front Yard	Interior Side Yard	Exterior Side Yard	Rear Yard of Interior Lot	Rear Yard of Corner Lot
e. Stands	Permitted where stands are allowed by Section 6156.	-----Not permitted-----	-----Not permitted-----	-----Not permitted-----	-----Not permitted-----
f. A Photovoltaic Solar Energy System	Permitted in all zones but not more than 30 inches above grade.	Permitted in all zones but may not exceed 12 feet in height.	Permitted in all zones but not more than 30 inches above grade.	Permitted in all zones but may not exceed 12 feet in height nor cover more than 50 percent of the required yard in combination with all detached accessory structures.	Permitted in all zones but may not exceed 12 feet in height nor cover more than 50 percent of the required yard in combination with all detached accessory structures.
g. Fences	Permitted in all zones if in conformance with Fencing and Landscaping Regulations commencing at Section 6700.				
h. Outdoor area lighting on poles.	Permitted in commercial and manufacturing/industrial zones only if in conformance with regulations at Section 6324.				
i. Roofed, open sided patios which are attached and part of main building or roofed, open sided patios which are detached, less than 12 feet in height and less than 1,000 square feet in area.	Tennis court lighting permitted pursuant to regulations in Sections 6324 and 6708.	-----Not permitted-----	-----Not permitted-----	Permitted in all zones but may not cover more than 50 percent of the required yard in combination with all detached accessory structures and must be set back from the rear lot line a distance equal to the required interior side yard.	Permitted in all zones but may not cover more than 50 percent of the required yard in combination with all detached accessory structures and must be set back from the rear lot line a distance equal to the required interior side yard.

PERMITTED BUILDINGS, STRUCTURES AND PROJECTIONS IN REQUIRED YARDS
(Part of Section 4835)

Building, Structure or Projection	Front Yard	Interior Side Yard	Exterior Side Yard	Rear Yard of Interior Lot	Rear Yard of Corner Lot
j. Sidewalk arcades and similar architectural features of buildings containing principal commercial use types.	Permitted by Minor Use Permit.	-----Not permitted.	-----Not permitted.	-----Not permitted.	-----Not permitted.
k. Uncovered, unenclosed balconies, extending above the level of first floor with exterior access of building.	-----	-----	----- Not permitted.	-----	-----
l. Uncovered, unenclosed porches, platforms or landing places not extending above level of first floor with exterior access of building and not more than 30 inches above grade.	-----	----- Permitted in all zones.	-----	-----	----- Permitted in all zones but may not cover more than 50 percent of the required yard in combination with all detached accessory structures and must be set back from the rear lot line a distance equal to the required interior side yard.
m. Cornices, eaves, belt courses, water tables, sills, buttresses, capital, bases, fireplaces and garden windows.	-----	-----	-----	----- Permitted in all zones but may not extend more than 2 feet into yard.	-----
n. Open unenclosed stairways, and fire escapes, not covered by a roof or canopy and open beneath.	Not permitted.	-----	-----	----- Permitted in all zones but may not extend or project more than 3 feet into the required yard.	-----
o. Bay and architectural windows provided floor area is not increased, not exceeding 24 square feet each in wall opening area, and with a sill height not less than 18 inches above finished floor.	Permitted in all zones but may not extend more than 2 feet into required yard.	-----	----- Permitted if the required side yard is not less than 10 feet and may not extend more than 2 feet into required yard.	-----	----- Permitted in all zones but may not extend more than 2 feet into required yard.

PERMITTED BUILDINGS, STRUCTURES AND PROJECTIONS IN REQUIRED YARDS
(Part of Section 4835)

Building, Structure or Projection	Front Yard	Interior Side Yard	Exterior Side Yard	Rear Yard of Interior Lot	Rear Yard of Corner Lot
p. Uncovered, unenclosed pedestrian access deck, bridge, ramp or walkway to the level of the floor closest to the street level.	-----	-----	Permitted on single-family lots on downhill side of street but may not project more than 3 feet into any required yard. Must be open beneath.	-----	-----
q. Guard railings for safety protection around depressed ramps, open-work fences, hedges, or landscape architectural features.	-----	-----	Permitted in all zones but may not be more than 42 inches in height.	-----	-----
r. Animal containments including pens, coops, aviaries, hutch, stables barns and corrals.	-----	-----	-----	-----	-----
s. Trees, shrubs, and flowers.	-----	-----	-----	-----	-----
t. Electric Vehicle Charging Station pedestals not more than 54 inches above grade	Permitted in commercial and industrial use regulations but must be a minimum of 3 feet from property line.	-----	Permitted in all Zones	-----	-----
(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79 (Amended by Ord. No. 5933 (N.S.) adopted 11-19-80) (Amended by Ord. No. 6654 (N.S.) adopted 9-21-83) (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84) (Amended by Ord. No. 6855 (N.S.) adopted 10-10-84) (Amended by Ord. No. 6924 (N.S.) adopted 2-20-85) (Amended by Ord. No. 7110 (N.S.) adopted 4-2-86) (Amended by Ord. No. 7220 (N.S.) adopted 10-22-86) (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)	(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79 (Amended by Ord. No. 8166 (N.S.) adopted 10-21-92) (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95) (Amended by Ord. No. 8897 (N.S.) adopted 3-18-98) (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04) (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08) (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09) (Amended by Ord. No. 10072 (N.S.) adopted 9-15-10) (Amended by Ord. No. 10162 (N.S.) adopted 8-3-11) (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)				

4837 PRIVATE GARAGE PERMITTED IN REQUIRED FRONT YARD SUBJECT TO REGULATIONS.

Notwithstanding the requirements of Section 4835 referring to the permitted intrusion of private garages into required front yards, because of slope, a private garage accessory to a dwelling, may intrude into the front yard if it meets the following conditions, is not built closer than ten feet from any rear or side lot line; and the proposed garage location is the only practical one for the garage:

If the half of a lot that abuts a street from which garage access is taken has a slope of greater than one foot rise or fall over a seven foot distance or the slope is such that this half of the lot is more than four feet above or below the established street elevation, the garage may be built to within ten feet of the front lot line.

The garage may be built to the front lot line if the slope of the lot meets the same requirements mentioned above and the Director finds that it would not be a hazard to pedestrian or vehicular traffic.

This Section 4837 is not intended to allow a garage to be located within the front yard setback if it replaces a pre-existing garage that has been converted, or is proposed to be converted, to another use nor to allow a second garage on property where there is an existing garage.

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)
 (Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)
 (Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)
 (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

4838 WATER TANK FOR FIRE PROTECTION PERMITTED IN REQUIRED YARDS SUBJECT TO REGULATIONS.

Notwithstanding the requirements of Section 4835 referring to permitted location of accessory structures within required yards, a water storage tank for fire protection may encroach into required yards if it meets all the following criteria:

1. Is required by the County Fire Marshal or Fire District serving the property;
2. Is not built closer than 10 feet from any street line and 3 feet from any other property line;
3. Does not exceed 15 feet in height and 12 feet in diameter; and
4. Is the only practical location which would assure gravity flow to the serving fire hydrant(s) or standpipe(s).

These water tanks may encroach closer to street lines and/or property lines than specified above, provided the Director finds that the encroachment would not be detrimental to adjacent properties and/or vehicular or pedestrian traffic.

(Added by Ord. No. 8166 (N.S.) adopted 10-21-92)
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)

4840

4840 REQUIRED DISTANCE BETWEEN DETACHED MAIN BUILDINGS.

No main building 2 stories or less in height shall be closer than 10 feet to any other main building to which it is not attached on the same lot or building site, and no main building exceeding 2 stories in height shall be closer than 15 feet to any other main building to which it is not attached on the same lot or building site.

4841 REQUIRED DISTANCE BETWEEN DETACHED ACCESSORY BUILDINGS AND MAIN BUILDINGS.

No detached accessory building walls shall be closer than 6 feet to any main building walls or other accessory building walls on the same lot or building site and no detached accessory building eaves shall be closer than 4 feet to any main building eaves or other accessory building eaves on the same lot or building site. When the distance between either the walls or the eaves of a detached accessory building and a main building or living unit are less than specified in this section, the buildings are deemed attached for the purpose of determining setbacks and both must meet the setbacks prescribed for a main building.

Exceptions to this section are:

1. More restrictive separation may be required by the Animal Enclosure Setbacks in Section 3112.
2. There is no prescribed separation between chicken coops.
3. Swimming pools which do not extend more than 3 feet above the ground adjacent thereto.

(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
(Amended by Ord. No. 7306 (N.S.) adopted 5-20-87)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

4842 SETBACKS FOR DETACHED ACCESSORY BUILDINGS AND STRUCTURES.

- a. No detached accessory building shall be located with walls closer than 3 feet or eaves closer than 2 feet from interior side or rear property lines.
- b. No detached accessory building authorized by Section 6156.g exceeding 1,000 square feet in area shall be located within a required setback pursuant to Section 4810.
- c. The combined area of all detached accessory buildings authorized by Section 6156.g, having any portion within the required setback pursuant to Section 4810, shall not exceed 1,000 square feet.

(Added by Ord. No. 6761 (N.S.) adopted 4-25-84)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

PLANNED DEVELOPMENT AREA REGULATIONS

5800 TITLE AND PURPOSE.

The provisions of Section 5800 through Section 5849, inclusive, shall be known as the Planned Development Area Regulations. The purpose of these provisions is to insure the following: 1) the preservation of land areas within the unincorporated territory of San Diego County which possess unique characteristics and features of a geographical, geological, topographical, environmental, agricultural, scenic or historical nature; and/or 2) to permit a more creative and imaginative design for development of any area than is generally possible under conventional zoning regulations which will result in more economical and efficient use of land while providing a higher level of amenities associated with development in Village areas and greater preservation of open space in Rural areas.

(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

5802 APPLICATION OF PLANNED DEVELOPMENT SPECIAL AREA REGULATIONS.

These regulations shall be applied where appropriate to achieve the purpose set forth in Section 5800 and in accordance with the Planned Development Standards in Section 6600.

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

5804 LIMITATION ON USE AND CONSTRUCTION.

No use or construction otherwise permitted is allowed on land subject to the Planned Development Area Regulations except as follows:

- a. Development of a planned development in accordance with the Planned Development Standards in Section 6600 is allowed pursuant to a Major Use Permit.
- b. Civic Use Types are permitted provided that a Major Use Permit is granted for any Civic Use Type (other than Essential Services) for which a use permit is not otherwise required.
- c. The Director may waive the application of this Section to a parcel of not more than 5 acres in area upon a finding that such waiver is consistent with the General Plan and the purposes of these regulations.
- d. The Director may waive the application of this section for a parcel of 5 acres or more for the development of one single-family dwelling upon a finding that such waiver is consistent with the General Plan and the purposes of these regulations.
- e. The decision of the Director pursuant to subsections c and d above may be appealed pursuant to Section 7200 et seq.

For purposes of applying this section, the term "use" shall not include divisions of land into parcels each of which has a gross area of 40 acres or larger.

5804

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
(Amended by Ord. No. 5787 (N.S.) adopted 6-4-80)
(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 7191 (N.S.) adopted 9-10-86)
(Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)
(Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

5806 INTERIM USES AND STRUCTURES.

The following are permitted on land subject to the Planned Development Area Regulations prior to development pursuant to Section 5804:

- a. Agricultural and Extractive use types otherwise permitted by the Use Regulations.
- b. A Major Use Permit may be granted to authorize, for a specified period of time, any use not involving a significant investment in buildings, structures, or other improvements. Alternatively, a Major Use Permit may be granted for any use pursuant to a bonded agreement in an amount sufficient to ensure the removal of all buildings, structures, and other improvements within a specified time and/or under specified conditions when the decision-making body finds that such agreement will carry out the intent of this Ordinance and is enforceable by the County.
- c. A Major or Minor Use Permit or Administrative Permit may be continued, modified, reinstated, or renewed for any use which, prior to the application of the Planned Development Area Regulations to the subject property, was permitted pursuant to a duly authorized use or Administrative Permit.
- d. An Administrative Permit may be granted by the Director to authorize alteration or expansion of existing structures, or erection of accessory structures, other than those authorized in 5806(e), if such construction does not hinder the eventual development of the property as a planned development.
- e. Alteration or expansion of existing one or two family dwellings, or their accessory structures, or addition of accessory structures.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
(Amended by Ord. No. 8506 (N.S.) adopted 3-1-95)
(Amended by Ord. No. 8599 (N.S.) adopted 10-11-95)

TEMPORARY USE REGULATIONS

6100 TITLE AND PURPOSE.

The provisions of Section 6100 through 6149, inclusive, shall be known as the Temporary Use Regulations. The purpose of these regulations is to establish permitted temporary uses and standards and conditions for regulating same.

6102 IDENTIFICATION OF PERMITTED TEMPORARY USES.

The following temporary uses shall be permitted as specified by these regulations:

- a. Circus, Carnival, or Other Outdoor Entertainment Event. The temporary gathering of people for a circus, carnival, or other outdoor entertainment event.
- b. Antique or Art Show on Public Property. The temporary use of public property for antique or art shows.
- c. Civic, Fraternal or Religious Assembly. The temporary gathering by an organization listed in Section 1348 on public or private property that is not the regular gathering place for that organization.
- d. Construction Support. Temporary building and structures supporting residential development and major construction.
- e. Reversible Uses of Future Highway Rights-of-Way. Temporary uses on land required for a future County or State Highway.
- f. Uses in New Subdivisions. Temporary uses in new subdivisions and other residential developments which support the sale of dwellings and lots within the same subdivision or residential development.
- g. Use of Trailer Coach. Temporary use of a trailer coach for certain purposes.
- h. Use of Public School Sites. Temporary use of a public school site for certain specified purposes.
- i. Certified Farmers' Market. Temporary use of certain public or commercial property for a Certified Farmers' Market.
- j. Meteorological Testing (MET) Facility. Temporary use of a Meteorological Testing (MET) Facility permitted in accordance with Section 6123.
- k. Temporary Outdoor Sales. Temporary outdoor sales, incidental to the existing commercial uses on a site, in certain commercial or industrial zones.
- l. Commercial Filming. Temporary use of public or private property (not including public road rights-of-way) for commercial motion picture production, television production, still photography and related activities.

6102

(Amended by Ord. No. 7693 (N.S.) adopted 11-29-89)
(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)
(Amended by Ord. No. 9971 (N.S.) adopted 02-25-09)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6104 TEMPORARY USES SUBJECT TO CONTROLS.

Temporary uses shall be subject to all regulations as would be applied to a permanent principal or accessory use located in the same zone, except as otherwise provided by these regulations.

6106 CIRCUS, CARNIVAL, OR OTHER OUTDOOR ENTERTAINMENT EVENT.

The temporary gathering of people for a circus, carnival, or other outdoor entertainment event may be permitted by the Sheriff pursuant to Title 2, Division 1, Chapter 8 and Chapter 24 of the County Code through the issuance of a license pursuant to the Uniform Licensing Procedure of the County Code and in compliance with the following provisions:

- a. Location. A circus, carnival or other outdoor entertainment event may be permitted in any zone except zones subject to the RS, RD, RM, and RV Use Regulations. Notwithstanding this subsection, a circus, carnival or other public outdoor assembly event may be permitted in any zone, including the RS, RD, RM and RV Use Regulations on properties with a valid Major Use Permit subject to the requirements of this section.
- b. Duration. The period of operation of the circus, carnival or other outdoor entertainment event shall not exceed five consecutive days, no more than six events per year on the same property. There shall be a minimum of 14 consecutive days between events. Events exceeding these limitations shall be considered Participant Sport and Recreation Use type.
- c. Noticed Hearing Not Required. The Sheriff may issue a license pursuant to this section without notice or public hearing.
- d. Community Events pursuant to Title 2, Division 1, Chapter 2 of the County Code shall be under the authority of the Department of Environmental Health. Community Events may be permitted in any zone except zones subject to the RS, RD, RM, and RV Use Regulations and are permitted on properties with a valid Major Use Permit subject to the Department of Environmental Health requirements. However, a temporary event or any aspect of an event that is specifically prohibited by the Use Permit conditions shall not be allowed by this Section.

(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6107 ANTIQUE OR ART SHOW ON PUBLIC PROPERTY.

The temporary gathering of people for an antique or art show and sales event may be permitted in compliance with the following provisions:

6120 GOVERNMENT SERVICE USES.

The temporary use of buildings on private land to provide government service uses classified as Major Impact Services and Utilities may be permitted through the issuance of an Administrative Permit in compliance with the following provisions:

- a. Occupancy. The temporary occupancy of buildings for government service uses shall be by the United States, the State or other governmental agency which is otherwise exempt from regulation by The Zoning Ordinance when utilizing their own property.
- b. Location. Government service uses may be permitted in zones subject to the C36, C37, C38 or C40 Commercial Use Regulations.
- c. Duration. The period of operation of government service uses shall not exceed five years.
- d. Noticed Hearing and Findings Required. No Administrative Permit for temporary government service uses may be issued unless notice has been given in accordance with the provisions of Section 7605b. and the findings made as set forth in Section 7358.

(Added by Ord. No. 7109 (N.S.) adopted 4-02-86)

6121 TEMPORARY USE OF PUBLIC SCHOOL SITES FOR COMMUNITY RECREATION, PARK AND PLAYGROUND PURPOSES.

Property owned by a public school district and designated by the district as a school site may, prior to construction of actual school facilities, be used on a temporary basis for park and playground purposes provided the following conditions are met:

- a. Types of Uses. Uses shall be limited to athletic and recreational activities, particularly for children, whether or not such activities are organized.
- b. Term of Allowed Temporary Use. The temporary use of a public school site shall not exceed four years unless a major use permit has been approved for such use. The four year period shall run continuously from the first commencement of use under this section.
- c. Hours of Operation. Activities, including setup and preparation, shall not begin prior to 8:00 a.m. nor shall they continue later than 8:00 p.m. Monday through Saturday, and 9:00 a.m. till 6:00 p.m. on Sunday.
- d. Parking. Adequate off-street parking and/or alternative means of transportation shall be provided, such that allowed activities do not result in a need for on-street parking.
- e. Operation and Maintenance. The school district owning or controlling the site in question shall be responsible for operating and maintaining the site and its facilities so that there are no adverse impacts on the public health, safety or neighborhood character. The District shall keep the site clean and well maintained at all times.
- f. Permanent Structures. No building permits shall be issued for permanent structures for the accommodation of any temporary uses, except for fences or restroom facilities that comply with the other requirements of this ordinance.

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- g. All activities at the site shall comply with the County Code of Regulatory Ordinances regarding Noise Control. No amplified sound shall be allowed.
- h. District Rules. The public school district shall adopt policies, rules and regulations concerning use of this section, prior to permitting any use pursuant to this section.

(Added by Ord. No. 7693 (N.S.) adopted 11-29-89)

6122 CERTIFIED FARMERS' MARKET

A Certified Farmers' Market is allowed on a legal lot provided the following conditions are met:

- a. Location. A Certified Farmers' Market shall be located on public property, property owned by a school district which is developed with a school use, within the C31, C32, C34, C35, C36, C37, C40 or C42 use regulations, or within the S88 use regulations and designated commercial in the Specific Plan. A Certified Farmers' Market shall not be located within a private road easement or on vacant or unimproved land. A Certified Farmers' Market shall not be located within a private road easement or on vacant or unimproved land.
- b. Duration. A Certified Farmers' Market shall not operate on more than two days per week.
- c. Hours of Operation. No activities, including setup, preparation, sales and close up, shall begin before 6:30 a.m. or continue after than 10:00 p.m. on Monday through Saturday. On Sunday the applicable hours shall be 7:30 a.m. and 6:00 p.m. respectively.
- d. The sales area shall not disrupt the flow of traffic onto and off of the site.
- e. The market shall have a current Certified Farmers' Market Certificate issued by the County Agricultural Commissioner and shall comply with all applicable laws, including the applicable provisions of the Food and Agricultural Code, the applicable regulations of the California Department of Food and Agriculture and the applicable ordinances of the County.

(Added by Ord. No. 9958 (N.S.) adopted 12-10-08)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6123 METEOROLOGICAL TESTING FACILITY

A Meteorological Testing (MET) Facility is permitted as a temporary use if the following requirements are met:

- a. An Administrative Permit must be obtained in accordance with the Administrative Permit Procedure commencing at Section 7050 except as specified in subsection 6123.I below. The following findings must be made prior to approval of an Administrative Permit:
 - 1. The location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 - i. Harmony in scale, bulk, coverage and density;
 - ii. The availability of public facilities, services and utilities;

- iii. The harmful effect, if any, upon desirable neighborhood character;
 - iv. The generation of traffic and the capacity and physical character of surrounding streets;
 - v. The suitability of the site for the type and intensity of use or development which is proposed; and to
 - vi. Any other relevant impact of the proposed use;
2. The impacts, as described in paragraph "a.1" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan; and
 3. The requirements of the California Environmental Quality Act have been complied with.
- b. Location. A MET Facility is prohibited on property subject to the S81 Use Regulations.
 - c. Notification. Notice shall be provided pursuant to Section 7060c.
 - d. Setback. The MET Facility shall be set back from all property lines and roads by a minimum of the distance equal to the height of structure (tower, equipment, etc.) or the applicable setback requirements of the zone, whichever is greater. The setback requirements of the zone shall apply to all components of the MET Facility including, but not limited to, a tower, guy wires, guy wire anchors and any other related equipment.
 - e. Minimum Spacing. The MET Facility shall be located at least 500 feet from any other MET Facility.
 - f. Area of Disturbance. The MET Facility shall not disturb an area more than is necessary for the base of a tower, the guy wire anchors, other authorized equipment for the Facility and/or an access road. The equipment may include sonar equipment. The entire area of disturbance shall be clearly shown on the plans.
 - g. Size. The MET Facility may include one temporary structure other than a tower or a sonar equipment trailer. The temporary structure is limited to 120 square feet in size including fencing and noise attenuation walls and may be used to store equipment for the MET Facility.
 - h. Illumination. No exterior lights are allowed on a MET Facility except as required by the Director, the Federal Aviation Administration or other government agency.
 - i. Height. The MET Facility shall be less than 200 feet in height.
 - j. Duration. The MET Facility shall not operate for more than three years from the date of approval of the Administrative Permit unless the Director grants an extension. The Director may grant an extension of time upon the applicant submitting written justification for the continued use of the facility and filing for a modification of the

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Administrative Permit pursuant to Section 7072. A MET Facility approved by a Use Permit may operate for the time period specified in the Use Permit. The MET Facility shall be removed within 30 days of the expiration of the three-year period specified in the Administrative Permit or the time period specified in the Use Permit.

- k. Security. The operator shall provide security in the form and amount determined by the Director to ensure removal of the MET Facility. The security shall be provided to PDS prior to building permit issuance. Once the MET Facility has been removed from the property pursuant to a demolition permit to the satisfaction of the Director, the security may be released to the operator of the MET Facility.
- l. A MET Facility that complies with the height designator in the height schedule of the zone in which the facility is located, is allowed with a Zoning Verification Permit if the facility meets the requirements of subsections b, d, e, f, g, h, and k of this section. The MET Facility shall be removed within three years of the Zoning Verification Permit approval date.
- m. A MET Facility shall comply with all applicable fire code requirements. If a provision of section 6123 is inconsistent with an applicable fire code requirement, the fire code requirement shall take precedence.

(Added by Ord. No. 9971 (N.S.) adopted 02-25-09)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
(Amended by Ord. No. 10261 (N.S.) adopted 5-15-13)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6124 TEMPORARY OUTDOOR SALES.

Temporary outdoor sales, incidental to the existing commercial uses on the site, may be allowed in compliance with all of the following provisions:

- a. Seasonal sales of pumpkins or Christmas trees. The establishment of a temporary sales lot for the seasonal sale of pumpkins or Christmas trees associated with a recognized holiday is allowed subject to all of the following:
 - 1. Location. The sales lot area shall be located on a paved site with an existing commercial or industrial development within the C34, C35, C36, C37, C40, C42, M52, M54, M58 Use Regulations, or in designated commercial developments in planned developments or specific plans, unless otherwise prohibited. Sales lots are not allowed on vacant properties.
 - 2. Duration. The period of operation shall be between October 1 and October 31 for the sale of pumpkins and between Thanksgiving and December 26 for Christmas trees. The facility shall be removed and the premises cleared of all debris and restored to the condition prior to the establishment of the sales event within 10 days after the required end of the sale.
 - 3. Size. The sales lot area shall not exceed 10 percent of the parking area or 10,000 square feet, whichever is less and shall be located most distant from the existing commercial buildings on the property when feasible, to maintain customer parking closest to the buildings. No handicap accessible parking spaces shall be obstructed.

4. Fencing. Temporary fencing up to six feet in height around the sales lot area is allowed, providing the fencing location complies with the Section 6708.
5. Temporary Power. A permit for temporary power shall be obtained, as required by the Building Division, for sales lots requiring electrical service.
6. Lighting. All outdoor lighting, including temporary lighting, shall be in compliance with Section 6300 and with the Outdoor Lighting Regulations of the County Code.
7. Site Plan Modification, Minor Deviation or Site Plan Permit Exemption Not Required. For properties that are subject to Sections 5200, 5750, 5800 or 5900, a Site Plan Modification, Minor Deviation or a Site Plan permit exemption will not be required for temporary outdoor sales that comply with all provisions of this subsection.
8. Additional Limitations.
 - a) The seller shall obtain any required licenses or permits from the Sheriff pursuant to the Uniform Licensing Procedure of the County Code.
 - b) The sales lot area shall comply with the fire prevention standards as approved and enforced by the local Fire Protection District.
 - c) Temporary sanitation facilities shall be provided.
 - d) The temporary sales lot area shall not be used for the sale of any merchandise not directly associated with pumpkins or with Christmas trees and holiday decorations.
 - e) The sale of food and beverages is prohibited.

This subsection shall not authorize activities otherwise regulated pursuant to Section 6106.

- b. Vehicles, Trailers or Boats. The establishment of a temporary sales lot for the sale of motorized vehicles (including new or used automobiles and recreational vehicles), trailers or boats is allowed, subject to all of the following:
 1. Location. The sales lot may be located on any paved site with an existing commercial or industrial development within the C34, C35, C36, C37, C40, M54, M56 and M58 Use Regulations, or in designated commercial developments in planned developments or specific plans where Automotive and Equipment: Sales and Rentals, Light Equipment are a permitted use. Sales lots are not allowed on vacant properties.
 2. Duration. The period of operation of the temporary outdoor sales shall not exceed three consecutive days every 3 months, not to exceed 12 days in a calendar year. Facilities for the temporary sale may be set up one day prior to, and taken down one day following, the three day sales period.

3. Size. The sales lot area shall occupy only the parking spaces that are in excess of the minimum number required for the existing uses on the property and shall be located most distant from the existing commercial buildings on the property, when feasible. No handicap accessible parking spaces shall be obstructed.
4. Temporary Power. A permit for temporary power shall be obtained, as required by the Building Division, for sales lots requiring electrical service.
5. Temporary Lighting. All outdoor lighting, including temporary lighting, shall be in compliance with Section 6300 and with the Outdoor Lighting Regulations of the County Code.
6. Site Plan Modification or Minor Deviation Required. For properties that are subject to the provisions of Section 7150, a Modification or Minor Deviation to an existing Site Plan will be required for temporary outdoor sales pursuant to this subsection, unless a Site Plan permit exemption is granted pursuant to Section 7156.
7. Additional Limitations.
 - a) The temporary outdoor sales event shall conform to all applicable provisions of state law, including all requirements of the Department of Motor Vehicles.
 - b) The sales lot area shall comply with the fire prevention standards as approved and enforced by the local Fire Protection District.
 - c) Temporary sanitation facilities shall be provided.
 - d) Sales of vehicle parts or accessories, food and beverages, or any other items are prohibited.

(Added by Ord. No. 10035 (N.S.) adopted 1-27-10)
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

6125 COMMERCIAL FILMING

Temporary commercial motion picture production, television production (including commercials), still photography and related activities on public or private property (excluding public road rights-of-way), for occasional commercial filming on location, subject to the following:

- a. All commercial filming activities shall be conducted under the auspices of the Chief Administrative Office. A Certificate of Insurance indemnifying the County of San Diego as an additional insured, shall be provided.

- b. Prohibited activities:
- i. Any filming activity that creates a substantial risk of injury to persons, damage to property or a significant degradation of the environment or that is contrary to the public health, safety or welfare, including but not limited to, disruption of emergency access to surrounding properties.
 - ii. Any filming activities that violate any applicable County codes including, but not limited to, the Grading Ordinance, Noise Ordinance or Resource Protection Ordinance.
- c. Limitations. On properties where commercial filming activities are the principal use of the property or structures, the use shall not be considered temporary and shall be subject to all applicable provisions of the Zoning Code.
- d. Exempted activities. The filming, videotaping or production of current news which includes reporters, photographers or cameramen employed by a newspaper, news service, broadcasting station or similar entity engaged in on-the-spot broadcasting of news events, or the filming or videotaping of motion pictures solely for private family use, shall be exempt from these provisions.

(Added by Ord. No. 10095 (N.S.) adopted 12-8-10)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

ACCESSORY USE REGULATIONS**6150 TITLE AND PURPOSE.**

The provisions of Section 6150 through 6199, inclusive, shall be known as the Accessory Use Regulations. The purpose of these provisions is to establish the relationship among the principal and accessory uses and the criteria for regulating accessory uses.

6152 ACCESSORY USES ENCOMPASSED BY PRINCIPAL USE.

In addition to the principal uses expressly included in the Use Regulations, each zone subject to such Use Regulations shall be deemed to include such accessory uses which are specifically identified by these Accessory Use Regulations; and such other accessory uses which are necessarily and customarily associated with, and are appropriate, incidental and subordinate to, such principal uses. When provided by these regulations, it shall be the responsibility of the Director to determine if a proposed accessory use is necessarily and customarily associated with, and is appropriate, incidental, and subordinate to the principal use, based on the Director's evaluation of the resemblance of the proposed accessory use to those uses specifically identified as accessory to the principal uses and the relationship between the proposed accessory use and the principal use. Such determinations which are made by the Director shall be subject to the Administrative Appeal Procedure commencing at Section 7200. It shall be unlawful to establish or maintain any accessory use and/or accessory structure on any lot where there is no lawfully established principal use on the same lot.

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

6154 ACCESSORY USES SUBJECT TO CONTROLS.

Accessory uses shall be controlled in the same manner as the principal uses within each zone, except as otherwise provided by these regulations.

6156 RESIDENTIAL AND AGRICULTURAL USE TYPES.

Subject to the restrictions and limitations specified, the following accessory buildings and uses shall be permitted in zones where Residential and Agricultural Use Types are permitted:

- a. Attached Private Garages and Carports, Storage Buildings, Workshops, Hobby Shops, and other similar non-habitable uses.
 1. The total area allowed on a lot shall be limited to 25% of the living area of principal residence, or as follows, whichever is greater:

Lot Size (gross)	Att. Accessory Structure area
< 1 ac	1,000 sf
1 ac - <2 ac	1,500 sf
2 ac - <4 ac	2,000 sf
4 ac or larger	3,000 sf

2. If the portion of the structure in which the attached garage or carport is located is more than one story in height, that portion not used for the shelter or storage of vehicles shall be designed and used as an integral part of the principal residence or approved habitable use such as guest living quarters.
 3. Additional area may be permitted by issuance of an Administrative Permit with notice provided pursuant to Section 7060c. and findings pursuant to Section 7358, subsections a. 1, 3, 5, and 6.
 4. For properties on which more than one detached residence is allowed per legal lot pursuant to Section 4310 (not including a Second Dwelling Unit pursuant to subsection x.), the total attached garage area, based upon lot size, per a.1 above, shall be allowed for each residence.
- b. Detached Poolhouses, Art or Music Studios, and Recreation Rooms. One detached poolhouse, art or music studio, or recreation room is permitted, provided the structure meets main building setbacks and is not designed for use as a guest living quarters or commercial use, unless permitted by the applicable requirements of the Use Regulations. Only one electric service drop and one electric meter to serve both the main dwelling and structure allowed by this subsection will be permitted. The size of detached Poolhouses, Art or Music Studios, and Recreation Rooms shall be combined with the total allowable square footage of detached private garages and carports, storage buildings, workshops, hobby shops, and other similar non-habitable structures for purposes of size limitations specified in paragraph g below.
 - c. Children's Playhouses, Patios, Porches, Gazebos, etc. Structures which are permitted to encroach into required yards per Section 4835 are limited to 12 feet in height.
 - d. Radio and Television Receiving Antennas, Dish Antennas.
 - e. Greenhouse. In the RR, A70 and A72, and S92 Use Regulations a greenhouse is allowed. In all other Residential Use Regulations, and the S88 Use Regulations where residential uses occur, a greenhouse is limited to 500 square feet unless an Administrative Permit is approved to increase the size. A greenhouse proposed in the S88 Use Regulations shall conform to the requirements of any applicable Specific Plan. A greenhouse in any of the Use Regulations listed above shall comply with the applicable setback and Building Code requirements. The building official shall determine if a building permit is required for a greenhouse.
 - f. Silos, Windmills and Tank Houses.
 - g. Detached Private Garages and Carports, Storage Buildings, Workshops, Hobby Shops, Barns, Agricultural Buildings and other similar non-habitable uses (non business purposes). Only one electric service drop and one electric meter to serve both the main dwelling and structure allowed by this subsection will be permitted. The combined area of all such structures, together with the structures authorized by subsection b above, shall be limited as follows:

1. The total area of all detached accessory structures shall be limited to 25% of the living area of the principal residence, or as follows, whichever is greater:

Lot Size (gross)	Det. Accessory Structures in all Res, Ag & S92 Zones (formerly 6156.g and 6156.h)
< 1/2 ac	1,450 sf <i>(only in zones subject to a Residential Use Regulation and in the S88 Use Regulations where residential uses occur)</i>
< 1 ac	2,000 sf
1 ac - <2 ac	3,000 sf
2 ac - <4 ac	4,000 sf
4 ac - <8 ac	5,600 sf
8 ac - <12 ac	6,400 sf
12 ac - <16 ac	7,200 sf
16 ac or more	8,000 sf

(Note that detached accessory structures are subject to setbacks specified in Section 4842. Buildings not meeting the setback requirement of Section 4842 are limited to a combined area of 1000 square feet). Buildings proposed in the S88 Use Regulations shall conform to the requirements of any applicable Specific Plan.

2. Limited to one story not to exceed 12 feet maximum height. May have 2 stories and a height not exceeding 24 feet if the accessory structure meets the main building setbacks. If the structure is more than one story in height, that portion not used for the shelter or storage of vehicles shall be designed and used as habitable space defined by Section 6156.b or other approved use such as a guest living quarters. However, a one story accessory structure designed to store a recreational vehicle (RV) may exceed 12 feet in height, not exceeding 16 feet, if the accessory structure meets the main building setbacks.

3. Additional area, height and story may be permitted by issuance of an Administrative Permit with notice provided pursuant to Section 7060c. and findings pursuant to Section 7358, subsections a. 1, 3, 5, and 6. The Administrative Permit shall not authorize height/stories exceeding the height/story limit specified by the applicable height/story designator. The Administrative Permit shall not authorize reductions to required setbacks. Reductions to setbacks shall be subject to Section 7100, Variances.
 4. A barn or agricultural building is not considered an animal enclosure. Therefore the animal enclosure area on a property is not included in the calculation of total barn square footage. A barn used as part of a commercial Horse Stable use is not considered an accessory structure for purposes of this section and therefore not included in or limited by this section.
- h. Barns and Agricultural Storage Buildings: see 6156.g.
- i. Offices. Offices are permitted only in zones subject to the A70, A72, S90, and S92 Use Regulations.
- j. Coops and Aviaries. Any enclosure or structure where poultry or birds are kept outside a dwelling, subject to the limitations of Section 3100. Coops and aviaries shall meet the setbacks for Animal Enclosures pursuant to Section 3112 and shall be included in the total square footage allowed pursuant to subsection h.
- k. Guest Living Quarters. In the A70, A72, RR, S90 and S92 Use Regulations, one guest living quarters is allowed on a legal lot. In the RS, RV, RU, RRO and S88 Use Regulations, one guest living quarters is allowed on a legal lot not less than 20,000 square feet in net area. One guest living quarters may be permitted in the RS, RV, RU, RRO and S88 Use Regulations upon issuance of an Administrative Permit on a legal lot which has a net area of less than 20,000 square feet. Guest living quarters are not permitted in other zones. Guest living quarters shall comply with all of the following requirements:
1. The total floor area of a guest living quarters shall not exceed thirty percent (30%) of the square footage of the primary dwelling up to a maximum of 600 square feet. Additional area, up to 50% of the square footage of the primary dwelling, may be permitted with the approval of an Administrative Permit.

2. Only one electric meter to serve both the main dwelling and guest living quarters will be allowed.
3. Guest living quarters shall not be allowed on a lot or parcel having a second dwelling unit, accessory apartment or accessory living quarters. Conversion of such a unit into guest living quarters is allowed provided all zoning and structural requirements are met. If said accessory unit was permitted by a discretionary permit, said permit shall be modified as required by the appropriate section of the Zoning Ordinance.
4. Notice of guest living quarters Administrative Permit applications shall be given as provided in Section 7060(c).
5. Before any Administrative Permit may be granted or modified, it shall be found:
 - (a). That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 - (i). Harmony in scale, bulk, and coverage;
 - (ii). The harmful effect, if any, upon desirable neighborhood character;
 - (iii). The suitability of the site for the type and intensity of use or development which is proposed; and to
 - (iv). Any other relevant impact of the proposed use; and
 - (b). That the impacts, as described in paragraph "a" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.
 - (c). That the requirements of the California Environmental Quality Act have been complied with.

See subsection ii. for an illustrative matrix comparing Second Dwelling Units and Guest Living Quarters.

- I. Accessory Living Quarters. Repealed.

- m. Home Occupations. Home occupations, including in-home offices, shall be permitted in compliance with the following conditions:
1. There shall be no exterior evidence of the conduct of a home occupation.
 2. A home occupation shall be conducted entirely within a dwelling, or an attached garage. However, a Cottage Foods Operation, as defined by Health and Safety Code Section 113758, shall be conducted only within a dwelling that contains the dwelling's kitchen and shall not be allowed in a garage or other accessory building.
 3. Electrical or mechanical equipment which creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling unit shall be prohibited.
 4. The residents of the dwelling unit, and no more than one non-resident employee, may be engaged in the home occupation.
 5. Limited indoor storage of goods or supplies (125 cubic feet maximum) may take place within no more than one room of the dwelling and/or in the attached garage (provided required parking on-site is maintained and properly located).
 6. There shall be no on-premise sale of goods except as allowed for a Cottage Food Operation by Health and Safety Code Section 114365 and with a valid County of San Diego Cottage Food permit from Department of Environmental Health. Occasional transport of goods from the premises for off-site sale may occur. Internet sales are not considered on-premise sale of goods.
 7. The establishment and conduct of a home occupation shall not change the principal character or use of the dwelling unit or property involved.
 8. There shall be no signs identifying or advertising the home occupation other than those permitted by Section 6252(d) of this ordinance.
 9. The required residential off-street parking shall be maintained.

3. Notice Required. Notice shall be provided pursuant to Section 7060 c.
 4. Findings Required. The Director may grant the Administrative Permit if the above criteria are complied with, and a finding is made that establishment of the host home will not adversely affect or be materially detrimental to existing neighborhood character, with consideration given to the generation of traffic and the suitability of the site for the type and intensity of the proposed use.
- cc. Family Day Care Home For Children, Small (8 or fewer children) is a permitted residential use when located in a single-family residence.
- dd. Poultry Manure Management. Poultry manure management practices involving drying and disposal of manure produced on site or brought to a poultry ranch from another poultry ranch owned or operated by the same person(s), provided the receiving site is zoned with an animal regulations designator which allows a unlimited number of poultry.
- ee. Water Vending By Machine. In the Agricultural and Special Purpose zones, except those areas subject to the S80 Open Space and S81 Ecological Resource Area use regulations, the sale of water from coin or otherwise automatic vending machines shall be allowed, provided the volume does not exceed 5,000 gallons per any consecutive seven day period.
- ff. Recycling Collection Facility, Drop-off: Provided the total capacity of collection receptacle(s) shall not exceed 192 cubic feet per legal parcel.
- gg. Garage Sale. The sale of household articles or personal possessions incidentally accumulated during normal or conforming residential use of the property on which the sale is held is permitted, subject to the following restrictions:
1. Such sales shall not exceed three (3) consecutive days in duration;
 2. No more than four (4) such sales shall be held during any calendar year;
 3. No sale of vehicles (other than bicycles), industrial or commercial equipment, or items purchased for resale shall be permitted;
 4. The sale of personal items belonging to persons not residing on the property where the sale takes place, e.g., neighbors, is permitted.
- hh. Agricultural Homestay. An Agricultural Homestay is a permitted accessory use upon issuance of a Minor Use Permit provided the following criteria are met:
1. Located in a zone subject to the A70, A72 or S92 Use Regulations.

2. A maximum of three bedrooms in a farmer or rancher occupied residence shall be made available for rent. If a detached cabin is used in lieu of the ranch or farmhouse, it shall not exceed 500 square feet. Mobile homes and trailers are not permitted to be used for guest bedrooms.
3. The facility shall be on a working farm or ranch. Proof of a continuous agricultural enterprise on the property shall be provided to the satisfaction of the Department of Agricultural Weights and Measures and the Department of Planning and Development Services.
4. The working farm or ranch shall be located on a parcel or adjoining parcels totaling at least 4 acres in size and under the same ownership. The Agricultural Homestay activity shall cease if a subdivision or conveyance of land results in a reduction of the site to less than 4 acres or if agricultural activity ceases.
5. No Agricultural Homestay shall be located on a site containing a Bed and Breakfast or Host Home operation.
6. The farmer or rancher shall reside on the site of the agricultural operation or on an adjoining parcel under the same ownership.
7. One off-street parking space for each room rented shall be provided in addition to adequate off-street parking for the permanent residents and full-time employees.
8. Services shall be limited to the rental of rooms, activities traditionally associated with farms and ranches and the optional provision of meals for overnight guests. No food preparation or cooking for guests shall be conducted within any bedroom or cabin made available for rent.
9. Signs shall be limited to one on-premise sign not to exceed two square feet.
10. An adequate water well and sewage disposal system shall be available, satisfactory to the County Department of Environmental Health, for use by the proposed Agricultural Homestay or letters from the appropriate water and sewer agencies indicating there is sufficient water supply and sewage treatment capacity for the proposed use shall be submitted by the applicant.
11. The owner of the facility shall keep records of the number of guests and lengths of stay and shall retain said records for five (5) years.
12. All Minor Use Permits shall be subject to review by the Department at five (5) year intervals.

(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)
 (Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)
 (Amended by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)
 (Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
 (Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)
 (Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)
 (Amended by Ord. No. 7110 (N.S.) adopted 4-02-86)
 (Amended by Ord. No. 7117 (N.S.) adopted 4-23-86)
 (Amended by Ord. No. 7160 (N.S.) adopted 6-18-86)
 (Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)
 (Amended by Ord. No. 7306 (N.S.) adopted 5-20-87)
 (Amended by Ord. No. 7363 (N.S.) adopted 8-19-87)
 (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
 (Amended by Ord. No. 7515 (N.S.) adopted 7-13-88)
 (Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)
 (Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)
 (Amended by Ord. No. 7743 (N.S.) adopted 3-28-90)
 (Amended by Ord. No. 7768 (N.S.) adopted 6-13-90)
 (Amended by Ord. No. 7790 (N.S.) adopted 08-01-90. This ordinance will expire on August 31,
 1993, unless extended in connection with GPA 93-02)
 (Amended by Ord. No. 7817 (N.S.) adopted 9-26-90)
 (Amended by Ord. No. 8050 (N.S.) adopted 4-8-92)
 (Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
 (Amended by Ord. No. 8086 (N.S.) adopted 6-16-92)
 (Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
 (Amended by Ord. No. 8271 (N.S.) adopted 6-30-93)
 (Amended by Ord. No. 8409 (N.S.) adopted 6-1-94)
 (Amended by Ord. No. 8502 (N.S.) adopted 3-1-95)
 (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
 (Amended by Ord. No. 8599 (N.S.) adopted 10-11-95)
 (Amended by Ord. No. 8698 (N.S.) adopted 7-17-96)
 (Amended by Ord. No. 8805 (N.S.) adopted 6-4-97)
 (Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)
 (Amended by Ord. No. 9156 (N.S.) adopted 6-14-00)
 (Amended by Ord. No. 9377 (N.S.) adopted 8-8-01)
 (Amended by Ord. No. 9470 (N.S.) adopted 6-12-02)
 (Amended by Ord. No. 9569 (N.S.) adopted 7-9-03)
 (Amended by Ord. No. 9596 (N.S.) adopted 9-17-03)
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
 (Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)
 (Amended by Ord. No. 9982 (N.S.) adopted 4-22-09)
 (Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
 (Amended by Ord. No. 10073 (N.S.) adopted 9-15-10)
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
 (Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
 (Amended by Ord. No. 10222 (N.S.) adopted 9-25-12. Opr. 11-26-12)
 (Amended by Ord. No. 10261 (N.S.) adopted 5-15-13)
 (Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)
 (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6158

6158 CIVIC, COMMERCIAL, INDUSTRIAL, OR EXTRACTIVE USE TYPES.

Accessory structures and uses necessarily and customarily associated with, and appropriate, incidental and subordinate to the principal civic, commercial, industrial or extractive uses shall be permitted where the principal civic, commercial, industrial or extractive uses are permitted. As provided for in Section 6152, the Director shall determine whether proposed accessory uses and structures conform to the Accessory Use Regulations, and said determinations are subject to appeal pursuant to the Administrative Appeal Procedure commencing at Section 7200.

Subject to the restrictions and limitations specified, the following accessory buildings and uses shall be permitted in zones where Civic, Commercial, Industrial, or Extractive Use Types are permitted:

- a. Outdoor Café Seating and Sidewalk Cafés.
 1. Outdoor Café Seating. Outdoor café seating accessory to the Eating and Drinking Establishments use type is permitted in the Fallbrook Village Regulations, C32, C34, C35, C36, M50 and M52 use regulations, and outdoor café seating accessory to the Food and Beverage Retail Sales use type is permitted in the Fallbrook Village Regulations, C32, C34, C35, C36 and M50 use regulations, subject to the following conditions:
 - i. The outdoor seating area shall be limited in size as follows:
 - (a) In Eating and Drinking Establishments to no more than 200 square feet or 25 percent of the establishment's indoor floor area, whichever is greater.
 - (b) In Food and Beverage Retail Sales uses (e.g., bakeries, markets, etc.) to no more than 25 percent of the establishment's indoor floor area or 1000 square feet, whichever is less. However, any such Food and Beverage Retail Sales use that otherwise qualifies under Section 6158 a.1. may have an outdoor seating area of 200 square feet.

- (4) Parking. No onstreet parking shall be utilized, and attendance shall be limited to a number which is accommodated by offstreet parking provided by the private school.
- (5) Traffic. The meeting or event shall not increase congestion of nearby streets to the extent that normal traffic circulation is significantly impeded.
- (6) Noise. The meeting or event shall not cause noise in excess of the applicable noise standards contained in the County Code of Regulatory Ordinances.

e. Recycling of salvaged concrete, asphalt and rock.

It has been recognized by the County of San Diego and the State of California that recycling of materials such as used concrete, asphalt and rock is essential to effective solid waste management and protection of public and private open space from illegal disposal of solid waste. Because of the high priority the public assigns to recycling of these materials, the following Accessory Use provision has been created to assist in the expansion of this activity in conjunction with related mining and processing land uses.

Persons having an approved Major Use Permit for a mining and processing land use, or having an established mining and processing land use that is legally nonconforming and located in a zone where it could be permitted by Major Use Permit, as of October 29, 2014 shall be allowed to recycle salvaged concrete, asphalt and rock in conjunction with mining and processing use types, where rock crushing, asphalt production and/or concrete batching are occurring, pursuant to the following:

- 1. All proposed operations shall conform to the restrictions and conditions of the use permit regulating the project site, if one is present, except as otherwise specified herein.
- 2. No increase in the size of the mining and processing site shall be authorized by this Section.
- 3. The following increases or changes in operational limitations may be authorized in connection with the recycling operation:
 - a) Additional average daily one-way truck trips up to 10 percent of the number authorized under the Major Use Permit, or when unspecified in the use permit or when there is no use permit, up to 10 percent of the average daily one-way truck trips of the existing operation;
 - b) Additional onsite stockpiling of material of up to 25 percent of that authorized under the Major Use Permit, or when unspecified in the use permit or when there is no use permit, up to 25 percent of the amount typical to the existing operation; and

- c) Replacement or additional equipment, only as may be necessary to adapt the existing operation to the recycling function.

Any changes or increases in the existing authorized operations beyond those specified above shall require modification of the existing Major Use Permit or approval of a new Major Use Permit. The limitations specified in subsection 3, above shall not apply to a mining and processing use that has been recycling salvaged concrete, asphalt and rock as of October 29, 2014.

- f. A Drop-off Recycling Facility shall be permitted as an accessory use in all zones where Civic, Commercial, Industrial or Extractive Use Types are permitted.
- g. A Small Recycling Collection Facility shall be permitted as an accessory use in all zones where Civic Use Types are permitted.
- h. Columbarium with Religious Assembly.
 - 1. A Columbarium may be a permitted accessory use to a Religious Assembly Use Type upon approval of a Major Use Permit for the Religious Assembly Use Type and the Columbarium in use regulations where a Major Use Permit is required for the Religious Assembly Use Type.
 - 2. A Columbarium may be a permitted accessory use to a Religious Assembly Use Type upon approval of a Modification of the Major Use Permit that authorized the Religious Assembly Use Type.
 - 3. A Columbarium may be a permitted accessory use to a Religious Assembly Use Type upon issuance of a Minor Use Permit in use regulations where a Religious Assembly Use Type is permitted by right, or by Site Plan approval.
- i. Storage of Emergency Supplies for Disaster Preparedness. The storage of emergency supplies for disaster preparedness shall comply with the following provisions:
 - 1. Storage shall be allowed on properties that are owned by the County of San Diego or other public agency.
 - 2. Storage area shall be secure and shall be in compliance with all applicable regulations of this Zoning Ordinance, including but not limited to Site Plan requirements (if applicable), setbacks and enclosure requirements.
 - 3. Storage may be allowed within a cargo container which complies with the requirements of Section 6162.

j. Brewery or Microbrewery with an Eating and Drinking Establishment.

1. An Eating and Drinking Establishment may be a permitted accessory use to a Brewery or Microbrewery upon issuance of an Administrative Permit, subject to applicable state and local regulations, and the following:
 - a) In M52, M54 or M58 Use Regulations:
 - i) The gross floor area of the brewery operation is a minimum of 12,000 sf.
 - ii) No more than 25 percent of the floor area of the licensed premises shall be used for the Eating and Drinking Establishment use.
 - iii) Brewery operator shall obtain Type 1 or Type 23 License from Alcoholic Beverage Control.
 - b) In M56 Use Regulations:
 - i) The gross floor area of the brewery operation is a minimum of 12,000 sf.
 - ii) More than 15 percent of the floor area, up to a maximum of 25 percent of the floor area of the licensed premises may be used for the Eating and Drinking Establishment use.
 - iii) Brewery operator shall obtain Type 1 or Type 23 License from Alcoholic Beverage Control.

A Tasting Room (no food service allowed) associated with a Brewery or Microbrewery shall be considered as "Food and Beverage Retail Sales" and is a separately regulated accessory use.

2. In Commercial use regulations C32, C34, C35 and C36, where Eating and Drinking Establishments are permitted, on-site brewing shall be permitted as part of a bona fide restaurant (Brewpub) subject to applicable state and local regulations, and the following:
 - a) Up to of the 50% of the gross floor area of the licensed premises may be used for the brewery use.
 - b) Brewpub operator shall obtain a Type 75 License from Alcoholic Beverage Control.
 - c) Outdoor seating shall be subject to the provisions of 6158.a.

For other commercial use regulations where both Eating and Drinking Establishments and General Industrial Uses are permitted, these limitations shall not apply.

6158

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)
(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)
(Amended by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)
(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
(Amended by Ord. No. 7117 (N.S.) adopted 4-23-86)
(Amended by Ord. No. 7692 (N.S.) adopted 11-29-89)
(Amended by Ord. No. 8034 (N.S.) adopted 2-26-92)
(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
(Amended by Ord. No. 8185 (N.S.) adopted 12-16-92)
(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
(Amended by Ord. No. 9013 (N.S.) adopted 3-17-99)
(Amended by Ord. No. 9151 (N.S.) adopted 5-10-00)
(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
(Amended by Ord. No. 10222 (N.S.) adopted 9-25-12. Opr. 11-26-12)
(Amended by Ord. No. 10261 (N.S.) adopted 5-15-13)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6160 MANUFACTURING AND INDUSTRIAL ZONES.

Single-family dwellings or a single mobilehome shall be permitted as follows in zones subject to the M50, M52, M54, M58, and S82 Use Regulations:

- a. Caretaker or Superintendent. On a lot or building site with a permitted industrial use, and occupied exclusively by a caretaker or superintendent of such industrial use and his family; or
- b. Farm Owner or Operator. On a lot or building site having a net area of at least 5 acres which is being farmed, and occupied exclusively by the owner or operator thereof; or
- c. Kennel Owner or Operator. On a lot or building site with a kennel, and occupied exclusively by the owner or operator thereof and his family.

6162 CARGO CONTAINERS.

- a. No cargo container shall be allowed in any area designated as a Historic/Archaeological Landmark or District or an area designated as a Special Historic District, except as provided in Section d and e below.
- b. A cargo container may be allowed in areas zoned for residential and agricultural uses if it meets the following restrictions:
 1. It is located on property so as to comply with all building setbacks.
 2. It is only used for storage.
 3. There is a legal primary use on the property where it is located.

4. There are no violations of the Zoning Ordinance or the San Diego County Code of Regulatory Ordinances on the property where it is located
5. The exterior is painted a solid color pursuant to a list of colors approved by the Director and the color selected matches as closely as possible with the surrounding natural environment.
6. The square footage of the cargo container when added to the square footage of accessory structures on the property does not exceed the maximum allowable square footage for accessory structures under section 6156 g.
7. On sites where the primary use of the property is residential the following additional restrictions shall apply:
 - (i) A cargo container shall only be allowed if it is not visible from any roadway that runs along the parcel.
 - (ii) On sites of less than 2 acres of net lot area: (A) the footprint of a cargo container shall not exceed 320 square feet in area, (B) only one cargo container is allowed and (C) the total time the site can have a cargo container located on it during any 5 year period is 180 days.
- c. A cargo container may be allowed in areas zoned for commercial and industrial uses for storage purposes only if there is a legal primary use on the property where it is located and required parking is not impacted.
- d. Cargo containers are allowed on private property in all zones temporarily to store building materials and/or construction tools during construction pursuant to an active building permit.
- e. Notwithstanding Section 6852, a cargo container that was lawfully on private property before April 18, 2007 may be allowed to continue as a nonconforming use for two years. This section shall not be construed to authorize any cargo container that was illegally placed, maintained or used before the effective date of this paragraph.
- f. Cargo containers are allowed on County-owned property and property owned by a public agency when used exclusively for the storage of emergency supplies for disaster preparedness, pursuant to Section 6158.i. Cargo containers must conform to the requirements of paragraph b.5, above.

(Added by Ord. No. 9844 (N.S.) adopted 4-18-07)
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

RECREATIONAL VEHICLE PARK REGULATIONS

6450 TITLE AND PURPOSE.

The provisions of Section 6450 through 6499, inclusive, shall be known as the Recreational Vehicle Park Regulations. The purpose of these regulations is to ensure that recreational vehicle parks meet minimum standards of habitability and do not adversely impact on surrounding property.

6452 APPLICATION.

These regulations shall apply to all uses classified in the Transient Habitation: Campground Use Types. Nothing herein contained shall be deemed to relieve the owner or operator of a recreational vehicle park of the duty of complying with all applicable state laws and regulations.

6454 PERMIT REQUIRED.

Where required by the applicable Use Regulations, an RV park may be authorized upon the issuance of a Major Use Permit as provided by the Use Permit Procedure commencing at section 7350 or by the Site Plan Permit Procedure (in the C42 Use Regulations in the California Coastal Zone) commencing at section 7150. An RV park shall comply with Section 6456 and 6458 except as authorized by Section 6460.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6456 GENERAL STANDARDS.

- a. Location. Recreational vehicle parks shall be established for the convenience of the travelling public and shall be located in areas with convenient access to a County road.
- b. Minimum Site Area. Recreational vehicle parks shall be located on a parcel of land not less than 3 acres in area.
- c. Density of Occupation. Occupancy of campground spaces within recreational vehicle parks is limited to one recreational vehicle or 2 tents in each campground space.
- d. Limitations. Length of occupancy of campground spaces shall be regulated as follows:
 1. Persons occupying vehicles with total hook-up capacity, including sewer, water and electricity, shall not occupy any campground space in a recreational vehicle park for a period exceeding 90 days in any 12 month period, nor shall the cumulative occupancy by such persons of different campground spaces anywhere in the facility exceed a total of 90 days in any 12 month period. However, a different occupancy limitation may be specified as a condition of approval of a Use Permit. If no occupancy limitation is specified in an approved Use Permit for a recreational vehicle park that was approved prior to October 20, 1995, there shall be no occupancy limitation in such a park for persons occupying vehicles with total hook-up capacity.

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2. Persons occupying tents or vehicles with less than total hook- up capacity shall not occupy any campground space in a recreational vehicle park for a period exceeding 30 days in any 12 month period, nor shall the cumulative occupancy by such persons of different campground spaces anywhere in the facility exceed a total of 30 days in any 12 month period.
3. The recreational vehicle park manager shall reside continuously in the recreational vehicle park on a campground space or in a permanent dwelling unit. The park manager shall maintain a log of the names of persons and dates of occupancy of campground spaces. The log shall be made available to a codes enforcement officer if a question arises as to compliance with these occupancy limitations.

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)
(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)

6458 DEVELOPMENT CRITERIA.

- a. Perimeter. The recreational vehicle park shall be designed and developed in a manner compatible with and complimentary to existing and potential development in the immediate vicinity of the project site. Site planning on the perimeter shall give consideration to protection of the property from adverse environmental influences within the development, especially drainage problems or potential insect breeding sites. Further consideration shall be given to ensuring the protection of surrounding areas from potentially adverse effects on the development.
- b. Fences and Wall. Each recreational vehicle park shall be entirely enclosed at its exterior boundaries by appropriate decorative screening or landscaping material; provided, however, that said screen when located within a front yard shall be constructed at or behind the required setback.
- c. Park Setbacks. The setbacks prescribed by the applicable zone shall apply to recreational vehicle parks except where the following are more restrictive:
 1. A 10-foot setback from the street right-of-way along a side street.
 2. A 15-foot front yard setback from the street right-of-way.
- d. Minimum Campground Space Dimensions. Each campground space within a recreational vehicle park shall be not less than 1,000 square feet in area, except that 50 percent of said spaces may be not less than 650 square feet in area for the accommodation of tents and small camping units only.
- e. Individual Campground Space Setbacks.
 1. Each recreation vehicle or tent occupying a campground space and all accessory buildings shall maintain a 6-foot setback from any building, or other travel trailer, recreational vehicle or tent, pursuant to regulations contained in Title 25 of the California Administrative Code.

2. No recreational vehicle or tent shall be permitted to locate less than 6 feet from any abutting property.
 3. No recreational vehicle or tent shall be located less than 15 feet from any street right-of-way.
- f. Landscaping. All setbacks from streets and other areas in a recreational vehicle park not used for driveways, parking, buildings and service areas shall be landscaped in accordance with the conditions of the use permit. Walls, earthen berms, and landscaped buffer strips shall be used wherever possible to minimize noise from highway sources.
- g. Portable Accessory Structures. Accessory structures or fixtures shall be permitted, provided that such structures or fixtures are portable. No permanent cabana or building shall be installed or constructed in any campground space.
- h. Interior Roadways. Private streets within a recreational vehicle park shall have the following minimum clearance widths:
1. One-way with no side parking 15 feet
 2. One-way with parking permitted on one side . . 22 feet
 3. Two-way with no parking on either side 20 feet
 4. Two-way with parking permitted on one side . . 27 feet
 5. Two-way with parking permitted on both sides . 34 feet
- Adequate roadway space for turn-arounds shall be provided.
- i. Off-street Parking. Parking spaces in a recreational vehicle park shall be provided as required by the Parking Regulations commencing at Section 6750.
- j. Utilities. All utilities, including cable television lines, shall be placed underground.
- k. Locational Map. Each campground space in a recreational vehicle park shall be clearly identified and a locational map shall be provided at the park office.
- l. Trash Collection. Common storage enclosures for garbage and trash shall be provided. Such enclosures shall be of sturdy construction and designed to screen trash and garbage receptacles from public view.

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- m. Lighting. Adequate artificial lighting shall be provided for all walkways, streets, parking areas, sanitary facilities, storage areas, and recreational facilities. No lighting shall be constructed or positioned so as to cause direct or undesirable illumination of adjacent property or campground spaces within the park.
- n. Sanitary Facility. Sanitary facilities for a recreational park facility shall be in accordance with the regulations of Title 25 of the California Administrative Code and shall include:
 - 1. The availability of a potable water supply from a public utility or a distributor holding a valid permit from the state. Water supplies from other sources shall be approved by the San Diego County Department of Environmental Health.
 - 2. Sewer connections to recreational vehicle spaces in accordance with the requirements of Chapter 5, Title 25 of the California Administrative Code and as approved by the San Diego County Department of Environmental Health.
 - 3. A trailer sanitation station designed and constructed in accordance with the regulations of Title 25.
 - 4. Toilets, showers and lavation for the exclusive use of the occupants of the recreational park shall be provided as required by Title 25 of the California Administrative Code.
 - 5. Laundry facilities in accordance with the requirements of Title 25 of the California Administrative Code.
- o. Storage Facilities. Storage facilities may be provided for the storage of vehicles belonging to park occupants. Storage areas shall be paved and enclosed by a solid wall or fence not less than 6 feet in height.
- p. Permanent accessory structures. Permanent accessory structures within an RV Park on approved individual RV lots shall be allowed per California Code of Regulations, Title 25, Division 1, Chapter 2.2, Article 9, as permitted by the owner of the park and a building permit. No other accessory structures are allowed. The addition of accessory structures within an RV Park individual lot does not require approval of a modification or minor deviation of the Use Permit.

(Amended by Ord. No. 5976 (N.S.) adopted 1-28-81)
(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6460 MODIFICATION OF DEVELOPMENT CRITERIA.

Modification of the development criteria of Section 6458 may be granted by the approving authority when it determines that such modification will not be detrimental to the public interest;

provided, however, no modification shall be granted from any requirements specified in Title 25 of the California Administrative Code.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

6462 ACCESSORY USES AND STRUCTURES.

A recreational vehicle park may include the following accessory uses and structures; provided such uses and structures are designed to be clearly accessory to the recreational vehicle park and intended for the convenience of the occupants and their guests and are permitted by the Use Permit applicable to the recreational vehicle park:

- a. Assembly and Recreation. A building or buildings designed for indoor assembly and/or recreation.
- b. Commercial Services. Commercial structures and uses such as a general store, restaurant, lunch counter, and/or snack bar.
- c. Personal Services. Service buildings and facilities incidental to and customarily accessory to permitted uses, including sauna baths and swimming pools.

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

Mobile Home Residential Mobile Home Dwelling Unit Guest Parking ¹ Recreation Center (> 1,000 sq.ft.) Bicycle Parking	The Sum of the Following: 2 Parking spaces per dwelling unit 0.2 Parking space per dwelling unit 0.1 Parking space per dwelling unit None Required
Group Residential Boarding Houses (permanent), Fraternity/Sorority Houses, Dormitories, Student Housing, Convents/Monasteries Bicycle Parking	0.75 Parking space per person <i>(Based on the total occupancy permitted by the County Building Code)</i> 0.25 Bike space per person (except for Convents/Monasteries)
Multiple-Unit Housing for Senior Citizens Dwelling Unit/ Bedroom Guest Parking Bicycle Parking	The Sum of the Following: 1.5 Parking spaces per dwelling unit/bedroom 0.2 Parking space per dwelling unit/bedroom None Required
Residential Care Facilities Employee Parking Guest Parking Bicycle Parking	The Sum of the Following: 1 Parking space per employee <i>(Largest work shift)</i> 0.33 Parking space per bedroom None Required
Accessory Apartment	1 Parking Space ²

¹ Up to one-third of the required guest parking may be met by on-street parking on an abutting public or private street, provided that the street is improved to County standards with provision for on-street parking.

² Space shall not be in tandem with any other required space.

³ Additions, alterations or expansions to a single-family dwelling constructed prior to February 16, 1970 or that was approved and constructed with only one parking space, do not require additional parking to be provided for the single family dwelling use. However, additional required parking must be provided for any accessory uses as required by the applicable section(s) of the Zoning Ordinance.

(Added by Ord. No. 6940 (N.S.) adopted 4-10-85.)

(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6760 PARKING REQUIREMENTS: TRANSIENT HABITATION

Type of Occupancy Use or Structure	Off-Street Parking
Campground, RV Parks Bicycle Parking	1 Parking space per campsite or RV None Required
Lodging Hotels, Motels, Resorts, and Spas Bicycle Parking	1 Parking space per guest room None Required

Type of Occupancy Use or Structure	Off-Street Parking
Boarding Houses (Transient) Bicycle Parking	1 Parking space per habitation room None Required

(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6762 PARKING REQUIREMENTS: **COMMERCIAL**

Type of Occupancy Use or Structure	Off-Street Parking
PERSONAL SERVICES	
Commercial Office Bicycle Parking	4 Parking spaces per KSF GFA 0.1 Bike space per car space but not less than 3
Financial Institution Bank, Savings and Loan (including banks with and without drive-through teller or ATM service) Drive-Through Vehicle Stacking Provision Bicycle Parking	4 Parking spaces per KSF GFA 3 Vehicles (60 feet) minimum per teller/ATM lane 0.1 Bike space per car space but not less than 3
Eating and Drinking Establishment Excluding Stand-Alone Fast-Food Up to 3,000 Square Feet	The Greater Of: 6 Parking spaces per KSF GFA OR 0.2 Parking spaces per person (Based on capacity of fixed or movable seating as permitted by the County Building Code)
More than 3,000 Square Feet Bicycle Parking	The Greater Of: 10 Parking spaces per KSF GFA OR 0.33 Parking spaces per person (Based on capacity of fixed or movable seating as permitted by the County Building Code) 0.1 Bike space per car space but not less than 3
Stand-Alone Fast-Food Restaurant With Drive-Through Window Drive-Through Vehicle Stacking Provision Bicycle Parking	12 Parking spaces per KSF GFA 9.5 Parking spaces per KSF GFA 4 Vehicles (80 feet) minimum from the menu board 0.1 Bike space per car space but not less than 3
Laundromat Bicycle Parking	0.33 Parking spaces per washing machine 0.05 Bike space per car space but not less than 3
Dry Cleaner Bicycle Parking	3.3 Parking spaces per KSF GFA 0.05 Bike space per car space but not less than 3

Type of Occupancy Use or Structure	Off-Street Parking
Barber Shop or Hair Salon Bicycle Parking	2.5 Parking spaces per chair/station 0.05 Bike space per car space but not less than 3
Funeral Parlor and Mortuary Bicycle Parking	The Sum of the Following: 0.25 Parking space per fixed seat 10 Parking space per KSF of non-fixed seating area in gathering room 0.05 Bike space per car space but not less than 3
Post Office Annex Including Privately Owned P.O. Box and Package Receipt Centers Bicycle Parking	2.5 Parking spaces per KSF GFA 0.1 Bike space per car space but not less than 3
RETAIL	
Retail Sales and Services Includes Personal Services and Repair Services <i>Retail sales and services other than those specifically listed in this table</i> Bicycle Parking	4.5 Parking spaces per KSF GFA <i>(Total eating, drinking and entertainment uses cannot exceed 15% of project's GFA. Otherwise the floor area that exceeds 15% shall be calculated according to stand-alone eating and drinking establishment use parking requirements)</i> 0.1 Bike space per car space but not less than 3
Gasoline Station Without accessory retail sales and/or service Bicycle Parking	1 Parking space per employee but not less than 3 <i>(largest work shift)</i> 0.05 Bike space per car space but not less than 3
With accessory retail sales and/or service Bicycle Parking	4 Parking spaces per KSF GFA <i>(Parking requirement does not include spaces normally provided adjacent to gas pumps for fueling vehicles or service bays)</i> 0.1 Bike space per car space but not less than 3
Liquor Store Bicycle Parking	3.3 Parking spaces per KSF GFA 0.05 Bike space per car space but not less than 3
Stand-Alone Discount Club Store Includes Wholesale Warehouse-type Stores Bicycle Parking	5.5 Parking spaces per KSF GFA 0.05 Bike space per car space but not less than 3
Stand-Alone Drugstore Bicycle Parking	3.5 Parking spaces per KSF GFA 0.1 Bike space per car space but not less than 3
Stand-Alone Furniture and Appliance Sales Bicycle Parking	3.5 Parking spaces per KSF GFA 0.05 Bike space per car space but not less than 3
Stand-Alone Home Improvement Store Includes Building Materials and Lumber Stores Bicycle Parking	3.5 Parking spaces per KSF GFA <i>(Outdoor sales area shall be included in total GFA)</i> 0.05 Bike space per car space but not less than 3

Type of Occupancy Use or Structure	Off-Street Parking
Building Supply Yards Includes Lumber, Plant Nurseries, Brick, Stone, and Gravel <p style="text-align: right;">Bicycle Parking</p>	0.5 Parking spaces per KSF of display area 0.05 Bike space per car space but not less than 3
Construction Sales, Service, and Rental Contractors office and outside service area <p style="text-align: right;">Bicycle Parking</p>	The Greater Of: 1.5 Parking spaces per employee <i>(largest work shift)</i> OR 3.3 Parking spaces per KSF GFA 0.05 Bike space per car space but not less than 3
Automotive or Equipment Sales and Service <p style="text-align: right;">Automotive Service Only Bicycle Parking</p>	3.3 Parking spaces per KSF GFA 3 Parking spaces per repair stall 0.05 Bike space per car space but not less than 3
Automotive Rental <p style="text-align: right;">Bicycle Parking</p>	The Greater Of: 2.5 Parking spaces per employee <i>(largest work shift)</i> <i>(Plus 1 parking space per rental vehicle stored on-site)</i> OR 5 Parking spaces per KSF GFA <i>(Plus 1 parking space per rental vehicle stored on-site)</i> 0.05 Bike space per car space but not less than 3
Swap Meet <p style="text-align: right;">Bicycle Parking</p>	6.5 Parking spaces per KSF GFA 0.1 Bike space per car space but not less than 3
SPORTS AND ENTERTAINMENT	
Participant Sports and Recreation (Indoor) Health Club, Gym, Video Arcade, Skating Rink, Billiard/Pool Hall, Multipurpose Recreational Facility (Other than those specifically listed in this table) <p style="text-align: right;">Bicycle Parking</p>	6 Parking spaces per KSF GFA 0.1 Bike space per car space but not less than 3
Participant Sports and Recreation (Outdoor) As Required below for Specific Uses: Sports Courts (e.g. tennis, basketball, etc.) Ball Fields Group Picnic Areas Passive Useable Turf Areas for Informal Play Children's Play Area Swimming Pool	The Sum of the Following that Apply: 3 Parking spaces per court 20 Parking spaces per ball field 1.5 Parking spaces per picnic table 0.2 Parking space per KSF 5 Parking spaces per KSF 10 Parking spaces per KSF of

Type of Occupancy Use or Structure	Off-Street Parking
<p style="text-align: right;">Skate Park</p> <p style="text-align: right;">Boat Launch Ramp</p> <p style="text-align: right;">Bicycle Parking</p>	<p>water surface</p> <p>5 Parking spaces per KSF of skating area</p> <p>10 Parking spaces per ramp plus 10 Parking spaces (10' wide x 45' long) for vehicles with boat trailers</p> <p>Individual sports and recreational uses shall include bicycle racks to accommodate 0.05 bike space per car space but not less than 5 bicycle spaces</p>
<p>Bowling Alley</p> <p style="text-align: right;">Bicycle Parking</p>	<p>6 Parking spaces per alley <i>(Plus requirements for accessory uses)</i></p> <p>0.1 Bike space per car space but not less than 3</p>
<p>Driving Range</p> <p style="text-align: right;">Bicycle Parking</p>	<p>The Sum of the Following:</p> <p>1 Parking space per tee plus 1 Parking space per employee but not less than 3 <i>(Largest work shift)</i> <i>(Plus requirements for accessory uses)</i></p> <p>0.05 Bike space per car space but not less than 3</p>
<p>Golf Course</p> <p style="text-align: right;">Bicycle Parking</p>	<p>6 Parking spaces per hole <i>(Plus requirements for accessory uses)</i></p> <p>0.05 Bike space per car space but not less than 3</p>
<p>Miniature Golf Course</p> <p style="text-align: right;">Bicycle Parking</p>	<p>3 Parking spaces per hole</p> <p>0.1 Bike space per car space but not less than 3</p>
<p>Tennis, Racquetball and Handball Facility</p> <p style="text-align: right;">Bicycle Parking</p>	<p>4 Parking spaces per court <i>(Plus requirements for accessory uses)</i></p> <p>0.1 Bike space per car space but not less than 3</p>
<p>Spectator Sports and Entertainment</p> <p style="text-align: right;">Bicycle Parking</p>	<p>0.25 Parking spaces per seat</p> <p>0.1 Bike space per car space but not less than 3</p>
<p>Live Theater and Movie Theater</p> <p style="text-align: right;">Bicycle Parking</p>	<p>0.35 Parking spaces per seat</p> <p>0.1 Bike space per car space but not less than 3</p>
ANIMAL SERVICES	
<p>Veterinarian Clinic or Hospital</p>	<p>The Sum of the Following:</p> <p>2.5 Parking spaces per examination room</p> <p>1 Parking space per employee/doctor but not less than 4 <i>(Largest work shift)</i></p>

Type of Occupancy Use or Structure	Off-Street Parking
Bicycle Parking	0.05 Bike space per car space but not less than 3
Commercial Equine or Horse Stable	0.2 Parking space for each available horse corral, paddock or stall for use. A corral, paddock or stall may be located in a stable or in an animal enclosure. 1 Loading Space* for every 3 required parking spaces. A minimum of 1 loading space is required for every Horse Stable. This is in addition to the loading spaces required in section 6786. * Loading spaces shall allow for enough space for horse loading as well as deliveries of hay, feed or other materials for the horse stable in addition to the standard space required of 10 feet wide by 35 feet long
Commercial Kennel	2 Parking spaces per KSF GFA
Bicycle Parking	0.05 Bike space per car space but not less than 3

Note: KSF GFA: Thousand Square Feet of Gross Floor Area

(Added by Ord. No. 6940 (N.S.) adopted 4-10-85.)
 (Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
 (Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)
 (Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)
 (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6764 PARKING REQUIREMENTS: **CIVIC**

Type of Occupancy Use or Structure	Off-Street Parking
Library, Museum, Art Gallery	3 Parking spaces per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3
Community Center	3.5 Parking space per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3
U.S. Post Office (Leased Land)	30 Parking spaces per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3
Fire Station	The Sum of the Following: 1 Parking space per employee <i>(Largest work shift)</i> 3 Parking spaces <i>(Plus additional on-site parking required for fire trucks/vans assigned to the station)</i>
Bicycle Parking	0.05 Bike space per car space but not less than 3
Police Station	The Sum of the Following: 1 Parking space per employee <i>(Largest work shift)</i> 3 Parking spaces
Bicycle Parking	0.05 Bike space per car space but not less than 3
Guest Parking	3 Parking spaces

Type of Occupancy Use or Structure	Off-Street Parking
Bicycle Parking	<p><i>(Plus additional on-site parking required for police station vehicle fleet including motorcycles)</i></p> 0.1 Bike space per car space but not less than 3
PUBLIC ASSEMBLY	
Religious Assembly Church, Synagogue, Temple, Mission Bicycle Parking	0.25 Parking space per person <i>(Based on total occupancy of the largest assembly room permitted by the County Building Code)</i> 0.1 Bike space per car space but not less than 3
Park Passive Uses Structured Active Uses (e.g. basketball, tennis, ball fields, etc.) Bicycle Parking	4 Parking spaces per acre 10 Parking spaces per acre Park uses shall include bicycle racks to accommodate 0.05 bike space per car space but not less than 5 bicycle spaces
Conference Center / Auditorium Bicycle Parking	0.25 Parking space per seat 0.1 Bike space per car space but not less than 3
Private Club Lodge Hall, Union Hall Bicycle Parking	0.35 Parking space per person if fixed seating is provided <i>(Based on total occupancy of the largest assembly room permitted by the County Building Code)</i> OR 35 Parking spaces per KSF in the largest assembly room if fixed seating is not provided <i>(Plus requirements for accessory uses if such uses will be active at the same time as the largest assembly room)</i> 0.05 Bike space per car space but not less than 3

EDUCATIONAL INSTITUTIONS – PUBLIC AND PRIVATE	
<p>Child Day-Care and Small Schools Primary Use Day-Care Center and Pre-School</p> <p style="text-align: right;">Drop-Off Area</p> <p style="text-align: right;">Bicycle Parking</p>	<p>The Sum of the Following:</p> <p>1 Parking space per employee plus</p> <p>0.2 Parking space per child if drop-off and pick-up area is not provided</p> <p>OR</p> <p>0.1 Parking space per child if adequate drop-off and pick-up area is provided as determined by the Director</p> <p>Drop-off areas must be designed to accommodate a continuous flow of vehicles during peak periods and allowing for safe drop-off and pick-up of passengers. The adequacy of proposed drop-off/pick-up areas shall be determined by the Director.</p> <p>0.05 Bike space per car space but not less than 3</p>
<p>Elementary School</p> <p style="text-align: right;">School Auditorium</p> <p style="text-align: right;">Drop-Off Areas</p> <p style="text-align: right;">Bicycle Parking</p>	<p>The Sum of the Following:</p> <p>1 Parking space per employee</p> <p>5 Parking spaces for visitors</p> <p>0.2 Parking space per seat minus employee and visitor spaces provided above</p> <p>Drop-off areas must be designed to accommodate a continuous flow of vehicles during peak periods and allowing for safe drop-off and pick-up of passengers. The adequacy of proposed drop-off/pick-up areas shall be determined by the Director.</p> <p>0.25 Bike space per student</p>
<p>Junior High School or Middle School</p> <p style="text-align: right;">School Auditorium</p> <p style="text-align: right;">Drop-Off Areas</p> <p style="text-align: right;">Bicycle Parking</p>	<p>The Sum of the Following:</p> <p>1 Parking space per employee</p> <p>10 Parking spaces for visitors</p> <p>0.2 Parking space per seat minus employee and visitor spaces provided above</p> <p>Drop-off areas must be designed to accommodate a continuous flow of vehicles during peak periods and allowing for safe drop-off and pick-up of passengers. The adequacy of proposed drop-off/pick-up areas shall be determined by the Director.</p> <p>0.2 Bike space per student</p>

ENCLOSURE REGULATIONS

6800 TITLE AND PURPOSE.

The provisions of Section 6800 through 6849, inclusive, shall be known as the Enclosure Regulations. The purpose of these provisions is to set forth the type of enclosure, if any, of buildings, other structures or areas used for the purpose of accommodating various uses, including accessory uses. The intent is to vary the enclosure according to the use type carried on within and the use regulations where located.

6810 APPLICATION.

The provisions shall apply for all use designators and to all use types except residential and extractive and their accessory uses, except that they shall not apply to planned developments unless otherwise provided. In any case of conflict with the Supplemental Limitations on Uses at Section 2980, the provisions requiring the greater degree of enclosure shall apply.

(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)

6812 TERMS DEFINED.

The types of enclosures are defined in the Definitions commencing at Section 1100.

6814 EXCEPTIONS TO ENCLOSURE MATRIX.

- a. Exception for Barns and Greenhouses. Whenever the open enclosure is permitted by right for agricultural use types, enclosed and semi- enclosed barns and greenhouses necessary to carry on, and accessory to, the use in the open enclosure also are permitted.
- b. Exception for Parking. The Automotive and Equipment: Parking use type is exempt from the enclosure regulations.
- c. Other Exceptions. Notwithstanding the provisions of the Enclosure Matrix (Section 6816), semi-enclosed and open enclosures are permitted for the following uses in the zones including the following Use or Special Area Regulations.

C32: Eating and Drinking Establishments and Food and Beverage Retail Sales (only accessory outdoor cafés that comply with Section 6158 a.1.)

C34: Agricultural and Horticultural Sales (Plant Nursery Only)
 Eating and Drinking Establishments and Food and Beverage Retail Sales (only accessory outdoor cafés that comply with Section 6158 a.1.)
 Gasoline Sales (providing that the use complies with Section 2980 - Limitation 12)
 Retail Sales: Specialty (flower kiosks only)

- C35: Agricultural and Horticultural Sales (Plant Nursery Only)
 Eating and Drinking Establishments and Food and Beverage Retail Sales
 (only accessory outdoor cafés that comply with Section 6158 a.1.)
 Gasoline Sales (providing that the use complies with Section 2980 -
 Limitation I2)
 Retail Sales: Specialty (flower kiosks only)
- C36: Agricultural and Horticultural Sales (Plant Nursery Only)
 Automotive and Equipment: Sales/Rentals, Light Equipment (providing that
 the use complies with Sections 6787.c and 6792)
 Eating and Drinking Establishments and Food and Beverage Retail Sales
 (only accessory outdoor cafés that comply with Section 6158 a.1.)
 Food and Beverage Retail Sales (when conducted from a food sales push
 cart)
 Gasoline Sales (providing that the use complies with Section 2980 -
 Limitation 12)
 Retail Sales: Specialty (flower kiosks only and all other uses when
 conducted in a civic plaza)
- C37: Retail Sales: Specialty (flower kiosks only)
- C40: Retail Sales: Specialty (flower kiosks only)
- C42: Retail Sales: Specialty (flower kiosks only)
- C44: Gasoline Sales (providing that the use complies with Section 2980 -
 Limitation 12)
- M50: Eating and Drinking Establishments and Food and Beverage Retail Sales (only
 accessory outdoor cafés that comply with Section 6158 a.1., provided that the
 Minor Use Permit required by Section 2504 b. is obtained or amended.)
- M52: Eating and Drinking Establishments (only accessory outdoor cafés that
 comply with Section 6158 a.1., provided that the Minor Use Permit required
 by Section 2524 b. is obtained or amended.)
 Gasoline Sales (providing that the use complies with Section 2980 -
 Limitation 12)
- Scenic Areas:
 Agricultural and Horticultural Sales (Plant Nursery Only)
 Automotive and Equipment: Sales/Rentals, Light Equipment (providing that
 the use complies with Section 6787.c)
 Food and Beverage Retail Sales (when conducted from a food sales push
 cart)
 Gasoline Sales (providing that the use complies with Section 2980 -
 Limitation I2)
 Retail Sales: Specialty (flower kiosks only)

- d. Exception for Recycling Collection Facility. The Recycling Collection Facility, Small and Large use types are exempt from the enclosure regulations.
- e. Exception for the Fallbrook Village Zones. The enclosure regulations and the exceptions to the enclosure regulations are specified in the Site Development Regulations for each Fallbrook Village Zone.
- f. Open storage of boats and / or recreational vehicles may be permitted as an accessory use in connection with issuance of a major use permit for a Mini-warehouse.
- g. Exception for Certified Farmers' Market. The Certified Farmers' Market Temporary Use type is exempt from the enclosure regulations.
- h. Exception for Temporary Outdoor Sales. Temporary Outdoor Sales which are in compliance with Section 6124 are exempt from the enclosure regulations.
- i. Exception for Recycling Processing Facility, Wood and Green Materials. The Recycling Processing Facility, Wood and Green Materials Use type is exempt from the enclosure regulations (providing the use complies with Section 6706) except in the M50, M52 and C40 Use Regulations.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 5549 (N.S.) adopted 6-29-79)

(Amended by Ord. No. 5809 (N.S.) adopted 6-18-80, operative 9-1-80)

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)

(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)

(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)

(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 9013 (N.S.) adopted 3-17-99)

(Amended by Ord. No. 9260 (N.S.) adopted 12-10-03)

(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)

(Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6816

6816 ENCLOSURE MATRIX.

The enclosures which are permitted, permitted subject to a Minor Use Permit, permitted subject to a Major Use Permit, permitted subject to an Administrative Permit, and permitted subject to a Site Plan are set forth in the Enclosure Matrix. This matrix and Limitations 8, 9 and 12 of Section 2980 are incorporated into this Section and all references to this Section shall include references to them.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 5809 (N.S.) adopted 6-18-80)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)

(Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)

(ENCLOSURE MATRIX)

(Last amended by Ord. No. 7740 (N.S.) adopted 3-28-90.

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

NONCONFORMING STRUCTURES

6880 NONCONFORMING STRUCTURE - ABANDONMENT.

Whenever a structure which is nonconforming is vacated and remains unoccupied for a continuous period of 12 months, the facility may not be reused unless it is to conform to The Zoning Ordinance. This provision shall not apply if only a part of the structure is vacated.

(Renumbered by Ord. No. 5508 (N.S.) adopted 5-16-79. Formerly 6970)

6881 NONCONFORMING STRUCTURE - DAMAGE OR DESTRUCTION.

- a. If a nonconforming structure is damaged or destroyed by fire, wind, earthquake, flood, or other accidental cause beyond the control of the owner, to the extent that the cost of reconstruction, repair, or rebuilding will exceed 75 percent of the replacement valuation of the structure immediately prior to the damage or destruction, as determined by the Building Official pursuant to Section 51.0107 of the County Code, the structure may not be restored. If such reconstruction, repair, or rebuilding would constitute 75 percent or less of the replacement valuation of the structure immediately prior to the damage or destruction, as determined above, such structure may be restored and the previous occupancy may be renewed. If restoration and renewed occupancy is permitted pursuant to this Section 6881, a building permit for such restoration must be obtained within one year after the damage or destruction. If it is not, the structure is considered to be abandoned and cannot be restored, and the previous occupancy cannot be renewed.
- b. Notwithstanding the provisions of subsection a. above, if the structure contains two or more dwellings and is damaged or destroyed as described in subsection a., said dwellings may be reconstructed, repaired, or rebuilt to their predamaged size and number of dwelling units (pursuant to Section 65852.25 of the Government Code). However, if said structure is located in an area zoned with industrial use regulations, then the provisions of subsection a. above shall apply.
- c. Notwithstanding the provisions of subsection a. above, if a structure (not covered by subsection b. above) was damaged or destroyed by a natural disaster that has been proclaimed by the Board of Supervisors as a local emergency, the structure may be reconstructed or repaired, provided that the reconstructed or repaired structure shall not exceed the size, number of dwelling units, or extent of nonconformity of the structure damaged or destroyed, except as provided in Section 6883.
- d. Once a nonconforming structure, or the nonconforming portion of a structure, is voluntarily demolished or removed by the owner or owner's agent, said nonconformity shall not be restored. Any structure, or that portion of the structure, which is rebuilt or replaced shall conform to all applicable sections of this ordinance.

(Renumbered by Ord. No. 5508 (N.S.) adopted 5-16-79. Formerly 6971)

(Amended by Ord. No. 7935 (N.S.) adopted 6-19-91)

(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)

(Amended by Ord. No. 9658 (N.S.) adopted 6-23-04)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6882

6882 NONCONFORMING STRUCTURE - REPAIRS AND ALTERATIONS

Ordinary repairs and alterations may be made to a nonconforming structure provided that in any one year period the costs of such work shall not exceed 20 percent of the replacement valuation of the nonconforming portion of the structure immediately prior to the repairs and/or alterations, as determined by the Building Official pursuant to Section 51.0304(a) of the County Code. Substantial renovation or alteration of a nonconforming structure, as determined by the Director, is not allowed.

(Added by Ord. No. 7935 (N.S.) adopted 6-19-91)

6883 NONCONFORMING STRUCTURE - EXPANSION & ALTERATION.

A nonconforming structure may be expanded in any manner if the expansion complies with all of the following requirements:

- a. The expanded portion of the structure conforms to all requirements of this ordinance.
- b. No new nonconformity is created.
- c. The degree of any existing nonconformity is not increased.
- d. Any alteration or repair of the nonconforming structure resulting from its expansion shall be in conformance with Section 6882 of The Zoning Ordinance.

Note: See Section 6886 for the allowance for expansion of nonconforming dwellings into certain required yards.

(Renumbered and amended by Ord. No. 5508 (N.S.) adopted 5-16-79. Formerly 6973)

(Amended by Ord. No. 7935 (N.S.) adopted 6-19-91)

(Amended by Ord. No. 8864 (N.S.) adopted 12-17-97)

6884 NONCONFORMING UNREINFORCED MASONRY BUILDINGS - DEMOLITION AND RECONSTRUCTION.

Notwithstanding Section 6881, if a nonconforming structure is demolished by the owner pursuant to Section 51.605 of the County Code relating to unreinforced masonry buildings, the 75 percent of replacement value limitation shall not apply and such structure may be entirely demolished without losing its nonconforming status provided that the structure is rebuilt in the exact same location and within the footprint of the demolished building. The rebuilt structure shall not exceed the number of stories, the square footage, or the height of the demolished structure. A nonconforming structure which is rebuilt pursuant to this Section 6884 shall comply with current zoning requirements except for setback, parking and landscaping requirements. The minimum setback, parking and landscaping requirements for the rebuilt structure shall be those which were in existence for the demolished structure prior to its demolition as determined by the Director. If a building is demolished and reconstructed pursuant to this Section 6884 and Section 51.605 of the County Code, the previous occupancy may be renewed.

(Added by Ord. No. 7935 (N.S.) adopted 6-19-91)

6904 EXPLOSIVE STORAGE.

All explosive storage shall comply with the following provisions.

- a. Conformance to Federal and State Law. Explosive storage shall conform to all applicable provisions of federal and state law, including the tables of quantity and distance criteria, except where conditions of the Major Use Permit are more stringent, in which case such conditions shall apply.
- b. Location. The area in which explosive storage is proposed shall be open in character and essentially free of development.
- c. Setbacks. Explosive storage shall comply with the minimum setback distances as required by the Bureau of Alcohol, Tobacco, Firearms and Explosives.
- d. Buffering. Explosives storage shall be effectively screened by a natural land form or artificial barricade either surrounding the entire site or surrounding each magazine located thereon, which land form or barricade shall be of such height that:
 1. A straight line drawn from the top of any side wall of all magazines to any part of the nearest building or structure will pass through said land form or barricade; and
 2. A straight line drawn from the top of any side wall of all magazines to any point 12 feet above the centerline of a railroad or a street traversable by the public will pass through said land form or barricade.

Artificial barricades shall be a mound or revetted wall of earth with a minimum thickness of 3 feet.

- e. Compliance Review. A Major Use Permit for storage of explosives shall be conditioned to require the submittal of a compliance report to the Department once every 5 years (from the date of approval of the Use Permit) demonstrating, to the satisfaction on the Director, that the use meets the requirements of this section and all applicable conditions of the Major Use Permit. As a result of such review, the Director may determine that the use is in compliance with the Major Use Permit or may determine that the Major Use Permit shall be subject to review by the Approving Authority. As the result of such review, or at any time, if said Approving Authority finds that circumstances or conditions have changed so that the use no longer meets the requirements of this section or the conditions of the Major Use Permit, said permit may be modified, or revoked, whichever is more appropriate.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

(Amended by Ord. No. 10222 (N.S.) adopted 9-25-12. Opr. 11-26-12)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6905

6905 FIRE PROTECTION AND LAW ENFORCEMENT SERVICES

All fire protection services, and also law enforcement services in the A72 and S92 Use Regulations, shall require Site Plan review in accordance with the Site Plan Review Procedure commencing at Section 7150 and the following guidelines.

- a. Site Plan Review Required. Prior to the issuance of any building permit, grading plan or construction of any structure or conversion of any existing structure for use as a fire station, or in the A72 and S92 Use Regulations as a law enforcement station, a Site Plan of the proposed station shall be submitted to the Director for review and evaluation.
- b. Content of the Site Plan. Application for Site Plan review shall be submitted to the Director and shall be accompanied by such data and information as he may require including maps, plans, drawings, sketches and documented material as is necessary to show:
 1. Boundaries and existing topography of the property, and adjoining or nearby streets;
 2. Location and height of all existing buildings and structures, existing trees and the proposed disposition or use thereof;
 3. Location, height, building elevations, and proposed use of all proposed or existing structures, including walls, fences and freestanding signs, and location and extent of the building site;
 4. Location and dimensions of ingress and egress points, interior roads and driveways, parking areas, and pedestrian walkways;
 5. Location and treatment of important drainageways, including underground drainage systems;
 6. Proposed grading and removal of natural materials, including finished topography of the site;
 7. Proposed landscaping plan including location of exterior lighting fixtures and underground fuel storage facilities and aboveground pumps.
- c. Site Plan Review Criteria. The Site Plan shall be reviewed and evaluated by the Director for conformance with the following criteria.

- iii. Tower Base. The entire area within 10 feet of the base of a turbine tower shall be cleared of all vegetation and shall be covered with gravel, mulch or other similar material to prevent the growth of vegetation.
 - iv. Power lines. All power lines connecting turbine towers and/or generators to a structure(s) shall be installed underground.
 - v. Safety. A small wind turbine shall be equipped with manual and automatic over speed controls.
 - vi. Non-Operational. Except for periods of maintenance, a small wind turbine that meets the definition of "Wind Turbine, Non-Operational" in Section 1110 shall be removed from the site within 180 days from the date of becoming non-operational. Upon written request by the Department of Planning and Development Services, the owner of the property on which a turbine is located shall provide documentation to the satisfaction of the Director that the Director may use to determine the operational status of the small turbine.
11. Military Operating Areas. The Department of Planning and Development Services shall provide written notice to the appropriate branch of the United States military prior to the issuance of a Zoning Verification Permit for a small wind turbine located in a Military Operating Area. The notice shall include a description of the location and height of the proposed small wind turbine.
12. Pre-Approved Mitigation Area. A small turbine is allowed on a legal lot designated as Pre-Approved Mitigation Area within the boundaries of the Multiple Species Conservation Program Subarea Plan only with an Administrative Permit. An Administrative Permit may be approved for a maximum of three small wind turbines if all of the requirements of subsection "a" of this section are met and the cumulative rated capacity of the turbine(s) does not exceed 50 kilowatts. Subsections 6951.b and 6951.c below do not apply to lots designated as Pre-Approved Mitigation Area within the boundaries of the Multiple Species Conservation Program Subarea Plan.
- b. Up to two additional small wind turbines (five total) are allowed when all wind turbines comply with the requirements of subsection "a" above and all turbines:
- 1. Meet the height limit of the zone; and
 - 2. Are mounted on an existing permitted structure, such as an accessory structure, allowed pursuant to the Accessory Use Regulations in section 6150.

6951

- c. An Administrative Permit may be approved for more than three tower-mounted small wind turbines or more than five roof-mounted small wind turbines if all of the requirements of subsection "a" of this section are met and the cumulative rated capacity of all of the turbines does not exceed 50 kilowatts.
- d. The cumulative rated capacity of all small wind turbines on a single legal lot shall not exceed 50 kilowatts.
- e. Before a building permit is issued for a small wind turbine, the applicant shall obtain a Zoning Verification Permit to verify that each small wind turbine complies with the requirements listed in Section 6951.
- f. A small wind turbine shall comply with all applicable fire code requirements. If a provision of subsection 6951.a is inconsistent with an applicable fire code requirement, the fire code requirement shall take precedence.

(Added by Ord. No. 7117 (N.S.) adopted 4-23-86)
(Amended by Ord. No. 9596 (N.S.) adopted 9-17-03)
(Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)
(Amended by Ord. No. 10073 (N.S.) adopted 9-15-10)
(Amended by Ord. No. 10220 (N.S.) adopted 8-8-12)
(Amended by Ord. No. 10222 (N.S.) adopted 9-25-12. Opr. 11-26-12)
(Amended by Ord. No. 10261 (N.S.) adopted 5-15-13)

6952 LARGE WIND TURBINE

Any number of large wind turbines may be allowed as a Major Impact Services and Utilities use type with a Major Use Permit approved in accordance with the Use Permit Procedure commencing at Section 7350 and subject to the following requirements:

- a. Lot size and status. The lot on which the large wind turbine(s) is to be located shall be at least five acres in size and shall be a legal lot.
- b. Location. The lot shall be located in a wind resources area shown on the Wind Resources Map approved by the Board of Supervisors on May 15, 2013 (Item 8) on file at the Clerk of the Board of Supervisors.
- c. Setbacks. The minimum setbacks listed below shall apply. All setbacks shall be measured from the property line to the closest point on the base or support structure of each tower.
 - 1. From private road easements, open space easements, conservation easements and public roads, the minimum setback shall be a distance equal to 1.1 times the wind turbine height.

3. Secured Agreement. The applicant shall also enter into a secured agreement with the County that requires the decommissioning plan to be implemented and completed. The terms and conditions of the agreement shall be to the satisfaction of the Director and subject to the review and approval of County Counsel. The Director is authorized to sign the agreement on behalf of the County. The security provided with the agreement shall be in an amount sufficient to cover the County's costs, as determined by the Director, to implement and complete the decommissioning plan in case the owner or operator fails to implement and/or complete the plan. The security shall be in a form approved by the Director. Typical forms of security include a surety bond, irrevocable letter of credit or trust funds. The security shall remain in effect for the entire time that the large wind turbine is operational and for any additional time until the decommissioning has been completed in accordance with the decommissioning plan.
4. Building Permit. No building permit for any component of a large wind turbine may be issued until the Director approves the decommissioning plan, signs the secured agreement and accepts the security.
- k. Existing Administrative Permits for Wind Turbine Projects - Modification or Revocation. Administrative permits for wind turbine projects granted pursuant to Section 7060 prior to January 1, 1986, shall be treated for all purposes as if they are Major Use Permits and shall be subject to all the provisions of the Zoning Ordinance which apply to Major Use Permits for purpose of modification or revocation.
- l. Design. When a Major Use Permit authorizes more than one large wind turbine, all of the large wind turbines subject to the Major Use Permit shall be uniform in color and tower and turbine design (pole, nacelle, etc.). In addition if there are existing large wind turbines on a lot that abuts the lot on which proposed large wind turbines would be located, the color and tower and turbine design of the proposed large wind turbines shall be uniform with that of the existing large wind turbines. Tower and turbine design does not include turbine height which may vary.
- m. Property Maintenance. Except for periods of maintenance the property on which a large turbine is located shall be kept clean of turbine parts and or debris associated with the turbine operation.

(Added by Ord. No. 10262 (N.S.) adopted 5-15-13. Formerly 6951)
 (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6954 SOLAR ENERGY SYSTEM

- a. Solar Energy System, Onsite Use shall be permitted as follows:
 1. A photovoltaic solar energy system for onsite use shall be allowed as an accessory use to all Agricultural, Civic, Commercial, Industrial and Residential use types in all zones in accordance with the following requirements:
 - i. Setback. A System shall meet all of the main building setback requirements of the zone or comply with Section 4835.f.

- ii. Height. A System shall meet the height limit of the height designator of the zone, except when allowed to extend not more than 5 feet above the highest point of the roof, in accordance with Section 4620.i.
 - iii. Solar Panel Description. The panel manufacturer and model shall be specified as part of the building permit.
 - iv. Special Area Regulations: Photovoltaic solar energy systems for onsite use subject to a Special Area Designator must comply with the applicable Special Area Regulations provisions of Sections 5000 through 5999.
- b. Solar Energy System, Offsite Use shall be permitted as follows:
- 1. A photovoltaic solar energy system for offsite use with a project area of less than 10 acres shall be allowed with an Administrative Permit in all zones in accordance with the Administrative Permit Procedure commencing at Section 7050. The following findings must be made prior to approval of an Administrative Permit:
 - (a.) That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 - i. Harmony in scale, bulk, coverage and density;
 - ii. The availability of public facilities, services and utilities;
 - iii. The harmful effect, if any, upon desirable neighborhood character;
 - iv. The generation of traffic and the capacity and physical character of surrounding streets;
 - v. The suitability of the site for the type and intensity of use or development which is proposed; and to
 - vi. Any other relevant impact of the proposed use; and
 - (b.) That the impacts, as described in paragraph "b.1.(a.)" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan; and
 - (c.) That the requirements of the California Environmental Quality Act have been complied with; and
 - (d.) That the applicant has provided the County with an owner consent letter demonstrating to the satisfaction of the Director that the operator of the Solar Energy System is authorized to use the property for a Solar Energy System, unless the operator owns the land upon which the Solar Energy System will be located.

2. A photovoltaic solar energy system for offsite use with a project area of 10 acres or more, or a combination of parcels with a combined area of 10 acres or more is a Major Impact Service and Utility in all zones and shall require a Major Use Permit permitted in accordance with the use permit procedure commencing at section 7350. The use permit conditions shall include the requirements in subsection b.1(d) and subsection 3(a) through (d).
3. All other types of a solar energy systems or solar power plants including concentrating solar power plants, parabolic troughs, concentrating linear fresnel reflectors, stirling solar dish, or a solar power tower are a Major Impact Service and Utility in all zones and shall require approval of a Major Use Permit in accordance with section 7350 and the following requirements on any parcel of land:
 - (a.) Setback. A system or plant shall meet all of the setback requirements of the zone.
 - (b.) Height. A system or plant of more than 200 feet in height is required to comply with Federal Aviation Administration safety height requirements.
 - (c.) Visual. The following measures shall be followed in order to minimize the visual impact of the project:
 - i. Removal of existing vegetation shall be minimized.
 - ii. Internal roads shall be graded for minimal size and disruption.
 - iii. Any accessory buildings shall be painted or otherwise visually treated to blend with the surroundings.
 - iv. A structure shall be non-reflective in all areas possible to blend with the surroundings.
 - (d.) Security. The operator shall provide a security in the form and amount determined by the Director to ensure removal of the Solar Energy System. The security shall be provided to PDS prior to building permit issuance. Once the Solar Energy System has been removed from the property pursuant to a demolition permit to the satisfaction of the Director, the security may be released to the operator of the Solar Energy System.
4. Special Area Regulations: Photovoltaic solar energy systems for offsite use subject to a Special Area Designator must comply with the applicable Special Area Regulations provisions of Sections 5000 through 5999.

(Added by Ord. No. 10072 (N.S.), adopted 9-15-10)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6960

6960 NUDIST FACILITIES.

All nudist facilities and the conversion of any use or structure to a nudist facility, shall require the application, and granting of a Major Use Permit for the entire facility. In addition, such nudist facilities shall be located and screened in such a manner that no nude person can be seen from outside the facility's boundaries.

(Added by Ord. No. 7106 (N.S.) adopted 3-19-86)

- 1) Non-camouflaged facilities
- 3) Faux Trees
- 4) Any and all wireless facilities not defined as invisible or low visibility.

High Voltage Transmission Tower – a tower carrying transmission lines of at least 132 kilovolts.

- I. Industrial zones – are defined as consisting of the following zones: M50, M52, M54, M56, M58, and also S88 when the proposed site is in an industrial component of a Specific Plan.

Invisible – Facilities, including, but not limited to towers, antennas and equipment cabinets and any other ancillary equipment, that cannot be seen from any street and from all adjacent properties and that do not result in any apparent architectural changes or additions, including Community Identification Signs when the antennas are fully integrated into the sign. The addition of landscaping, walls, fences or grading as screening techniques does not meet the definition of invisible.

- L. Lattice Tower – A guyed or self-supporting three or four sided, open, steel frame support structure used to support telecommunications equipment.

Low Visibility – the following shall be considered Low Visibility facilities if they do not exceed the height schedule pursuant to Sections 4610 - 4620 of this Ordinance:

- 1) Whip antennas not exceeding six feet in length or height, including mounting, and measuring no more than 3 inches in diameter, located on existing structures including, but not limited to, water storage tanks, high-voltage transmission towers, utility towers and poles, sign standards, and roadway overpasses, if the addition, including any vertical mounting, does not result in an increase in height of the structure of more than 5 feet, and with equipment cabinets that are screened from view by means other than new walls or fences and have total dimensions no greater than 50 cubic feet and no dimension greater than 6 feet. Cabinets in underground vaults are not included in the size calculation.
- 2) Panel-shaped antennas that are flush-mounted to an existing building façade or other existing structure on at least one edge, extend a maximum of 24 inches from the building façade or other structure at any edge, do not exceed the height of the building or other structure by more than five (5) feet and are designed to blend with the color and texture of the existing building or structure, with no equipment cabinet visible.
- 3) Facilities, including equipment cabinets, that are camouflaged from public view through the use of architectural treatments, such as cupolas, faux water towers, windmills or other structures and which are consistent with existing development and community character.

- 4) Additions to existing permitted low-visibility facilities if the additions themselves meet the definition of low visibility and are designed to minimize visibility of both the facility and equipment cabinets that have total dimensions no greater than 50 cubic feet and no dimension greater than 6 feet and are screened from view by means other than new walls and fences. The equipment cabinet may be larger if contained inside a structure consistent with the architecture and character of the site.
 - 5) Changes to an existing building that are consistent with the building's architectural style and the equipment cabinet is not visible.
- M. Monopalm – a monopole camouflaged to resemble a palm tree.
- Monopine – a monopole camouflaged to resemble a pine tree.
- Monopole – A wireless communication facility consisting of a single pole constructed without guy wires and ground anchors.
- P. Panel Antenna - An antenna or array of antennas designed to concentrate a radio signal in a particular area. Also called directional antennas.
- Public Safety Communications facilities: Telecommunications facilities operated and maintained by public agencies that support Public Safety Communications Systems, which provide wireless communications to law enforcement, fire services, emergency medical services, and other public safety/service agencies. These facilities are considered Essential Services pursuant to Section 1335.
- R. Residential Zones – for purposes of this section, are defined as consisting of the following zones: RS, RD, RR, RM, RV, RU, RMH, RRO, RC, S80, S90, C30, C31, C46 and also S88 when the proposed site is in a residential component of a Specific Plan.
- Roof Mounted Antenna – Any antenna with its support structure placed directly on the roof of any building or structure.
- Rural Zones – are defined as consisting of the following zones; A70, A72 and S92.
- S. Service Area – The area served by a single telecommunications facility.
- Service Network – The telecommunications transmission system operated by a service provider in a community or jurisdiction.
- Special Purpose Zones - are defined as consisting of the following zones: S82, S86 and S94.
- T. Telecommunications – The transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

Telecommunications Tower - Any mast, pole, monopole, guyed tower, lattice tower, free standing tower or other structure designed and primarily used to support antennas.

Tower – See Telecommunications Tower

- W. Whip Antenna – An antenna that transmits signals in 360 degrees. Whip antennas are typically cylindrical in shape and are less than 3 inches in diameter and measure up to 6 feet in length, including the mounting. Also called omni-directional, stick or pipe antennas.

Wireless Community Master Plan – a Master Plan of preferred sites and designs for wireless facilities for a defined geographic area prepared in cooperation with one or more wireless service providers; formally submitted by the community planning group or sponsor group or by a homeowners association representing at least 4,000 residents and at least 5,000 acres to the Director; reviewed by the Director for such issues as aesthetics and community compatibility; and following public review, approved by the Director. A Community Master Plan can be applicable to all providers or to selected providers as defined in the Plan.

Wireless Telecommunications Facility – Any facility that transmits and/or receives electromagnetic waves, including, but not limited to, antennas, dish antennas and other types of equipment for the transmission or receipt of such signals, telecommunications towers or similar structures supporting said equipment, equipment buildings, parking area and other accessory development. Also known as a wireless communications facility. This definition does not apply to Amateur Radio Stations as defined by the Federal Communications Commission, Part 97 of the Commission’s Rules nor to TV and radio transmission facilities, nor to Public Safety Communications facilities.

(Added by Ord. 9549 (N.S.) adopted 4-30-03)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

(Amended by Ord. No. 10222 (N.S.) adopted 9-25-12. Opr. 11-26-12)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6984 APPLICATION REQUIREMENTS

In addition to meeting standard application submittal requirements for discretionary permits, all applicants for wireless telecommunications facilities shall provide 3 copies of the information listed below. One copy shall be distributed by the Department to the appropriate Planning or Sponsor Group. When a facility meets all requirements for processing under Tier 1, the requirements of Sections B and C 1 shall not be required. The Director may waive any of the submittal requirements listed below or require additional information based upon specific project factors:

- A. Geographic Service Area. Identify the geographic service area for the subject installation, including a map showing all the applicant’s existing sites in the local service network associated with the gap the facility is meant to close. Describe how this service area fits into and is necessary for the company’s service network.
- B. Visual Impact Analysis. A visual impact analysis shall be provided showing the maximum silhouette, viewshed analysis, color and finish palette and proposed screening. The analysis shall include photo simulations and other information as necessary to determine visual impact of the facility. A map depicting where the photos were taken shall be included.

C. Narrative.

1. Height. Show the height of the facility. Carriers must provide evidence that establishes that the proposed facilities have been designed to the minimum height required from a technological standpoint for the proposed site. If the tower will exceed the maximum permitted height limit, as measured from grade, a discussion of the physical constraints (topographical features, etc.) making the additional height necessary shall be required.
2. Maintenance. Describe the anticipated maintenance and monitoring program for the antennas, back-up equipment and landscaping.
3. Noise/Acoustical Information. As part of the Application for Environment Initial Study, provide manufacturer's specifications for all equipment such as air conditioning units and back-up generators, and a depiction of the equipment location in relation to adjoining properties.
4. If the site is not a preferred site as described in Section 6986, provide the information required in Section 6986 B.
5. Concept Landscape Plan. Provide a plan showing all proposed landscaping, screening and proposed irrigation with a discussion of how the chosen material at maturity will screen the site.
6. Fire Service. Provide evidence of compliance with Fire Policy FP-2 or a service letter from the applicable fire district.
7. Hazardous Materials. Listing of all hazardous materials to be used onsite.
8. For all applications for facilities located in the public right of way, include on the plot plan the location of parking for maintenance personnel.
9. A letter stating the applicant's willingness to allow other carriers to co-locate on their facilities wherever technically and economically feasible and aesthetically desirable.
10. The lease area of the proposed facility on the plot plan.
11. For all applications for wireless facilities operating below 1200 megahertz, submit a copy of the Federal Communications Commission Licensing Application Form 601, Main Form, Pages 1 through 4, Schedule A, Page 1, Schedule D, Page 1 and Schedule H, Pages 1 through 3. The application shall be reviewed by the Sheriff's Wireless Services Unit to determine potential interference with the Regional Communication System. Interference with that system may be grounds for denial.

(Added by Ord. No. 9549 (N.S.) adopted 4-30-03)

(Amended by Ord. No. 10222 (N.S.) adopted 9-25-12. Opr. 11-26-12)

USE PERMIT PROCEDURE**7350 INTENT AND PURPOSE.**

The provisions of Section 7350 through Section 7399 shall be known as the Use Permit Procedure. A use permit may be granted to provide for the accommodation of land uses with special site or design requirements, operating characteristics, or potential adverse effects on surroundings, through review and, where necessary, the imposition of special conditions of approval.

7351 APPLICABILITY.

The use permit procedure shall be followed when an application for a Use Permit has been filed as required by The Zoning Ordinance.

(Added by Ord. No. 6924 (N.S.) adopted 2-20-85)
(Amended by Ord No. 10006 (N.S.) adopted 9-16-09)

7352 CLASSIFICATION OF USE PERMITS AND ORIGINAL JURISDICTION.

Use Permits shall be classified and original jurisdiction exercised over them as follows, except as otherwise provided in Sections 7376 and 7378:

- a. Major Use Permit. Applications for granting or modifying the conditions of a permit for one or more uses, structures or actions, any one of which requires a Major Use Permit, shall require Major Use Permits and shall be under the original jurisdiction of the Planning Commission, except that Major Use Permits which are not within the Village Regional Category as shown by the General Plan, Land Use Element and propose connection to the Rancho San Diego Interceptor sewer line shall be under the original jurisdiction of the Board of Supervisors with the Planning Commission making a report to the Board of Supervisors.
- b. Minor Use Permit. Application for granting or modifying the conditions of a permit for any use, structure, or action requiring a Minor Use Permit shall be under the original jurisdiction of the Director, except that applications for Minor Use Permits filed concurrently with tentative subdivision maps, reclassifications or Major Use Permits shall be under the jurisdiction of the body having jurisdiction over the tentative subdivision maps, reclassifications and Major Use Permits. Any use allowed by a Minor Use Permit may be allowed by a Major Use Permit.
- c. Concurrent Use Permit. Applications for granting or modifying the conditions of a use permit filed concurrently with any other application under the original jurisdiction of the Board of Supervisors shall be under the original jurisdiction of the Board of Supervisors, and shall receive a recommendation from the Planning Commission prior to action by the Board of Supervisors.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6031 (N.S.) adopted 4-22-81)
(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

7352

(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
(Amended by Ord. No. 6783 (N.S.) adopted 5-16-84)
(Amended by Ord. No. 7313 (N.S.) adopted 6-2-87)
(Amended by Ord. No. 8157 (N.S.) adopted 10-14-92)
(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
(Amended by Ord. No. 8200 (N.S.) adopted 1-13-93)
(Amended by Ord. No. 9549 (N.S.) adopted 4-30-03)
(Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

7354 APPLICATION FOR THE GRANTING OF A USE PERMIT.

An application for the granting of a use permit shall be made as follows:

- a. Persons Eligible. The following persons shall be eligible to apply for the granting of a use permit.
 1. A property owner, in which case the application shall be signed by all property owner(s) or agent(s), as provided in Section 7017.
 2. A lessee upon written approval of the property owner, in which case the application shall be signed by all property owner(s) or agent(s), as provided in Section 7017.
 3. A person authorized to exercise the power of eminent domain.
- b. Required Documents. The application shall be accompanied by the following documents:
 1. A list of the names of all persons having an interest in the application as well as the names of all persons having any ownership interest in the property involved. If any person identified pursuant to this provision is a corporation or partnership, the names of all persons owning more than 10 percent of the shares in the corporation or owning any partnership interest in the partnership shall be listed. If any person identified pursuant to this provision is a non-profit organization or trust, the names of all persons serving as directors of the non-profit organization or as beneficiaries, trustees and trustors of the trust shall be listed.
 2. Complete plans, a description of the property involved and a complete description of the proposed use. The complete plans shall include a plot plan drawn to scale showing all structures (existing and proposed). If the use permit will cover only a portion or portions of a lot or parcel, the plot plan shall include a measurable delineation of the area to which the use permit shall apply. That area shall include all land necessary for the proposed use, together with any open space, non-development areas, or other buffer areas which are necessary to enable making the required findings for use permit approval.
 3. Satisfactory evidence of the ability and intention of the applicant to proceed with actual construction work in accordance with the requested use permit within 6 months after it is granted.

4. The appropriate environmental impact review document, as provided by Section 7610.
- c. Application Form, Filing and Fee. The application shall be made on the prescribed form and shall be filed with whomever has jurisdiction as provided by Section 7352, and shall be accompanied by the fee referenced in Section 7602.

(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
 (Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)
 (Amended by Ord. No. 9569 (N.S.) adopted 7-09-03)
 (Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
 (Amended by Ord. No. 10068 (N.S.) adopted 8-4-10)

7355 MAJOR USE PERMIT REVIEW IN COMMUNITY OR SUBREGIONAL PLAN AREAS WITH COMMUNITY DESIGN REVIEW PROGRAMS.

In community or subregional plan areas with community design review programs, applications for major use permits or major use permit modifications, for the following uses, shall be referred to the appropriate Community Design Review Board for advisory design review recommendation:

Planned developments; standard mobilehome parks; mini-mobilehome parks; civic, fraternal or religious assembly; administrative services; clinic services; community recreation facilities; cultural exhibits and library services; group care; child care centers; and major impact services and utilities.

(Added by Ord. No. 7935 (N.S.) adopted 6-19-91)
 (Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)

7356 HEARING AND NOTICE.

All applications for granting or modifying a use permit and all actions to revoke or modify a use permit shall be heard at a public hearing scheduled and noticed as required by Section 7603, and 7605, respectively.

7357 EFFECT OF USE PERMIT ON OTHER USE OF THE PROPERTY

The granting of a use permit does not limit or preclude the establishment or operation of any uses on the remainder of the lot(s) or parcel(s) outside the boundaries of the use permit as delineated pursuant to Section 7354.b.2. For the portion of the parcel covered by the use permit, no use shall be allowed within the use permit boundary other than those specified in the use permit except as specified in Section 6106 or 6158.e of the Zoning Ordinance. No additional uses, by right or conditionally permitted, shall be allowed within the use permit area without modification of the permit. If, subsequent to the granting of a use permit, the use(s) authorized thereby become permitted uses through a zoning amendment, or the holder of the use permit desires to terminate the use permit, the holder of the use permit may request, and the Director may approve, termination of the use permit. Upon such termination, the terms and conditions of the use permit shall no longer be applicable to that property or to the use thereof.

(Added by Ord. No. 9569 (N.S.) adopted 7-09-03)
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
 (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

7358

7358 FINDINGS REQUIRED.

Before any use permit may be granted or modified, it shall be found:

- a. That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 1. Harmony in scale, bulk, coverage and density;
 2. The availability of public facilities, services and utilities;
 3. The harmful effect, if any, upon desirable neighborhood character;
 4. The generation of traffic and the capacity and physical character of surrounding streets;
 5. The suitability of the site for the type and intensity of use or development which is proposed; and to
 6. Any other relevant impact of the proposed use; and
- b. That the impacts, as described in paragraph "a" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.
- c. That the requirements of the California Environmental Quality Act have been complied with.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
(Amended by Ord. No. 8457 (N.S.) adopted 10-5-94)
(Amended by Ord. No. 10068 (N.S.) adopted 8-4-10)

7359 FINDINGS REQUIRED FOR PARTICULAR USE PERMITS.

Before a use permit may be granted or modified for a "Specific Hazardous Waste Facility Project" as defined in Health and Safety Code Section 25199.1 or a "Large Wind Turbine" as defined in Section 1110, the following provisions shall be met:

- a. Specific Hazardous Waste Facility Project. In addition to the findings required by Section 7358, it shall be found that the proposed facility complies with the following siting criteria documents of the County of San Diego Hazardous Waste Management Plan 1989-2000, all of which documents are on file with the Clerk of the Board of Supervisors as Exhibit A to Ordinance No. 8093 (N.S.):
 1. Section E, entitled "Local and Regional Facility Needs", of Chapter IX, entitled "Siting and Permitting of Hazardous Waste Facilities" (Pages IX-35 through IX-37);