EXHIBIT A

County of San Diego

Planning & Development Services

Local Coastal Program Update

LOCAL COASTAL PROGRAM IMPLEMENTATION PLAN

November 18, 2020

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Appendix A Related Coastal Zone Implementation Plan Ordinances
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PART 9: COASTAL ZONE REGULATIONS

GENERAL PROVISIONS

9000 Purpose of the Coastal Zone Regulations Implementation Plan

This document establishes the County of San Diego Implementation Plan representing the Coastal Zone Regulations, for the County of San Diego's Local Coastal Program (LCP), prepared in accordance with the California Coastal Act (CCA) of 1976. As provided by the CCA, an LCP consists of two major components: the Land Use Plan (LUP) and the Implementation Plan (IP). Whereas the LUP designates the kinds, location, and intensity of land and water uses and presents applicable resource protection and development policies, the IP provides development regulations for specific coastal zone activities described within the LUP. Accordingly, the County of San Diego IP describes the various implementation measures needed to carry out the County of San Diego LUP.

The purpose of this Section is to implement the County's LUP and to protect and promote the public health, safety, peace, comfort, convenience, and general welfare of the County. More specifically, this Section is intended to:

- Encourage public access to the San Elijo Lagoon Ecological Reserve, San Dieguito Regional Park, and Escondido and Orilia creeks, while minimizing adverse impacts on sensitive habitats.
- Minimize safety hazards and impacts from natural and man-induced hazards, including flooding, sea level rise, and geologic instability.
- Preserve and enhance existing coastal vistas while recognizing the rights of private property owners.
- Provide recreational opportunities, visitor-serving facilities, and public improvements within the funding constraints of the public sector.
- Allow land uses that respond to the institutional and natural constraints of the land and that minimize disturbance of surrounding coastal land areas.
- Preserve and enhance the unique natural resources, environmental quality, and community character of this Coastal Zone.
- Promote the development of run-off control measures and best management practices capable of minimizing water quality impacts, including from siltation and to San Elijo Lagoon and Escondido and Orilia creeks.

9002 Applicability

This Section applies to all development and uses within the Coastal Zone (boundary of Coastal Zone shown on Figure 9-1) of the County of San Diego.

9004 Adoption

Adoption of the provisions of Sections 9000 through 9500 of the Local Coastal Plan by the County of San Diego Board of Supervisors is pursuant to the authority contained in Public Resources Code, Sections 30000, et seq. (Coastal Act) and Title 14, Division 5.5 of the California Code of Regulations.

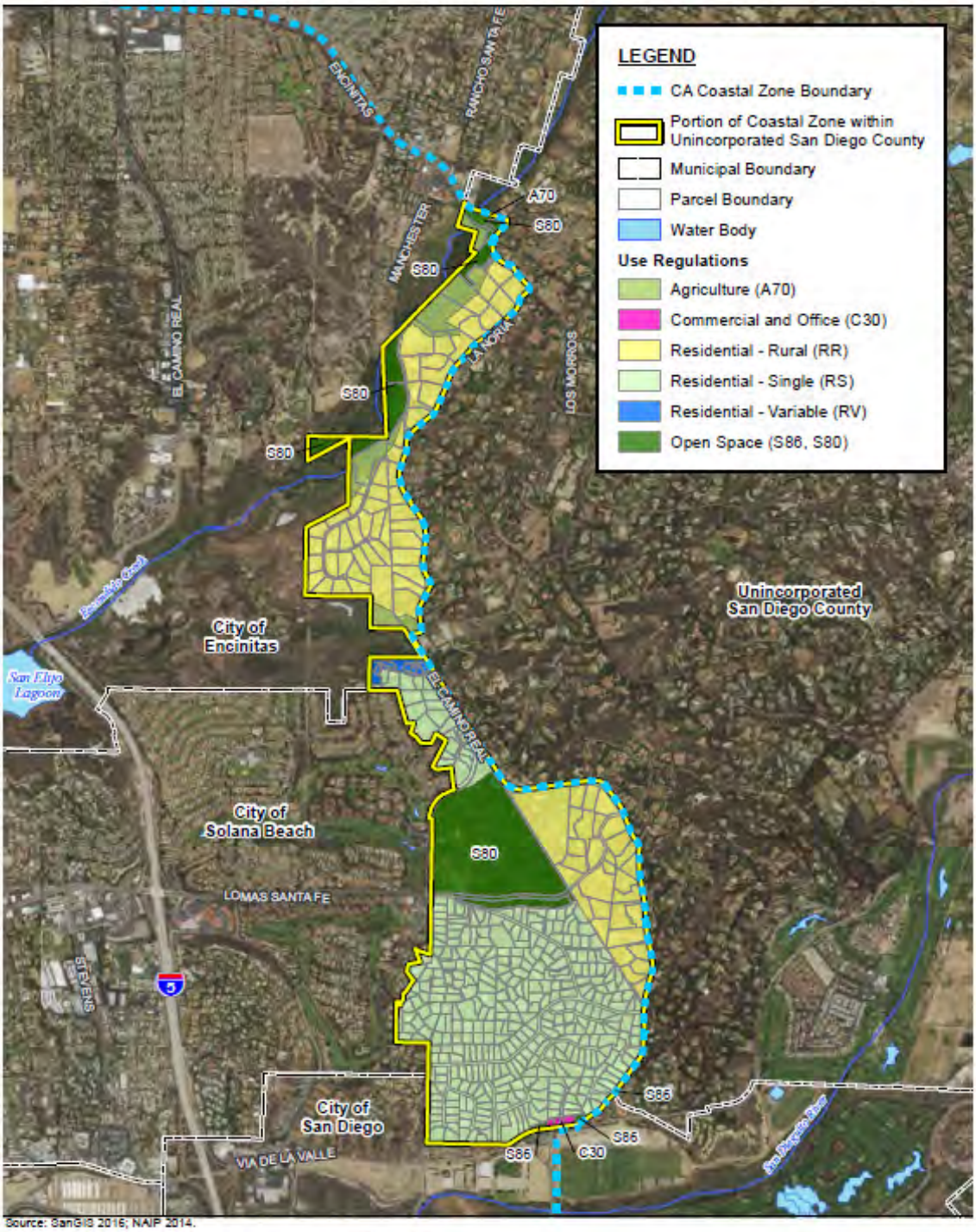

Figure 9-1
Coastal Zone Use Regulations

Local Coastal Program - Local Coastal Implementation Plan

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Upon adoption, the terms, conditions, maps, and regulations of this Section shall govern, supersede, and modify the provisions included in the County's Zoning Ordinance that are related to lands within the unincorporated County California Coastal Zone.

a. Responsibility for Administration

This Section shall be administered by the County of San Diego Board of Supervisors or its designee, hereafter referred to as the "Approval Authority."

b. Conflict with Other Provisions

The regulations outlined in this Section shall prevail if there is a conflict between a provision of this Section and a provision of the General Plan, or any other County-adopted-plan, -resolution, or -ordinance, not included in this Section.

c. Severability

If any chapter, section, subsection, paragraph, sentence, clause, phrase, or other portion of this IP is for any reason held to be invalid, unconstitutional, or unenforceable by a court, such a decision shall not affect the validity, constitutionality, or enforceability of the remaining portions of this IP.

COASTAL ZONE USE REGULATIONS AND REQUIREMENTS

9100 Purpose

The purpose of this Section is to establish the use regulations and related components of the IP, including all zoning uses, regulations, and requirements consistent with the policies and provisions of the Land Use Plan (LUP), and applicable to all areas within the County's Coastal Zone.

9102 Compliance

All properties within the Coastal Zone shall be subject to compliance with applicable regulations herein, except as otherwise provided in Section 9404. Specifically, the following rules shall apply to property within designated Use Regulations within the Coastal Zone:

a. No structure shall be erected and no existing structure shall be moved, altered, added to, or enlarged, nor shall any land, structure, or premises be used, designated, or intended to be used for any purpose, or in any manner other than is included among the uses hereinafter listed as permitted in the Use Regulation in which such structure, land, or premises is located.

b. No structure shall be erected, altered, enlarged, or rebuilt to exceed in height the limit hereinafter designated for the Use Regulation, in which such structure is located.

c. No structure shall be erected, altered, enlarged, or rebuilt, except in conformity to the setback, lot coverage (if applicable), structure location, and other applicable regulations hereinafter designated for the Use Regulation in which such structure is located.

d. No use shall be established, expanded, altered, changed, or otherwise modified except as provided for in the terms of this Section.

9104 Establishment and Designation of Coastal Zone Use Regulations

a. *Establishment of Coastal Zone Use Regulations*

The County of San Diego Coastal Zone is divided into the Coastal Zone Use Regulations shown in Table 9-1 and illustrated in Figure 9-1.

Table 9-1
Coastal Zone
Use Regulations

Symbol	Use Regulation	Intent
A70	Limited Agriculture	The A70 Use Regulations are intended to create and preserve areas intended primarily for agricultural crop production. Additionally, a limited number of small farm animals may be kept and agricultural products raised on the premises may be processed. Typically, the A70 Use Regulations would be applied to areas throughout the County to protect moderate to high quality agricultural land.
C30	Office-Professional	The C30 Use Regulations are intended to create and enhance areas where administrative office and professional services are the principal and dominant use. It is also intended that uses involving high volumes of vehicular traffic be excluded from the C30 Use Regulations. Typically, the C30 Use Regulations would be applied near residential areas, have a scale and appearance compatible with and complementary to the adjacent residential use, and have pedestrian as well as vehicular access.
RR	Rural Residential	The RR Use Regulations are intended to create and enhance residential areas where agricultural use compatible with a dominant, permanent residential use is desired. Typically, the RR Use Regulations would be applied to rural or semi-rural areas where urban levels of service are not available and where large lots are desired. Various applications of the RR Use Regulations with appropriate development designators can create buffers between residential and agricultural uses, family or small farm areas, or large lot rural residential developments.
RS	Single Family Residential	The RS Use Regulations are intended to create and enhance areas where family residential uses are the principal and dominant use and where certain civic uses are conditionally permitted when they serve the needs of residents. Typically, these Use Regulations would be applied to rural, suburban, and urban areas where adequate levels of public service are available and where there is a desire to create residential neighborhoods and to maintain such neighborhoods once developed. The intent of the RS Use Regulation in the Coastal Zone is to create a traditional single-family residential area.
RV	Variable Family Residential	The RV Use Regulations are intended to create and enhance areas where residential uses are the principal and dominant use and where certain civic uses are conditionally permitted when they serve the needs of residents. Typically, these Use Regulations would be applied to rural, suburban, and urban areas where adequate levels of public service are available and

Symbol	Use Regulation	Intent
		where there is a desire to create residential neighborhoods and to maintain such neighborhoods once developed. Application of the appropriate Use Regulations with appropriate development designators can create a single-family residential area, a duplex or two- family residential area, a multi-family residential area, or an area with a combination of single family, duplex, two-family or multi-family dwellings.
S80	Open Space	The S80 Open Space Use Regulations are intended to provide for appropriate controls for land generally unsuitable for intensive development. The S80 Use Regulations is applied to recreation and open space areas. Uses permitted within the S80 Use Regulations include those having a minimal impact on the natural environment, or those compatible with the hazards, resources, or other restrictions on the property. Various applications of the S80 Use Regulations with appropriate development designators can create or protect large recreation areas or limited use areas having identified hazards or natural resources.
S86	Parking	The S86 Use Regulations are intended to identify and create areas for automotive parking in association with another dominant land use. Typically, the S86 Use Regulation would be applied to assure a physical separation between one type of use and another, or to accommodate off-street parking requirements for recreational areas. Various applications of the S86 Use Regulations with appropriate development designators is intended to create small parking areas between uses rather than large parking areas.

b. Coastal Zone Use Regulations (Coastal Zoning Map)

The designations, locations, and boundaries of the Use Regulations are set forth in the County of San Diego LCP. The LCP is on file with the Clerk of the Board, and the Coastal Zone Use Regulations are illustrated in Figure 9-1. The LCP may be amended by resolution of the County of San Diego Board of Supervisors, and is subject to certification by the California Coastal Commission.

9106 Allowed Land Uses and Permit Requirements for Coastal Zone Use Regulations

a. Tables 9-2a through 9-2f illustrate the use regulations and permit requirements for each land use within the Coastal Zone.

b. Principal Permitted Uses: Principal Permitted Uses, or those permitted by-right, within the Coastal Zone are designated by a "Principal Permitted Uses" in Tables 9-2a through 9-2f.

c. Supplemental Regulations: The Supplemental Regulations are located in the Implementation Plan.

Table 9-2a
Coastal Zone Regulations
Use and Enclosure Matrix

COASTAL ZONE REGULATIONS
USE & ENCLOSURE MATRIX

NOTE: This matrix is a summary only. For complete regulations see Appendix B of the LCP Implementation Plan. In case of conflict between the provisions graphically represented in this matrix and the provisions set forth in the text of the Implementation Plan and Appendix B, the provisions of the text and Appendix B shall apply.

USE TYPES[1]	RESIDENTIAL				CIVIC																								
	Family Residential	Group Residential	Mobilehome Residential		Enclosed	Open	Drive-in	Administrative and Professional Services (See 6900)	Ambulance Services	Community Recreation (Excluding County Parks)	Cultural Exhibits and Library Services	Child Care Center	County Park (Public Park/Playground/Recreational & Public Passive Park/Recreational Areas)	Essential Services	Fire Protection Services	Group Care	Law Enforcement Services	Religious Assembly	Major Impact Services and Utilities	Minor Impact Utilities	Parking Services	Postal Services	Small School						
	See Section 6816							1410	1315	1325	1330	1332		1335	1340	1345	1346	1348	1350	1355	1360	1365	1375	Use					
RES																													
RS	PPU		1		S	S		M		M	M	M	P	S	S	M		M	M	S	M	M	S	RS					
RV	PPU		1		S	S		M		M	M	M	P	S	S	M		M	M	S	M	M	S	RV					
RR	PPU	M	1		S	S	M	M	M	M	M	M	P	S	S	M	M	M	M	S	M	M	S	RR					
COM																													
C30					S	S		PPU	S	M	S	S	P	S	S		S	M	M	S	S	M	S	C30					
AGR																													
A70	P	M	1		S	S	M		M	M	M	M	P	S	S	M	S	M	M	S		M	M	A70					
SPE																													
S80	P				S	S				M			PPU	M	M			M		M				S80					
S86					S	S							P	S	S		S			S	PPU[2]			S86					

MATRIX LEGEND

PPU Principal Permitted Use
[2]PPU Principal Permitted Use - Concurrent with Site Plan
S Permitted Use by Site Plan*
M Permitted by Major Use* Permit
P Permitted*
**Appealable to Coastal Commission*

[1] See IP Appendix B for Use Types 1 - 8

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Table 9-2b
Coastal Zone Regulations
Use and Enclosure Matrix

COASTAL ZONE REGULATIONS
USE & ENCLOSURE MATRIX

NOTE: This matrix is a summary only. For complete regulations see Appendix B of the LCP Implementation Plan. In case of conflict between the provisions graphically represented in this matrix and the provisions set forth in the text of the Implementation Plan and Appendix B, the provisions of the text and Appendix B shall apply.

USE TYPES[1] / COMMERCIAL	Enclosed	Semi-Enclosed	Open	Drive-In	1415 Agricultural & Horticultural Sales	a) Agricultural Sales	b) Horticultural Sales	1425 Animal Sales & Services	a) Horse Stables	b) Kennels	d) Veterinary (Small Animal)	1430 Automotive & Equipment	a) Parking	Use Regulations
	See Section 6816													
														RESIDENTIAL
RS						P	P		2	2				RS Single-Family Residential
RV						P	P		2	2				RV Variable Family Residential
RR	S	S	S			P	P		2	2				RR Rural Residential
														COMMERCIAL
C30	S			M					2	2		S	S	C30 Office-Professional
														AGRICULTURAL
A70	S	S	S			M	M		2	2	3			A70 Limited Agriculture
														SPECIAL PURPOSE
S80	S	S	M						2	2			M	S80 Open Space
S86	S	S	S	S					2	2			S	S86 Parking

Commercial continued on next page

MATRIX LEGEND

PPU Permitted Principal Use
S Permitted by Site Plan*
M Permitted by Major Use Permit*
P Permitted*
*Appealable to Coastal Commission

[1] See IP Appendix B for Use Types 1 - 8

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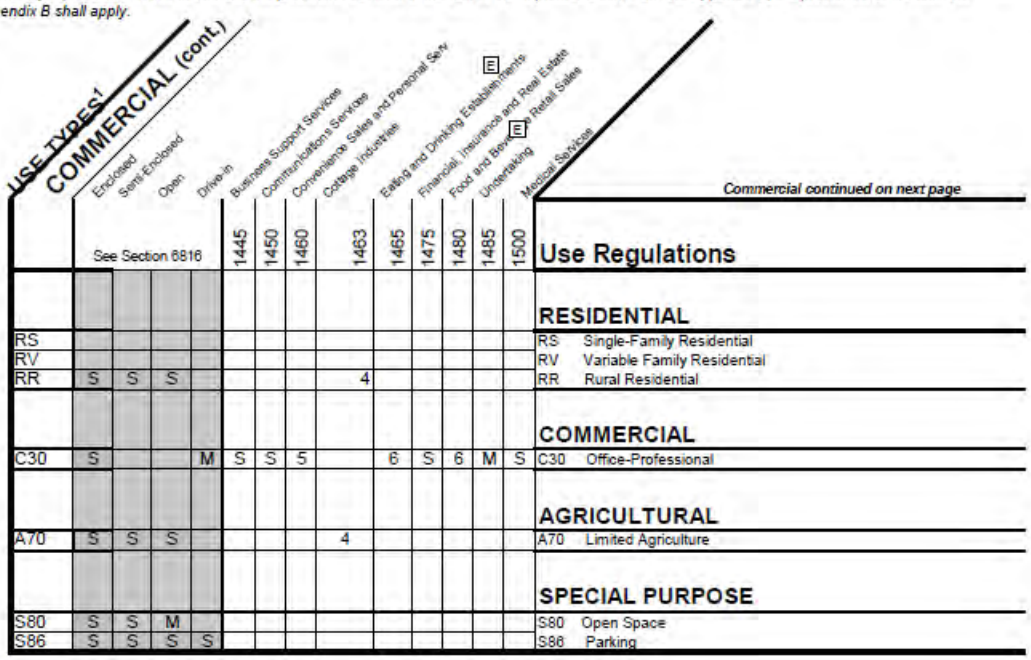
PDSFORMS\ZONING ORDINANCE MTRX-2

Table 9-2c
Coastal Zone Regulations
Use and Enclosure Matrix

COASTAL ZONE REGULATIONS
USE & ENCLOSURE MATRIX

NOTE: This matrix is a summary only. For complete regulations see Appendix B of the LCP Implementation Plan. In case of conflict between the provisions graphically represented in this matrix and the provisions set forth in the text of the Implementation Plan and Appendix B, the provisions of the text and Appendix B shall apply.



	See Section 6816				1445	1450	1460	1463	1465	1475	1480	1485	1500	Use Regulations
RESIDENTIAL														
RS														RS Single-Family Residential
RV														RV Variable Family Residential
RR	S	S	S					4						RR Rural Residential
COMMERCIAL														
C30	S			M	S	S	5		6	S	6	M	S	C30 Office-Professional
AGRICULTURAL														
A70	S	S	S					4						A70 Limited Agriculture
SPECIAL PURPOSE														
S80	S	S	M											S80 Open Space
S86	S	S	S	S										S86 Parking

MATRIX LEGEND

PPU Principal Permitted Uses
S Permitted by Site Plan*
M Permitted by Major Use Permit*
P Permitted Use*
**Appealable to Coastal Commission*

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Table 9-2d
Coastal Zone Regulations
Use and Enclosure Matrix

COASTAL ZONE REGULATIONS
USE & ENCLOSURE MATRIX

NOTE: This matrix is a summary only. For complete regulations see Appendix B of the LCP Implementation Plan. In case of conflict between the provisions graphically represented in this matrix and the provisions set forth in the text of the Implementation Plan and Appendix B, the provisions of the text and Appendix B shall apply.

USE TYPES[1] / COMMERCIAL (cont.)	1400 Enclosed	1400 Semi-Enclosed	1400 Open	1400 Drive-In	1505 Participant Sports and Recreation a) Indoor	1505 b) Outdoor	1510 Personal Services (General)	1520 Research Services	1525 Retail Sales a) General	1525 b) Specialty	Use Regulations
	See Section 6816										**RESIDENTIAL**
RS					P	P	P		P	P	RS Single-Family Residential
RV					P	P	P		P	P	RV Variable Family Residential
RR	S	S	S			M					RR Rural Residential
											COMMERCIAL
C30	S			M			P	M			C30 Office-Professional
											AGRICULTURAL
A70	S	S	S			M					A70 Limited Agriculture
											SPECIAL PURPOSE
S80	S	S	M		S	M					S80 Open Space
S86	S	S	S	S							S86 Parking

Commercial continued on next page

MATRIX LEGEND

PPU Principal Permitted Use
S Permitted by Site Plan*
M Permitted by Major Use Permit*
P Permitted*
**Appealable to Coastal Commission*

[1]See IP Appendix B for Use Types 1 - 8

Table 9-2e
Coastal Zone Regulations
Use and Enclosure Matrix

COASTAL ZONE REGULATIONS
USE & ENCLOSURE MATRIX

NOTE: This matrix is a summary only. For complete regulations see Appendix B of the LCP Implementation Plan. In case of conflict between the provisions graphically represented in this matrix and the provisions set forth in the text of the Implementation Plan and Appendix B, the provisions of the text and Appendix B shall apply.

USE TYPES[1]	COMMERCIAL (cont.)						INDUSTRIAL			
	Enclosed	Semi-Enclosed	Drive-In	Open	Transient Habitation: Campground	Transient Habitation: Resort	Enclosed	Semi-Enclosed	Open	
	1400	See Section 6816			6450	6400	1600	See Section 6816		Use Regulations
										RESIDENTIAL
RS										RS Single-Family Residential
RV										RV Variable Family Residential
RR	S	S	S		M	M				RR Rural Residential
										COMMERCIAL
C30	S		M							C30 Office-Professional
										AGRICULTURAL
A70	S	S	S		M	M		S	S M	A70 Limited Agriculture
										SPECIAL PURPOSE
S80	S	S	S							S80 Open Space
S86	S	S	S	S						S86 Parking

[1] See Appendix B for Use Type Definitions

MATRIX LEGEND

PP	Principal Permitted Use
S	Permitted by Site Plan*
M	Permitted by Major Use Permit*
P	Permitted Use*

**Appealable to Coastal Commission*

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Table 9-2f
Coastal Zone Regulations
Use and Enclosure Matrix

COASTAL ZONE REGULATIONS
USE & ENCLOSURE MATRIX

NOTE: This matrix is a summary only. For complete regulations see Appendix B of the LCP Implementation Plan. In case of conflict between the provisions graphically represented in this matrix and the provisions set forth in the text of the Implementation Plan shall apply.

USE TYPES[1]	1700	AGRICULTURAL: Enclosed	AGRICULTURAL: Semi-Enclosed	AGRICULTURAL: Open	1710 Horticulture	(a) Cultivation	(b) Storage	1715 Tree Crops	1720 Row & Field Crops	1725 Animal Raising	1735 Packing and Processing: a) Limited	b) General	c) Support	d) Winery	e) Small Winery (see Section 6910)	f) Boutique Winery (see Section 6910)	g) Wholesale Limited Winery (See 6910)	1740 Agricultural Equipment Storage	1750 Farm Labor Camp	1820 Site Preparation	Use Regulations
		See Section 6916																			**RESIDENTIAL**
RS		M	M	S		S		S	S	2										M	RS Single-Family Residential
RV		M	M	S		S		S	S	2										M	RV Variable Family Residential
RR		S	S	S		S	S	S	S	2		M			M				S		RR Rural Residential
																					COMMERCIAL
C30										2										M	C30 Office-Professional
																					AGRICULTURAL
A70		P	P	P		PPU	P	P	P	2		S	7	M	M	M	8	8	M	S		A70 Limited Agriculture
																					SPECIAL PURPOSE
S80		S	S	S		S	S	S	S	2		S								S		S80 Open Space
S86																					M	S86 Parking

MATRIX LEGEND

PPU Principal Permitted Use
S Permitted by Site Plan*
M Permitted by Major Use Permit*
P Permitted Use*
**Appealable to Coastal Commission*

[1] See IP Appendix B for Use Types 1 - 8

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COASTAL ZONE SITE DEVELOPMENT STANDARDS

9200 Site Development Standards by Subarea

a. The following development standards apply to all property within the Coastal Zone as organized by the Subareas shown in Figure 9-2 and outlined in Tables 9-3a, b, and c below.

i. Lot Area – Tables 9-3a, 9-3b, and 9-3c and Figure 9-3 illustrate the lot size development standards within the Coastal Zone.

Table 9-3a
Development Standards
Subareas A through J

Dev Regs[1]	Subarea A	Subarea B	Subarea C	Subarea D	Subarea E	Subarea F	Subarea G	Subarea H	Subarea I	Subarea J
Use Regulation	S80	A70	S80	A70	RR	S80	S80	A70	A70	RR
Density	.125	-	.125	-	-	.125	.125	-	-	-
Lot Area	8 ac	8 ac	8 ac	8 ac	2.86 ac	8 ac	8 ac	8 ac	8 ac	2 ac
Building Type	C	C	C	B	B	C	C	B	C	C
Max. Floor Area	-	-	-	-	-	-	-	-	-	-
FAR	-	-	-	-	-	-	-	-	-	-
Height	G	G	G	G	G	G	G	G	G	G
Lot Coverage	-	-	-	-	-	-	-	-	-	-
Setback	C	C	A	A	A	A	C	A	C	B
Open Space	-	-	-	-	-	-	-	-	-	-
Animal Regs.	L	L	V	V	V	V	L	V	L	V
Special Area Regs	Por F, R	Por F, R	F, R	F, R	F, R	F, R	Por F, R	F, R	Por F, R	F, R

- = Not applicable
[1] – See Figures 9-3 through 9-8 and Tables 9-4 through 9-7 for further description of the applicable Development Regulations within the Coastal Zone.

Table 9-3b
Development Standards
Subareas K through T

Dev Regs[1]	Subarea K	Subarea L	Subarea M	Subarea N	Subarea O	Subarea P	Subarea Q	Subarea R	Subarea S	Subarea T
Use Regulation	A70	A70	RV	RS	RS	RS	RS	S80	S80	RR
Density		-		-	-	-	-	.125	.125	-
Lot Area	8 ac	4 ac	-	1 ac	1 ac	1 ac	1 ac	8 ac	8 ac	2.86 ac
Building Type	C	B	L	B	B	B	C	C	C	B
Max. Floor Area	-	-	-	-	-	-	-	-	-	-
FAR	-	-	-	-	-	-	-	-	-	-
Height	G	G	G	E	E	E	G	G	G	G
Lot Coverage	-	-	0.60	0.20				-	-	-
Setback	C	A	V	B	G	G	H	C	C	A
Open Space	-	-	B	-	-	-	-	-	-	-
Animal Regs.	L	V	A	Q	Q	Q	Q	U	U	V
Special Area Regs	F, R	F, R	P, R	R	R	R, S	R, S	R,S	R	R, S

- = Not applicable
[1] – See Figures 9-3 through 9-8 and Tables 9-4 through 9-7 for further description of the applicable Development Regulations within the Coastal Zone.

Table 9-3c
Development Standards
Subareas U through Z

Dev Regs[1]	Subarea U	Subarea V	Subarea W	Subarea X	Subarea Y	Subarea Z
Use Regulation	RR	RS	RS	S86	C30	S86
Density	-	-	-	-	-	-
Lot Area	2.86 ac	1 ac	1 ac	-	-	-
Building Type	B	B	B	A	X	A
Max. Floor Area	-	-	-	-	-	-
FAR	-	-	-	-	-	-
Height	G	E	E	A	G	A
Lot Coverage	-	0.20	0.20			
Setback	A	B	B	R	M	R
Open Space	-	-	-	-	-	-
Animal Regs.	V	Q	Q	-	-	-
Special Area Regs	R	R	R	R	R	R

- = Not applicable

[1] – See Figures 9-3 through 9-8 and Tables 9-4 through 9-7 for further description of the applicable Development Regulations within the Coastal Zone.

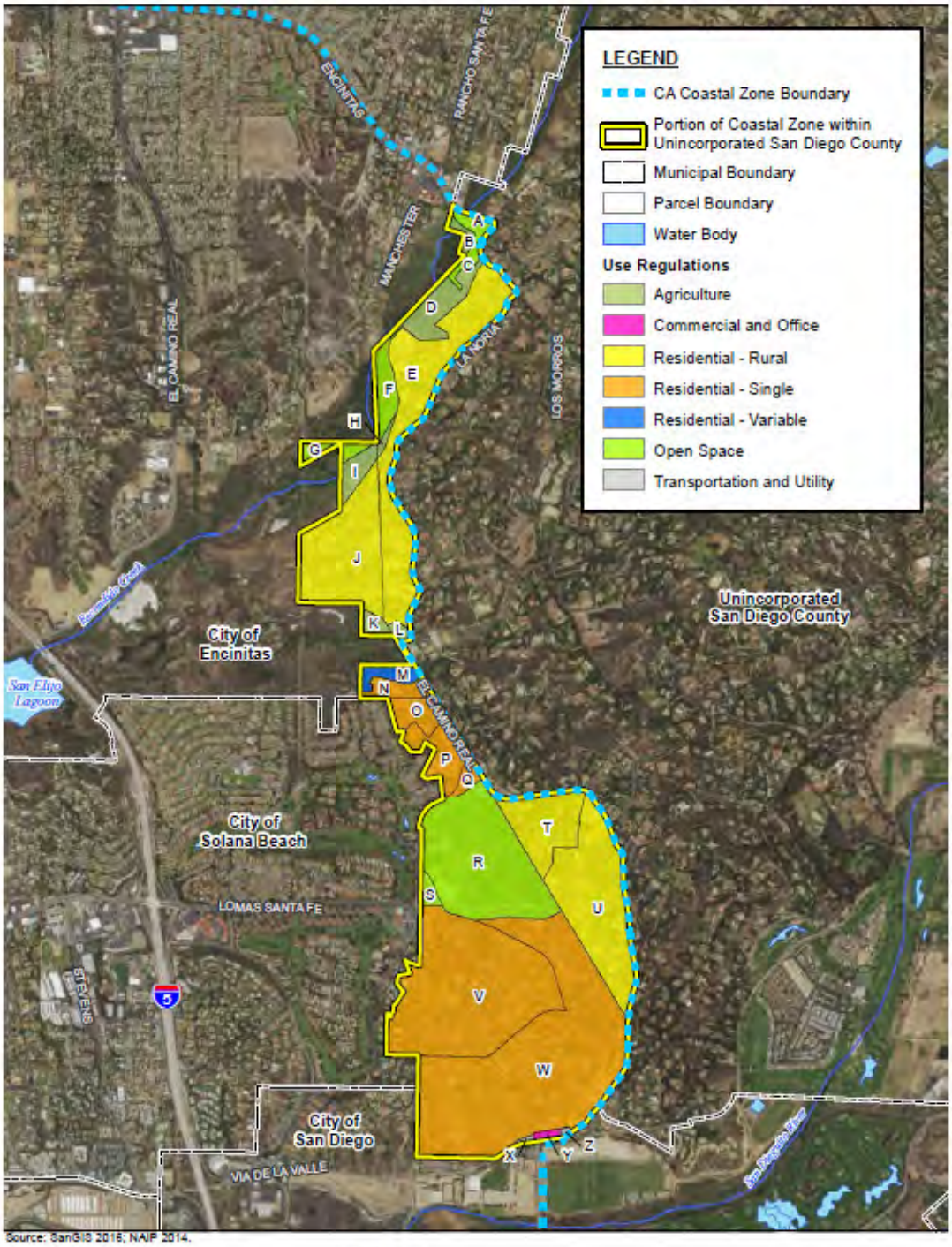

Figure 9-2
Coastal Zone Subareas

Local Coastal Program - Local Coastal Implementation Plan

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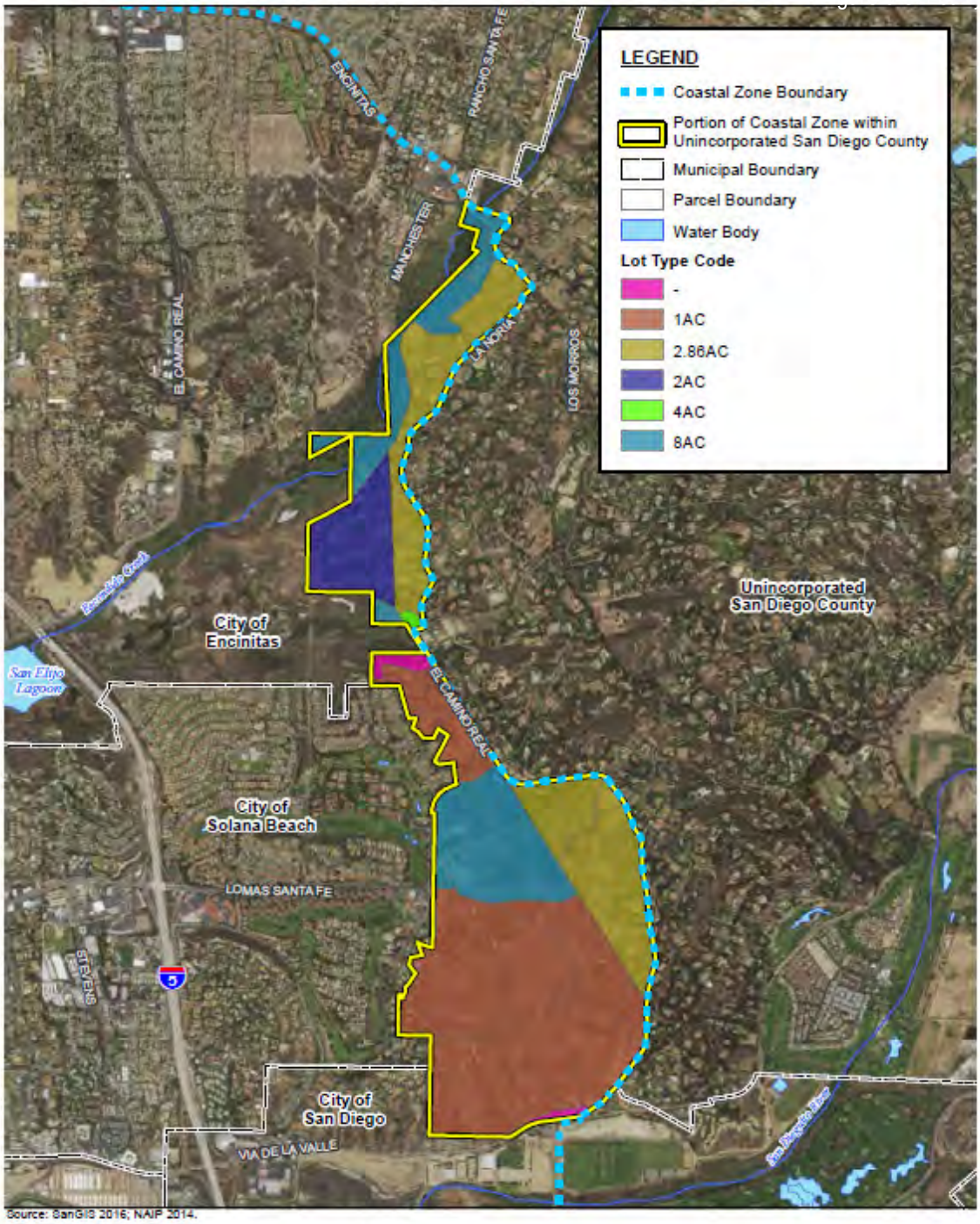

Figure 9-3
Lot Type

Local Coastal Program - Local Coastal Implementation Plan

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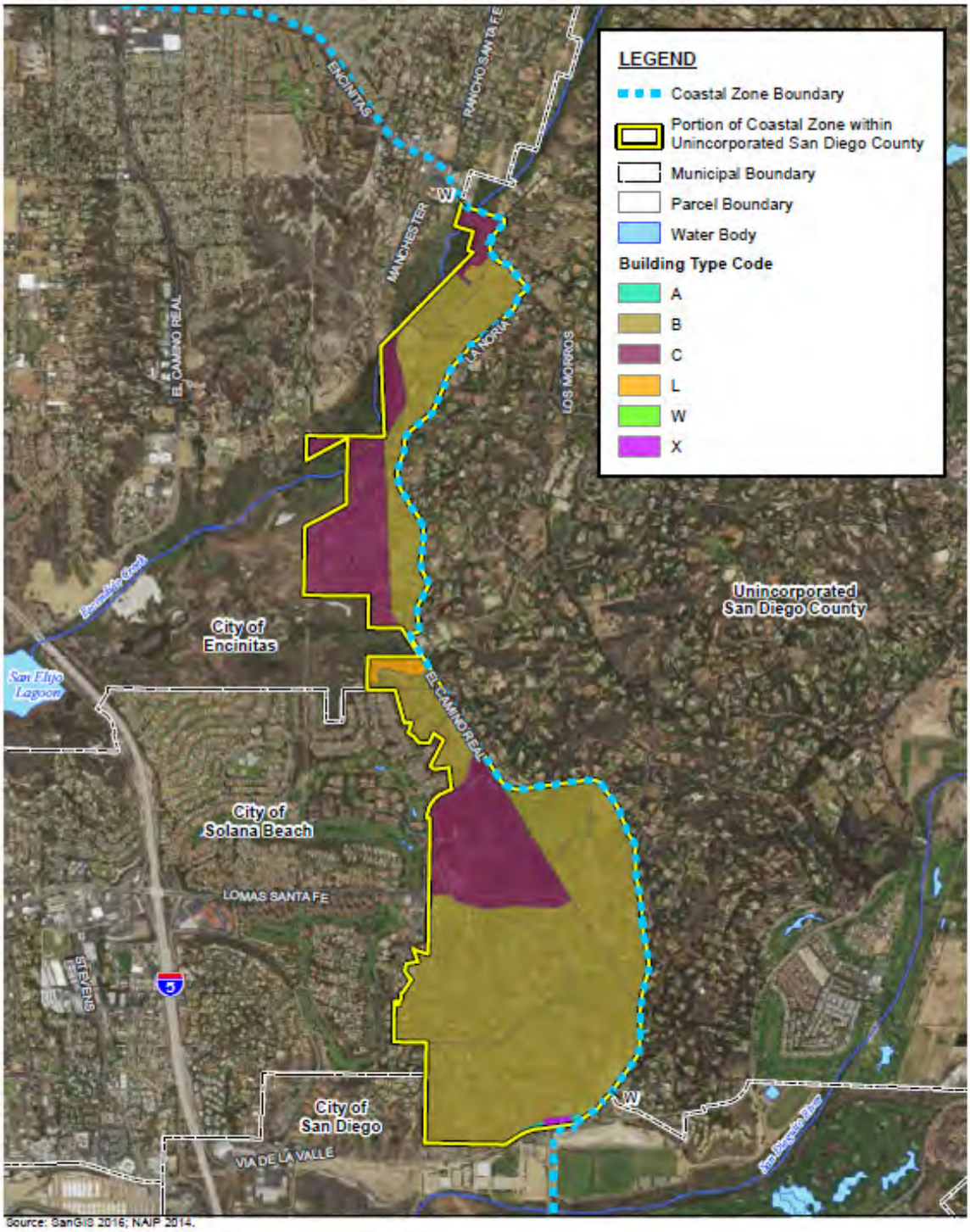

Figure 9-4
Building Type

Local Coastal Program - Local Coastal Implementation Plan

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ii. **Building Type – Figure 9-4** illustrates the allowed building type designators within the Coastal Zone. For developments located in the Use Regulation Zone C30 (Commercial: Office Professional), residential uses are restricted on the ground floor. The applicable designators are defined in **Table 9-4**.

Table 9-4
Building Type Schedule

	Residential							Mixed Residential Nonresidential		Nonresidential	
Designator	Single Detached (one dwelling unit per lot)	Semi-Detached (one dwelling unit per lot)	Duplex or Double Detached (a) (two units on same lot)	Stacked (same lot)	Triplex, Three Unit Multiple (a) (same lot)	Attached, Three to Eight Dwelling Units (separate lots)	Multi-Dwelling (same lot)	Limited Nonresidential (ground level and basement only)	Unlimited Nonresidential (any level)	Detached (one or more main buildings per lot)	Attached (same lot or separate lots)
A[1]											
B	X										
C	X							X		X	X
L	X	X	X	X	X	X	X	X	X	X	X
W										X	X
X										X	

Note:
(a) Detached dwellings are permitted.
[1] In zones subject to the "A" Building Type Designator, no buildings are permitted except: Civic Use Types; Any use or structure, for which a Major Use Permit is granted; Accessory Structures.

iii. **Height – Figure 9-5** illustrates the allowed building height designators within the Coastal Zone. **Table 9-5** defines the Height regulation designators within the Coastal Zone. All structures shall comply with the design criteria provided in the LUP, Goal 6.3.2, Policy 6.7.

Table 9-5
Height Schedule

Designator	Maximum Height[1, 2, 3] (Feet)	Maximum Number of Stories
A	15	1
E	30	2
G	35	2

Note:

[1] The following structures shall be exempt from the maximum height provisions of an applicable height designator.

[2.] If a proposed structure is located within the San Dieguito Park's "Vantage Point 2000-Foot Buffer," an CDP shall be obtained in order to exceed the maximum height cited within Table 9-5. The western Vantage Point 2000-Foot Buffer shall be described as:

A 2,000-foot radius encircling the San Dieguito Park, with the focal point known as Hawk's Nest as the circle's center point. All CDPs granted within this radius shall comply with the applicable design criteria cited in the LUP Goal 6.3.2, "Development," Policy 6.7.

[3.] The following structures shall be exempt from the maximum height provisions of an applicable height designator. Exemptions to these may be granted after review and decision on a Minor Use Permit:

a. Radio and television receiving antennas of the type customarily used for home radio and television receivers that shall be the minimum height allowed by federal law.
b. Transmitting antennas used by licensed amateur (ham) or citizens band radio operators shall be the minimum height allowed by federal law.
c. Flagpoles shall not be used as signs, or attention-attracting devices, and shall be no more than 40 feet in height.
d. Grain elevators, silos and water tanks that are functionally used for commercial agriculture, boarding and breeding stables, or public stables, which are located in agricultural zones; provided that no such structure shall be more than 40 feet in height.
e. Chimneys extending no more than 3 feet above the highest point on the roof of the building, to which they are attached.
f. Any structure, for which a CDP is granted pursuant to other provisions of this Implementation Plan, when that CDP authorizes an exemption to the height regulations.
g. Any structure used primarily to contain or support Essential Services or Fire Protection Services uses.
h. A Photovoltaic Solar Energy System extending not more than 5 feet above the highest point of a building's roof.
i. Wind turbines, windmills, wind-driven water pumps and appurtenant structures required for the function thereof.
j. Meteorological Testing (MET) Facility that shall be the minimum height allowed by federal law.
k. Brewery and associated structures, including water tanks or silos, not more than 40 feet in height, located in commercial zones.

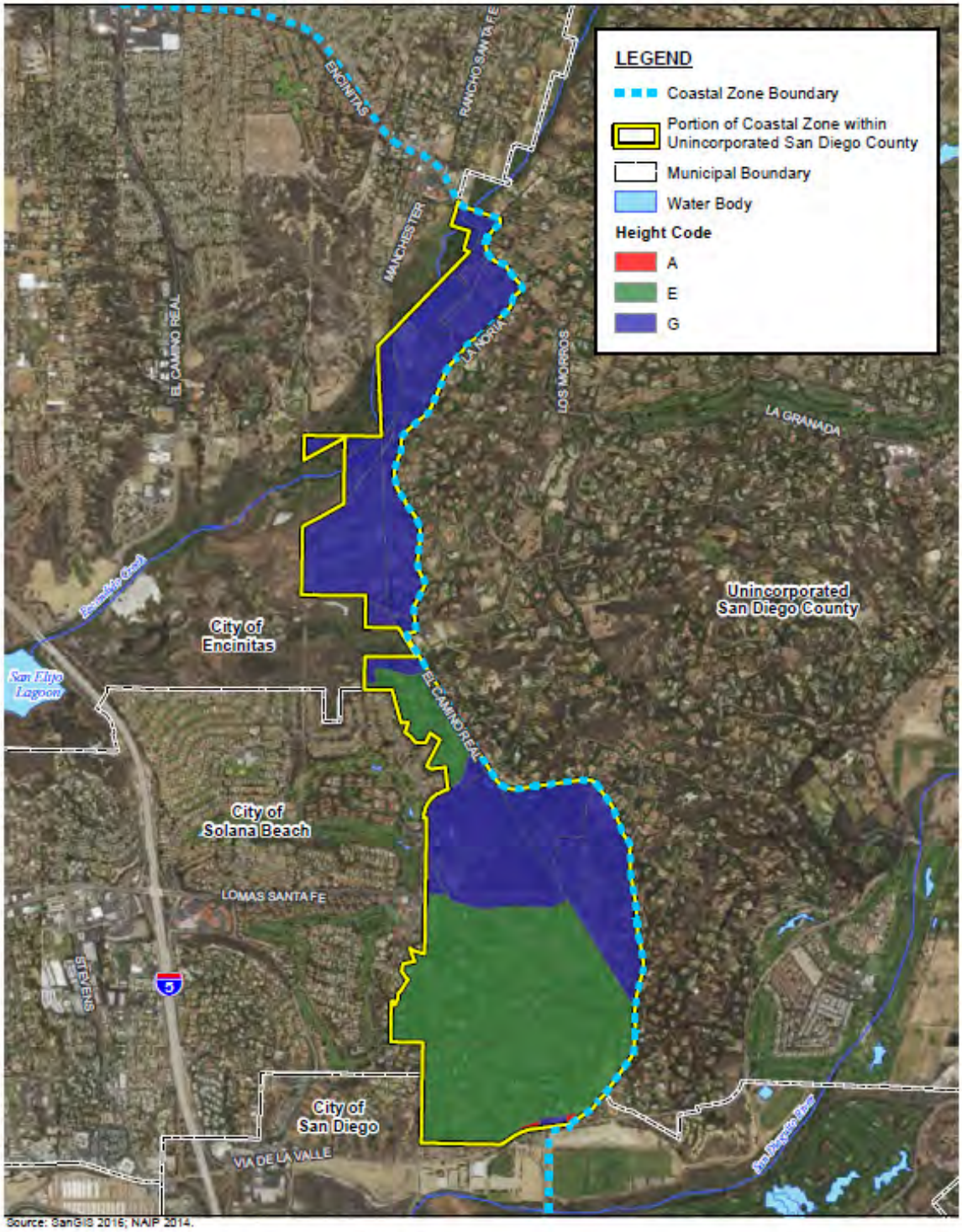

Figure 9-5
Height

Local Coastal Program - Local Coastal Implementation Plan

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iv. Setbacks – Figure 9-6 illustrates the allowed Setback designators within the Coastal Zone. Table 9-6 defines the Setbacks applicable to the Coastal Zone.

Table 9-6
Setback Schedule*

Designator	Front Yard				Side Yard		Rear Yard
	Abutting public street or private thoroughfare except those subject to Note (a). (Measured from Centerline)				Interior Setback measured from the lot line	Exterior (d) Setback measured from centerline	Setback measured from lot line
	Standard Setback	Setbacks for certain Major Subdivisions recorded after January 1, 1966					
		Street Width in Feet					
		50	52	56			
A	100	100	100	100	15	35	50
B	60	60	60	60	15	35	50
C	60	60	60	60	15	35	25
G	50	45	46	48	10	35	40
H	50	45	46	48	10	35	25
M	50	50	50	50	5 (c)	35	25
R	(e)	(e)	(e)	(e)	0 (b)	35	15
V	Setbacks to be established during Planned Development review						

Notes:

* Consolidated Fire Code Setbacks may be more restrictive. Check with Rancho Santa Fe Fire Protection District.

a. This provision applies only to those lots which front on a private street or easement, which is less than 40 feet in width. The front yard setback required shall be 40 feet from the centerline of said street or easement. For lots fronting on the terminal end of said street or easement the 40 feet shall be measured from a point on the centerline of said street or easement at a distance of 20 feet in front of the intersection of said centerline and the front lot line.

b. Five feet if lot line abuts property in a residential zone.

c. An additional one foot for each side yard is required for each story above the second.

d. The exterior side yard setback as measured from the nearest edge of the right-of-way shall not be less than that required for the interior side yard.

e. Equal to setback requirement of abutting property that is nearest main building.

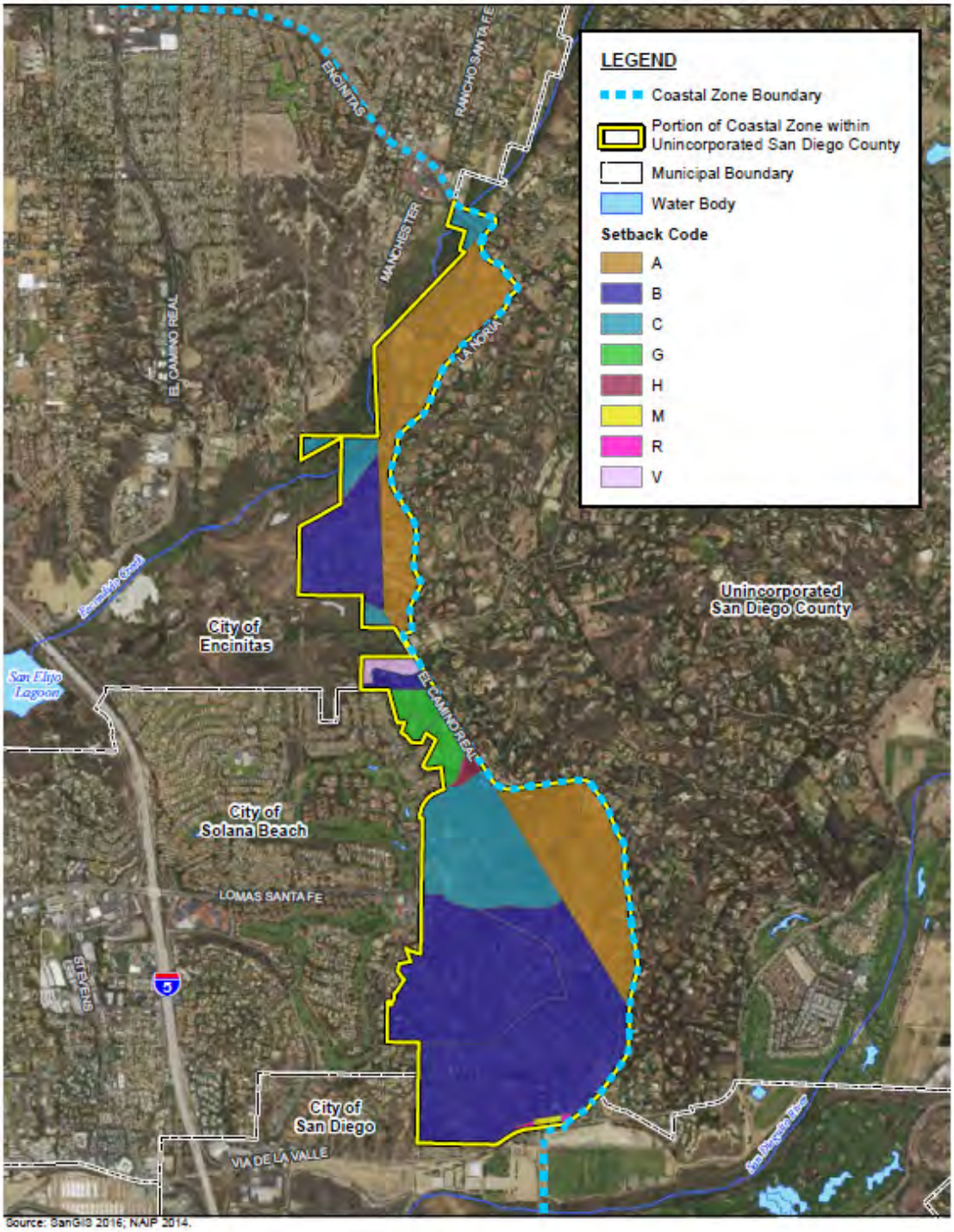

Figure 9-6
Setbacks

Local Coastal Program - Local Coastal Implementation Plan

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v. Animal Regulations – Figure 9-7 illustrates the Animal Regulations that apply within the Coastal Zone. Table 9-7 defines the Animal Regulations applicable to the Coastal Zone.

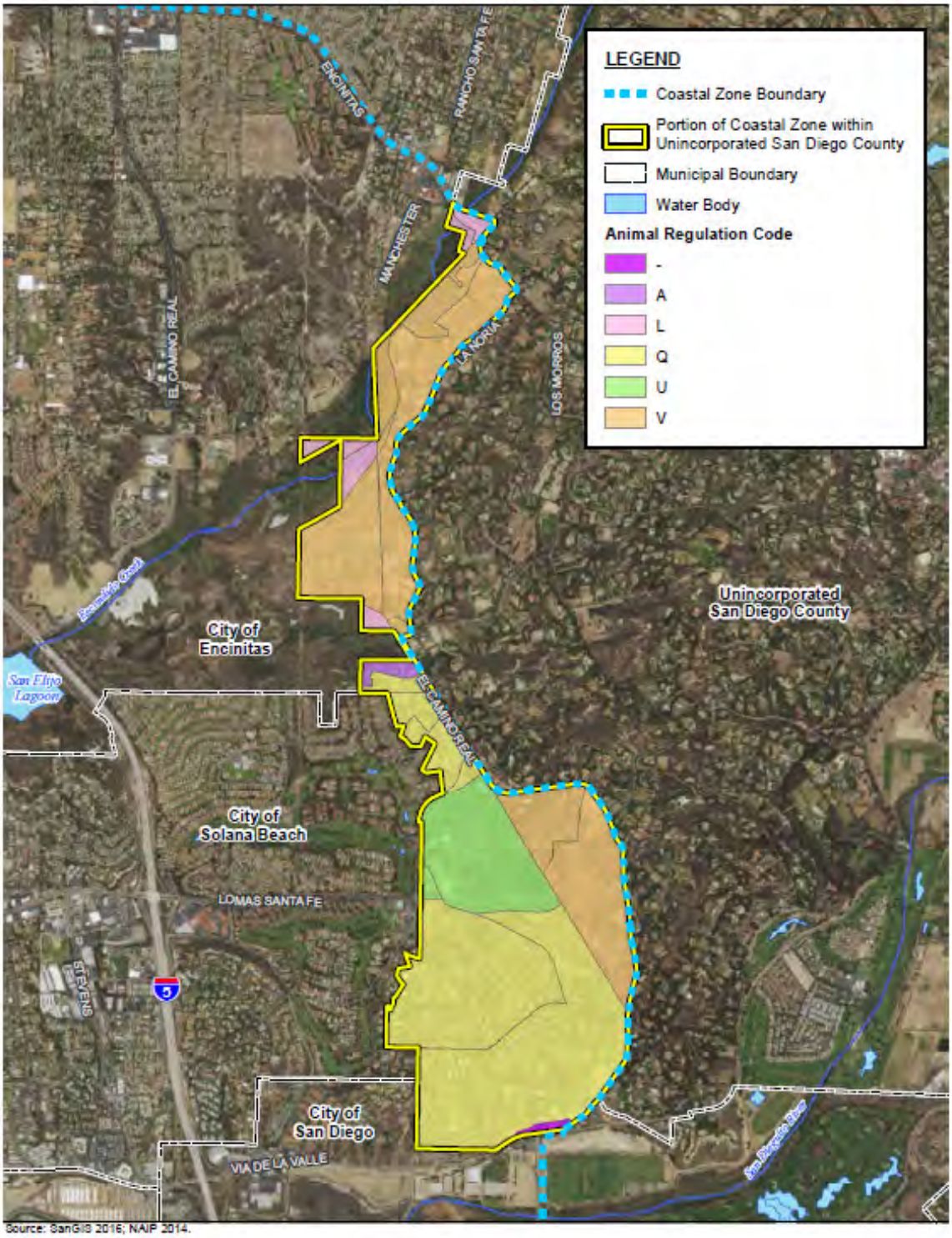

Figure 9-7
Animal Regulations

Local Coastal Program - Local Coastal Implementation Plan

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Table 9-7
Animal Schedule

Animal Use Type *(see Note 4)*	Restrictions and Density Range	Designator				
		A	L	Q	U	V
Animal Sales and Services						
Horse Stable	Boarding of and riding lessons for up to 3 horses not owned by the property owner		X		X	X
	10 Horses per acre of usable area up to 50 horses and 5 acres +Zoning Verification		X		X	X
	10 Horses per acre of usable area up to 100 horses and 10 acres +Administrative Permit		X		X	X
	More than 100 horses and more than 10 acres of usable area + by CDP		X		X	X
Kennels *(see Note 1)*	MUP required		X			X
	One acre + by CDP	X				
Animal Raising *(see Note 6)*						
(a) Animal Raising Projects see Section 3115	½ acre+ by AD		X			X
	1 acre+ by CDP	X				
(b) Small Animal Raising (includes Poultry) *(See Note 8)* Chinchillas *(See Note 5)*	25 maximum		X	X		X
	½ acre+: 10 max	X				
	½ acre+ 25 max by ZAP	X				
	100 max by ZAP		X			
(c) Large Animal Raising (Other than horsekeeping)	8 acres + permitted		X			
	1 acre or less: 2 animals		X			
	1 to 8 acres: 1 per ½ acre		X			
	2 animals			X		X
	½ acre + 2 animals per ½ acre by ZAP	X				
(d) Horse keeping (other than Animal Sales and Services: Horse Stable)	Permitted		X	X	X	X
	2 horses + 1 horse per ½ acre over ½ acre + AD	X				
(e) Specialty Animal Raising: Bees (See Title 6, Division 2, Chapter 9, County Code) *(See Note 7)*	Permitted	X	X	X	X	X
(f) Specialty Animal Raising: Wild or Undomesticated *(See Note 3)*	ZAP Required		X		X	
(g) Specialty Animal Raising: Other (Excluding Birds or Aquaponics)	25 maximum		X	X		X
	25 maximum by ZAP		X			
	25 plus by ZAP	X			X	X
(h) Specialty Animal Raising: Birds	25 maximum		X	X	X	
	100 maximum					X
	Additional by ZAP	X	X		X	X
(i) Racing Pigeons	100 Max 1/acre plus			X		
	Permitted		X			
Animal Enclosure Setbacks						
Most Restrictive (Distance from lot lines: 10 feet)		X	X	X	X	X

AD = Administrative Permit CDP = 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 and are not subject to the animal enclosure setbacks.
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, and is not subject to the Animal Schedule.
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 ZAP 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.

vi. Figure 9-8 illustrates the Special Area Regulations that apply within the Coastal Zone.

9204 Landscaping Requirements

a. All coastal permit applications for new development projects shall be required to provide a Landscape Plan that has been prepared in accordance with the provisions of the Landscape Ordinance, the Landscape Design Manual and the County of San Diego "Suggested Plant List for a Defensible Space" and planting guidelines that require the use of fire-resistant, native, non-invasive, drought-tolerant and salt-tolerant species. These landscaping requirements are subject to review and approval through the Coastal Administrative Permit or Coastal Development Permit process, and shall be consistent with all required Special Area Regulations requirements in Section 9300 through 9316, as applicable.

9206 Lighting Requirements

a. Lighting requirements within the Coastal Zone are subject to the provisions of the County's Light Pollution Code.

b. The provision of lighting shall be consistent with all required Special Area Regulations requirements in Section 9300 through 9314 as applicable.

c. Lighting shall comply with the following standards (see Table 9206):

Categories:
Class I: Commercial/Industrial Uses
Class II: Parking and Security – All Uses
Class III: Decorative – All Uses

Zone: Unincorporated County Coastal Zone (outside 15-mile radius of Palomar Mountain Observatory)

Table 9206

Class	Lamp Type	ZONE B (Outside 15 Mile Radius of Palomar Mountain Observatory)
Class I	Low Pressure Sodium Lamps	Fully Shielded
	Lamps, above 4050 Lumens	Fully Shielded
	Lamps, 4050 Lumens or below	Fully Shielded (unless lighting is for commercial signs, then shielding is only required where feasible)
	Low Pressure Sodium Lamps	Fully Shielded
	Lamps, above 4050 Lumens	Prohibited, except fully shielded HPS is allowed for private roadways (private driveways excluded)

Class II	Lamps, 4050 Lumens and Below	(a) Fully shielded fixture (luminaire); or, (b) Unshielded fixture (luminaire), 2000 lumens maximum with motion sensor; or, (c) Residential Entrance Light
Class III	Low pressure sodium	Fully Shielded
	Lamps, above 4050 Lumens	Prohibited
	Lamps, 4050 Lumens or Below	2000 Lumens maximum
	Luminous Tube (e.g. neon)	Fully Shielded

Examples of lamps, 4050 lumens:

- Standard Incandescent: 200 watt
- Tungsten-Halogen (Quartz): 150 watt
- Mercury Vapor: 75 watt
- High Pressure Sodium: 50 watt
- Metal Halide: 50 watt
- Fluorescent: 40 watt

Examples of lamps, 2000 lumens:

- 100 watt Incandescent
- 26 watt Florescent

"Fully Shielded" denotes that outdoor light fixtures (luminaire) are to be shielded, focused, or constructed so that light rays project below a horizontal plane passing through the lowest light-emitting point of the fixture.

"Residential Entrance Light" is lighting that is required at exits doors per building & electric code requirements.

d. Lighting requirements adjacent to ESHA. Lighting requirements adjacent to ESHA shall comply with the following standards.

i. Night lighting for any development located adjacent to ESHA, ESHA buffers, or where night lighting would increase illumination in ESHA, shall be prohibited.

ii. No development shall include night lighting that generates light trespass or spill light into ESHA that exceeds 0.1 footcandle. This shall be measured in the horizontal or vertical plane, at a point three feet above grade level, and one foot inside the adjacent ESHA property. This measurement shall be taken15 minutes after the initial start-up of the fixture.

iii. All night lighting adjoining ESHA shall be shielded away from ESHA.

iv. Night lighting adjacent to ESHA shall not project blue hues and colors shall impact sensitive species. A study shall be submitted for any development proposed adjacent to ESHA that shall address the most appropriate lighting colors for the proposed development.

v. Temperature of lighting adjacent to ESHA shall not project heat inside the ESHA boundary. A study shall be submitted for any development proposed adjacent to ESHA that shall address the most appropriate lighting temperature for the proposed development.

9208 Sign Requirements

a. Sign requirements within the Coastal Zone are subject to the provisions of Sections 6250 through 6290, except as modified below.

b. Sign requirements specific to the Coastal Zone include:

i. Off premise Signs. Off-premise signs shall be prohibited within the Coastal Zone.

ii. Sign Area. Signs located within the California Coastal Zone and all Residential Use Regulations shall be limited to 16 square feet.

iii. Signs located within the Coastal Zone may only advertise developments within the Coastal Zone.

iv. Roof Signs. No roof signs shall be permitted within the Coastal Zone or along State or County designated scenic highways within the Coastal Zone.

v. Height. A commercial freestanding sign shall not exceed a height measured from the ground of: i) eight feet within the Coastal Zone.

vi. Directional Signs. Way-finding; County Jurisdictional road usage; and temporary real estate signs may be permitted in the Coastal Zone.

c. The provision of signs shall be consistent with all required Special Area Regulations requirements in Section 9300 through 9314 as applicable, except as otherwise noted in Section 9404 (Exemptions).

9210 Temporary Use Requirements

a. Temporary Use requirements within the Coastal Zone are subject to the provisions of Sections 6100 through 6128.

9212 Accessory Use Requirements

a. Accessory Use requirements within the Coastal Zone are subject to the provisions of Sections 6150 through 6158.

9214 Fencing Requirements

a. Fencing requirements within the Coastal Zone are subject to the provisions of Section 6708.

COASTAL ZONE SPECIAL AREA REGULATIONS

9300 Purpose

These special area regulations provide for the establishment of special requirements in areas where, by reason of location, topography, existing development conditions, or other circumstances, development impacts may be greater or circumstances may necessitate additional site-specific regulation to further the purposes of this Ordinance.

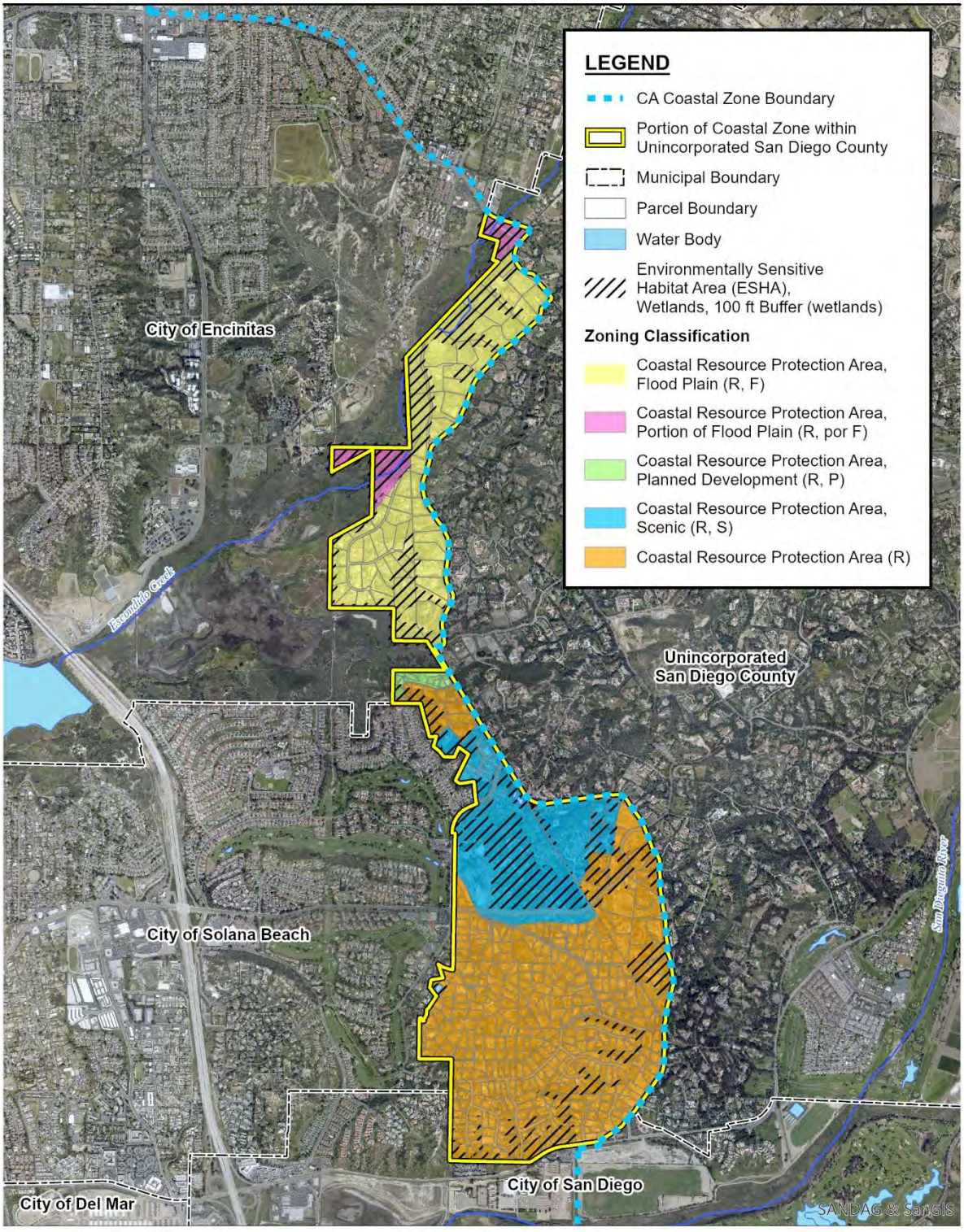


Figure 9-8
Coastal Zone Special Area Designators

9301 New Development - Biological Inventory

The following paragraphs shall relate to biological inventories, and when necessary Biological Studies. This section applies to Environmentally Sensitive Habitat Areas, as identified in Figure 11 (Environmentally Sensitive Habitat Areas) in the County certified Land Use Plan, and all other special area regulations.

a. New development proposals on properties with the possible presence of native plant and animal species, and native ecological communities shall include an inventory conducted by a qualified biologist. If the initial inventory indicates the presence or potential for sensitive species or habitat on the project site, a detailed Biological Study shall be required. Sensitive species are those listed in any of three categories: federally listed, state listed, and California Native Plant Society (CNPS) categories 1B and 2.

b. The detailed Biological Study shall include at a minimum:

   i. A site-specific survey evaluating existing habitat resources that would be affected by development at the time of proposed development.

   ii. A map identifying existing habitat resources within the project's identified area of potential impact at the time of proposed development.

   iii. An identification and evaluation of buffers, or setbacks, required around any identified habitat resources, including wetland or riparian vegetation, to ensure the biological integrity of the resource and consistency with the LCP.

   iv. Identification of all biological impacts of the proposed development.

   v. Alternatives and/or mitigation measures for reducing any identified impacts to a less than a significant level.

   vi. Mitigation/Restoration and Monitoring Program for any mitigation required.

9302 Development - Environmentally Sensitive Habitat Area (ESHA)

The following standards shall be applied to all development requiring discretionary permit review.

a. ESHA shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within ESHA. Areas adjacent to ESHA, as identified in Figure 11 (Environmentally Sensitive Habitat Areas) in the County certified Land Use Plan, shall be sited and designed to prevent degradation of those areas.

b. New development shall be sited and designed to avoid impacts to ESHA. For development permitted pursuant to Section 9302.c below, if there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. In that case, impacts to ESHA shall be minimized, and impacts that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures may only be approved when the applicant demonstrates it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to ESHA. For only those applications meeting Section 9302.c, mitigation for impacts to ESHA shall be provided at a 3:1 ratio.

c. If the application of the policies and standards contained in the LCP regarding use of property designated as ESHA, or ESHA buffer, including the restriction of ESHA to only resource-dependent use, would likely constitute a taking of private property without just compensation, then a use that is not consistent with the ESHA provisions of the LCP shall be allowed on the property, provided such use is:

   i. Consistent with all other applicable policies of the LCP;

   ii. The approved project is the alternative that would result in the fewest or least significant impacts; and

   iii. The minimum amount of development necessary to avoid a taking of private property without just compensation.

d. For those cases meeting Section 9302.c, the development shall demonstrate the extent of ESHA on the property and include mitigation for unavoidable impacts to ESHA or ESHA buffers from the removal, conversion, or modification of natural habitat for new development. This shall include those site areas designated as required fuel modification and brush clearance zones. On-site mitigation shall be prioritized over off-site mitigation, however, mitigation shall not substitute for implementation of a feasible project alternative that would avoid adverse impacts to ESHA.

e. For those impacts to ESHA that do not conform to the situation described in Section 9302.c, impacts to ESHA shall be prohibited, except where no other feasible alternative exists. Where ESHA impacts are permitted in accordance with the Coastal Act, adverse impacts will be mitigated at the following ratios:

   i. 1:1 for native tree replacement (e.g. oaks, walnut, sycamore), for a tree of comparable size
   ii. 4:1 for wetlands
   iii. 3:1 for non-wetland riparian habitats
   iv. 3:1 for other habitats that support state or federal rare, threatened, or endangered species, species of special concern or CNPS 1b or 2 listed plants
   v. 2:1 for coastal sage scrub not occupied by listed species.

f. For impacts to ESHA identified in Section 9302.e, that cannot be avoided through the implementation of siting and design alternatives, ESHA impacts shall be fully mitigated, and the priority shall be given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to ESHA.

g. Mitigation measures for impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives, including habitat restoration and/or enhancement shall be monitored for a period of no less than five, and no more than ten years following completion of the mitigation measures. Specific mitigation objectives and performance standards shall be designed to measure the success of the restoration and/or enhancement, and compared against an appropriate reference site, where feasible. Adaptive management techniques shall be implemented if necessary. Monitoring reports shall be provided to the County annually, and at the conclusion of the monitoring period, that document the success or failure of the mitigation. If performance standards are not met by the end of five years, the applicant may request that the monitoring period be extended until the standards are met. However, if at any time after five years the applicant concludes that performance standards cannot be met, or if ten years have elapsed and performance standards have still not been met, the applicant shall submit an amendment proposing alternative mitigation measures.

h. Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat (not fuel modification zones) and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. All buffers around (non-wetland) ESHA shall be a minimum of 100 feet in width. All wetland buffers shall be a minimum of 100-feet in width or a minimum of 50 feet in width around riparian areas. A smaller width may be approved by Planning & Development Services and the Fire Marshal in consultation with the CDFW, USFWS, and CCC when conditions of the site as demonstrated in a site-specific biological survey, the nature of the proposed development, etc. show that a smaller buffer would provide adequate protection. In such cases, the CDFW must be consulted and agree that a reduced buffer is appropriate and the County, or Coastal Commission, must find that the development could not be feasibility constructed without a reduced buffer. However, in no case can the buffer size be reduced to less than 50 feet, excluding fuel modification zones. Fuel modifications zones shall occur outside, not within ESHA buffers. New development, including, but not limited to, vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted in required ESHA, ESHA buffer areas, or park buffer areas, unless ordered by the Fire Authority and in consultation with the Resource Agencies (CDFW, USFWS, and CCC). Habitat restoration and invasive plant eradication may be permitted within required buffer areas if designed to protect and enhance habitat values.

i. Public, non-motorized trails are considered resource dependent uses. Non-motorized trails located within or adjacent to ESHA, shall be sited to minimize impacts to ESHA to the maximum extent feasible and in general should be located around the periphery of sensitive habitat areas. Measures, including but not limited to signage, placement of boardwalks, and limited fencing shall be implemented as necessary to protect ESHA.

j. ESHA shall be protected and, where feasible, enhanced. Where pedestrian access through ESHA is permitted, well-defined footpaths or other means of directing use and minimizing adverse impacts shall be used. Nesting and roosting areas for sensitive birds such as coastal California gnatcatcher, least Bell's vireo, and Belding's savannah sparrow, shall be protected by means, which may include, but are not limited to, fencing, signing, or seasonal access restrictions.

k. The use of insecticides, herbicides, rodenticides or any toxic chemical substance that has the potential to significantly degrade ESHA, shall be prohibited, within and adjacent to ESHAs, except in the following circumstances:

    i. Where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration

    ii. To protect public health; or

    iii. As required for wildfire, or other fire, fuel modification.

l. Application of such chemical substances shall not take place during the winter season, or when rain is predicted within a week of application. Within or adjacent to ESHA, mosquito abatement shall be limited to the implementation of the minimum measures necessary to protect human health, and shall minimize adverse impacts to ESHA.

m. If a site-specific biological study contains substantial evidence that an area previously mapped as ESHA does not contain habitat that meets the definition of ESHA, the lead department shall review all available site-specific information to determine if the area in question should no longer be considered ESHA and not subject to the ESHA protection policies of the LUP. If the area is determined to be adjacent to ESHA,

LUP ESHA buffer policies shall apply. The Director of lead department shall provide recommendations to the County Board of Supervisors as to the ESHA status of the area in question. If the Board of Supervisors finds that an area previously mapped as ESHA does not meet the definition of ESHA, a modification shall be made to the LUP ESHA Maps, as part of an LCP map update and LCP Amendment. If an area is not ESHA or ESHA buffer, LCP policies and standards for protection of ESHA and ESHA buffer shall not apply and development may be allowed (consistent with the IP) after the ESHA map and LCP has been amended. If a site-specific biological study contains substantial evidence that an area not previously mapped as ESHA does contain habitat that meets the definition of ESHA, the Director of the lead department shall review all available site-specific information to determine if the area in question should be considered ESHA. The Director of the lead department shall provide recommendations to the County Board of Supervisors as to the ESHA status of the area in question. If the Board of Supervisors finds that an area not previously mapped as ESHA does meet the definition of ESHA, a modification shall be made to the LUP ESHA Maps, as part of an LCP map update and LCP Amendment to include area in question.

9304 Wetlands

a. Where an initial site inventory indicates the presence or potential for wetland species or indicators, the County shall require a delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations.

b. The diking, filling, or dredging of wetlands, estuaries, and streams may be permitted in accordance with all policies of the LUP, where there is no feasible, less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following: (i) Incidental public service purposes, including but not limited to, burying cables and pipes. (ii) Restoration purposes. (iii) Nature study, or similar resource-dependent activities.

c. Wetland fill or development impacts located within wetlands, in accordance with: 1) the Coastal Act; and 2) Applicable LCP policies, mitigation measures shall include, at a minimum, creation or substantial restoration of wetlands of the same type lost. Adverse impacts to delineated wetlands will be mitigated at a ratio of 4:1 for all types of wetland, and 3:1 for non-wetland riparian areas. The mitigation ratio may be 1:1, if, prior to the development impacts occurring, the mitigation is completed and is empirically demonstrated to meet performance criteria that establish that the created or restored wetlands are functionally equivalent to relatively pristine natural wetlands of the same type as the impacted wetlands. Replacement of wetlands on-site or adjacent to the project site, within the same wetland system, shall be given preference over replacement off-site or within a different system. Areas subjected to temporary wetland impacts shall be restored to the pre-project condition at a 1:1 ratio. Temporary impacts are disturbances that last less than 12 months and do not result in the physical disruption of the ground surface, death of significant vegetation within the development footprint, or adverse alterations to wetland hydrology.

d. A buffer of at least 100 feet in width from the upland edge of wetlands and at least 50-feet in width from the upland edge of riparian habitat shall be provided. Where oak woodland occurs adjacent to the wetland, the wetland buffer shall include the entirety of the oak habitat (not to exceed 200 feet in width). Buffers should take into account and adapt for rises in sea level. Under this policy, the CDFW, USFWS, and USACE must be consulted in such buffer determinations and in some cases, the required buffer could be greater than 100 feet. Uses and development within buffer areas shall be limited to minor passive recreational uses, with fencing, siltation or erosion control facilities, or other improvements deemed necessary to protect the habitat, to be located in the upper (upland) half of the buffer area;

however, water quality features required to support new development shall not be constructed in wetland buffers. In some cases, smaller buffers may be appropriate, when it is demonstrated in a site-specific biological survey, that: 1) Conditions of the site; 2) Type of habitats; 3) The nature of the proposed development; etc., show that a smaller buffer would provide adequate protection. In such cases, the CDFW shall be consulted and agree that a reduced buffer is appropriate. On appeal, the County or Coastal Commission must find that the development could not be feasibly constructed, without a reduced buffer, however, in no case shall the buffer be less than 50 feet, excluding fuel modification zones.

e. All wetlands and buffers identified and resulting from development and use approval shall be permanently conserved or protected through the application of an open space easement, or other suitable instrument.

f. In addition to the findings required for granting a coastal permit pursuant to Section 9408, the following specific findings shall be made for wetland areas:

    i. 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.

    ii. The proposed use, activity or construction will not: 1) Involve wetland fill, except as related to habitat enhancement; 2) Increase sedimentation of the wetland; 3) Adversely decrease stream-flow into the wetland; nor 4) Reduce tidal interchange or internal water circulation.

    iii. 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.

    iv. Evidence of the preliminary approval of the California Department of Fish and Wildlife, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and other resource management agencies has been provided if permits are needed.

9306 Water Quality and Watershed Protection

a. INTENT. The purpose of this section is to provide the water quality protection requirements, as set forth in the Coastal Act. This section implements the LCP water quality policies, together with State Water Resources Control Board and California Regional Water Quality Control Board water quality protections currently in effect, and with successive updates in the future. This section is intended to provide a robust program for protecting and, where feasible, improving coastal water quality. Where there is a conflict between requirements of the LCP and other applicable standards in effect, such as NPDES Storm Water permits, the requirements that on balance are most protective of coastal resources shall be applied.

b. PRIVATE SEWER LATERALS AND ON-SITE WASTEWATER TREATMENT SYSTEMS.

    i. Private sewer laterals shall be cleaned, maintained and when necessary replaced to prevent seepage and spills. On-site wastewater systems shall be pumped, maintained and when necessary modified or replaced to prevent spills.

ii. Spills from private sewer laterals and on-site wastewater systems shall be contained and cleaned-up in a manner that minimizes any release of pollutants to the stormwater conveyance system or receiving waters.

iii. Any release from a private sewer lateral that enters the stormwater conveyance system or receiving waters shall be immediately reported to the County.

iv. Failed on-site wastewater treatment systems shall be repaired or replaced.

c. CONSOLIDATING EXISTING AND NEW STORMWATER OUTFALLS.

i. Implement design and management features to minimize adverse impacts to coastal resources resulting from discharges of stormwater or dry weather runoff through stormwater outfalls.

ii. Prevent erosion at stormwater outlets. Protective measures shall be used to prevent erosion at stormwater outlets (including outlets of pipes, drains, culverts, ditches, swales, or channels), if the discharge velocity will be sufficient to potentially cause erosion from concentrated runoff flows.

iii. The type of measures selected for outlet erosion prevention shall be prioritized in the following order, depending on the characteristics of the site and the discharge velocity:

a) Use vegetative bioengineered measures. Vegetative bioengineered measures (such as plant wattles) for outlet protection shall be given preference, rather than hardened structures, where site conditions are favorable for these measures to be feasible and effective. Where plant wattles are not feasible, other bioengineered measures (such as rock and plant pole cuttings) shall be considered for outlet erosion prevention.

b) Use a hardened structure consisting of loose material. Where a vegetative bioengineered measure is not feasible or effective, a hardened structure consisting of loose material (such as rip-rap apron or rock slope protection) shall be considered for outlet erosion prevention. Wattles shall be fully biodegradable and shall not include plastic netting.

c) Use a fixed energy dissipation structure. Where none of the above measures would be feasible or effective, a fixed energy dissipation structure (such as a concrete apron, grouted rip-rap, or baffles) designed to handle the range of flows exiting the outlet shall be used for outlet erosion prevention. It is anticipated that larger outlets will require a fixed energy dissipation structure.

d. OVERVIEW OF WATER QUALITY PROTECTION PLANS FOR DEVELOPMENT PROJECTS. Developments that require a Coastal Development Permit and have the potential for adverse water quality or hydrologic impacts to coastal waters shall in most cases require both a construction-phase plan and a post-development plan for water quality protection. The water quality protection plans for development projects are summarized as follows:

i. Construction-Phase. A Construction Pollution Prevention Plan (CPPP) or, if required under NPDES, a Stormwater Pollution Prevention Plan (SWPPP), shall be required if a Coastal Development Permit is required, and that entails construction that has the potential for adverse water quality or hydrologic impacts to coastal waters. For the purposes of this

chapter, construction includes clearing, grading, or other activities that involve ground disturbance; building, reconstructing, or demolishing a structure; and creation or replacement of impervious surfaces. The CPPP/SWPPP shall describe the temporary Best Management Practices (BMPs) the development will implement to minimize erosion and sedimentation during construction, and to minimize pollution of runoff by construction chemicals and materials.

ii. Post-Development Phase. All development in the Coastal Zone shall prepare either a Post Development Runoff Plan (PDRP) or, if required under NPDES, a Storm Water Quality Management Plan (SWQMP). Additionally, if the development is a Priority Development Project, the applicant must also submit a Water Quality and Hydrology Plan, or alternatively, a Priority Development Project Storm Water Quality Management Plan (PDP SWQMP), if required under NPDES. PDPs are specified categories of development that have a greater potential for adverse water quality and hydrologic impacts due to the development size, the type of land use, and/or proximity to coastal waters, and are listed below.

a) PDRP/SWQMP. Development that requires a Coastal Development Permit and has the potential for adverse water quality or hydrologic impacts to coastal waters shall (1) require a PDRP/SWQMP if the development entails construction; or (2) require a preliminary PDRP/SWQMP if the development entails activities or changes in land use other than construction, including subdivision or re-division of land. The PDRP/SWQMP shall describe the runoff management Site Design strategies, pollutant Source Control BMPs, and other measures the development will implement to protect coastal waters after the development is completed.

b) Water Quality and Hydrology Plan (WQHP) or PDP SWQMP. A WQHP/PDP SWQMP shall be required for development that requires a Coastal Development Permit, has the potential for adverse water quality or hydrologic impacts to coastal waters, and addresses a Priority Development Project (PDP). Nine categories of PDP developments are listed below.

e. All plans shall include the following information on site conditions applicable to the project, to enable evaluation of the project's potential water quality and hydrologic impacts:

i. Location map. A location map, drawn to scale, showing the location of the development, and the distance from the development to the nearest coastal waters and other natural hydrologic features.

ii. Description of existing project site conditions. A site plan that illustrates and describes the following existing project site conditions:

a) Topography and drainage. General site topography and drainage, including natural hydrologic features that may provide stormwater infiltration, treatment, storage, or conveyance (such as groundwater recharge areas, stream corridors, floodplains, and wetlands), and any existing structural stormwater conveyances or BMPs.

b) Nearby coastal waters and ESHA. Location of coastal waters and Environmentally Sensitive Habitat Areas (ESHA) within 200 feet of the project site, indicating whether site runoff drains to these areas.

c) Discharges to impaired waters or ASBS. Whether runoff discharges to receiving

waters listed for water quality impairment on the most recent Clean Water Act Section 303(d) list, or to an Area of Special Biological Significance (ASBS).

d) Structures and pavement. Existing structures, impervious surface areas, permeable pavements, utilities, and vegetated areas. An accompanying table shall quantify the extent of such areas.

e) Potential contamination. Any previous land use on the site with a potential for a historic source of contamination, and any known soil or water contamination.

f. Construction Pollution Prevention Plan and Storm Water Pollution Prevention Plan. The CPPP/SWPPP shall describe the temporary BMPs the development will implement to minimize erosion and sedimentation during construction, and to minimize pollution of runoff by construction chemicals and materials. The level of detail provided to address the plan's requirements shall be commensurate with the type and scale of the development, and the potential for adverse water quality and hydrologic impacts to coastal waters.

i. Applicability of Construction Pollution Prevention Plan. A CPPP/SWPPP shall be required for development that requires a Coastal Development Permit and entails construction that has the potential for adverse water quality or hydrologic impacts to coastal waters. For the purposes of this chapter, construction includes clearing, grading, or other activities that involve ground disturbance; building, reconstructing, or demolishing a structure; and creation or replacement of impervious surfaces.

ii. Applicability of CPPP/SWPPP. To comply with the California State Water Resources Control Board (SWRCB) stormwater permit requirements, an applicant proposing certain size or types of development, including industrial facilities, may be required to develop and implement a Stormwater Pollution Prevention Plan (SWPPP) that addresses construction activities. Applicants submitting a SWPPP to meet SWRCB requirements shall also submit a CPPP to meet the County's LCP requirements for review of a Coastal Development Permit application. Applicable information provided in the SWPPP may also be included as part of the CPPP.

iii. Submittal of CPPP/SWPPP. An applicant shall submit a preliminary CPPP/SWPPP (based on site conditions and project features known at the time of application) with the Coastal Development Permit application, and shall submit a final CPPP/SWPPP for approval prior to construction. The information provided to address the plan's requirements may be submitted as a stand-alone document, or incorporated into the permit application materials. Any changes to the final CPPP/SWPPP after issuance of the Coastal Development Permit shall be subject to additional authorization by the permit-issuing agency.

iv. Requirements of CPPP/SWPPP. The CPPP/SWPPP shall demonstrate that the development complies with the following requirements:

a) Minimize runoff and pollutant discharge. During construction, development shall minimize site runoff and erosion through the use of temporary BMPs, and shall minimize the discharge of sediment and other potential pollutants resulting from construction activities (e.g., chemicals, vehicle fluids, petroleum products, cement, debris, and trash). Development shall implement the following types of construction-phase BMPs, as applicable to the project:

1) BMPs to minimize soil erosion and sedimentation. Erosion and sediment

control BMPs, including:

aa) Erosion control BMPs to prevent soil from being transported by water or wind (such as mulch, soil binders, blankets or mats, or temporary seeding).

bb) Sediment control BMPs to trap and remove eroded sediment (such as fiber rolls, silt fences, straw bales, and sediment basins).

cc) Tracking control BMPs to prevent tracking sediment by vehicles leaving the construction area (such as a stabilized construction entrance/exit, and street sweeping.)

2) BMPs to minimize discharge of other pollutants from construction activities. BMPs to minimize the discharge of other pollutants resulting from construction activities (such as paints, solvents, vehicle fluids, asphalt and cement compounds, trash, and debris) into runoff or coastal waters, including:

aa) BMPs to minimize polluted runoff from staging, storage, and disposal of construction chemicals and materials.

bb) Site management "good housekeeping" BMPs implemented during construction, such as maintaining an inventory of products and chemicals used on site, and having a written plan for the clean-up of spills and leaks.

3) BMPs to infiltrate or treat runoff. BMPs that will be implemented during construction, where necessary, to infiltrate or treat runoff prior to conveyance of runoff off-site.

b) Stabilize soil as soon as feasible. Temporary soil stabilization BMPs (such as mulching, soil binders, erosion control blankets, or temporary seeding) shall be implemented on graded or disturbed areas as soon as feasible during construction, where there is a potential for soil erosion to lead to discharge of sediment off-site or to coastal waters.

c) Minimize land disturbance and soil compaction. Development shall minimize land disturbance during construction (e.g., clearing, grading, and cut-and-fill) and shall phase grading activities, to avoid increased erosion and sedimentation. Development shall minimize soil compaction due to construction activities, to retain the natural stormwater infiltration capacity of the soil.

d) Minimize damage or removal of vegetation. Development shall minimize the damage or removal of non-invasive vegetation (including trees, native vegetation, and root structures) during construction, to achieve water quality benefits such as transpiration, vegetative interception, pollutant uptake, shading of waterways, and erosion control.

e) Avoid plastic netting in temporary erosion and sediment control products. Development shall avoid the use of temporary erosion and sediment control

products (such as fiber rolls, erosion control blankets, mulch control netting, and silt fences) that incorporate plastic netting (such as polypropylene, nylon, polyethylene, polyester, or other synthetic fibers), in order to minimize wildlife entanglement and plastic debris pollution.

f) Use additional BMPs for construction near coastal waters. Development shall implement additional BMPs for construction taking place over, in, or adjacent to coastal waters, if there is a potential for construction chemicals or materials to enter coastal waters. BMPs shall include, where applicable:

    1) Tarps to capture debris and spills. Use tarps or other devices to capture debris, dust, oil, grease, rust, dirt, fine particles, and spills to protect the quality of coastal waters.

    2) BMPs for preservative-treated wood. If preservative-treated wood is used, implement appropriate BMPs that meet standards for treatment, storage, and construction practices for preservative-treated wood; at a minimum, those standards identified by the American Wood Protection Association.

    3) Non-petroleum hydraulic fluids. Use non-petroleum hydraulic fluids in principal heavy equipment operated for one week or longer over or in coastal waters or intertidal areas, if leaks or spills of hydraulic fluid from this equipment cannot be contained and could potentially enter coastal waters or intertidal areas.

    4) Designated fueling and maintenance area. Conduct fueling and maintenance of construction equipment and vehicles off site if feasible. Any fueling and maintenance of mobile equipment conducted on site shall take place at a designated area located at least 50 feet from coastal waters, drainage courses, and storm drain inlets, if feasible (unless these inlets are blocked to protect against fuel spills). The fueling and maintenance area shall be designed to fully contain any spills of fuel, oil, or other contaminants. Equipment that cannot be feasibly relocated to a designated fueling and maintenance area (such as cranes) may be fueled and maintained in other areas of the site, provided that procedures are implemented to fully contain any potential spills.

g) Avoid grading during the rainy season. Development shall avoid grading during the rainy season (from May 1st to September 30th), unless one of the following is granted:

    1) Extension. If the County grants an extension for a specific length of time, based on an inspection of the site, and a determination that conditions at the project site are suitable for continued work with appropriate erosion and sedimentation control measures that will be maintained during the activity; or

    2) Emergency. If the County allows grading under emergency conditions, and BMPs to protect coastal resources are implemented where feasible.

h) Manage construction-phase BMPs. Appropriate protocols shall be implemented to

manage construction-phase BMPs (including installation, ongoing operation, inspection, maintenance, and training), to protect coastal water quality.

i) Use an appropriate BMP guidance manual. The selection of BMPs for the Construction Pollution Prevention Plan shall be guided by the current edition of the California Stormwater Quality Association (CASQA) Construction BMP Handbook, or by the current edition of a BMP manual County of San Diego BMP Design Manual, based on performance standards in the MS4 Permit, and County Watershed Protection Ordinance (WPO) that has been approved by the Regional Water Quality Control Board.

v. Content of CPPP/SWPPP. To comply with the CPPP/SWPPP requirements listed above, the CPPP/SWPPP shall include a construction site map and a narrative description addressing, at a minimum, the following required components, if they are applicable to the development:

a) Construction site plan map. A map delineating the construction site, construction phasing boundaries, and the location of all temporary construction-phase BMPs (such as silt fences, inlet protection, and sediment basins).

b) Description of BMPs to be implemented to meet all CPPP/SWPPP requirements. A description of the BMPs that will be implemented to meet all the CPPP/SWPPP requirements listed in section f.iv., above, and how these BMPs will minimize stormwater pollution resulting from the development during construction. Include calculations that demonstrate proper sizing of the BMPs.

c) Schedule of BMP installation and construction phasing. A schedule for installation and removal of temporary erosion and sedimentation control BMPs, and identification of temporary BMPs that will be converted to permanent post-development BMPs. A construction phasing schedule, if applicable to the project, with a description and timeline of significant land disturbance activities.

d) Description of BMP Management. A description and schedule for the inspection, training, operation, and maintenance of construction phase BMPs, including temporary erosion and sedimentation control BMPs, as needed to ensure that the Coastal Development Permit's water quality requirements are met.

g. Post-Development Runoff Plan (PRDP)/Storm Water Quality Management Plan (SWQMP). Development that requires a Coastal Development Permit and has the potential for adverse water quality or hydrologic impacts to coastal waters shall (1) require a PDRP/SWQMP if the development entails construction; or (2) require a preliminary PRDP/SWQMP if the development entails activities or changes in land use other than construction, including subdivision or re-division of land (e.g., allowing motorized vehicle use of a trail previously restricted to pedestrians).

i. Submittal of PDRP/SWQMP. An applicant shall submit a preliminary PDRP/SWQMP (based on site conditions and project features known at the time of application) with the Coastal Development Permit application, and if the development entails construction, shall also submit a final PDRP/SWQMP prior to issuance of the Coastal Development Permit. Any changes to the final PDRP/SWQMP after issuance of the Coastal Development Permit shall be subject to additional authorization by the permit-issuing agency. Requirements of PDRP/SWQMP. The PDRP/SWQMP shall demonstrate that the development complies with the following requirements:

a) Address runoff management early in site design planning. All development shall address runoff management early in site design planning and alternatives analysis, and shall implement appropriate and feasible Site Design strategies. Site Design strategies are project design and site layout techniques that integrate existing site characteristics that affect runoff (such as topography, drainage patterns, vegetation, soil conditions, natural hydrologic features, and infiltration conditions) in the design of strategies to minimize post-development changes in the runoff flow regime, control pollutant sources, and, where necessary, remove pollutants.

b) Give precedence to a Low Impact Development approach to stormwater management. All development shall give precedence to the use of a Low Impact Development (LID) approach to stormwater management to preserve the natural hydrologic functions of the site and to minimize post-development changes in the runoff flow regime resulting from the development. LID integrates preventive Site Design strategies with small-scale, distributed BMPs that replicate the site's pre-development hydrologic balance through infiltration, evapotranspiration, harvesting, detention, or retention of stormwater close to the source. By reducing runoff, LID also reduces the transport of pollutants from the site. LID Site Design strategies are project design and site layout techniques that preserve or enhance the natural hydrologic functions of the site. In implementing an LID approach, priority shall be given to the use of LID Site Design strategies to minimize changes in the site's stormwater flow regime, supplemented by the use of structural LID BMPs if needed to mitigate any unavoidable changes in runoff flows. Use of LID Site Design strategies can reduce the volume of stormwater runoff generated, and thus reduce the need for and size of structural LID BMPs required. LID Site Design strategies and BMPs include, but are not limited to, the following:

    1) Protect and restore natural hydrologic features. Plan, site, and design development to protect and, where feasible, restore natural hydrologic features that provide stormwater infiltration, treatment, storage, or conveyance. Examples include:

        aa) Preserve natural drainage patterns, drainage swales, groundwater recharge areas, floodplains, and topographical depressions that can provide storage of small storm volumes.

        bb) Preserve natural stream corridors, rivers, and wetlands, and establish appropriate buffer areas.

    2) Preserve or enhance non-invasive vegetation. Plan, site, and design development to preserve or enhance non-invasive vegetation, in order to achieve water quality benefits such as transpiration, interception of rainfall, pollutant uptake, shading of waterways to maintain water temperature, and erosion control. Examples include:

        aa) Minimize removal of natural non-invasive vegetation.

        bb) Plant additional trees and other non-invasive vegetation, preferentially native plants.

    3) Maintain or enhance on-site infiltration. Plan, site, and design

development to maintain or enhance on-site infiltration of runoff, where appropriate and feasible, in order to preserve natural hydrologic conditions, recharge groundwater, attenuate runoff, retain dry-weather runoff on-site, and minimize transport of pollutants. Examples include:

aa) Avoid building impervious surfaces on highly permeable areas. Cluster buildings and other impervious areas onto the site's least permeable soils.

bb) Minimize unnecessary soil compaction, which can greatly reduce the infiltrative capacity of soils. Amend soil if needed to enhance its infiltration and pollutant removal capacity.

cc) Install an infiltration/evapotranspiration BMP such as a bioretention system, vegetated swale, or rain garden.

4) Minimize impervious surface area. Plan, site, and design development to minimize the installation of impervious surfaces (including pavement, sidewalks, driveways, patios, parking areas, streets, and roof-tops), in order to reduce runoff. Where feasible, increase the area of pervious surfaces in redevelopment. Examples include:

aa) Downsize impervious coverage by minimizing the footprint of buildings and impervious pavement (such as a shorter driveway, narrower road, or smaller parking lot).

bb) Where pavement is required, install a permeable pavement system BMP (e.g., interlocking concrete pavers, porous asphalt, permeable concrete, or reinforced grass or gravel), where appropriate and feasible. Design permeable pavements so that runoff infiltrates into a subsurface recharge bed and the underlying soil, if feasible, to reduce runoff, enhance groundwater recharge, and filter out pollutants.

5) Disconnect impervious surface areas from the storm drain system. Plan, site, and design development to minimize directly-connected impervious areas, which are areas covered by a building, impermeable pavement, or other impervious surfaces that drain directly into the storm drain system without first flowing across permeable areas (such as vegetative landscaping or permeable pavement). Convey runoff from impervious surfaces into permeable areas in a non-erosive manner. Examples include:

aa) Direct roof-top runoff into permeable landscaped areas.

bb) Direct runoff from impervious pavement into distributed permeable areas such as turf, recreational areas, medians, parking islands, and planter boxes.

cc) Design curbs, berms, and similar structures to avoid isolation of vegetative landscaping and other permeable areas, and allow runoff to flow from impervious pavement to permeable

areas for infiltration.

dd) Install an infiltration BMP such as a vegetated swale or filter strip to intercept runoff sheet flow from impervious surfaces.

ee) Install a rainwater harvesting BMP, such as a rain barrel or cistern, to capture and store roof-top runoff for later use in on-site irrigation.

c) Use alternative BMPs where on-site infiltration is not appropriate. If on-site infiltration of runoff may potentially result in adverse impacts, including, but not limited to, geologic instability, flooding, or pollution of coastal waters, the development shall substitute alternative BMPs that do not involve on-site infiltration, to minimize changes in the runoff flow regime to the extent appropriate and feasible. Alternative BMPs shall also be used where infiltration BMPs are not adequate to treat a specific pollutant of concern attributed to the development, or where infiltration practices would conflict with regulations protecting groundwater. Examples of alternative BMPs include:

1) Install a green roof or flow-through planter. Install a vegetated "green roof" or flow-through planter box that does not infiltrate into the ground, and uses evapotranspiration to reduce runoff.

2) Direct runoff to an off-site infiltration facility. Direct runoff from the development to an off-site regional infiltration facility.

3) Install a rainwater capture system. Install a rainwater capture system to harvest runoff for subsequent non-potable water use on-site, that drains to the sanitary sewer system or storm drain system.

4) Direct runoff to the storm drain system. If appropriate and feasible BMPs have been implemented to reduce runoff volume, velocity, and flow rate, direct runoff to the storm drain system.

d) Use Source Control BMPs in all development. All development shall implement appropriate and feasible long-term, post-development pollutant Source Control BMPs to minimize the transport of pollutants in runoff from the development. Source Control BMPs are structural features or operational practices that control pollutant sources and keep pollutants segregated from runoff. Examples include covering outdoor storage areas, using efficient irrigation, proper application and clean-up of potentially harmful chemicals and fertilizers, and proper disposal of waste. Examples include:

1) Elimination of illicit connections.

2) Prevention of illicit discharges into the stormwater conveyance system;

3) Stenciling and marking of all storm drains in accordance with the BMP Design Manual;

4) Protection of all outdoor material storage areas from rainfall, run-on, runoff; and wind dispersal;

5) Protection of materials stored in outdoor work areas from rainfall, run-on, runoff, and wind dispersal;

6) Protection of trash storage areas from rainfall, run-on, runoff, and wind dispersal;

7) Petroleum products, cleaning fluids, and other pollutants associated with vehicles shall be contained and/or cleaned up using dry cleanup methods.

8) Cleanup and disposal of wastes from small animals (e.g., dogs and cats).

9) Pool and spa water intended for discharge to the stormwater conveyance system shall be neutralized to a pH of 7.2 - 8.0, dechlorinated or de-brominated prior to discharge.

10) Incorporate integrated pest management principles to reduce reliance on chemicals and fertilizers used in landscape maintenance.

11) Source Control BMPs for livestock. Livestock facilities shall be limited to the keeping or maintaining of a specified number of a specified type(s) of livestock at any time. A Livestock Waste Management Plan (LWMP) for the development shall be prepared that demonstrates the following:

    aa) Livestock containment facilities shall not discharge sedimentation or polluted runoff onto any public road, adjoining property, or into any drainage course.

    bb) Livestock containment facilities, such as corrals and barns, and accessory structures shall be a minimum of 100 feet from an environmentally sensitive habitat area (ESHA).

    cc) Manure, waste, oils, chemicals, fertilizers, and other such materials shall be stored in a sealed area, inside a structure, or in a covered container with an impervious bottom surface, and shall be stored at least 100 feet away from any ESHA.

    dd) Filter strips, natural vegetation, gravel, sand, or other similar materials shall be used along the periphery of corrals, pens, livestock showers, and waste containment areas to absorb and treat runoff from livestock facilities.

    ee) The livestock waste management plan shall include management practices describing the collection, storage, and disposal of livestock wastes, including manure and bedding. Such wastes shall be collected and stored onsite in a covered and contained facility.

    ff) Manure shall be cleaned from stalls and paddocks on a daily basis.

    gg) Livestock wastes may be disposed of offsite in a manner and

location prescribed in the approved plan, or composted using standard, contained composting practices.

hh) If manure and other livestock waste are composted onsite, the compost pile shall be contained in a bin or box, preferably one that can be covered. Half of the compost pile shall consist of nitrogen producing material, such as manure, food scraps or other green material. The other half of the pile shall be composed of brown material, including dry grasses and leaves.

ii. Requirements of PDRP/SWQMP. The PDRP/SWQMP shall describe the runoff management Site Design strategies, pollutant Source Control BMPs, and other measures the development will implement to minimize stormwater pollution and changes in runoff flows from the site after development is completed, in order to protect and, where feasible, restore the quality of coastal waters. The level of detail provided to address the plan's requirements shall be commensurate with the type and scale of the project, and the potential for adverse water quality or hydrologic impacts to coastal waters.

a) Contents of PDRP/SWQMP. To comply with the WQHP/SWQMP requirements listed above, the PDRP/SWQMP shall include a site plan and a narrative description addressing, at a minimum, the following required components, if they are applicable to the development:

1) PDRP/SWQMP site plan. A site plan showing post-development structural BMPs, stormwater conveyances and discharges, structures, pavements, and utilities, with contour intervals appropriate to identify post-development topography, finished grades, and drainage patterns.

2) Identification of pollutants potentially generated. Identification of pollutants potentially generated by the proposed development that could be transported off the site by runoff.

3) Estimate of changes in impervious and semi-pervious surface areas. An estimate of the proposed changes in impervious surface areas on the site, including pre-project and post-project impervious coverage area and the percentage of the property covered by impervious surfaces. An estimate of proposed changes in the amount of directly-connected impervious areas, which drain directly into the storm drain system without first flowing across permeable areas. In addition, an estimate of changes in site coverage with permeable or semi-permeable pavements.

4) Description of BMPs to be implemented to meet all PRDP/SWQMP requirements. A description of the BMPs that will be implemented to meet all the PDRP requirements listed in g.i., above, and how these BMPs will minimize stormwater pollution and changes in runoff flows from the development.

5) Description of the Low Impact Development approach to be implemented. A description of the Low Impact Development (LID) approach to stormwater management that will be implemented, or a

justification if an LID approach is not selected.

6) BMP installation or implementation schedule. A schedule for installation or implementation of all post-development BMPs.

7) Description of BMP management. A description of the ongoing management of post-development BMPs (including operation, maintenance, inspection, and training) that will be performed for the life of the development, if required for the BMPs to function properly. An applicant shall submit a preliminary PDRP (based on site conditions and project features known at the time of application) with the Coastal Development Permit application, and if the development entails construction, shall also submit a final PRDP/SWQMP prior to issuance of the Coastal Development Permit. Any changes to the final PRDP/SWQMP after issuance of the Coastal Development Permit shall be subject to additional authorization by the permit-issuing agency.

h. ADDITIONAL PLAN REQUIREMENTS FOR PRIORITY DEVELOPMENT PROJECTS.

i. Specified categories of development that have a greater potential for adverse water quality and hydrologic impacts due to the development size, type of land use, and/or proximity to coastal waters. The WQHP or PDP SWQMP shall be prepared for Priority Development Projects, as identified below. The WQHP/PDP SWQMP shall include all the information required in a PDP SWQMP and, in addition, the WQHP/PDP SWQMP shall include a polluted runoff and hydrologic site characterization, a design storm standard for sizing BMPs, use of a Low Impact Development (LID) approach to retain runoff on-site, and documentation of the expected effectiveness of proposed BMPs. Additional WQHP/PDP SWQMP components include an alternatives analysis, and a description of the Treatment Control and/or Hydromodification BMPs.

ii. Priority Development Projects include:

1. New development projects that create 10,000 square feet or more of impervious surfaces (collectively over the entire project site). This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land.

2. Redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface (collectively over the entire project site on an existing site of 10,000 square feet or more of impervious surfaces). This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land.

3. New and redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface (collectively over the entire project site), and support one or more of the following uses:

aa) Restaurants. This category is defined as a facility that sells prepared foods and drinks for consumption, including stationary lunch counters

and refreshment stands selling prepared foods and drinks for immediate consumption (SIC code 5812).

bb) Hillside development projects. This category includes development on any natural slope that is fifteen percent or greater on a site with erodible soil.

cc) Parking lots. This category is defined as a land area or facility for the temporary parking or storage of motor vehicles used personally, for business, or for commerce.

dd) Streets, roads, highways, freeways, and driveways. This category is defined as any paved impervious surface used for the transportation of automobiles, trucks, motorcycles, and other vehicles.

4. New or redevelopment projects that create and/or replace 2,500 square feet or more of impervious surface (collectively over the entire project site) and discharging directly to an ESHA. "Discharging directly to" includes flow that is conveyed overland a distance of 200 feet or less from the project to the ESHA, or conveyed in a pipe or open channel any distance as an isolated flow from the project to the ESHA (i.e., not commingled with flows from adjacent lands).

5. New development projects, or redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface, that support one or more of the following uses:

   aa) Automotive repair shops. This category is defined as a facility that is categorized in any one of the following Standard Industrial Classification (SIC) codes: 5013, 5014, 5541, 7532-7534, or 7536-7539.

   bb) Commercial car wash

   cc) Retail gasoline outlets (RGOs). This category includes RGOs that are 5,000 square feet or more.

6. Residential development that creates and/or replaces five or more dwelling units.

7. Development where 75% or more of the site's surface area will be impervious surfaces.

8. Commercial or industrial development with a potential for generating a high pollutant load that may potentially enter coastal waters or the storm drain system.

9. Any project developed on land where the soil has been contaminated by a previous land use, and where the contaminated soil has the potential to be eroded or to release the contaminants into runoff.

10. New or redevelopment projects that result in the disturbance of one or more acres of land and are expected to generate pollutants post construction.

11. Submittal of WQHP/PDS SWQMP. An applicant shall submit a preliminary WQHP/PDP SWQMP (based on site conditions and project features known at the time of application) with the Coastal Development Permit application and shall submit a final WQHP/PDP SWQMP prior to issuance of the Coastal Development Permit. Any changes to the final WQHP/PDP SWQMP after issuance of the Coastal Development Permit shall be subject to additional authorization by the permit-issuing agency.

12. Requirements of WQHP/PDP SWQMP. The WQHP/PDP SWQMP shall demonstrate that a PDP complies with the following requirements:

    aa) Prepare plan by a qualified licensed professional. A California-licensed professional (e.g., Registered Professional Civil Engineer, Geotechnical Engineer, Geologist, Engineering Geologist, Hydrogeologist, or Landscape Architect) qualified to complete this work shall be in responsible charge of preparing the Water Quality and Hydrology Plan for a Development of Water Quality Concern.

    bb) Conduct a polluted runoff and hydrologic site characterization. A polluted runoff and hydrologic characterization of the existing site (e.g., potential pollutants in runoff, soil properties, infiltration rates, depth to groundwater, and the location and extent of hardpan and confining layers) shall be conducted, as necessary to design the proposed BMPs.

    cc) Address runoff from impervious and semi-pervious surfaces. Runoff from all new and/or replaced impervious and semi-pervious surfaces shall be addressed in the plan. For sites where the area of new and/or replaced impervious and semi-pervious surfaces is greater than or equal to 50% of the pre-existing impervious and semi-pervious surfaces, runoff from the entire developed area, including the pre-existing surfaces, shall be addressed in the plan.

    dd) Use an LID approach to retain design storm runoff on-site. The development shall implement an LID approach to stormwater management that will retain on-site (by means of infiltration, evapotranspiration, or harvesting), at a minimum, the runoff produced by the 85th percentile 24-hour design storm, based on the San Diego County iso-pluvial map, or an approved site-specific rainfall analysis, to the extent appropriate and feasible. In implementing an LID approach, priority shall be given to the use of preventive LID Site Design strategies to minimize post-development changes in the site's stormwater flow regime, supplemented by use of structural LID BMPs, if needed, to mitigate any unavoidable changes in stormwater flows.

13. The following projects are exempt from the PDP requirements if they meet the following

criteria:

aa) New or retrofit paved sidewalks, bicycle lanes, or trails that meet the following criteria:

i. Designed and constructed to direct storm water runoff to adjacent vegetated areas, or other non-erodible permeable areas; OR

ii. Designed and constructed to be hydraulically disconnected from paved streets or roads; OR

iii. Designed and constructed with permeable pavements or surfaces in accordance with the County of San Diego Guidance on Green Infrastructure

bb) Retrofitting or redevelopment of existing paved alleys, streets or roads that are designed and constructed in accordance with the County of San Diego Green Street Guidance.

cc) PDP exempt projects are required to submit a Green Street SWQMP that shall provide a description of existing and proposed drainage patterns, site conditions, changes to impervious area, runoff management Site Design strategies, pollutant Source Control BMPs and Green Street BMPs. The Green Street SWQMP shall include a site plan consistent with the requirements listed in section g.

ii. The following requirements apply to the use of infiltration BMPs:

a) Infiltration BMPs shall not cause or contribute to an exceedance of applicable groundwater quality objectives as set out in the RWQCB "Basin Plan" for the San Diego area;

b) Runoff must undergo pretreatment such as sedimentation or filtration prior to infiltration;

c) Pollution prevention and source control BMPs must be implemented at a level appropriate to protect groundwater quality at sites where infiltration BMPs are to be used;

d) Infiltration BMPs must be adequately maintained to remove pollutants in stormwater to the maximum extent feasible;

e) The vertical distance from the base of any infiltration BMP to the seasonal high groundwater mark must be at least 10 feet. Where groundwater basins do not support beneficial uses, this vertical distance criteria may be reduced, provided groundwater quality is maintained;

f) The soil through which infiltration is to occur must have physical and chemical characteristics (e.g., appropriate cation exchange capacity, organic content, clay content, and infiltration rate) which are adequate for proper infiltration durations and treatment of runoff for the protection of groundwater beneficial uses;

g) Infiltration BMPs must not be used for areas of industrial or light industrial activity, and other high threat to water quality land uses and activities as designated by the County, unless source control BMPs to prevent exposure of high threat activities are implemented, or runoff from such activities is first treated or filtered to remove pollutants prior to infiltration; and

h) Infiltration BMPs must be located a minimum of 100 feet horizontally from any water supply wells and 25 feet from any septic system or as prescribed by County of San Diego Department of Environmental Health.

i) Conduct an alternatives analysis if the design storm runoff will not be retained on-site using LID. If the proposed development will not retain on-site the runoff produced by the 85th percentile 24-hour design storm using an LID approach, an alternatives analysis shall be conducted. The alternatives analysis shall demonstrate that:

1. There are no feasible alternative project designs. Demonstrate that there are no appropriate and feasible alternative project designs (such as a reduced project footprint) that would retain on-site the runoff produced by the 85th percentile 24-hour design storm, giving precedence to an LID approach.

2. On-site runoff retention is maximized. Demonstrate that on-site runoff retention is maximized to the extent appropriate and feasible, giving precedence to an LID approach.

3. The feasibility of off-site runoff retention is considered. If there are no feasible alternative project designs, and on-site runoff retention is maximized, some or all of the runoff produced by the 85th percentile 24-hour design storm may be retained off-site, if it is demonstrated that off-site options will feasibly contribute to meeting the development's runoff retention and treatment requirements.

iii. Use Treatment Control BMPs to remove pollutants if necessary. Treatment Control BMPs are structural systems designed to remove pollutants from runoff by processes, such as gravity settling of particulate pollutants, filtration, biological uptake, media adsorption, or other physical, biological, or chemical process. Examples include vegetated swales, detention basins, and storm drain inlet filters. The following applicability and performance standards shall be required for Treatment Control BMPs:

i. Use Treatment Control BMPs to remove pollutants from any design storm runoff not retained on-site. The development shall implement a Treatment Control BMP (or suite of BMPs) to remove pollutants of concern from any portion of the runoff produced by the 85th percentile 24-hour design storm that will not be retained on-site.

ii. Use Treatment Control BMPs prior to infiltration where necessary and effective. Where infiltration BMPs are not adequate to remove a specific pollutant of concern attributed to the development, an effective Treatment Control BMP (or suite of BMPs) shall be required prior to infiltration of runoff, or else an alternative BMP that does not involve infiltration shall be substituted for the infiltration BMP.

iii. Select Treatment Control BMPs effective for pollutants of concern. Where a Treatment Control BMP is required, a BMP (or suite of BMPs) shall be selected that has been

shown to be effective in reducing the pollutants of concern generated by the proposed land use. If the County determines that biofiltration is not technically feasible, then a PDP may be allowed to utilize flow-thru treatment control BMPs to treat runoff leaving the site, AND mitigate for the design capture volume not reliably retained onsite.

iv. Infeasibility of 85th percentile 24-hour design. If it is infeasible to retain all, or a portion of, the site's 85th percentile 24-hour design storm on site for a PDP, then biofiltration BMPs shall be used for the remaining volume not reliably retained. Biofiltration BMPs must be designed to have an appropriate hydraulic loading rate to maximize stormwater retention and pollutant removal, as well as to prevent erosion, scour, and channeling within the BMP, and must be sized to:

   i. Treat 1.5 times the design capture volume not reliably retained onsite, or

   ii. Treat the design capture volume not reliably retained onsite with a flow-thru design that has a total volume, including pore spaces and pre-filter detention volume, sized to hold at least 0.75 times the portion of the design capture volume not reliably retained onsite.

   iii. If bioretention BMPs are not technically feasible, then the PDP can propose to use flow-through treatment control BMPs to treat runoff leaving the site if the project will also mitigate the design capture volume not reliably retained though the use of off-site alternative BMPs. Flow through treatment control BMPs must be sized and designed to filter or treat either: 1) the runoff produced from a rainfall intensity of 0.2 inch of rainfall per hour, for each hour of a storm event; or 2) the maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity (for each hour of a storm event), as determined from the local historical rainfall record, multiplied by a factor of two; and be ranked with high or medium pollutant removal efficiency for the PDP's most significant pollutants of concern. Flow-thru treatment control BMPs with a low removal efficiency ranking will only be approved by the County if a feasibility analysis has been conducted which exhibits that implementation of flow-through treatment control BMPs with high or medium removal efficiency rankings are infeasible for the applicable portion of a PDP.

v. Hydromodification Management BMP Requirements. Priority Development Projects must implement BMPs to manage hydromodification that may be caused by stormwater runoff discharged from a project as follows:

   i. Hydromodification BMPs must be sized and designed such that post-project runoff conditions (flow rates and durations) will not exceed pre-development runoff conditions by more than 10 percent (for the range of flows that result in increased potential for erosion, or degraded instream habitat downstream of Priority Development Projects).

      1. In evaluating the range of flows that results in increased potential for erosion of natural (non-hardened) channels, the lower boundary must correspond with the critical channel flow that produces the critical shear stress that initiates channel bed movement or that erodes the toe of channel banks.

   ii. A Priority Development Project may be exempted from the hydromodification management BMP performance requirements where the project discharges stormwater runoff to:

1. Existing underground storm drains that discharge directly to water storage reservoirs, lakes, enclosed embayments, or the Pacific Ocean; or

2. Conveyance channels whose bed and bank are concrete lined all the way from the point of discharge to water storage reservoirs, lakes, enclosed embayments or the Pacific Ocean; or

3. An area identified by the County as appropriate for an exemption through a Watershed Management Area Analysis incorporated into a Water Quality Improvement Plan accepted by the RWQCB.

iii. PDP projects must avoid critical coarse sediment yield areas as identified by the County unless measures are implemented consistent with the BMP Design Manual that allow critical coarse sediment to be discharged to receiving waters, such that there is no net impact to the receiving water.

vi. A PDP may be allowed at the County's discretion to utilize offsite alternative compliance in lieu of complying with the storm water pollutant control and hydromodification BMP performance requirements in section h.iv and h.v, above. The PDP must mitigate for the portion of the pollutant load in the design capture volume not retained onsite and/or post-project runoff conditions not fully managed onsite consistent with a Water Quality Equivalency (WQE) Guidance Document accepted by the RWQCB. If a PDP is allowed to utilize offsite alternative compliance, flow-thru treatment control BMPs must be implemented to treat the portion of the design capture volume that is not reliably retained onsite. Flow-thru treatment control BMPs must be sized and designed in accordance with the requirements of Section xviii, above. An offsite alternative compliance project for a private PDP may be partially or wholly located within the County Right-of-way upon approval of the Authorized Enforcement Officer. Any and all costs associated with the project shall be the sole responsibility of the applicant, including design and installation and the effective operation and maintenance in perpetuity of any and all treatment and hydromodification controls required under this LCP Chapter. The County shall retain the authority to recoup as necessary any and all such costs.

vii. Content of a WQHP/PDP SWQMP for Priority Development Projects includes the following:

a) PDRP/SWQMP information. All of the information required for the PDRP/SWQMP-that is required for all developments (see above), including Site Design strategies and pollutant Source Control BMPs shall be included in the WQHP/PDP SWQMP for Priority Development Projects.

b) Documentation of a polluted runoff and hydrologic characterization of the existing site (e.g., potential pollutants in runoff, soil properties, infiltration rates, depth to groundwater, and the location and extent of hardpan and confining layers) as necessary to design the proposed BMPs.

c) A description of the BMPs that will be implemented to meet all the WQHP requirements listed above, and how these BMPs will minimize stormwater pollution and changes in

runoff flows from the development. Include documentation of the expected effectiveness of the proposed BMPs, including a characterization of post-development pollutant loads, and calculations, per applicable standards, of changes in the stormwater runoff flow regime (i.e., volume, flow rate, timing, and duration of flows) resulting from the proposed development when implementing the proposed BMPs.

d) Calculations that demonstrate that the proposed BMP (or suite of BMPs) implemented to comply with PDP SWQMP requirements has been sized and designed, at minimum, to the standard(s) described above.

e) A table quantifying the site's proposed new, replaced, and pre-existing impervious and semi-pervious surface areas. Documentation that runoff from all new and/or replaced impervious and semi-pervious surfaces is addressed. For sites where the area of added and/or replaced impervious and semi-pervious surfaces is greater than or equal to 50% of the pre-existing impervious and semi-pervious surfaces, documentation that runoff from the entire developed area, including pre-existing surfaces, is addressed.

f) A description of the LID approach to stormwater management to be implemented, documenting that LID Site Design strategies have been given priority, and a description of the LID BMPs that will be used to retain on-site (by means of infiltration, evapotranspiration, or harvesting) the runoff, at minimum, to the standard(s) described above, to the extent appropriate and feasible.

g) Where an alternatives analysis is required to document the site-specific engineering constraints and/or physical conditions to justify the determination that there are no appropriate and feasible alternative project designs that would retain on-site the runoff specified above, giving precedence to an LID approach. Also demonstrate that on-site runoff retention is maximized to the extent appropriate and feasible, and that the feasibility of off-site runoff retention is considered.

viii. All existing and new development shall maintain the post-construction structural BMPs and natural system management practices (NSMP). The owner of the land on which the BMPs and/or NSMPs are located or the person responsible for completing the BMPs and/or NSMPs as part of a development project shall implement, maintain, replace, or retrofit the pollutant control BMPs, hydromodification control BMPs and/or NSMPs as necessary to ensure pollutants are removed from stormwater to the MEP and all prohibited non-stormwater discharges are prevented from reaching the stormwater conveyance system or receiving waters. BMPs shall remain effective and function in the manner intended. All BMPs must be maintained to avoid the creation of nuisance or pollution associated with vectors (e.g. mosquitos, rodents, or flies).

ix. Any developer or property owner who transfers ownership of land on which a post-construction, structural BMP and/or NSMP is located or will be located, or who otherwise transfers ownership of a post-construction structural BMP and/or NSMP or responsibility for the maintenance of such a BMP to another person or entity, shall provide clear written notice of the maintenance obligations associated with that BMP to the new or additional responsible party prior to that transfer. If directed, the developer or property owner must provide a copy of the written notice to the County.

a. Purpose. The purpose of these provisions is to regulate development in areas of high scenic value both to assure exclusion of incompatible uses and structures and to preserve and enhance the scenic resources present in adjacent areas. These regulations constitute recognition of important social, recreational, and economic values obtained from preservation and enhancement of the scenic qualities of Coastal Zone areas for the benefit of residents and visitors.

b. Application of the Scenic Area Regulations. These Scenic Area Regulations shall be applied to areas of unique scenic value including, but not limited to, critical viewshed areas as designated on the Local Coastal Program Land Use Plan (Figure 14 Viewsheds), in Coastal Zone areas with a Special Area S Designator (Figure 9-8), and to areas adjacent to significant recreational, historic or scenic resources.

c. Limitation on Uses. Notwithstanding the provisions of the applicable use regulations and Enclosure Matrix, all Use Regulations shall comply with the enclosure provisions of these Scenic Area Regulations.

d. Development. Development and trails located within the Coastal Zone shall conform to the following requirements:

   i. Locations along public roads, trails, and parklands that offer views of scenic resources shall be considered public viewing areas.

   ii. Development that may affect existing or potential public views shall be designed and sited in a manner that restores, preserves, or enhances designated view opportunities and visual qualities of the site.

   iii. To protect vista points, the scenic and visual qualities within the County's Coastal Zone shall be designated as "Critical Viewsheds," within which the character of development shall be regulated to protect the integrity of the vista points (refer to LUP). The following describes that area considered Critical Viewsheds:

      a) Development placed in the area that extends radially for 2,000 feet (610 meters) from the vista point, with the exception of San Dieguito Park, which would be included in its entirety;

      b) Development which development could potentially obstruct, limit, or degrade the views within the critical viewshed.

   iv. Development within the critical viewshed area shall be subject to design review as part of any discretionary review, and shall be based on the following criteria:

      a) Building height, bulk, roof line and scale shall not obstruct, limit or degrade the existing views;

      b) Landscaping shall not, at maturity, obstruct views; and

      c) Landscaping shall be located to screen adjacent undesirable views (parking lot areas, mechanical equipment etc.).

   v. Limitation on Uses. Notwithstanding the provisions of the applicable use regulations and Enclosure Matrix, all Use Regulations shall comply with the enclosure provisions of the Scenic Area Regulations.

vi. The following projects are exempt from the Site Plan requirements of the Scenic Area Regulations:

a) Attached accessory structures associated with a single-family dwelling.

b) Detached accessory structures associated with a single-family dwelling, which are both 1,000 square feet and less in area, and 12 feet or less in height.

c) Alterations to the interior of a structure which are not visible from the outside provided that there is no change in use.

e. CAP Required. No development permit of any type shall be issued in areas subject to the Coastal Zone Scenic Area Regulations (R, S) or within viewshed areas as delineated on the Viewsheds Figure in the LUP, until a CAP has been submitted and approved unless, an exemption from these Scenic Area Regulations is granted pursuant to Section 9308(h) below.

f. Content of CAP. The required CAP shall include such maps, plans, drawings, and sketches as are necessary to show:

i. An accurate representation of the development as viewed from any and all pertinent vista points shown on the Local Coastal Program LUP (Figure 14 Viewsheds). The proposal shall include photographs of the development site taken from each of the proposed view points and a map showing the location of these viewpoints with respect to the development site. The Director may require additional viewpoints to be included in the CAP;

ii. The placement, height, and physical characteristics of all existing and proposed buildings and structures located on the development site;

iii. The existing vegetation and all proposed landscaping, with heights at maturity indicated.

iv. The location and dimensions of existing and proposed ingress and egress points, interior road, and pedestrian walkways, parking and storage area;

v. The size and location of existing and proposed utilities;

vi. The existing and finished topography of the development site, including the existing natural drainage system and its proposed treatment;

vii. The number, size, location and design of existing and proposed signs; and

viii. The exterior lighting plan, the interior lighting of buildings and structures, which will have a visual impact on the exterior appearance of the development.

ix. New development on properties visible from public trails, in and around San Elijo Lagoon and San Dieguito Park, or other public viewing areas, shall be sited and shall be designed to protect public views of the ridgelines and natural features of the area through measures including, but not limited to:

a) Providing setbacks from the slope edge;

b) Restricting the building maximum size;

c) Reducing maximum height limits,

d) Incorporating landscape elements and screening that increase the aesthetic value and preserve from the San Elijo Lagoon and San Dieguito Park;

e) Incorporating earthen colors and exterior materials that are compatible with the surrounding natural landscape (avoiding bright whites and other colors except as minor accents); and

f) Using highly non-reflective materials.

g. CAP Review Criteria. The general criterion of a CAP is that the proposed development shall not, to the maximum extent feasible, interfere with or degrade those visual features, natural or man-made, of the site or adjacent sites which contribute to its scenic attractiveness, as viewed from either the scenic highway or the adjacent scenic, historic, or recreational resource. In addition, the development shall comply with the scenic preservation policies set forth in the LUP (particularly Policy 6.7). In applying this general criterion, the following specific criteria shall be evaluated, when they are applicable.

i. BUILDING CHARACTERISTICS. All development shall be compatible with the topography, vegetation, and colors of the natural environment and with the scenic, historic and recreational resources of the designated areas.

ii. BUILDING AND STRUCTURE PLACEMENT. The placement of buildings and structures shall not detract from the visual setting or obstruct significant views, and shall be compatible with the topography of the site and adjacent areas. Buildings and structures shall not be placed along bluff-top silhouette lines or on the adjacent slopes within view from a lagoon area, but should be clustered along the bases of the bluffs and on the mesa tops set back from the bluff-top silhouette lines. Buildings and structures should be sited to provide unobstructed view corridors from the nearest scenic highway, or view corridor road. These criteria may be modified when necessary to mitigate other overriding environmental considerations, such as protection of habitat or wildlife corridors.

iii. LANDSCAPING. The removal of native vegetation, especially timber, shall be minimized and the replacement vegetation and landscaping shall be compatible with the vegetation of the designated area. Landscaping and plantings shall be used to the maximum extent feasible to screen those features listed in subsections "d", "e", and "f" of this section. Landscaping and plantings shall not obstruct significant views, either when installed or when they reach mature growth.

iv. ROADS, PEDESTRIAN WALKWAYS, PARKING AND STORAGE AREAS. Any development involving more than one building or structure shall provide common access roads and pedestrian walkways. Parking and outside storage areas shall be screened from view, to the maximum extent feasible, from either the scenic highway or the adjacent scenic, historic, or recreational resource by existing topography, by the placement of buildings and structures, or by landscaping and plantings which harmonize with the natural landscape of the designated area.

v. ABOVE GROUND UTILITIES. Utilities shall be constructed and routed underground, except in those situations where natural features prevent undergrounding, or where safety considerations necessitate above ground construction and routing. Above ground utilities shall be constructed and routed to minimize detrimental effects on the visual setting of the designated area. Where it is feasible, above ground utilities shall be screened from view from either a scenic highway or an adjacent scenic, historical, or recreational resource by: 1) Existing topography; the placement

of buildings and structures; or landscaping and plantings, which harmonize with the natural landscape of the designated area.

vi. GRADING. The alteration of the natural topography of the site shall be minimized, and shall avoid detrimental effects to the visual setting of the designated area and the existing natural drainage system. Alterations of the natural topography shall be screened from view from either a scenic highway or an adjacent scenic, historical, or recreational resource by landscaping and plantings, which harmonize with the natural landscape of the designated area, except when such alterations add variety to or otherwise enhance the visual setting of the designated area.

vii. SIGNS. Off-premise signs shall be prohibited in areas subject to the Scenic Area Regulations. The number, size, location, and design of all other signs shall not detract from the visual setting of the designated area or obstruct significant views. Subsequent to the CAP review and approval, any alteration to signs, other than general maintenance, shall be subject to the CAP application process.

viii. LIGHTING. The interior and exterior lighting of the buildings and structures and the lighting of signs, roads and parking areas shall be compatible with the lighting employed in the designated area.

h. CAP Exemption. An exemption from the requirement to process a CAP pursuant to the special requirements of these Scenic Area regulations may be granted by the Director, under either of the following circumstances: a. If it is determined, based upon substantial evidence, that the proposed project is not visible from any viewshed designated by the LUP, and from any areas adjacent to significant recreational, historical or scenic resources, including but not limited to Federal and State parks; or b. If it is determined that the special requirements of these Scenic Area Regulations would not materially contribute to the attainment of the stated purpose or objectives of the Scenic Area Regulations to the subject property.

9310 Flooding and Sea Level Rise

Development within the Coastal Zone Special Area Designators “F” or “Por F”, as illustrated on Figure 9-8 and listed in Tables 9-3a, 9-3b, and 9-3c, shall conform to the following regulations:

a. A site plan shall be required that shows: 1) The location of the 100-year floodplain, floodway, or floodway fringe, as shown on both Department of Public Works 100-year Floodplain Maps and FEMA Flood Insurance Rate Maps; 2) The location of any natural drainage (including intermittent streams) and any proposed drainage systems; and 3) All preliminary grading, including incidental grading related to site preparation.

b. Floodway. The development of permanent structures for human habitation or as a place of work shall not be permitted in a floodway.

i. In the floodway, permitted uses shall be limited to: i. Agricultural, recreational, and other such low intensity uses provided, however, that no use shall be permitted, which will substantially harm the environmental values of a particular floodway area; and ii. Mineral extraction subject to an approved Coastal Development Permit and reclamation plan, provided that mitigation measures were required, which produce any net gain in functional wetlands and riparian habitat, and that the reclamation plan restores the site to its natural state, which would not create any increase in flood depths or velocities or changes in the boundary from those of the floodway, prior to the mineral extraction.

ii. Modifications to the floodway must meet all of the following criteria: i. Concrete or rip-rap flood control channels are allowed only where findings are made that completion of the channel is necessary to protect existing buildings from a current flooding problem. Buildings constructed after enactment of this ordinance shall not be the basis for permitting such channels. ii. Modification will not unduly accelerate the velocity of water so as to create a condition which would increase erosion (and related downstream sedimentation) or would be detrimental to the health and safety of persons or property or adversely affect wetlands or riparian habitat. iii. In high velocity streams where it is necessary to protect existing houses or other structures, minimize stream scour, or avoid increase in the transport of stream sediment to downstream wetlands and other environmentally sensitive habitat areas, grade control structures and other erosion control techniques, including the use of rip-rap, that are designed to be compatible with the environmental setting of the river may be permitted.

c. Floodplain Fringe. All uses permitted by zoning and those that are allowable in the floodway are allowed in the floodplain fringe. Prior to granting a CAP required by this section for development, including permanent structures, grading, fill, deposit of soil or other material, or removal of natural vegetation within a 100-year floodplain fringe, all of the following criteria shall be met:

i. Fill shall be limited to that necessary to elevate the structure above the elevation of the floodway and to permit minimal functional use of the structure (e.g., fill for access ramps and drainage). If fill is placed in the floodplain fringe, the new bank of the creek shall be landscaped to blend with the natural vegetation of the stream and enhance the natural edge of the stream.

ii. Any development below the elevation of the 100-year flood shall be capable of withstanding periodic flooding.

iii. The design of the development incorporates the findings and recommendations of a site-specific hydrologic study to assure that the development, (a) will not cause significant adverse water quality impacts related to quality or quantity of flow or increase in peak flow to downstream wetlands, lagoons and other sensitive habitat lands; and (b) neither significantly increases nor contributes to downstream bank erosion and sedimentation of wetlands, lagoons, or other sensitive habitat lands.

iv. The proposed development shall be set back from the floodway boundary a distance equal to 15 percent of the floodway width (but not to exceed 100 feet), in order to leave an appropriate buffer area adjacent to the floodway. The setback may be greater if required by Director of Planning & Development Services.

v. Following review of a site-specific flood analysis, the floodplain setback required by this paragraph may be reduced by the Director of Planning & Development Services or the applicable hearing body, upon making all of the following findings: i. Practical difficulties, unnecessary hardship, or results inconsistent with the general purposes of this Ordinance would result from application of the setback; and ii. The reduction in setback will not increase flood-flows, siltation and/or erosion, or reduce long term protection of the floodway, to a greater extent than if the required setback were maintained; and iii. The reduction in setback will not have the effect of granting a special privilege not shared by other property in the same vicinity; and iv. The reduction in setback will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvement in the vicinity in which the property is located; and v. The reduction in setback will not be incompatible with the LUP.

vi. In areas where the Director of Public Works has determined that the potential for erosion or sedimentation in the floodplain is significant, all proposed development shall be set back from the floodway so that it is outside the Erosion/Sedimentation Hazard Area shown on County Floodplain Maps. Development will be allowed in the Erosion/Sedimentation Hazard Area only when the Director of Public Works approves a special study demonstrating that adequate protection can be achieved in a manner that is compatible with the natural characteristics of the river.

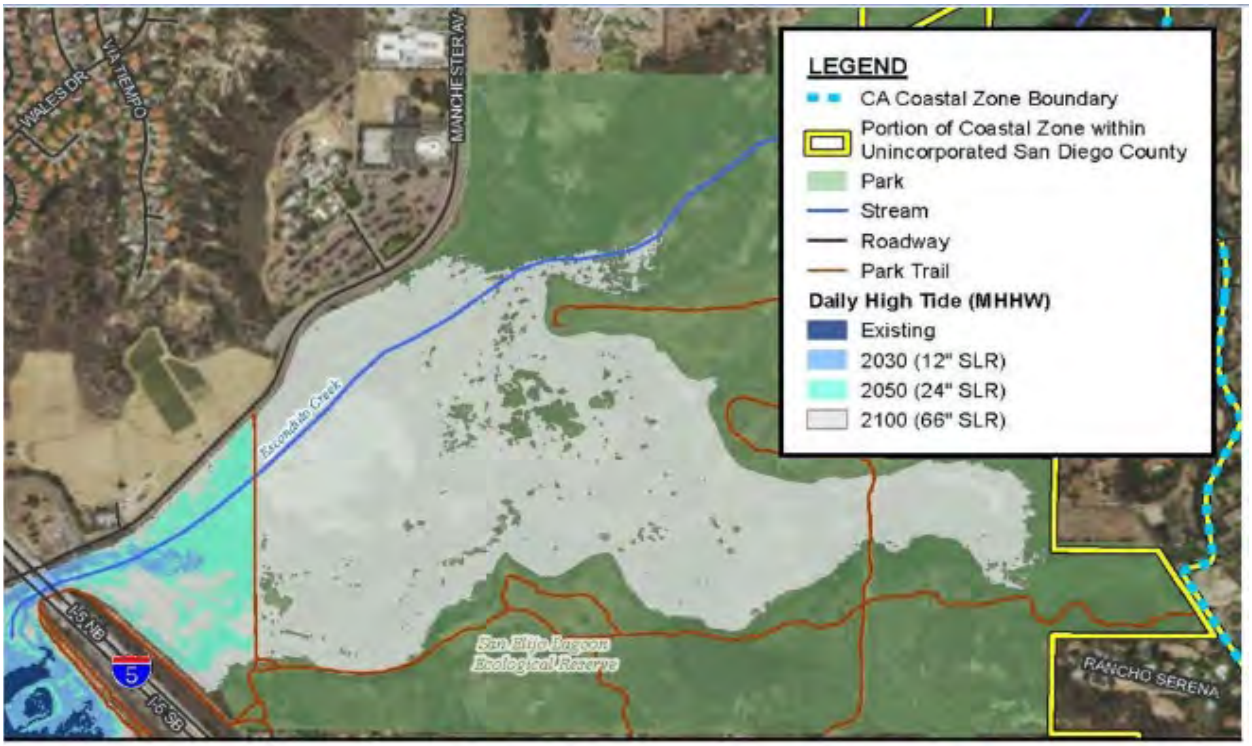
vii. Where appropriate, flowage and/or open space easements shall be used to ensure future development will not occur in the floodplain.

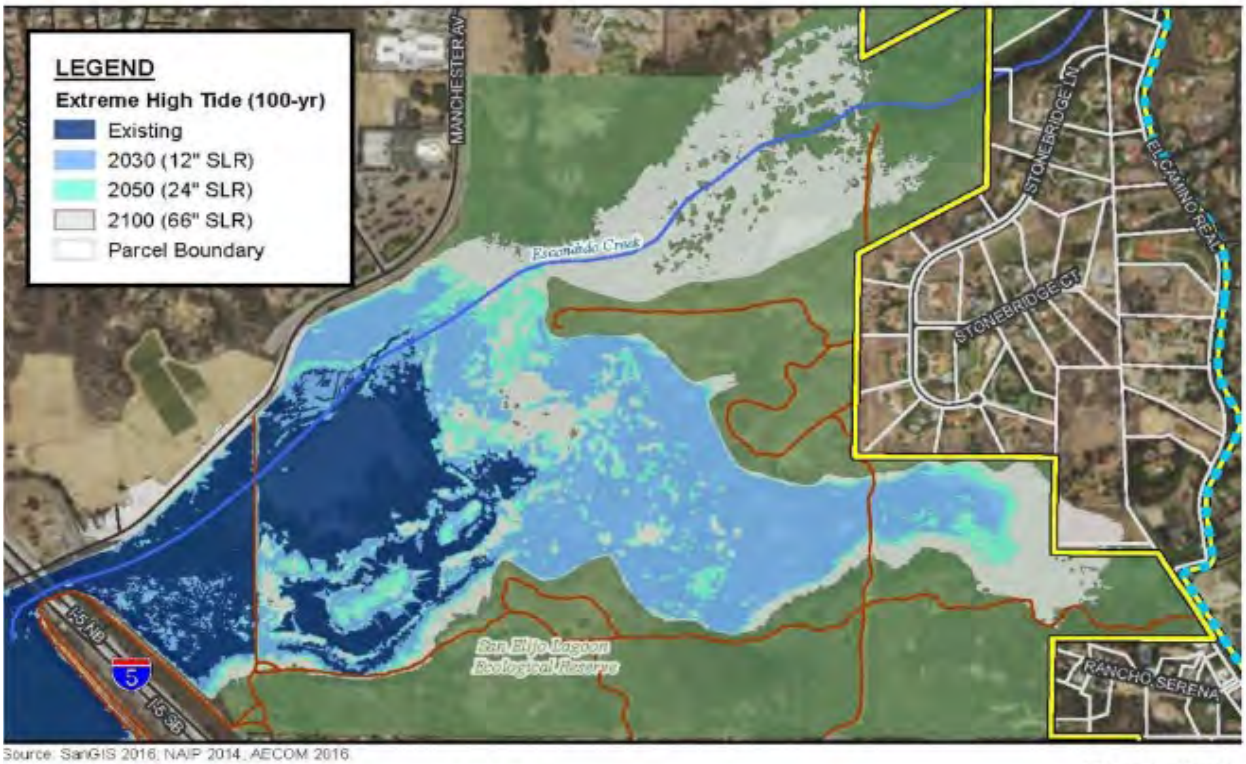
viii. If the subject floodplain fringe land also constitutes wetlands, wetland buffer areas, sensitive habitat lands or significant prehistoric or historic site lands, the restrictions in Sections 9302 and 9304 shall also apply.

d. Sea-Level Rise (SLR). When reviewing proposed development, the County shall consider potential SLR impacts, identified based on the best available science, including those identified in the LCP Update Report included as Appendix A to the LUP. Specifically, analysis of SLR projections, based on the best available science, shall be incorporated into all planning and engineering studies related to development.

i. Using the most updated version of the SLR projections with the most recently updated 100-year floodplain and floodway, and sea level rise inundation maps (Figures 9-9 and 9-10), proposed new infill development in the 100-year floodplain shall be limited to structures capable of withstanding periodic flooding, without requiring the construction of on- or off-site flood protective works or channelization.

Figure 9-9
FEMA Special Flood Hazard Areas





Source: SanGIS 2016; NAIP 2014; AECOM 2016

1,250 625 0 1,250 Feet

Scale: 1:15,000; 1 inch = 1,250 feet

Figure 9-10
San Elijo Ecological Reserve
Future Inundation and Flooding (High-range SLR)

i. The SLR maps in the LUP Appendix A will be based on the best available and current scientific information about coastal hazards and sea level rise. The SLR maps shall be used during the evaluation of coastal development permit applications that present coastal hazard risks and the preparation of technical reports and related findings. Analyses shall include multiple sea level rise scenarios, one of which is a "high" projection for the planning horizon or expected duration of the proposed development (minimum 75 years for residential and commercial development), based on best available scientific estimates of expected sea level rise at the time of the analysis.

ii. Proposed development shall be required to incorporate the best mitigation measures feasible, pursuant to Public Resources Code Section 30236.

iii. Using the most updated version of the SLR projections with the most recently updated 100-year floodplain and floodway maps, development proposals shall be required to be set back from the floodway, in accordance with the County's most recently updated Coastal Hazard Report, when required by this section. Proposed development shall be located outside any areas where the Director of Planning & Development Services has determined that the potential for flooding, erosion, or sedimentation in the floodplain may be significant. The setback shall be calculated based on the Coastal Hazard Report, when prepared in accordance with Section 9310.d.vi.

iv. When required, all setback and buffer area measurements, between development and all watercourses, shall be adjusted to account for current and future sea level rise elevations.

v. Sea-level rise projections. If necessary, and to allow for elevation changes of wetlands and other ESHA that may result from sea level rise and a 100-year flood, over the anticipated duration of the proposed development, an additional sea level rise buffer may be required between the proposed development and on-site wetlands or riparian areas. Calculation of such an additional buffer width shall be based on the best available scientific evidence and the most recently updated County of San Diego coastal hazards study available at the time of filing an application for proposed development.

vi. Every five years, after the date of adoption of the LCP, the County Board of Supervisors or its designee shall cause an update to maps of potential 100-year flood extents as influenced by SLR, over a 100-year period. The map updates shall reflect:

a. The best available science on SLR impacts and projections; and
b. Modeling of the future 100-year flood conditions and floodway extent within the Coastal Zone shall include projections of SLR for water conditions at the downstream bay and ocean terminus.

vii. The effects of any restoration projects that may impact tidal flow within the San Elijo Lagoon Ecological Reserve.

viii. Coastal Hazard Report for Proposed Redevelopment and New Development.

a) All new development in areas potentially subject to coastal hazards shall be evaluated by reports that are prepared by a licensed civil engineer with expertise in coastal engineering and geomorphology or other suitably qualified professional. These reports shall:

1. Be based on the best available science and SLR projections, at the time a project application is deemed complete pursuant to the Government Code, Section 65943;
2. Consider the impacts from the high projection of SLR for the anticipated duration of the proposed development,
3. Demonstrate that the development will avoid or minimize impacts from coastal hazards; and
4. Evaluate the foreseeable effects that the development will have on coastal resources over time (including in terms of impacts on public access, natural landforms, and public views), as project impacts continue and change over time, including in response to SLR.

b) Site-Specific reports for a new CAP or CDP shall be required unless, hazards are identified on the latest LCP Hazards Map that is at a level of detail adequate to ensure compliance with the LCP. A coastal hazards report shall include analysis of the physical impacts from coastal hazards and SLR that might constrain the project site and/or impact the proposed development. Reports shall address and demonstrate the site hazards and effects of the proposed development on coastal resources, including discussion, maps, profiles, and other relevant information that shall describe the following:

    1. Current conditions at the site, including the current:
        aa) Inland extent of flooding and wave run-up associated with extreme tidal conditions and storm events.
        bb) Bluff erosion rates, both long-term and episodic.

    2. Projected future conditions at the site, accounting for SLR over the anticipated duration of the development, including:
        aa) Bluff edge, accounting for long-term erosion and assuming an increase in erosion from SLR.
        bb) Inland extent of flooding and wave run-up associated with extreme tidal conditions and storm events.

c) Safety of the proposed development to withstand current and projected future hazards for its anticipated duration, including:

    1. Identification of a safe building envelope on the site that avoids hazards
    2. Identification of options to minimize hazards if no safe building envelope exists that would allow avoidance of hazards
    3. Analysis of the adequacy of the proposed building/foundation design to ensure stability of the development relative to expected wave run-up, flooding and groundwater inundation (e.g., hydrostatic loads, uplift, or possible corrosion) for the anticipated duration of the development in both storm and non-storm conditions.
    4. Description of any proposed future SLR adaptation measures, such as incremental removal or relocation when threatened by coastal hazards
    5. Discussion of the study and assumptions used in the analysis including a description of the calculations used to determine long-term erosion impacts, and the elevation and inland extent of current and future flooding and wave run-up.

d) For bluff-top development, the report shall include a detailed analysis of erosion risks, including the following:

1. To examine risks from erosion, the predicted bluff edge shall be evaluated considering not only historical retreat, but also acceleration of retreat, due to continued and accelerated SLR impacts. Future long-term erosion rates shall be based upon the best available information, using resources such as the highest historic retreat rates and SLR model flood projections that take rising sea levels into account.

aa) All temporary events or structures, or short-term development shall be exempted from the requirement to submit a coastal hazard analysis, if there is no potential for hazards risks during the temporary or short-term event or development. Temporary shall mean those events that 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. Short-term shall mean any development that shall be removed within three months of its establishment.

5. When warranted by the results of a sea level rise hazards report that indicates the development may be exposed to hazards within its anticipated duration of the proposed structures, applicants for privately-initiated development shall acknowledge and agree, and record a deed restriction to that effect, that the property may be affected by future sea level rise, and that such hazards may threaten structures and/or render it difficult or impossible to provide public services to the site, which may alter the development design with regard to locations of structure, flooding risks, and provisions of public services to the site, such as maintenance of roadways, utilities, sewage or water systems. Further, the deed restriction shall include language specifying that the property owner has no right under Coastal Act Section 30235 (or similar LCP policies) to off-site flood protection or channelization in the future, and that holds harmless the County of San Diego, its officers, agents, and employees with respect to any approval of the project, against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

ix. The properties that may be affected by the projected SLR, as shown within the LUP, Appendix A, are as follows:

a) The San Elijo Lagoon Ecological Preserve, which includes its trails; and

b) Starting at approximately Year 2100, the Southwest portion of a property located just west of the El Camino Real and La Orilla intersection (APN 262-072-04-00). At the high range SLR, the developed area of this property could be approximately 75 feet to the north from the floodway (high range calculated with a 100-year flood combined with 66-inch SLR).

9312 Fire Hazard Management in the Wildland-Urban Interface (WUI)

a. Development within the Coastal Zone shall conform to the following WUI requirements:

i. Within the WUI, the person owning or occupying a building or structure shall maintain a fuel modification zone within 100 feet of any and all habitable buildings or structures. The area within 100 feet of a habitable structure is divided into two zones as follows. Zone 1 is located from 0 - 50 feet from the residence and Zone 2 located from 50-100 feet from the residence. Required fuel modification that may take place in both zones is defined as follows: In Zone 1, vegetation that is not fire-resistant shall be removed and re-planted with fire-resistant plants. In Zone 2, all dead and dying vegetation shall be removed. Native vegetation may remain in this area provided that the vegetation is modified so that combustible vegetation does not occupy more than 50% of the square footage of this area. Weeds and annual grasses shall be maintained at a height not to exceed 6 inches. Root systems and stumps will be left in place to minimize soil disturbance and soil erosion. All fuel modification work will be done by hand crews only. The Rancho Santa Fe Fire Protection District retains the discretion to reduce or expand the fire Zones 1 and 2 on a case-by-case basis, with specific findings due to factors that may include, but are not limited to building material, topography, vegetation load, and type.

ii. All coastal permit applications for projects shall be required to provide a Landscape Plan that has been prepared in accordance with the County of San Diego "Suggested Plant List for a Defensible Space" https://www.sandiegocounty.gov/content/dam/sdc/pds/docs/DPLU199.pdf and planting guidelines emphasizing the use of fire-resistant, native, non-invasive, drought-tolerant and salt-tolerant species. The Landscape Plan shall be reviewed by the Ranch Santa Fe Fire Protection District to determine if any thinning or clearing of native vegetation is required. The Rancho Santa Fe Fire Protection District may reduce the 100-foot fuel management requirement for existing development, when equivalent methods of wildfire risk abatement are included in project design. Equivalent methods of fire risk reduction shall be determined on a case-by-case basis by the Rancho Santa Fe Fire Protection District and may include the following, or a combination of the following, but are not limited to:

a) Compliance with Building Code and Consolidated Fire Code requirements for projects located in the Wildland Urban Interface (County Building Code Chapter 7A and County Consolidated Fire Code Chapter 49).

b) Installation of masonry or other non-combustible fire resistant wall up to six feet in height.

c) Boxed eaves.

d) Reduced landscaping that is compliant with the County of San Diego fire hazard risk reduction plant list and planting guidelines.

e) Other alternative construction to avoid the need for vegetation thinning, pruning or vegetation removal.

iii. Development, including but not limited to, subdivisions and lot line adjustments shall be sited and designed so that no brush management or the 100 ft. fuel modification encroaches into ESHA. Where a new addition would encroach closer than 100 feet to an ESHA, the Rancho Santa Fe Fire Protection District shall review the project for fuel modification requirements. If a 100 foot fuel modification zone would encroach into ESHA, the additions shall not be permitted unless the addition would not encroach any closer to ESHA than existing principal structures on either side of the development.

9314 Steep Slopes

a. Development within Steep Slope areas as shown on Figure 10 of the LUP shall conform to the following requirements:

i. A slope analysis shall be required for each application for a CAP or CDP. This analysis shall be completed by a qualified person such as a registered or licensed architect, landscape architect, engineering geologist, land surveyor, or civil engineer based upon a topographic map using ten foot contour intervals or less. The slope analysis shall show the slope categories for the entire property in acres, using the following categories: i. less than 15% slope; ii. 15% and greater up to 25% slope; iii. 25% and greater up to 50% slope; and iv. 50% and greater slope.

ii. No development, grading, planting, excavation, deposit of soil or other material, or removal of natural vegetation, except as may be necessary f or fire safety or installation of utility lines, shall be permitted on steep natural slopes of 25% grade or greater. This standard may be modified only to the extent that its strict application conforms to the following: i. would preclude the minimum reasonable use of a property, as defined herein; ii. Provided that such a modification is consistent with the other provisions of this section; and iii. That clustering, setback variances, and other appropriate techniques have been utilized to the maximum extent feasible, in order to avoid or minimize alteration of such natural steep slopes. No alteration of such natural steep slopes shall be permitted in order to obtain use of a property in excess of the minimum reasonable use. For purposes of this provision, the term "minimum reasonable use" shall mean a minimum of one (1) dwelling unit per acre, on a legal lot. Any encroachment into steep slope areas over 25% shall not exceed 10% of the steep slope area over 25% grade. For legal parcels that are one acre or less, with all or nearly all of the area in slopes over 25% grade, an encroachment into the steep slope area may be permitted, provided any area to be disturbed from its natural state shall be limited to 2,000 square feet, or 20% of the entire parcel (including areas under 25% slope), whichever is greater. In this case, areas with slopes over 25% grade may be used in order to provide access to flatter areas if there is no less environmentally damaging alternative available.

iii. Prior to the approval of the CAP, the following findings shall be made: i. the site is physically suitable for the design and siting of the proposed development; ii. the proposed development will result in minimum disturbance of ESHA; and iii. the proposed development is in conformance with the LUP.

iv. Minimizing the length of the access road or driveway, except where a longer roadway can be demonstrated to avoid or be more protective of resources. Access roads and driveway lengths must comply with Consolidated Fire Code requirements.

v. Grading for access roads and driveways should be minimized; the standard for new on-site access roads shall be a maximum of 300 feet or one-third the parcel depth, whichever is less. Longer roads may be allowed on approval of the Planning Commission, if the determination can be made that adverse environmental impacts will not be incurred. Such approval shall constitute a conditional use to be processed consistent with the LUP provisions.

vi. Limiting earthmoving operations during the rainy season to prevent soil erosion, stream siltation, reduced water percolation, and increased runoff.

vii. Prevent net increases in baseline flows for any receiving waterbody.

9316 Public Access, Trails and Recreation

Development within the Coastal Zone shall conform to the following public access and recreation requirements:

a. Proposed development shall enhance and shall not impair the public's ability to access and enjoy points and passages to public access features, including those identified in Figure 6 Publicly Accessible Vantage Points and Figure 7 Regional Trail Network and Points of Interest of the LUP.

b. New subdivisions shall not provide gates, guardhouses, or other features that would limit existing public access points.

c. Changes to existing public access ways that are required as part of an existing CDP shall not allow a reduction in access. Any such changes to an existing public access way would be required to be reviewed through a Coastal Permit Amendment process.

e. Trails shall be maintained at or near original or intended standards. This shall include mowing and brush removal to replacement of damaged signs to reconstruction of the trail.

f. Maintenance of trails shall occur in compliance with the following criteria:

Trail maintenance will be the minimum necessary to provide a safe and sustainable trail. Maintenance work will be accomplished by utilizing by-hand activities, where feasible. Trail maintenance will be limited to the existing trail tread, except where it is necessary to repair slopes or damage caused by erosion outside of the established trail tread. Vegetation trimming will be limited to the minimum width necessary to provide a: 1) safe corridor for trail users; and 2) decrease in negative impacts to ESHA.

a) Should a trail dozer or other similar equipment be used for park maintenance activities, it shall not occur more than four times-per-year, nor be used longer than two hours in duration.

ii. Temporary trail closures may occur due to inclement weather, flooding, emergency situations (e.g., wildfire events), or safety issues related to one of these situations. County Department of Parks and Recreation (DPR) staff will evaluate trails on a case-by-case basis to determine whether temporary closure is appropriate, and the length of the closure based on trail and ESHA conditions.

iii. Permanent trail closures may occur where the trail alignment is not sustainable, redundant, or in chronically poor trail condition, as determined by DPR staff.

g. All trails shall be considered major public works and pursuant to the California Coastal Act, shall be appealable to the California Coastal Commission.

i. Trail tread widths shall be a maximum of two to four feet, except for Americans with Disabilities (ADA) accessible trails. Trail tread widths shall comply with ADA standards for trail accessibility, when feasible and required.

ii. Trail alignments shall be designed to minimize direct and indirect impacts to sensitive species and habitats, including the minimization of trail edge effects.

iii. Where feasible, trails shall be designed to incorporate buffer widths to protect sensitive resources.

iv. Trail alignments, as defined in this IP, should be chosen to minimize the need for trail structures. If trail structures are required, the structures should be the minimum necessary for trail safety and sustainability.

v. All directional signage and required fencing shall be employed in a manner that excludes trail users from ESHA.

vi. Trails may be re-routed when required for trail alignment sustainability, elimination of trail redundancies, and for those trails in chronically poor condition. The DPR staff shall consider carefully all trail alignments related to relocation of the trail tread for consistency with trail siting and construction provisions outlined above.

h. The County's Coastal Zone contains approximately four (4) miles of non-motorized trails located within ESHA. As allowed within this LCP, this amount of trails may be maintained, rerouted or redesigned as necessary within the County's coastal zone, provided that the ultimate extent of multi-use trails shall not increase beyond six (6) miles of linear trails within or adjacent to ESHA.

i. The County shall prepare an annual monitoring report showing the total linear trail mileage rerouted and added within, and adjacent to, ESHA.

ii. The following Annual Trail Accounting Table shall be used to record rerouted and new trails in, or adjacent to, ESHA:

Table 9-8 Template for Annual Trail Accounting Table

Park Facility Name	Baseline Mileage	New Trail Added (mi)	Trail Reroutes (mi)
San Elijo Lagoon Ecological Reserve			
San Dieguito County Park			
Trails w/in ESHA outside of a park facility (not in road right of way)			
Trails w/in ESHA within Road Right of Way			
Total:			
Remaining Trail Allowed w/in ESHA:			

a) A map shall be included with the Annual Trail Accounting Table above that shall show existing trails in, or adjacent to, ESHA.

b) The annual report shall be submitted to the Coastal Commission with the Annual Trail Accounting Table and a brief overview of the trail route changes in, or adjacent to, ESHA that have occurred throughout the previous year.

c) Non-motorized trails located within a public road right-of-way shall be allowed, and shall not be counted against the limit placed on trails in ESHA within the County's Coastal Zone.

vi. For any development adjacent to, or within 100 feet of a public park, beach, trail, or recreation area, notice of proposed developments shall be provided, as applicable, to the San Elijo Lagoon Conservancy and the California Department of Parks and Recreation, for their review with regard to potential impacts to public access, recreation, ESHA, and any other sensitive environmental resources.

vii. Public, non-motorized trails are to be considered resource dependent uses. Non-motorized trails located within or adjacent to ESHA shall be sited to minimize impacts to ESHA to the maximum extent feasible and in general should be located around the periphery of sensitive habitat areas. Measures, including but not limited to signage, placement of boardwalks, and limited fencing shall be implemented as necessary to protect ESHA.

COASTAL PERMITS

9400 Coastal Permit Requirements

a. Coastal Permit Required. Except as otherwise provided in Section 9404 – Exemptions, persons wishing to undertake any development in the Coastal Zone, shall obtain a Coastal Permit, either through a Coastal Administrative Permit (CAP) or a Coastal Development Permit (CDP), in accordance with the provisions of this Section.

b. Applications and Application Fees. A prospective applicant or its respective agent, must pay the appropriate fees and submit sufficient information for County staff to determine whether a coastal permit is required for an application, as outlined in Section 9420. An application for a CAP / CDP shall be reviewed in conjunction with whatever other permits are required for the project in the underlying Use Regulation. Where a CAP / CDP is combined with another permit, the Approval Authority for the CAP / CDP shall be the same as that for the permit required for the underlying Use Regulation.

c. Findings Required. All decisions on CAP / CDP shall be accompanied by the written findings listed below. Developments requiring the application of the Special Development Standards in Section 9300 through 9314 may require additional findings. It is the responsibility of the Applicant to establish evidence in support of all required findings. An application for a CAP / CDP may be approved or conditionally approved, only if the decisionmaker makes all of the findings listed below:

i. The establishment, maintenance, or operation of the use or structure applied for, shall not under the circumstances of the particular case, be detrimental or injurious to:

i. Health, safety, and general welfare of persons residing or working in the neighborhood, of such proposed use;

ii. Property and the improvement of a neighborhood; or

iii. The general welfare of the County of San Diego.

ii. The subject property is in compliance with all rules and regulations pertaining to County regulations including zoning uses, subdivision, and any other applicable provisions of this

Section, and any zoning violations have been resolved, including any abatement costs have been paid.

iii. The proposed project, if located between the sea and the first public road paralleling the sea, conforms to the public access and public recreation policies of the Coastal Act.

iv. The proposed development is in conformance with plans, policies, and requirements of the certified Local Coastal Program Land Use Plan and complies with regulations of the Certified Implementation Program. Specific findings shall be made with respect to the following:

a) The proposed development protects vegetation, natural habitats, and natural resources consistent with the LUP.

b) The design, location, size, and operating characteristics of the proposed development is consistent with any applicable design plans and/or area plans incorporated into the LUP.

c) The proposed development maintains public access to and along the coast as set forth in the LUP.

d) The proposed development is consistent with the LUP goal of protecting existing visitor-serving uses and providing visitor-serving needs as appropriate.

e) The proposed development is consistent with the LUP goal of encouraging coastal dependent and related uses as appropriate.

f) The proposed development protects and where feasible enhances coastal resources.

d. Conditions. Approval of a CAP / CDP shall be subject to conditions as necessary to ensure conformance with, and implementation of, the certified LCP. Modification and resubmittal of project plans, drawings and specifications, preparation of additional plans, or recordation of documents may be required to ensure conformance with the LCP. When modifications and resubmittal of plans, additional plans, or recorded documents are required, issuance of the permit shall be deferred for a sufficient period of time to allow the County to determine whether the modified project, the additional plans, or the recorded documents comply with the conditions of approval of the permit. All conditions must be fulfilled. Development of the property in reliance of the permit must commence prior to permit expiration unless an extension is applied for and granted, as outlined in Sections 9400 and 9414.

e. Coastal Administrative Permit (CAP). Applications for development associated with a use that is listed in the respective category, within the applicable Use Regulation shall obtain a CAP, if the development conforms to all of the following: (1) As proposed is consistent with the LCP; (2) Requires no discretionary approval other than a CAP; and (3) Has no adverse effect either individually or cumulatively on coastal resources, including public access.

i. INITIAL NOTICE. A notice of the proposed development shall be provided to all persons who would otherwise be required to be notified of a public hearing (see below), as well as any other persons known to be interested in receiving notice. The notice shall state that the County will decide whether to approve or disapprove the CAP application on a date specified in the notice and that a public hearing will be held only if requested in writing by any interested person before the specified date for the decision or if the site of the CAP lies within or partially with an appealable area. The notice shall include a statement that failure by a person to request a public

hearing may result in the loss of that person's ability to appeal to the Coastal Commission any action taken by the County on the CAP application. This notice shall include a statement of whether the proposed action is appealable to the Coastal Commission.

ii. HEARING. If a request for public hearing is not received by the County within 15 working days, the Approval Authority may take action without holding a public hearing. When a public hearing is requested or if the site of the CAP lies within or partially with an appealable area, notice of the hearing shall be provided in accordance for then provisions for notice (below) and the Approval Authority shall conduct the public hearing before a decision on the application.

iii. NOTICING. For all CAP applications for which a public hearing is requested or required because the site of the CAP lies within or partially with an appealable area, noticing provisions in Section 9400.e. shall apply.

iv. JURISDICTION. The Jurisdiction for processing and issuing CAP shall be as follows. Table 9-9 below, provides a summary of the process:

a) Director of Planning & Development Services (PDS): The Director of PDS shall be responsible for processing and deciding all privately-initiated development requiring a CAP, as identified in Tables 9-2a through 9-2f (inclusive), which require a Site Plan, with an "S" designator.

b) Director of Department of Parks and Recreation (DPR): The Director of DPR shall be responsible for processing and deciding all publicly-initiated projects related to trails and pathways, the San Dieguito Park, and other public recreational facilities owned or operated by DPR.

c) Director of Department of Public Works (DPW): The Director of DPW shall be responsible for processing and deciding all publicly-initiated projects related to stormwater facilities, County roadways, and other facilities owned and operated by DPW.

d) Director of Department of General Services (DGS): The Director of DGS shall be responsible for processing and deciding all publicly-initiated projects related to County owned facilities not owned or operated by DPR and DPW.

Table 9-9 Coastal Administrative Permit Process

CAP Director Decisionmaker	Authority	Local Appeals Authority
Planning & Development Services (PDS)	Process all privately-initiated development requiring a CAP, as specified in IP Tables 9.2-a through 9.2-f (inclusive), with an "S" designator.	Planning Commission*
Director Parks and Recreation (DPR)	Process publicly-initiated projects related to: 1) trails and pathways; 2) the San Dieguito Park; and 3) all other public recreational facilities owned or operated by DPR.	Board of Supervisors*
Director Public Works (DPW)	Process publicly-initiated projects related to stormwater facilities, County roadways, and other facilities owned and operated by DPW.	Board of Supervisors*
Director of General Services (DGS)	Process publicly-initiated projects related to County-owned facilities, which are not under jurisdictions of DPR and DPW.	Board of Supervisors*

**For development that falls within the categories listed under Section 9422.a.iii of the IP, the final appeal is to Coastal Commission, after any County entity makes decision on an appeal.*

v. Each Director shall be responsible for reviewing and evaluating CAPs submitted pursuant to the following procedure.

vi. APPLICATION. An application for a CAP, or modification thereof, shall be signed by all property owner(s) or agent(s). The applicant shall provide proof satisfactory to the Director, of the ownership of the property and the authority of the agent(s) to sign on behalf of the owner(s). The application shall be made to the Director on such forms and containing the information seen below, and as required in Section 9400.f.ii and shall be accompanied by the fee specified within County Administrative Code, Section 362.1.

a. Persons Eligible. The following persons shall be eligible to apply for the granting of a CAP.

1) A property owner, in which case the application shall be signed by all property owner(s) or agent(s).

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).

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 ten 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 CAP 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 CAP 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 CAP approval.

3) Satisfactory evidence of the ability and intention of the applicant to proceed with actual construction work in accordance with the requested CAP within 6 months after it is granted.

4) The appropriate environmental impact review document.

vii. TRANSMITTAL TO OTHER AGENCIES. Whenever an agency or board is required by the LCP to review a CAP submitted to the Director, the Director shall forward a copy of the application

and accompanying plans, maps and diagrams to the appropriate agency or board within five working days after receiving a complete Site Plan application. The Director shall not make a decision with respect to the CAP, until the Director has considered the report and recommendation of the agency or board. Citizen Advisory Boards shall review and make recommendations within 21 days of receipt of said application unless no meeting is held within that time frame. If no recommendation is received within 45 days after transmitting the application to an agency or board, the Director may make a decision without the agency's or board's recommendation. The Director may make a decision after 35 days, if the Director has either received recommendations from all agencies, boards and planning or sponsor groups to which notice has been sent, or has been informed by said agencies, boards and/or planning or sponsor groups, that they will not be making recommendations. The Director shall transmit a copy of his decision to the agency or board at the time the decision is made.

viii. REVIEW AND EVALUATION. The Director shall review and evaluate the CAP in accordance with the following guidelines:

a) Scope. The Director shall review and evaluate Site Plans for conformance with the LCP.

b) Modifications Required Prior to CAP-Decision. The Director may specify modifications, changes, and additions to the Site Plan that are required prior to making a decision. The modifications, changes, and additions shall not exceed the scope of the Site Plan review standards and criteria set forth in the LCP, nor shall they alter or vary the requirements of those pertinent LCP sections otherwise applicable to the development proposal. However, such standards and criteria and requirements may be modified or changed as specified by the Director to eliminate or mitigate significant adverse environmental effects disclosed within the appropriate CEQA environmental documentation.

c) Improvements Required for Site Plan Decision. The Director shall ensure that all Site Plans provide for on- and off-site improvements, which may be required by the Site Plan review standards and criteria set forth by the LCP. Such requirements for improvements may be modified, as provided by subsection "b" of this section. The Director may require the applicant to enter into an agreement to provide such improvements and this agreement.

d) Waiver of Standards and Criteria. The Director may waive those standards and criteria prescribed for the review and evaluation of a CAP which is found to have been or will be fulfilled by condition or conditions of a CAP Variance. A CAP Variance shall not be approved for development in or adjacent to ESHA, in or adjacent to riparian area, or in or adjacent a wetland. The granting of a CAP variance shall not be inconsistent with the provisions of the certified County land use plan. The variance must include findings specifying that the granting of the variance conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan.

ix. FINDINGS REQUIRED. Prior to approving a site plan the Director shall find in writing:

a) Standards and Criteria. That the proposed development meets the intent, and specific standards and criteria prescribed in the LCP.

b) General Plan. That the proposed development is compatible with the San Diego County General Plan; and

c) Waiver of Standards or Criteria. That any applicable standards or criteria waived by the Director pursuant to subsection 9400.g.v.c, have been or will be fulfilled by the condition or conditions of a CAP or Variance, consistent with Variance Procedures in the County Zoning Ordinance. Waiver of standards or criteria shall not be approved for development in or adjacent to ESHA, in or adjacent to a riparian area, or in or adjacent to a wetland. The waiver of standards or criteria shall not be inconsistent with the provisions of the certified County land use plan.

x. DECISION AND NOTICE.

1. Upon completion of review and evaluation of a site plan and upon holding a public hearing per subsection 9400.f.ii if applicable, the Director shall make a decision, as follows:

2. Make such findings as are required by sub-paragraph 9400.e.x, and approve the CAP; or

3. Notify the applicant of those changes and modifications required for approval of the CAP, or

4. Deny the CAP if the Director finds that:

aa) The CAP cannot be conditioned by adequate requirements to insure compliance with applicable regulations; or

bb) The CAP cannot reasonably be modified to conform to the applicable requirements.

5. Time Period. Within 60 days of receipt of a complete application for CAP review, the Director shall act as provided in subsection "a". The 60-day period may be extended with the written consent of the applicant. Failure of the Director to act within the specified time period, or extension thereof, shall not affect the validity of the Director's decision.

6. Effective Date. All decisions of the Director made pursuant to this IP shall become final at the close of business on the 10th working day from the date of receipt by the commission of the notice of the local government's final action, unless an appeal is submitted within that time, pursuant to Section 30603(c).

xi. CONDITIONS. CAP may be approved or modified subject to the performance of such conditions, including the provision of required improvements as the Director shall deem to be reasonable and necessary or advisable under the circumstances so that the objectives of the LCP shall be achieved. Such conditions shall be imposed and enforced as follows:

a) Security May Be Required to Ensure Performance. In order to ensure the performance of conditions imposed concurrent with the granting or modification of a CAP, the applicant may be required to furnish security in the form of money or surety bond in the amount fixed by the authority granting or modifying the CAP. Such security shall be furnished as required.

b) Provision of Required Improvements. Whenever a CAP is granted or modified subject to the condition that specified improvements be provided by the applicant, such improvements shall be installed by the applicant and approved and accepted by the cognizant county authority, the applicant shall execute an agreement with the cognizant County authority to make such improvements prior to the time or events specified in the CAP.

c) Condition Declared Void. Whenever there becomes final any judgement of a court of competent jurisdiction declaring one or more of the conditions of a CAP approval to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation or one or more of such conditions, said CAP approval shall cease to be valid and all rights or privileges granted thereby shall lapse, as provided by Section 9400.h.xv.

d) Violation of Condition. Whenever a CAP, is approved or modified subject to a condition or conditions, use or enjoyment of the CAP in violation of, or without observance of any such condition, shall constitute a violation of the IP and said CAP may be revoked or modified as provided in Section 9400.e.xv.

xii. APPEAL. A decision of the Director on a CAP application may be appealed pursuant to Section 9422.a.

aa) Appeals. Where an application is brought before the Board on appeal, the above time period shall commence upon the filing of the appeal.

g) Effective Date. The decision of the Planning Commission or the Board of Supervisors shall be final and effective immediately, except for projects that are appealable to the Coastal Commission. Where an appeal of an environmental determination is filed, the procedures specified in Chapter 4 (commencing with Section 86.401 of Division 6 of Title 8 of the San Diego County Code) shall be followed.

xiv. APPLICATION FOR MODIFICATION OF A CAP

a) Any person holding an approved CAP may apply for a modification. The modification of a CAP may include modification of the physical improvements shown on the CAP itself or the waiver or alteration of conditions imposed, Sections 9400.e.iii through 9400.e.viii, shall apply to the application for the modification of a CAP.

b) In the event the requested modification relates to a condition which was initially imposed by action of an appellate body, the authority having jurisdiction over such modification shall consider the following:

1. The reason(s) why the subject condition was initially imposed.

2. The reason(s) why the subject condition should be retained, modified or waived.

3. The relationship of modification or waiver to the reason(s) the condition was initially imposed.

2. Any related impact, direct or indirect, which the requested modification or waiver would have on the subject property or surrounding properties.

3. Alternative measures proposed to mitigate deleterious impacts, if any, caused by the requested modification would not lessen or avoid the intended effect of an approved or conditionally approved permit.

4. The authority shall reject an application for an amendment to an approved permit if he or she determines that the proposed modification would lessen or avoid the intended effect of an approved or conditionally approved permit unless the applicant presents newly discovered material information, which the applicant could not with reasonable diligence, have discovered and produced before the permit was granted.

xv. RELATION TO USE PERMIT, VARIANCE, AND LOCAL COASTAL PROGRAM AMENDMENT. When a development proposal subject to CAP review is submitted concurrently with an application for a subdivision, use permit, variance, or an amendment of the LCP, the CAP review shall be under the jurisdiction of the officer or body having jurisdiction over the subdivision, CDP, Variance, or amendment application and shall be conducted concurrently with any review required thereby with the exception that any necessary amendment to the LCP shall be approved prior to approval of a CAP.

xvi. REVOCATION OR MODIFICATION OF CAP APPROVAL FOR CAUSE. A CAP may be revoked or modified for cause as provided by the provisions of this section. For purposes of this section, the modification of a CAP may include the modification of the terms of the CAP itself or the waiver, alteration, or imposition of new conditions pursuant to Section 9400.e.xiv.

a) Ground for Revocation or Modification. A CAP may be revoked or modified pursuant to the provisions of this section upon a finding of any one or more of the following grounds:

1. That such CAP was obtained or extended by fraud.

2. That one or more of the conditions upon which such CAP was granted have been violated.

3. That the use for which the CAP was granted is so conducted as to be detrimental to the public health or safety, or as to be a nuisance.

4. That construction on the subject property is not in conformance with the CAP or other applicable requirements.

b) Notification. The Director shall notify the owner of the property of his action in the same manner as specified in the Building Code for revocation of a building permit, or by written notice to the owner of the subject property as shown on the latest assessment roll or as indicated by later information available to the Director.

c) Appeal. Revocation or modification of a CAP may be appealed pursuant to Section 9400.e.xiv.

xvii. AUTOMATIC REVOCATION OF CAP APPROVAL. If a CAP is approved or modified subject to one or more conditions, such CAP shall cease to be valid, and all rights and privileges granted thereby shall lapse, notwithstanding any other provisions of the LCP to the contrary, whenever there becomes final any judgment of a court of competent

jurisdiction declaring one or more of such conditions to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions.

xviii. MINOR DEVIATION OR MODIFICATION NOT REQUIRED. A Minor Deviation or Modification to a CAP is not required for any Building, Structure or Projection in the Accessory Use Regulations, provided the Building, Structure, Projection or use meets the specific accessory use setbacks in the CAP and meets all other conditions and restrictions in the CAP. If the CAP does not specify setbacks for an Accessory Use or a Building, Structure or Projection, a Minor Deviation or Modification to the CAP is not required provided the Building, Structure, Projection or Accessory Use meets the least restrictive setbacks for the zone that applies to the subject site.

xix. CAP TO BE RECORDED AND PROVIDE CONSTRUCTIVE NOTICE. Upon the approval of a CAP becoming final and effective, the Director shall cause a copy thereof to be filed with the San Diego County Recorder. The site to be recorded shall set forth the names of all owners of the property subject to the CAP. The recording of a CAP shall provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named in the CAP, of the rights and obligations created by the CAP.

f. Coastal Development Permit (CDP). Applications for development associated with a use that is shown in Tables 9-2a through 9-2f (inclusive), which require a Major Use Permit, identified by an "M" designator shall require a CDP, and shall be required for any other development not meeting the criteria for a CAP. These shall be known as the CDP. A CDP may be granted to provide for the accommodation of land uses with special site or design requirements, operating characteristics, or potential adverse effects on the environment, through review and, where necessary, the imposition of special conditions of approval. Each Department shall process permits related to its authority outlined in Table 9-9 above. The Planning Commission shall approve CDPs processed by PDS, and Directors DGS, DPR, and DPW shall approve for CDPs within their respective jurisdictions ("Approval Authority"). The appeal authority for all CDPs shall be the Board of Supervisors. Each Approval Authority shall be responsible for reviewing and evaluating a CDP application pursuant to the following procedures.

Table 9-10
Coastal Development Permit Process Authority

Department	CDP Decisionmaker	Local Appeals Authority
Planning & Development Services (PDS)	Planning Commission (privately-initiated development labeled in IP Tables 9.2-a through 9.2-f (inclusive), with an "M" designator.)	Board of Supervisors*
Parks and Recreation (DPR)	Director of DPR (County-initiated recreational development)	Board of Supervisors *
Public Works (DPW)	Director of DPW (County-initiated stormwater and roadway development)	Board of Supervisors *
General Services (DGS)	Director of DGS (County-initiated facilities development)	Board of Supervisors *
**For development that falls within the categories listed under Section 9422.a.iii of the IP, the final appeal is to Coastal Commission, after any County entity makes decision on an appeal*		

i. CLASSIFICATION OF CDP AND ORIGINAL JURISDICTION.

CDP shall be classified and original jurisdiction exercised over them as follows, except as otherwise provided in Sections 9400.f.xiv and 9400.f.xv:

a) CDP. Applications for granting or modifying the conditions of a permit for one or more uses, structures or actions, any one of which requires a CDP, shall require CDP.

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 that also requires a CDP shall be under the jurisdiction of the Approval Authority for the CDP.

ii. APPLICATION FOR A CDP. An application for the granting of a CDP shall be made as follows:

a) Persons Eligible. The following persons shall be eligible to apply for the granting of a CDP.

1. A property owner, in which case the application shall be signed by all property owner(s) or agent(s).

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).

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 ten 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 CDP 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 CDP 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 CDP approval.

3. Satisfactory evidence of the ability and intention of the applicant to proceed with actual construction work in accordance with the requested CDP within 6 months after it is granted.

4. The appropriate environmental impact review document.

c) Application Form, Filing and Fee. The application shall be made on the prescribed form and shall be filed with the Approval Authority and shall be accompanied by the appropriate fee, specified within County Administrative Code, Section 362.1.

d) Noticing (Identification of Interested Persons, Submission of Envelopes, Posting of Site)

1. With submission of the CDP application materials, the applicant shall provide names and addresses of, and stamped envelopes for, adjacent landowners and residents, and other interested persons as provided in this section. The applicant shall provide a list of:

   (a) the addresses of all residences, including each residence within an apartment or condominium complex, located within one hundred (100) feet (not including roads) of the perimeter of the parcel of real property of record on which the development is proposed,

   (b) the addresses of all owners of parcels of real property of record located within one hundred (100) feet (not including roads) of the perimeter of the parcel of real property of record on which the development is proposed, based upon the most recent equalized assessment roll, and

   (c) the names and addresses or e-mail addresses of all persons known to the applicant to be interested in the application, including those persons who testified at or submitted written comments for the local hearing(s).

   This list shall be part of the public record maintained by the County for the application.

2. The applicant shall also provide stamped envelopes for all addresses on the list prepared pursuant to subsection (a) above with submission of CDP application materials. Separate stamped envelopes shall be addressed to "owner," "occupant," or the name of the interested person, as applicable. The applicant shall also place a legend on the front of each envelope including words to the effect of "Important. Public Hearing Notice." The County shall provide an appropriate stamp for the use of applicants in the commission office. The legend shall be legible and of sufficient size to be reasonably noted by the recipient of the envelope. The County may waive this requirement for addresses identified under subsection (1)(a) and (b) above and may require that some other suitable form of notice be provided by the applicant to those interested persons pursuant to section 9400..iv.

3. If at the applicant's request, the public hearing on the application is postponed or continued after notice of the hearing has been mailed, the applicant shall provide an additional set of stamped, addressed envelopes that meet the requirements of section (2), above. The additional set of stamped, addressed envelopes shall be submitted within ten days of the County's decision to postpone or continue the hearing.

4. At the time the application is submitted for filing, the applicant must post, at a conspicuous place, easily read by the public, and as close as possible to the site of the

proposed development, notice that an application for a permit for the proposed development has been submitted to the County. Such notice shall contain a general description of the nature of the proposed development. The County shall furnish the applicant with a standardized form to be used for such posting. If the applicant fails to sign the declaration of posting, the County shall refuse to file the application.

iii. HEARING AND NOTICE. All applications for granting or modifying a CDP and all actions to revoke, extend, or modify a CDP shall be heard at a public hearing scheduled and noticed before the Approval Authority.

iv. COASTAL DEVELOPMENT PERMIT. All CDPs require a public hearing. Before issuing a decision on a CDP, the County shall provide notice of a public hearing by the Approval Authority.

a) At least 10 calendar days prior to the date on which the application will be heard by the County, the County shall mail or transmit by other reasonable means written notice to each applicant, to all public agencies which have jurisdiction, by law, with respect to a proposed development, to all persons who have requested it, and to all persons known by the County to have a particular interest in the application, including those specified in section 9400.h.ii.d. The notice shall contain the following elements:

1. The number assigned to the application;

2. A description of the development and its proposed location;

3. The date, time and place at which the application will be heard by the County;

4. A link to the general procedure of the County concerning hearings and action on applications;

5. A link to the hearing materials on the County's website.

b) In lieu of providing mailed notice to persons as required by subsection (a) above, the County may direct the applicant to substitute notice in one or more newspapers of general circulation in the area of the project for the written mailed notice if the executive director determines:

1. It is reasonable to expect adequate or better notice to interested parties through publication; and

2. Written notice to individuals would be unreasonably burdensome to the applicant in view of the overall cost and type of project involved.

A statement of reasons supporting the County's determination to direct the applicant to substitute newspaper notice shall be placed in the file.

v. FINDINGS REQUIRED. Before any CDP may be granted or modified, it shall be found by the Approval Authority:

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;

5. Any other relevant impact of the proposed use; and to

6. Impacts to coastal resources and public access.

b) That the proposed project, as described in paragraph "a)" of this section, and the location of the proposed use will be consistent with the San Diego County LCP.

c) That the proposed project complies with all requirements of the California Environmental Quality Act.

vi. DECISION AND NOTICE. The Approval Authority shall decide and notice matters concerning a CDP as follows:

a) Applications for granting or modifying a CDP. Following the hearing on an application for granting or modifying a CDP, shall deny the CDP or the requested modification; or shall grant or modify the CDP subject to specified conditions as may be imposed pursuant to Section 9400.e.xi. Notice of the decision on the application shall be filed in the office of the authority having jurisdiction over the application and a copy of said notice shall be mailed to the applicant at the address shown on the application. Said decision shall become effective as provided in Section 9400.f.ix

b) Action to Revoke or Modify a CDP For Cause. Following the hearing in an action to revoke or modify a CDP, as prescribed in Section 9400.f.xvii., the Approval Authority may decide to revoke or to modify the CDP, or may decide to take no action. Notice of the decision on the action shall be filed in the office of the deciding authority and a copy of said notice shall be mailed to the person to whom the CDP was originally granted. Said decision shall become effective as provided in Section 9400.f.ix

vii. CONDITIONS. A CDP may be granted or modified subject to the performance of such conditions, including the provision of required improvements, and for such period of time as the Approval Authority shall deem to be reasonable and necessary or advisable under the circumstances so that the objectives of the LCP shall be achieved. Such conditions shall be imposed and enforced as follows:

a) Security May Be Required to Ensure Performance. In order to ensure the performance of conditions imposed concurrent with the granting or modification of a CDP, the applicant may be required to furnish security in the form of money or surety bond in the

amount fixed by the authority granting or modifying the CDP. Such security shall be furnished.

b) Provision of Required Improvements. Whenever a CDP is granted or modified subject to the condition that specified improvements be provided by the applicant, such improvements shall be installed by the applicant and approved and accepted by the cognizant County authority, the applicant shall execute an agreement with the cognizant County authority to make such improvements, prior to the time or events specified in the permit.

c) Condition Declared Void. Whenever there becomes final any judgment of a court of competent jurisdiction declaring one or more of the conditions of a CDP to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions, said CDP shall cease to be valid and all rights or privileges granted thereby shall lapse, as provided by Section 9400.f.xviii.

d) Violation of Condition. Whenever a CDP is granted or modified subject to a condition or conditions, use or enjoyment of the CDP in violation of, or without observance to, any such condition shall constitute a violation of the Zoning Ordinance, and said CDP may be revoked or modified as provided by Section 9400.f.xviii.

e) Monitoring compliance. Every permittee of a CDP shall allow the Director to conduct periodic inspections of the property for which a CDP has been granted to ensure that the permittee is complying with the CDP conditions. Inspections under this section are in addition to any authorized inspections. As used in this section, "permittee" also means the permittee's employees, agents, tenants, heirs, assignees and successors. The frequency of the periodic inspections shall be at the discretion of the Director, but shall not occur more often than once every twelve months. The Director shall give the permittee written notice at least 24 hours before any inspection under this section. No permittee shall refuse to permit inspection of the property covered by the CDP after the requisite notice has been given. No inspector, however, shall conduct any inspection authorized by this section if permission to inspect is refused.. If an inspector determines during a periodic inspection that the permittee is not in compliance with any CDP condition, the Director may authorize follow-up inspections more frequently than once every twelve months until the Director is satisfied that the permittee is complying with all CDP conditions.

f) Notices under paragraph e. Notices shall either be served personally or by United States mail. Notices served by mail shall allow five business days for delivery.

viii. DEFENSE OF LAWSUITS. As a condition of approval of a CDP, CDP modification, or CDP extension for which an application was filed on or after January 3, 2003, each applicant shall be subject to the defense and indemnification provisions found at Chapter 2 (commencing at section 86.201) of Division 6 of Title 8 of the San Diego County Code.

ix. EFFECTIVE DATE. Decisions of the Approval Authority made pursuant to Section 9400.f.vi. shall become final and effective on the eleventh day following the date of decision unless an appeal of the decision is filed as provided by Section 9422.a. or the project is subject to appeal pursuant to Section 9422.b.i.

x. CDP TO BE RECORDED AND PROVIDE CONSTRUCTIVE NOTICE. Upon the approval of a CDP becoming final and effective, the Director shall cause a copy thereof to be filed with the San Diego County Recorder. The CDP to be recorded shall set forth the names of all owners of the property subject to the CDP. The recording of a CDP shall provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named in the use permit, of the rights and obligations created by the CDP.

xi. NUISANCE. The granting or modification of a CDP shall not authorize or legalize the maintenance of any private or public nuisance.

xii. DISCONTINUANCE. Each CDP granted pursuant to these provisions shall expire and become null and void at the expiration of one year from vesting after the purpose for which it was granted shall have been discontinued or abandoned.

xiv. APPLICATION FOR MODIFICATION OF A CDP.

a) Any person holding a CDP may apply for a modification by complying with Section 9400.f.xvi. For the purposes of this section, the modification of a CDP may include modification of the terms of the permit itself or the waiver or alteration of conditions imposed pursuant to Section 9400.f.vii. Sections 9400.f.iv.through 9400.f.ix, inclusive shall apply to the application for the modification of a CDP.

b) Notwithstanding the provisions of paragraph "a" above or any other provision of the LCP, in conjunction with an application filed pursuant to the Subdivision Ordinance to modify a Tentative Map or Tentative Parcel Map or a resolution approving the same, the Director of PDS may modify or conditionally modify such permit pursuant to the procedure specified in the Subdivision Ordinance for acting upon such map modifications. The Director shall reject an application for an amendment to an approved permit if he or she determines that the proposed modification would lessen or avoid the intended effect of an approved or conditionally approved permit unless the applicant presents newly discovered material information, which the applicant could not, with reasonable diligence, have discovered and produced before the permit was granted. Sections 9400.f.ii, 9400.f.v, 9400.f.vii, and all other provisions of the LCP not in conflict with said Subdivision Ordinance procedure, shall apply to such action by the Director.

c) In the event the requested modification or waiver relates to a condition which was initially imposed by action of an appellate body, the authority have jurisdiction over such modification or waiver shall consider the following:

1. The reason(s) why subject condition was initially imposed.

2. The reason(s) why subject condition should be modified or waived.

3. The relationship of modification or waiver to the reason(s) the condition was initially imposed.

4. Any related impact, direct or indirect, which the requested modification or waiver would have on the subject property or surrounding properties.

5. Alternative measures proposed to mitigate deleterious impacts, if any, caused by the requested modification or waiver.

xvi. AUTOMATIC REVOCATION OF A CDP. If a CDP is granted or modified, subject to one or more conditions, such CDP shall cease to be valid, and all rights or privileges granted thereby shall lapse, whenever there becomes final any judgment of a court of competent jurisdiction declaring one or more of such conditions to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions.

xvii. REVOCATION OR MODIFICATION OF A CDP FOR CAUSE. A CDP may be revoked or modified for cause, as provided by the provisions of this section. For purposes of this section, the modification of a CDP may include the modification of the terms of the permit itself or the waiver, alteration or imposition of new conditions pursuant to Section 9400.f.xviii.

a) Grounds for Revocation or Modification. A CDP may be revoked or modified pursuant to the provisions of this section upon a finding of any one or more of the following grounds:

1. That such permit was obtained or extended by fraud.

2. That one or more of the conditions upon which such permit was granted have been violated.

3. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare, or safety, or as to be a nuisance.

b) Initiation of Action. An action to revoke or modify a CDP may be initiated by order of the Planning Commission or the Director, whichever granted, extended, or modified the CDP on its own motion, or at the request of any County Officer. In addition, the Board of Supervisors may initiate an action to revoke or modify any CDP granted by any Approval Authority. The order shall set forth grounds for revocation or modification.

c) Other Provisions Applicable. Sections 9400.f.iii through 9400.f.ix, inclusive, shall apply to an action for the revocation or modification of any CDP.

xviii. EXTENSION OF TIME LIMITS. The time limits prescribed for the CDP Procedure may be extended by the Approval Authority upon the consent of the applicant or appellant, per Section 9400.f.

xix. REAPPLICATION. An application for the granting or modifying of a CDP, which has been denied, shall be filed no earlier than one year after the date such denial becomes effective, unless specific permission to do so has been granted as follows:

a) Denial by Director. If the Director has denied the CDP, permission to reapply may be granted by the Director, Planning Commission or the Board of Supervisors.

b) Denial by the Planning Commission. If the Planning Commission has denied the CDP, permission to reapply may be granted by the Planning Commission or the Board of Supervisors.

c) Denial by the Board. If the Board of Supervisors has denied the CDP, permission to reapply may be granted by the Board of Supervisors.

g. Additional Permits. The review of a CDP application may be combined with, and processed concurrently with the review of any other discretionary permit application required by the County Local Coastal Program. When an application for a development is proposed, the County shall not grant any such discretionary approval for development that conflicts with any policy or standard of this Section. No such discretionary approval shall be effective until or unless, a Coastal Permit is approved that authorizes the subject development.

h. Legal Development and Permitting Processes. Development that was legally established prior to the effective date of the Coastal Act of 1976 or its predecessor, the Coastal Zone Conservation Act of 1972, if applicable, is considered lawfully established development. Improvements, repair, modification, or additions subject to such existing development may be subject to a CAP / CDP, or other County permit, in accordance with the provisions of this Section. The CAP / CDP shall only be approved, if the proposed development is consistent with the policies and standards of the County's LCP.

i. Illegal Development and Permitting Processes. Development that was established after the effective date of the Coastal Act of 1976 or its predecessor, the Coastal Zone Conservation Act of 1972, if applicable, and that was not authorized in a CAP / CDP or otherwise authorized under the Coastal Act, is not lawfully established or lawfully authorized development. No improvements, repair, modification, or additions to such existing development may be approved, unless the County also approves a CAP / CDP that authorizes the existing development. The CAP / CDP shall only be approved if the existing and proposed development, with any applicable conditions of approval, is consistent with the policies and standards of the County's LCP. Whenever the County or Executive Director of the Coastal Commission determine that a violation has occurred or is threatened, the County Counsel or Attorney General may file an action for equitable relief to enjoin such violation of, or for, civil penalties, or both, or may take other appropriate action pursuant to County enforcement procedures identified in the County Code of Regulatory Ordinances and/or State enforcement procedures identified in the Coastal Act or other applicable law.

j. Principal Permitted Use. A Principal Permitted Use shall mean the primary use for which land or a building is, or may be intended as, occupied, maintained, arranged, or designed, as established by the County's LCP.

k. Nonconforming Structure. A nonconforming structure shall be a building, structure or facility, or portion thereof, which was lawfully erected, altered, or maintained prior to the certification date of the LUP that does not conform to the provisions of the LCP. When redevelopment of an existing, nonconforming structure or use includes the cumulative redevelopment of 50 percent, the entire structure shall be brought into conformance with all policies and standards of the LCP including, but not limited to steep slopes, ESHA, and floodplain policies. Cumulative increases shall be tracked starting on the date of the certification of the LCP.

l. Nonconforming Use. A nonconforming use shall be defined as the use of a building, structure, or site, or portion thereof, which was lawfully established and maintained prior to the adopted date of the LUP, but which, no longer conforms to the specific regulations applicable to the zone in which it is located. Such uses may be maintained and repaired, as long as the improvements do not increase the size or degree of the non-conformity.

m. Redevelopment. Redevelopment shall be the demolition or removal of 50 percent or more of the major structural components of an existing development, which includes exterior walls, floor and roof structures,

or the foundation; or a cumulative increase of 50 percent of the floor area of an existing development. Cumulative increases shall be tracked starting on the date of the certification of the LCP.

Redevelopment of existing impervious surfaces includes any activity that is not part of a routine maintenance activity where impervious material(s) are removed exposing underlying soil during construction. Redevelopment does not include trenching and resurfacing associated with utility work, resurfacing existing roadways, new sidewalk construction, pedestrian ramps, or bike lane on existing roads; and routine replacement of damaged pavement, such as pothole repair.

Redevelopment of illegal nonconforming uses or structures shall not be allowed, unless all previously required permit fees, that would have been paid if the structures had been legally constructed, altered, or repaired, are paid to the County. The total cost of the formerly required permit fees shall be calculated based on the fee schedule that is currently in effect at the time of the redevelopment application. Additionally, all required permit fees for the redevelopment application and implementation of the development shall be paid, to the County. In this case, redevelopment of the lot(s) shall comply with all permitting requirements of this IP, and shall be subject to either an CAP or CDP depending on the proposed use to be established by this redevelopment.

9404 Exemptions

Certain minor projects, as defined in accordance with the California Coastal Act of 1976 and the California Code of Regulations, are exempted from the requirements to obtain a coastal permit. Upon Coastal Commission notification, the County shall update this Section to remain consistent with legislative amendments to the Coastal Act and the California Code of Regulations, Title 14, California Coastal Commission. Any conflicts between this Section and the current Coastal Act and California Code of Regulations shall be resolved in favor of the current Coastal Act and California Code of Regulations. Development listed below is exempt from the requirement to obtain County approval of a CAP / CDP. Requirements for any other permits are unaffected by this Section.

a. Projects with Coastal Commission Approval. Pre-Existing projects or development authorized by a valid coastal permit or equivalent authorization issued by the Coastal Commission, or in areas where the Coastal Commission retains original permit jurisdiction. A person undertaking development included in a public works plan or long-range development plan approved by the Coastal Commission is not required to obtain a CAP / CDP from the County, however, other County permits may be required.

b. Replacement after Natural Disaster. The replacement of any structure, other than a public works facility, destroyed by a disaster. is exempt, provided that the replacement structure: 1) Conforms to applicable existing County Local Coastal Program requirements; 2) Will be for the same uses as the destroyed structure; 3) Does not exceed the floor area, height, or bulk of the destroyed structure by more than 10 percent; and 4) Will be sited on the affected property and in the same location as the destroyed structure. Public Resources Code Section 30610(g)(1).

c. Improvements to Existing Single-Family Residences, including fixtures and structures directly attached to the residence and structures on the property normally associated with a single-family residence uses, such as garage, patios, swimming pools and landscaping, but not including guest living quarters or self-contained residential units. This exemption for improvements shall not include the following:

    i. Improvements to single-family residences where the development permit issued for the original structure by the County or Coastal Commission indicated that any future additions involve a risk of adverse environmental effect and would require a coastal permit.

ii. Improvements to single-family residences, if the residence and/or improvement is located: 1) In a wetland; 2) In ESHA; 3) In the Scenic Special Area Designator ("S"); 4) Within a viewshed delineated in the LUP; or 5) within 50 feet of the edge of a bluff.

iii. Improvements that involve any significant alteration of land forms including removal or placement of vegetation on a wetland, within 50 feet of the edge of a bluff, within ESHA or any natural resource or natural hazard area as indicated in the LCP and requiring Special Development Standards identified in the provisions of Section 9300 through 9314.

iv. In areas having a critically short water supply, construction of major water-using development not essential to residential use such as swimming pools, or construction or extension of landscape irrigation systems.

v. Expansion or construction of water wells or septic systems.

vi. Improvements that would change the type or intensity of use of the structure.

Any improvement made pursuant to a conversion of an existing structure from a multiple unit rental use or visitor-serving commercial use to a use involving a fee ownership or long-term leasehold.

d. Repair and Maintenance Activities. Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities, provided, however, that if the County determines that certain extraordinary methods of repair and maintenance involve a risk of substantial adverse environmental impact, it shall, by regulation, require that a permit be obtained.

i. The provisions of this Implementation Plan shall not be applicable to those activities specifically described as exempt from coastal permit requirements in the document entitled Repair, Maintenance and Utility Hookups, adopted by the Coastal Commission, on September 5, 1978. Activities listed in the aforementioned document shall be exempt from obtaining a CAP / CDP, unless a proposed activity will have a risk of substantial adverse impact on an Environmentally Sensitive Habitat Area, wetlands, public access, or public views to the ocean.

ii. Unless destroyed by a natural disaster (see Section 9404.b), the replacement of 50 percent or more of a single-family residence, or other structure is not repair and maintenance, but instead constitutes a replacement structure requiring a Coastal Development Permit. Replacement is considered Redevelopment, which shall include exterior walls, floor and roof structures, or the foundation; or a cumulative increase of 50 percent of the floor area of an existing development or replacement of more than 50 percent of the structure. Cumulative increases shall be tracked starting on the date of the certification of the LCP.

e. Land Division. Land division brought about in connection with the purchase of such land by a public agency for public recreational uses.

f. Utility Connections. The installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development which has been granted a valid coastal permit that accounted for such connection; provided, however, that the County may require conditions to mitigate any adverse impacts on coastal resources including scenic resources.

g. Minor Excavation Not Requiring a Grading Permit. Minor excavation or placement of soil materials, not otherwise requiring a grading permit, incidental to the planting of trees and shrubs or other vegetation for landscaping purposes, provided that such excavations or placement of soil materials does not in itself alter the general overall topographical configuration of the land and does not take place on slopes of 25% grade or greater.

9408 Minor Developments

A waiver of the public hearing requirement for a coastal permit application may be granted, if that application is determined to be a minor development, as defined in the Definitions section. Both of the following shall occur to grant a waiver of the public hearing:

a. Notice that a public hearing shall be held upon request by any person is provided to all persons who would otherwise be required to be notified of a public hearing, as well as any other persons known to be interested in receiving notice; and

b. No request for a public hearing is received by the Approval Authority within 15 working days, from the date the notice was sent, pursuant to preceding subparagraph.

c. The notice provided pursuant to this section shall include a statement that failure by a person to request a public hearing may result in the loss of that person's ability to make an appeal to the Approval Authority or the Coastal Commission, for any action taken by the County of San Diego on a coastal permit application. This notice shall also include a statement of whether the proposed action is appealable to the Coastal Commission.

9410 Determination of Permit Requirement

a. The Director of the lead department shall determine, at the written request of any member of the public, whether or not any development proposed in the Coastal Zone is exempt from a Coastal Permit, pursuant to this Section.

b. Any person seeking such determination shall submit to the lead department all statements, plans, and elevations deemed necessary by the Department to assess the development.

c. After review, the Director of the lead department shall notify the Applicant:

   i. That the development is exempt and state the category of exemption;or

   ii. That a Coastal Permit is required and, if so, whether it is appealable or not.

d. The Director shall only provide notice of an exemption to the California Coastal Commission in writing if the exempt development is appealable to the Coastal Commission (see Section 9422.b.i. for list of appealable development).

e. The County shall maintain a record for all issued exemptions for development in the County Coastal Zone which shall be made available to the Coastal Commission or any interested person upon request. The record shall include the applicant's name, the location of the project and a brief description of the project.

The procedure described in this Section shall be considered an administrative determination and is appealable pursuant to Section 9422.

9412 Revocation

Where one or more of the conditions of a Coastal Permit have not been, or are not being, complied with, or when a Coastal Permit was granted on the basis of false material information or failure to comply with permit noticing provisions, the Approval Authority may revoke or modify the Coastal Permit following public hearing. Notice of such hearing shall be the same as would be required for a new CDP.

9414 Expiration and Extension of Coastal Permits

a. Unless the permit states otherwise, a CAP / CDP shall expire two (2) years from its date of approval, unless use and reliance on the permit has been established prior to the permit's expiration.

b. Notwithstanding the above, if the CAP/CDP is issued in conjunction with the approval of a subdivision map pursuant to the County Subdivision Ordinance, the CAP/CDP shall remain in full force and effect for the duration of the tentative approval for that subdivision map (including all extensions of that tentative map) and, if the subdivision map does not receive final approval, expire upon expiration of the tentative approval. If the subdivision map receives final approval, the CAP/CDP shall expire two years after recordation of the final or parcel map unless construction and/or use of the property in reliance of the permit has commenced prior to its expiration; provided, however, that the period within which such construction and/or use must be commenced may be extended as provided in subsection (c), and provided further, that construction complies with the LCP in effect at the time of construction.

c. If prior to the expiration of such CAP/CDP the applicant files a written application with the Department for an extension of time, the period within which construction or use of the property in reliance on the CAP/CDP must be commenced, may be extended by the Approval Authority at any time within 90 days of the date of expiration. The Approval Authority may grant one or more such extensions not to exceed a total of 24 months each, subject to specified conditions, as provided by Section 9400.f.vi, and upon a finding that unusual circumstances have delayed such completion, creating a substantial hardship on the applicant, and that there are no changed circumstances in the project that would be inconsistent with the Local Coastal Plan.

d. Any Minor Deviation or any modification pursuant to Section 9400.e.xix, shall not extend the expiration and extension dates otherwise specified in this section.

e. Decisions of the Approval Authority, pursuant to this section shall become effective as provided by Section 9400.f.ix. Decisions of the Approval Authority may be appealed as provided by Section 9422. All other provisions of the LCP shall apply to a time extension granted in accordance with this section.

f. Such extensions of CAP / CDP shall be considered amendments for purpose of notice and appeal to the Coastal Commission.

9416 Coastal Permit Amendments

Upon application by the permittee, a CAP / CDP may be amended. Application for an amendment shall be accomplished in the same manner specified by this Section for the initial application of the CAP / CDP. All sections of these provisions dealing with the specific type of CAP / CDP shall apply to permit amendments.

9418 Denial of Coastal Permit Applications

An application or local appeal may be denied and no further application for the denied request shall be filed in the ensuing twelve (12) months, except as otherwise specified at the same time of denial.

9420 Coastal Permit Application Requirement and Fees

a. Filing Procedures

i. APPLICATION. Private development applications for, and amendments to, CAP and CDP shall be made to Planning & Development Services, public project applications for, and amendments to CAP and CDP shall be made to the lead department (Parks and Recreation, Public Works, or General Services) on an application form provided by the Department, together with all required plans, maps, elevations, reports, and any such supporting information deemed necessary by the lead department or any other ordinance contained in the certified LCP to adequately assess and evaluate the proposed project. Applications for CAPs and CDPs may be submitted concurrently with other County permits required by the County. Developments requiring the application of the Special Area Regulations in Section 9300 through 9316 may require additional application materials.

ii. REVIEW. Following submittal of an application, the Approval Authority shall review the application for completeness. Within thirty (30) calendar days from submittal, the Approval Authority shall notify the Applicant in writing of which parts of the application are incomplete and describe the specific materials needed to complete the application. Not later than 30 days after receipt of all of the requested materials, the Approval Authority shall determine whether the submittal of the requested materials is complete and transmit that determination to the Applicant. If no determination of completeness is provided to the Applicant within 30 days of submittal, the application will be deemed complete. Any application for a CAP / CDP shall not be determined to be complete and shall not be filed until and unless the applicable requirements of this Section have been met. Until such application is determined to be complete by the Approval Authority and has been reviewed in accordance with the applicable CEQA Guidelines and the California Coastal Act, no action shall be taken on it by the Approval Authority.

iii. DETERMINATION OF APPLICATION NOTICE AND HEARING. The determination of whether a development is categorically excluded, non-appealable, or appealable for noticing, hearing, and appeal purposes shall be made by the lead department, or designee and this determination shall be transmitted to the applicant, within thirty (30) calendar days from submittal of the development application to the lead department. The determination, and the associated notice and hearing requirements, shall be based on the LCP. The procedures to decide challenges of the determination by the applicant, an interested person, or local government shall comply with the California Code of Regulations (Title 14 Code of Regs., Section 13569).

iv. NON-ACCEPTABLE APPLICATIONS. The lead department shall not accept for filing an application for development on a lot or parcel or portion thereof which is the subject of a pending proposal for an adjustment to the boundary of the coastal zone pursuant to Public Resources Code Section 30103(b) of the Coastal Act.

b. Application Fees. Application fees for CAP and CDP shall be the same as the most current Site Plan Permit and Major Use Permit fees, respectively, Such fees shall be in accordance with the most current County Administrative Code Schedule of Discretionary Fees and Deposits, as adopted by the County Board of Supervisors.

9422 Coastal Permit Appeals

Development pursuant to an approved CAP / CDP shall not commence until the CAP / CDP is effective. The CAP / CDP is not effective until all potential avenues for appeal, including those to the Coastal Commission, have been exhausted. In the event that the Coastal Commission finds no significant issue with the County's decision on the coastal permit, the County's decision stands. If the Coastal Commission does find significant issues with the County's decision on the coastal permit, the County's decision is superseded and the Coastal Commission takes permit jurisdiction.

a. Local Appeals

i. PRINCIPAL PERMITTED USES. All Principal Permitted Uses listed in Table 9-2a –f, with the "PPU" designator, and as defined in this IP, shall not be appealable developments unless subject to appeal pursuant to Section 9422.b.i. (see Section 9106.b, herein).

ii. CDP AND CAP PERMITTED USES: All uses for which CDP and CAP are granted, as listed in Table 9-2a –f, and as defined in herein, may be appealable uses (see Section 9106.b, herein). The subject appeals shall be made to the appropriate appeal body, as described herein.

iii. After certification of the LCP, an action taken by the County on a coastal development permit application may be appealed to the Commission, for only developments listed under Section 9422.b.i.

iv. The grounds for an appeal of an approval of a permit shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access and recreation policies set forth in the Coastal Act, Chapter 3 (Sec. 30210, et seq.).

v. The grounds for an appeal of a denial of a permit shall be limited to an allegation that the development conforms to the standards set forth in the certified local coastal program and the public access and recreation policies set forth in the Coastal Act, Chapter 3 (Sec. 30210, et seq.).

vi. For development subject to appeal pursuant to Section 9422.b.i.,any action described herein shall become final at the close of business on the 10th working day from the date of receipt by the Commission of the notice of the local government's final action, unless an appeal is submitted within that time period (see Section 9422.b.).

vii. The County, after taking action on a coastal development permit, shall send notification of its final action to the Commission by certified mail, within seven calendar days from the date of taking the action.

viii. APPEALS. A decision or any portion of the decision made by the Approval Authority, under the provisions of this Section, may be appealed to the Appeals Authority, by an aggrieved person.

ix. RESUBMITTAL OF REVISED APPLICATION. If upon appeal an application for an CAP or CDP is revised so as to require the submittal of a revised plot plan, all appellate proceedings shall be terminated and the application shall be resubmitted to the authority having original jurisdiction, for further consideration and decision. The decision of the revised application may thereafter be appealed, as provided in this Section.

x. PERSONS AUTHORIZED TO APPEAL. No person may appeal except the Applicant; a County officer acting pursuant to paragraph "xi" of this Section; and those persons who protest the granting, revocation, or modification of a CAP/CDP, either by written protest filed in the office of the lead department, prior to the time of the hearing or consideration of the matter by said Approval Authority; or by appearing and protesting the granting, of the CAP/CDP at the hearing or consideration of the matter by said Approval Authority.

xi. County Officer May Appeal. Notwithstanding any other provision of this Ordinance, any County Officer, Commission, or other County body, other than the Approval Authority having jurisdiction over the appeal, may appeal a decision, without fee.

xii. EFFECT OF FILING THE APPEAL. An appeal of a decision within the time specified in paragraph "xii" of this Section shall stay the proceedings and effective date of the coastal permit decision, until such time as the appeal has been acted on, as hereinafter set forth in the Ordinance.

xiii. FORWARDING OF RECORD. Upon the filing of an appeal, the Approval Authority having made the decision being appealed shall transmit to the Secretary of the Planning Commission or the Clerk of the Board of Supervisors the records concerning the decision, together with a report of the decision.

a) Report and Scheduling of Hearing. When an appeal has been filed, the Director of the lead department shall prepare a report on the matter and schedule the matter for a public hearing by the appropriate authority. Any interested party may appear and be heard regarding the appeal. At the hearing, the appeal body may consider any issue involving the matter that is the subject of the appeal ("de novo"), in addition to the specific grounds for the appeal. The review authority may:

1. Affirm, affirm in part, or reverse the action, determination, or decision that is the subject of the appeal, based upon findings of fact about the particular case. The findings shall identify the reasons for the action on the appeal, and verify the compliance or noncompliance of the subject of the appeal with this Section;

2. Adopt additional conditions of approval that may address issues or concerns other than the subject of the appeal; or

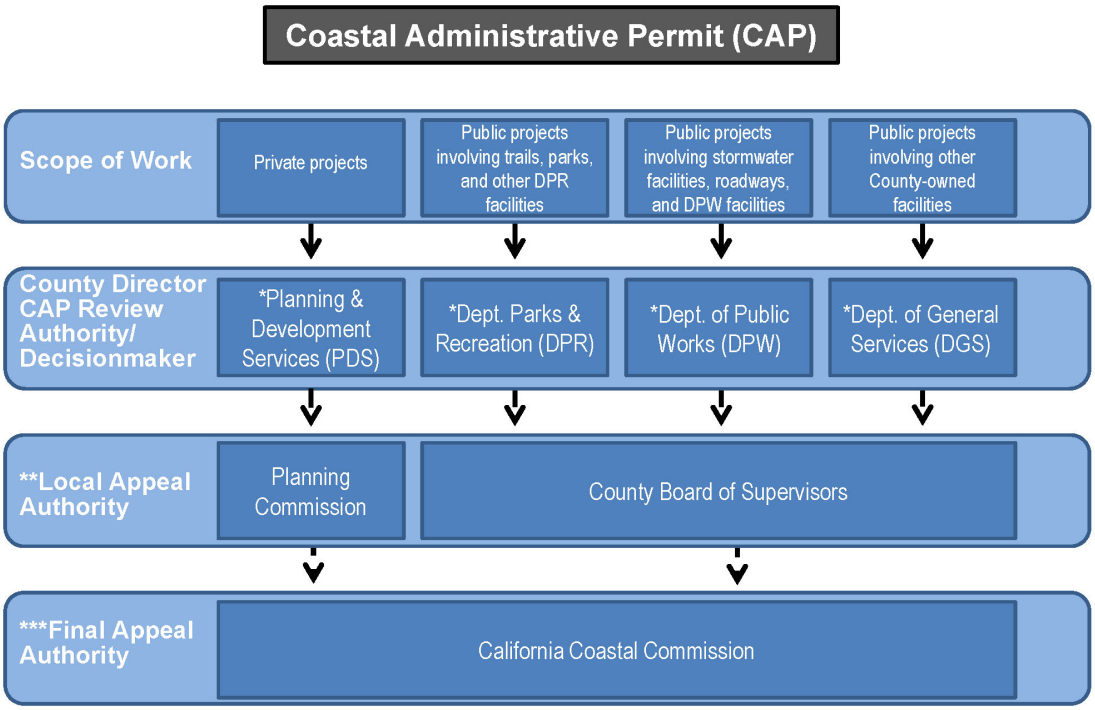
3. Disapprove the CAP / CDP approved by the previous review authority, even if the appellant only requested modification or elimination of one or more conditions of approval.

xiv. In the event of a tie vote by the appeal body, the decision being appealed shall stand.

xv. If new or different evidence is presented on appeal, the Planning Commission or Board of Supervisors may refer the matter to the previous review authority, for further consideration.

xvi. EFFECTIVE DATE OF APPEAL DECISION. A decision by the Approval Authority is effective ten (10) days after the date of the decision, when no appeal of the decision has been filed with the Board of Supervisors. A decision by the Board of Supervisors is final on the date of the decision, unless the decision is appealed to the Coastal Commission. In such cases, the decision is final after the Coastal Commission's 10 working day appeal period ends.

b. CAP Appeal.



** A public hearing is required for projects within or partially within an area appealable to the Coastal Commission (see Section 9422.b.i.).*
*** Only if CAP is appealed at the local level*
**** Only appealable to the Coastal Commission if the development falls into one of the enumerated categories listed in Section 9422.a.iii*

i. Timeliness. An appeal must be filed within 10 days of the date on which the decision being appealed was rendered, or within 10 days of the date of the Planning Commission or Board of Supervisors under Section 9400.e.xiii.a.3.

ii. Form, Filing and Fee. An appeal shall be in writing, which shall be filed in the office of the Director of the lead department. No fee is required to appeal the Director's decision on a CAP application.

iii. Effect of Filing an Appeal. An appeal of a decision, within the time specified in paragraph "b" of this Section shall stay the proceedings in furtherance of the decision appealed and no building permit, or other permit shall be issued until such time as the appeal has been acted on as set forth in this Section.

iv. Appeal body. The Planning Commission shall be the appeal body for all CAPs approved by the Director of PDS. The Board of Supervisors shall be the appeal body for all other CAPs approved by the Directors of DGS, DPR, or DPW.

v. Public Hearing. The Planning Commission or Board of Supervisors shall hold a public hearing on the appeal, scheduled and noticed as required. Public hearings required by the Implementation Plan shall be scheduled as follows:

aa) Hearings before the Planning Commission shall be scheduled by the Director of PDS, for a date not less than 10 days, but not more than 90 days, from the date

that an application is determined to be complete. However, if an Environmental Impact Report or Negative Declaration is required, such hearings shall be scheduled for a date not more than one year from the date that an application is determined to be complete. The Director may, with the consent of the applicant, extend this one year or 90 day period one time for a period of time not to exceed 90 additional days.

bb) Hearings before the Board of Supervisors shall be scheduled by the Clerk of the Board of Supervisors for a date not less than 10 days, but not more than 120 days, from the date where an application is brought before the Board on appeal, the above time period shall commence upon the filing of the appeal:

cc) In the event that a required hearing cannot be held within said 120 days, the Director shall inform the Board of Supervisors as to the reasons for such delay.

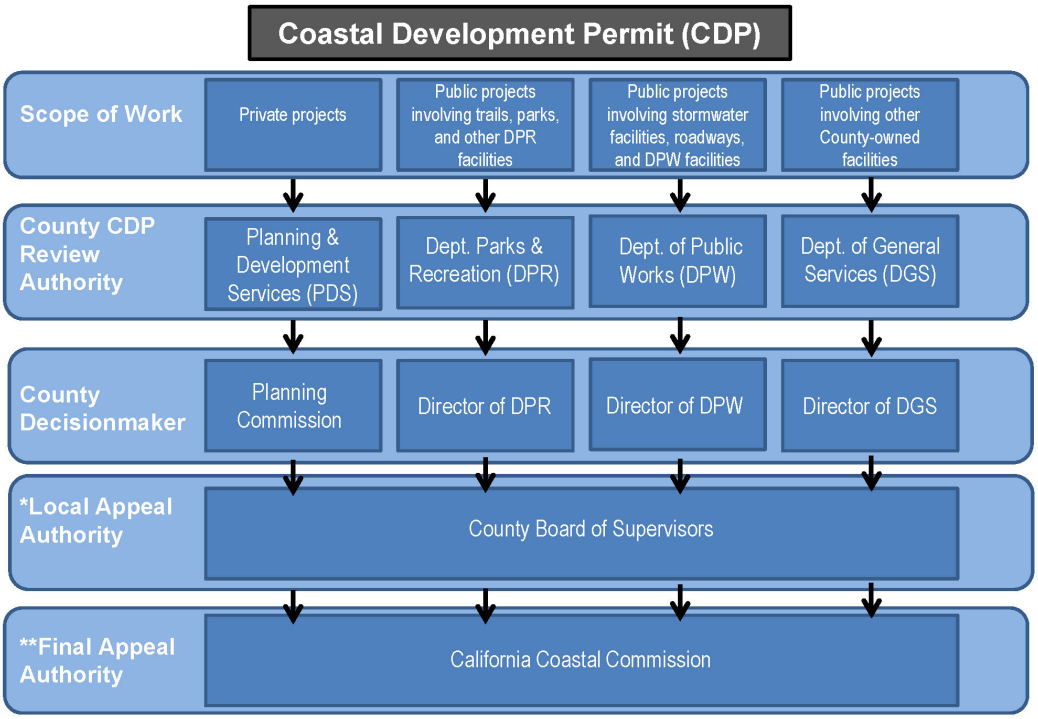
dd) A hearing may be delayed when the deposit account for a project is in deficit. The hearing will be scheduled once adequate funds are deposited by the applicant.

ee) Any failure to hold a hearing within the time specified shall not affect the validity of any decision reached, as the result of such hearing.

vi. Decision and Notice. Following the hearing on an appeal, the Planning Commission or Board of Supervisors may sustain the decision of the Director; or may approve or modify the site plan subject to specified conditions it imposes pursuant to Section 9400.f.vii; or may revoke or deny the CDP, as is appropriate. The Planning Commission or Board of Supervisors shall adopt findings which specify all facts relied upon it in reaching its decision and their relation to the requirements of subsection 9400.f.vi., and which state the reasons for any conditions imposed by it. Notice of the decision of the authority together with a copy of any findings adopted by said authority shall be mailed to the appellant and applicant, or to both is they are different parties, and a copy thereof shall be attached to the file in the manner and said file returned to the Director.

vii. No Decision Reached. Whenever the Board of Supervisors holds a hearing on an appeal from a decision on an application for a CAP the proceedings shall be governed by the Board of Supervisors Rules of Procedure and Section 75.13 of the San Diego Administrative Code. Whenever the Planning Commission holds a hearing on an appeal from a decision on an application for a CAP, and thereafter, fails to reach a decision because a motion on the item failed to carry by the required vote, the secretary of the Commission shall set the matter for a noticed public hearing de novo, if such hearing is requested by the Commission. Such request must be made within 30 days of the date when the motion on the item failed to carry. If no such request is made within such period, the decision from which the appeal has been taken shall be deemed sustained.

c. CDP Appeal.



** Only if CDP is appealed at the local level*
***Only appealable to the Coastal Commission if the development falls into one of the enumerated categories listed in Section 9422.b.i.*

i. APPEAL. CDP decisions pursuant to Sections 9400.f.vi., 9400.f.xv., 9400.f.xvi., or 9400.f.xviii. may be appealed as follows:

aa) Appeals Authorized.

1. A CDP decision may be appealed to the Planning Commission or Board of Supervisors.

2. If a Minor Use Permit was approved concurrently with a CDP, the Minor Use Permit may be appealed to the Board of Supervisors jointly with any appeal of the CDP
decision.

ii. An appeal shall be in writing and shall be filed as follows:

aa) If filed personally, the appeal shall be filed in the lead department by the tenth day after the date of the decision and shall be addressed to the Secretary of the Planning Commission or the Director of the lead department, depending on who rendered the decision.

bb) If mailed, the appeal shall be postmarked by the tenth day after the date of the decision and shall be addressed to the Secretary of the Planning Commission or the Director, depending on who rendered the decision, Department of Planning and Development Services, 5510 Overland Avenue, Suite 310, San Diego, CA 92123.

iii. Public Hearing. Following the filing of an appeal, the Board of Supervisors shall hold a public hearing on the matter scheduled and noticed. The public hearing shall be a hearing de novo and all interested persons may appear and present evidence.

aa) Hearings shall be scheduled by the Clerk of the Board of Supervisors for a date not less than 10 days, but not more than 120 days, from the date where an application is brought before the Board on appeal, the above time period shall commence upon the filing of the appeal.

bb) In the event that a required hearing cannot be held within said 120 days, the Director shall inform the Board as to the reasons for such delay.

cc) A hearing may be delayed when the deposit account for a project is in deficit. The hearing will be scheduled once adequate funds are deposited by the applicant.

dd) Any failure to hold a hearing within the time specified shall not affect the validity of any decision reached, as the result of such hearing.

iv. Decision and Notice. Following the hearing on an appeal, the Board of Supervisors may sustain the decision which is being appealed; or may grant or modify CDP subject to specified conditions it imposes pursuant to Section 9400.f.vi.; or may revoke or deny the CDP, as is appropriate. The Board of Supervisors shall adopt findings that specify all facts relied upon by it in reaching its decision and their relation to the requirements of Section 9400.f.v. Notice of the decision of the Board of Supervisors, together with a copy of any findings adopted by the Board of Supervisors, shall be mailed to the appellant and applicant, or to both if they are different parties. A copy of the notice of decision shall be attached to the Approval Authority's file in the matter.

v. Finality and Effective Date. Subject to the provisions of Chapter 4 (commencing with Section 86.401) of Division 6 of Title 8 of the San Diego County Code, relating to appeals of environmental determinations, the decision of the Board of Supervisors shall be final, conclusive, and effective immediately unless subject to appeal pursuant to Section 9422.b.i.

vi. No Decision Reached. Whenever the Board of Supervisors holds a hearing on an appeal from a decision on an application for a CDP, the proceedings shall be governed by the Board of Supervisors' Rules of Procedure and Section 375.13 of the San Diego Administrative Code.

b. Appeals to the Coastal Commission. Any approval or denial decision by the County on a CAP / CDP may be appealed by an aggrieved person or any two members of the Coastal Commission to the Coastal Commission.

i. Appeals to the Coastal Commission are limited to actions on the following types of developments:

a) Developments approved by the County that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.

b) Developments approved by the County not included within paragraph (a) that are located in a sensitive coastal resource area.

c) Developments approved by the County that are not listed as the principal permitted use within the County Local Coastal Program.

d) Any development that constitutes a Major Energy Facility, as defined in the Definitions Section herein.

e) Any development that constitutes a Major Public Works Facility, as defined in the Definitions Section herein.

ii. Within ten (10) working days of Coastal Commission receipt of a complete notice of final County CAP or CDP action, an appealable CAP or CDP may be appealed to the Coastal Commission, by an aggrieved person who has exhausted local appeals or by any two members of the Coastal Commission.

a) The County, after taking action on a coastal development permit, shall send notification of its final action to the Commission by certified mail, within seven calendar days from the date of taking the action.

iii. For appealable CAP or CDP, an appellant shall be deemed to have exhausted local appeals and shall be qualified as an aggrieved person, when the appellant has pursued his or her appeal to the appellate bodies identified in this Section; except that exhaustion of all local appeals shall not be required if any of the following occur:

a) The County requires an appellant to appeal to more local appellate bodies than have been certified as appellate bodies for coastal permits in the Coastal Zone, in this Section.

b) An appellant was denied the right of the initial local appeal by a County ordinance, which restricts the class of persons who may appeal a local decision.

c) An appellant was denied the right of local appeal because County notice and hearing procedures for the development did not comply with the provisions of this Section.

d) The County charges an appeal fee for the filing or processing of appeals.

c. Notice of Final Action. For a CAP approved without benefit of a public hearing, all persons receiving notice pursuant to 9400.e.i or requesting such notice shall be notified in writing of the issuance of a CAP. For all CAPs / CDPs, a final action notice shall be prepared that describes the approved development (including all supporting findings, conditions, and materials (approved project plans, applicable technical reports, etc.)) and the process, by which it was approved, and information on appeal procedures, including local appeals as well as appeals to the Coastal Commission, in conformance with California Code of Regulations Section 13571. Within seven (7) calendar days of the final local action on a CAP / CDP, the County shall provide such notice of its action by first class mail to the local office of the Coastal Commission, and to any persons who specifically requested notice of such final action by submitting a self-addressed, stamped envelope to the lead department. The County's action on a CAP / CDP shall not be considered final, until (1) the local decision on the application has been made and all required findings have been adopted, including specific factual findings supporting the legal conclusions that the proposed development is or is not in conformity with

the certified local coastal program and, where applicable, with the public access and recreation policies of Chapter 3 of the Coastal Act, and (2) when all local rights of appeal have been exhausted as defined in Section 13573 of the California Code of Regulations.

d. Appeals of Final Action. A CAP or a CDP shall be effective ten working days from the time of receipt of permit notice by the Executive Director of the Coastal Commission; unless, the notice of final action is deemed incomplete or a valid appeal is within the timeframe pursuant to the Public Resources Code, Section 30603(c). All notices of final action shall include a written statement to this effect. Appeal applications shall be submitted on a commission appeal form that is signed by all appellants and shall be received in the Commission district office with jurisdiction over the local government no later than 5:00 p.m. on the tenth (10th) working day after receipt of the notice by the Commission's executive director. An appellant may submit the appeal form via electronic mail, but the appeal shall be deemed to be timely filed only if it is received by the general e-mail account of the district office with jurisdiction over the local government, not later than 5:00 p.m. on the final date of the appeal period. Transmittal of an appeal to any other e-mail address does not constitute proper or timely submittal of the appeal form, and the appeal shall be rejected. The appeal shall include at minimum, the following information:

i. The name and address of the permit applicant and appellant;

ii. The date of the local government action;

iii A description of the development;

iv. The name of the governing body having jurisdiction over the project area;

v. The names and addresses of all persons who submitted written comments or who spoke and left his or her name at any public hearing on the project, where such information is available;

vi. The names and addresses or email addresses of all other persons known by the appellant to have an interest in the matter on appeal;

vii. Information on how each appellant participated in the local government action or otherwise is qualified as an "aggrieved person" as defined by Public Resources Code Section 30801;

vii. The specific grounds for appeal as described in Public Resources Code, Section 30603;

ix. A statement of facts on which the appeal is based; and

x. A summary of each substantial issue raised by the appeal.

DEFINITIONS

9500 Definitions

The following definitions are provided for the following terms used in the IP. If a definition or term is not provided below, the definitions found in Appendix A of this Implementation Plan shall apply.

a. A Definitions

Accessory Building: A portion of a main building or a detached subordinate building located on the same lot as a main building which is devoted exclusively to an accessory use.

Accessory Use: A use customarily incidental and accessory to the principal use of the land or lot, or to a building or other structure located on the same lot as the accessory use.

Aggrieved Person. Any person who, in person or through a representative, appeared at a public hearing of the County of San Diego in connection with a County decision or action on a Coastal Administrative Permit or Coastal Development Permit application, or who, by other appropriate means prior to a hearing or the County's final action on a CAP/CDP, informed the County of San Diego of the nature of his/her concerns or who for good cause was unable to do either. An aggrieved person includes the applicant for the CAP/CDP.

Agriculture: Shall mean the production of goods such as food, fibers or feed by the systematic growing and harvesting of plants, animals and other life forms. Typical forms of agriculture include cultivation of land and livestock raising.

Approval Authority. The County Board of Supervisors or its designee (e.g., Planning Commission, County Department Directors, and Zoning Administrator) authorized to hear and decide CAP and CDP, pursuant to this Implementation Plan.

b. B Definitions

Best Management Practices (BMPs). BMPs shall have the same meaning as defined in the NPDES Order. Best management practices may include any type of pollution prevention and pollution control measures that achieves compliance with the Watershed Protection Ordinance.

c. C Definitions

California Environmental Quality Act (CEQA). A California law (California Public Resources Code Section 21000 et seq.) which sets forth a process for public agencies to make informed decisions on discretionary project approvals. The process aids decision makers to determine whether any environmental impacts are associated with a proposed project. It requires environmental impacts associated with a proposed project to be eliminated or reduced and that alternatives and mitigation measures that will substantially reduce or eliminate significant impacts to the environment have been implemented.

Coastal Act. The California Coastal Act of 1976, California Public Resources Code Sections 30000 et seq., as amended.

Coastal Appeal Zone. A geographical area between the sea and first public road paralleling the sea or within 300 feet of the inland extent of any beach or within 300 feet of the mean high tide line of the sea where there is no beach, whichever is the greater distance, and lands within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of seaward face of any coastal bluff.

Coastal Commission. The California Coastal Commission as established by the California Coastal Act of 1976.

Coastal Administrative Permit (CAP). A type of Coastal Permit that: (1) as proposed is consistent with the LCP; (2) requires no discretionary approval other than a Site Plan Permit; (3) has no adverse effect either individually or cumulatively on coastal resources, including public access, (4) requires a

public hearing only where one is requested, lies within or partially within the appeals area identified in Section 9422.b.i.; (5) may be granted in compliance with the California Coastal Act and the LCP, and (6) that authorizes development and a specific use of land on a specific site, subject to compliance with any conditions of approval imposed on the permit.

Coastal Development Permit (CDP). A type of Coastal Permit that requires a public hearing that may be granted in compliance with the California Coastal Act and the LCP, and which authorizes development and a specific use of land on a specific site, subject to compliance with any conditions of approval imposed on the permit.

Coastal Permit. Either a "Coastal Development Permit" or "Coastal Administrative Permit" as defined herein.

Coastal Hazard. Including, but not limited to, episodic and long-term shoreline retreat and coastal erosion, storms, tsunami, coastal flooding, landslides, bluff, steep slope, and geologic instability, and the interaction of same.

Coastal Implementation Plan (IP). Includes the implementation measures needed to carry out the goals, policies, and programs of the Land Use Plan (LUP) document of the Local Coastal Program (LCP).

Coastal waters are streams, rivers, estuaries, marshes, lakes, and the ocean, within the coastal zone.

Coastal Zone. The portions of the California Coastal Zone established by the California Coastal Act of 1976, and as defined by Section 30103 of the Public Resources Code, within the County of San Diego.

d. D Definitions

Designator. The numbers or letters or combination of both which prescribe the regulations for the Use Regulations, Animal Regulations, Development Regulations, and Special Area Regulations. It appears on the zoning map and refers to names of Use Regulations, types of Animal Regulations, types of Development Regulations, or names of Special Area Regulations.

Development. "Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations that are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511 of the Public Resources Code).

e. E Definitions

Enclosure. The degree that the storage and display of goods may be open and/or visible from public rights-of-way. The following are enclosure types:

i. Drive-In: Designed or operated so as to enable persons to receive a service or to purchase or to consume goods while remaining onsite within a parked motor vehicle.

ii. Enclosed: A roofed structure contained on all sides by walls which are pierced only by windows, vents, or customary entrances and exits.

iii. Open: Unroofed or not contained on all sides by walls which are pierced only by windows, vents, or customary entrances and exits.

iv. Semi-Enclosed: Contained on at least 50 percent of its perimeter by walls which are pierced only by windows, vents, or customary entrances and exits. The open sides of partially open structures shall not be visible from any public right-of-way.

Environmentally Sensitive Habitat Area (ESHA). Any land in which plant or animal life or their habitats are either rare or especially valuable because of their nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments is defined to be an Environmentally Sensitive Habitat Area, or ESHA, consistent with Coastal Act Section 30107.5.

Essential Services. The Essential Services use type refers to services which are necessary to support principal development and involve only minor structures, such as utility lines and/or poles, which are necessary to support principal development. Essential Services also includes a public passive park/recreational area.

f. F Definitions

Feasible. "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Fire Protection Services. The Fire Protection Services use type refers to the providing of fire protection by a district or an entity organized pursuant to Health and Safety Code Sections 14825 et seq. and the housing of fire trucks, fire-fighting personnel and related equipment.

Flood, 100-year. A flood estimated to occur at an average of once in 100 years (the flood having a one percent chance of being equaled or exceeded in any given year).

Floodplain. The relatively flat area of low lands adjoining a river, stream, watercourse, bay, or other body of water, which is subject to inundation by flood.

Floodplain Fringe. The area within the floodplain that is not the floodway.

Floodway. All that land as determined by the Director of Public Works that meets the following criteria:

i. The floodway shall include all areas necessary to pass the 100-year flood without increasing the water surface elevation more than one foot.

ii. The floodway shall include all land necessary to convey a ten-year flood without structural improvements.

iii. To avoid creating erosion and the need for channelization, rip-rap, or concrete lining, the floodway will not be further reduced in width when the velocity at the floodway boundary is six feet per second or greater.

iv. Floodways are determined by removing equal conveyance (capacity for passing flood flow) from each side unless another criterion controls.

Floor Area Ratio. The numerical value obtained by dividing the gross floor area of a building or buildings located upon a lot or building site by the net site area of such lot or building site.

g. H Definitions

Height, Building: The vertical distance above a referenced datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

i. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade.

ii. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in Item 1 above is more than 10 feet above lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building.

h. L Definitions

Land Use Plan (LUP). The portion of a local government's LCP that identifies the kinds, location, and intensity of land uses, the applicable resource protection and development policies, and, where necessary, a listing of implementing actions. (PRC Section 30108.5)

Lead Department. The County department which services as the delegating locally authority. These Departments include Planning & Development Services, General Services, Parks and Recreation, and Public Works.

Legal Lot. A parcel that is: 1) Described in a Grant Deed or other bonafide conveyance document recorded prior to February 1, 1972; 2) Shown on a Certificated of Compliance; or 3) Shown on other approved plans or documents that are listed in *Policy G-3 – Determination of Legal Parcel (Revised August 19, 2016)*.

Local Coastal Program (LCP). The County of San Diego's Land Use Plan and Coastal Implementation Plan as certified by the Coastal Commission constitute the County of San Diego Local Coastal Program.

Lot Area. The total area exclusive of street within the boundary lines of a lot.

Lot Coverage. Lot coverage means any area covered by a structure, structures, or structure protrusions including above grade decks but not including building eaves of 30 inches or less and not including paved driveways, sidewalks, paths, and patios.

Lot Depth. The horizontal length of a straight line connecting the bisecting points of the front and rear lot lines.

Lot Width. The horizontal distance between the side lot lines measured at right angles to the line comprising the depth of the lot at a point midway between the front and rear lot lines.

i. M Definitions

Major Public Works and Energy Facilities

a) "Major Public Works" and "Major Energy Facilities" mean facilities that cost more than two hundred eighty-eight thousand and one hundred sixty-three ($288,163) with an automatic annual increase in accordance with the ENR (Engineering News Record) Construction Cost Index, except for those governed by the provisions of Public Resources Code, Sections 30610, 30610.5, 30611, or 30624.

b) Notwithstanding the criteria in (a), "Major Public Works" also means publicly financed recreational facilities that serve, affect, or otherwise impact regional or statewide use of the coast.

Minor Developments. A development that satisfies all of the following requirements:

a) Is consistent with the certified local coastal program, as defined in Section 30108.6.

b) Requires no discretionary approvals other than a coastal development permit.

c) Has no adverse effect either individually or cumulatively on coastal resources or public access to the shoreline or along the coast.

Mitigation/Restoration and Monitoring Program. A program prepared pursuant to Section 15097 of the CEQA Guidelines. It describes the processes for implementing identified mitigation measures and/or restoration measures and the persons responsible for implementing and/or overseeing those mitigations. The specific mitigation/restoration measures themselves are intended to be the mitigation measures identified in the environmental review of a project.

j. N Definitions

Natural Hazard. A natural hazard is defined as threat of an atmospheric, earth, or water related occurrence (or potential threat of same) that will have a negative effect on life, property, or the environment. Natural hazards within the County of San Diego's Coastal Zone include but are not limited to episodic and long-term shoreline retreat and coastal erosion, storms, tsunami, coastal flooding, earthquakes, landslides, bluff and geologic instability, and the interaction of same.

NPDES Order. Shall mean and refer to the California Regional Water Quality Control Board, San Diego Region Order No. R9-2013-0001, NPDES No. CAS00109266, as the same may be amended, modified or replaced from time to time.

k. P Definitions

Public Access. The ability of residents and visitors to use and enjoy areas within the coastal zone for access and recreational activities, such as hiking, bicycling, and picnicking. Public access includes the provision of open access way to coastal features and connectivity to other existing coastal features and inland trail networks such as walkways and bicycle paths.

l. R Definitions

Redevelopment. Redevelopment is defined as the demolition or removal of 50 percent or more of the major structural components of an existing development, which includes exterior walls, floor and roof structures, or the foundation; or a cumulative increase of 50 percent of the floor area of an existing development or replacement of more than 50 percent of the structure. Cumulative increases shall be tracked starting on the date of the certification of the LCP.

Repair and Maintenance. An activity designed to return the object of the repair and/or maintenance event to its prior legally established configuration.

Ridgeline. The plateau or maximum elevation which extends along the top of Steep Slope Lands. A Ridgeline may increase or decrease in elevation as it extends along the top of Steep Slope Lands.

Riparian Habitat. An environment associated with the banks and other land adjacent to freshwater bodies, rivers, streams, creeks, estuaries, and surface-emergent aquifers (such as springs, seeps, and oases). Riparian habitat is characterized by plant and animal communities which require high soil moisture conditions maintained by transported freshwater in excess of that otherwise available through local precipitation.

Riparian Habitat, Upland Edge. The transition line demarcating: 1) Landscape zones characterized by aquatic-influenced conditions and hydrophilic plant species (e.g., streams, and their flood-prone elevations); and 2) "Dry" or upland zones (e.g., native and non-native scrub and non-riparian woodland habitats). Upland habitat above this transition line.

Runoff includes both stormwater runoff and dry-weather (urban) runoff.

m. S Definitions

Sea Level Rise. Commonly defined as the anticipated sea level elevation due global warming and climatic changes leading to the melting of polar land-based ice and the consequent expansion of sea water.

Sensitive Habitat Lands. Land that supports unique vegetation communities, or the habitats of rare or endangered species or subspecies of animals or plants as defined by Section 15380 of the State California Environmental Quality Act (CEQA) Guidelines (Title 14, Code of Regs. Section 15000 et seq.). Sensitive Habitat Lands also includes the habitat area that is necessary to support a viable population of any sensitive species in perpetuity, or which is critical to the proper functioning of a balanced natural ecosystem or that serves as a functioning wildlife corridor.

Setback. The distance by which a structure, parking area, or other development feature must be separated from a lot line, other structure, or development feature, street centerline, or other areas specified in this LCP. A required, specified distance between a building or structure and a lot line or lines, measured perpendicularly in a horizontal plane extending across the complete length of said lot line or lines.

Significant Environmental Impact (Significant Adverse Impact on the Environment). A substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant. (CEQA Guidelines, Title 14, Cal. Code of Regs., Section 15382)

Stormwater Runoff. Water resulting from precipitation that flows over land surfaces.

Substantial Improvement. Any repair, reconstruction, or improvement of structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (a) before improvement is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations or (2) any alteration of a structure listed on the National Register or Historic Places, or a State inventory of Historic Places.

n. T Definitions

Trail Structure. A structural component on, or associated with, the trail that allows for continued trail access, avoids impacts to sensitive resources, or enhances trail sustainability. Trail structures include, but are not limited to: bridges, puncheons, culverts, switchbacks, retaining walls, Sutter walls, water bars, etc.

Treatment Control BMPs. Systems designed to remove pollutants from stormwater by simple gravity settling of particulate pollutants, filtration, biological uptake, media adsorption, or any other physical, biological, or chemical process. Examples include vegetated swales, detention basins, and storm drain inlet filters.

o. U Definitions

Unique Vegetation Community. Unique Vegetation Community refers to associations of plant species, which are rare or which have been substantially depleted or reduced in land area due to development. These may contain rare or endangered species, or rare species assemblages, which may be included due to a number of factors, for example: (a) they are only found in the San Diego region; (b) they are a local representative of a species or association of species not generally found in San Diego County; (c) 3-13 Def. S they are outstanding examples of the community type as identified by the California Department of Fish and Wildlife listing of community associations.

Upland Edge of Riparian Habitat. Refer to definition of Riparian Habitat.

Use Permit, Minor. 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.

Use, Principal Permitted. Those uses permitted that may require of a Coastal Development Permit (CDP) or Minor Use Permit (as regulated by the Coastal Permit and Animal Regulations, respectively), but subject to all other applicable regulations.

Use Regulations. That element of the zone which indicates, by means of a designator combining a letter and a number, the use types which are permitted in that zone.

p. W Definitions

Watershed. The region or area drained by a river, stream, or other waterway, drainage area.

Wetland. As defined by Section 30121 of the Coastal Act, ~~as~~ lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens, and as determined by Section 13577 (b)(1) of the California Code of Regulations as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats.

q. Z Definitions

Zoning Ordinance. County of San Diego Ordinance No. 5281 (New Series), as amended.

EXHIBIT B

County of San Diego

Planning & Development Services

Local Coastal Program Update

LOCAL COASTAL PROGRAM IMPLEMENTATION PLAN

May 31, 2019

Appendix A
Related Coastal Zone Implementation Plan Ordinances

Prepared For:

County of San Diego

Planning & Development Services

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San Diego, CA 92123

Prepared By:

AECOM

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San Diego, CA 92101

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Sections 6750 through 6799	Parking
Sections 6250 through 6290	Sign Ordinance
Sections 6800 through 6816	Enclosures

ADDITIONAL REFERENCES

08-016 Landscape Ordinance

Water Efficient Landscape Design Manual

Light Pollution Control Ordinance

Watershed Protection Ordinance

Board of Supervisors Policy I-73, Hillside Development

ZONING ORDINANCE SECTIONS

Section 2980	Supplemental Limitations on Uses
Sections 6750 through 6799	Parking
Sections 6250 through 6290	Sign Ordinance
Sections 6800 through 6816	Enclosures

SUPPLEMENTAL LIMITATIONS ON USES.

2980 LIMITATIONS ON PERMITTED USES.
The following limitations apply to the uses indicated by the corresponding number in quotes in the previous sections entitled "Permitted Uses Subject to Limitations."

"1" Dwellings as Secondary Uses. Limited to dwellings which are secondary uses of a structure, lot or parcel primarily used for business purposes.

"2" Recycling Collection Facilities shall comply with the applicable provisions of Section 6970.

"3" Recycling Processing Facilities shall comply with the applicable provisions of Section 6975.

"4" Secondary Use. Permitted only as a secondary use within a dwelling. No such use shall have a floor area greater than the floor area devoted to residential purposes.

"5" Same Lot. Permitted only if located on the same lot as the industrial use it serves.

"6" Veterinary Hospitals. Hospital must be located on a parcel of land not less than 2 acres in size. Indoor treatment areas must be located at least 100 feet from the nearest property line, and out door treatment or confinement areas must be located at least 200 feet from the nearest property line. If a proposed Hospital does not meet any of these requirements it may be allowed upon issuance of a Minor Use Permit.

"7" Limitation on Enclosed Storage. All operations, including the storage of materials and equipment, shall be entirely within an enclosed building, and the area devoted to storage shall not be greater than the area devoted to sales and administrative offices.

"8" Enclosed Building. All operations, including the storage of materials and equipment, shall be entirely within an enclosed building.

"9" Enclosed Building or Walls. All operations, including the storage of materials and equipment, shall be entirely within an enclosed building or inside walls or solid fences less than 6 feet in height.

"10" Retail Establishments. Limited to retail establishments intended for the convenience of permitted establishments and/or clients thereof, provided no such retail establishment occupies more than 15 percent of the total floor area of the building in which it is located and has no entrance except from the lobby or interior of said building, or from a patio entirely surrounded by said building.

"11" Insurance and Real Estate Offices. Limited to insurance and real estate offices as a secondary use within a dwelling. No such office shall have a floor area greater than the floor area devoted to residential purposes.

"12" Gasoline Sales. There shall be no open storage of goods or materials, and all repair and lubrication services shall take place in an enclosed building.

"13" Drycleaning Plants and Laundries. Limited to drycleaning plants and laundries which provide retail services only, use only non-flammable solvents, and employ not more than 10 people.

"14" Performance Standards. Subject to meeting the applicable provisions of the performance standards specified in Section 6300.

"15" Performance Standards and Power. Subject to meeting the applicable provisions of the performance standards specified in Section 6300. Prior to the installation or operation of electric or other power sources in excess of 20 horsepower, the proposed use shall be reviewed pursuant to Section 6304 and the Director shall certify that the use complies with the applicable performance standards.

"16" Animal Related Activities. Animal related activities may be permitted subject to the Animal Regulations commencing at Section 3000.

"17" Cottage Industries. Permitted subject to the provisions of Section 6920.

"18" Mobilehome Residential. Subject to the Mobilehome Park Regulations commencing at Section 6500 or the Planned Development Standards commencing at Section 6600.

"19" Adult Entertainment Establishments. Subject to meeting the applicable provisions of the regulations and performance standards specified in Section 6930 and upon issuance of an Administrative Permit as specified in Section 6930.

"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)

PARKING REGULATIONS

6750 TITLE AND PURPOSE.
Section 6750 through 6799, inclusive, shall be known as the County Parking Regulations. The purpose of these regulations is to provide functional, safe and aesthetically pleasing off-street parking and loading facilities for vehicles and bicycles for each type of land use. The spaces provided are required for use by the employees, tenants, customers and guests of the establishment providing the parking facilities.

(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85. Formerly Sec. 3200.)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6753 GENERAL PARKING REQUIREMENTS.

a. New Uses and Structures. A new use and/or structure shall provide the minimum number of parking and bicycle spaces specified in the Parking Schedules of the County Parking Regulations.

b. Existing Uses and Structures. A previously permitted existing use and/or structure shall not reduce parking or bicycle spaces unless the reduced number of parking spaces still provided for the use and/or structure meets the minimum requirements of the County Parking Regulations for that use and/or structure.

c. Conversion, Alterations or Expansion of an Existing Use or Structure. A previously permitted existing use and/or structure that is converted, altered or expanded shall provide additional parking spaces to accommodate the increase in capacity and/or intensity. This additional parking shall be provided unless the existing parking meets the parking requirements of the County Parking Regulations for the entire use and/or structure.

d. Availability. Parking and Loading spaces shall be marked, maintained, and permanently available for the use they are intended to serve. Owners, lessees, tenants, or persons having control of the parking or loading spaces shall not prevent, prohibit or restrict the use of parking and loading spaces.

e. Usage. Required parking and loading areas shall be used exclusively for the parking and loading of vehicles and shall not be used for the sale, lease, display, repair, or storage of vehicles, trailers, boats, campers, mobile homes, merchandise or equipment without a required County permit or approval, except where allowed by County Parking Regulations.

f. Exceptions. Notwithstanding the general parking requirements set forth in subsections a. and c. above, parking requirements for uses conducted pursuant to a use permit, Historic District Site Plan, or community design review Site Plan in a Special Parking District, shall be determined in accordance with Sections 6782 and/or 6783. In communities with Village Zoning, such as Fallbrook, parking requirements shall be determined in accordance with the Parking Regulations for each zone. (See Section 8000 et seq. of the Zoning Ordinance).

6753

g. Community Plan Policies. In the event that an applicable community plan contains policies relative to parking, those policies shall be considered when determining parking counts and design.

(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85. Formerly Sec. 3203.)
(Amended by Ord. No. 8407 (N.S.) adopted 5-18-94.)
(Amended by Ord. No. 9620 (N.S.) adopted 12-10-03)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6754 ADDITIONAL PARKING REQUIREMENTS FOR ACCESSORY AND SPECIAL USES.

Parking standards for the following accessory and special uses shall be required as specified in the following sections of the Zoning Ordinance:

Section 6156:	Second Dwelling Units
	Family Day Care Home for Children, Large (9-14 Children)
	Bed & Breakfast Home
	Host Home
	Agricultural Homestay
Section 6370:	Senior Projects and Density Bonus Projects
Section 6910:	Wineries
Section 6911:	Emergency Shelters
Section 6912:	Community Gardens
Section 6970:	Recycle Facilities

Parking standards for accessory uses not listed above shall be determined pursuant to the Parking Schedule of the County Parking Regulations and shall be required in addition to the parking requirements for the primary use.

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

6755 ACCESSIBLE PARKING REQUIREMENTS.

The Americans with Disabilities Act (ADA) governs the construction and alteration of public places, commercial facilities, and state and local government facilities to accommodate and provide adequate facilities for persons with disabilities. Accessible parking spaces shall adhere to the requirements of the California Building Code (Chapter 11B) for Accessible Parking standards as found in Title 24 of the California Code of Regulations.

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

6756 COMPUTATION OF REQUIRED PARKING AND BICYCLE SPACES.

a. Separate Uses. The off-street parking spaces required for 2 or more uses on the same lot or parcel shall be the sum of the spaces required for each use or structure computed separately. A reduction in required parking may be requested in accordance with Section 6784.

b. For purposes of computing required parking spaces, the following terms shall apply:

1. Bedrooms. Where the number of bedrooms is specified as the means for calculating required residential parking spaces, dens, studies, studios, libraries, recreation rooms, sewing rooms, hobby rooms, work rooms or similar rooms shall be considered as bedrooms if they contain at least 70 square feet of floor area.

2. Gross Floor Area (GFA) shall be determined by the total area expressed in square feet of all floors measured between the exterior walls of a building.

3. Employees. Where number of employees is specified as the means of calculating required parking spaces, the employees counted are those who work on the premises during the largest work shift during the peak employment season.

4. Occupancy. Where the maximum number of persons or seating capacity is specified as the means of calculating required parking spaces, the maximum occupancy shall be that permitted for the use or structure by the County Building Code.

c. Rounding. In computing the required number of parking spaces or bicycle spaces, fractions of .5 or larger shall be rounded up to the next whole number. Fractions less than .5 shall be disregarded, except that when a use or structure requires 4 or fewer parking spaces, excluding bicycle spaces, any fraction shall be rounded up to the next whole number.

(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85. Formerly Sec. 3206.)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6757 OFF-STREET PARKING REGULATIONS BY MAJOR LAND USE CATEGORY
Sections 6758 through 6783 categorize the off-street parking regulations by major land use category. The County of San Diego classifies land uses within the following broad categories:

Section	Land Use Category	Description
6758	Residential	Property used by individuals and families for private residences or dwellings.
6760	Transient Habitation	Temporary or short-term lodging services. May include a hotel, motel, cabin, or campground.
6762	Commercial	Uses intended for retail, wholesale, office, or services.
6764	Civic	Uses that serve the community at large, including public spaces and structures that provide direct or indirect services to the public.
6772	Industrial and Storage	Uses intended for manufacturing or storage facilities.
6778	Agricultural	Land used for the growing of agriculture.
6780	Other Occupancies and Uses	Uses not included in the land use categories within Sections 6758 through 6783.
6782	Use Permits and Historic District Site Plans	Uses conducted pursuant to a use permit or to a Historic District Site Plan.
6783	Special Parking Districts	Uses conducted within a Special Parking District as designated in Section 5761.

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

SCHEDULE OF OFF-STREET PARKING REQUIREMENTS

6758 PARKING REQUIREMENTS: **RESIDENTIAL**

Type of Occupancy Use or Structure	Off-Street Parking
Single Family	The Sum of the Following:
Detached, Semi-Detached/Attached, Duplex	2 Parking spaces per dwelling unit
Recreation Center in Planned Developments	0.1 Parking space per dwelling unit
Bicycle Parking	None Required
Multi-Dwellings	The Sum of the Following:
(3 units or more on a single lot)	
Studio, 1 and 2 Bedroom	1.5 Parking spaces per dwelling unit
3 or More Bedrooms	2 Parking spaces per dwelling unit
Guest Parking[1]	0.2 Parking space per dwelling unit
Recreation Center (> 1,000 sq.ft.)	0.1 Parking space per dwelling unit
Bicycle Parking	0.5 space per dwelling unit

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

Type of Occupancy Use or Structure	Off-Street Parking
Boarding Houses (Transient)	1 Parking space per habitation room
Bicycle Parking	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	4 Parking spaces per KSF GFA
Bicycle Parking	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)	4 Parking spaces per KSF GFA
Drive-Through Vehicle Stacking Provision	3 Vehicles (60 feet) minimum per teller/ATM lane
Bicycle Parking	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	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)*
Bicycle Parking	0.1 Bike space per car space but not less than 3
Stand-Alone Fast-Food Restaurant	12 Parking spaces per KSF GFA
With Drive-Through Window	9.5 Parking spaces per KSF GFA
Drive-Through Vehicle Stacking Provision	4 Vehicles (80 feet) minimum from the menu board
Bicycle Parking	0.1 Bike space per car space but not less than 3
Laundromat	0.33 Parking spaces per washing machine
Bicycle Parking	0.05 Bike space per car space but not less than 3
Dry Cleaner	3.3 Parking spaces per KSF GFA
Bicycle Parking	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	2.5 Parking spaces per chair/station
Bicycle Parking	0.05 Bike space per car space but not less than 3
Funeral Parlor and Mortuary	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
Bicycle Parking	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	2.5 Parking spaces per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3
RETAIL	
Retail Sales and Services Includes Personal Services and Repair Services *Retail sales and services other than those specifically listed in this table*	4.5 Parking spaces per KSF GFA *(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)*
Bicycle Parking	0.1 Bike space per car space but not less than 3
Gasoline Station Without accessory retail sales and/or service	1 Parking space per employee but not less than 3 *(largest work shift)*
Bicycle Parking	0.05 Bike space per car space but not less than 3
With accessory retail sales and/or service	4 Parking spaces per KSF GFA *(Parking requirement does not include spaces normally provided adjacent to gas pumps for fueling vehicles or service bays)*
Bicycle Parking	0.1 Bike space per car space but not less than 3
Liquor Store	3.3 Parking spaces per KSF GFA
Bicycle Parking	0.05 Bike space per car space but not less than 3
Stand-Alone Discount Club Store Includes Wholesale Warehouse-type Stores	5.5 Parking spaces per KSF GFA
Bicycle Parking	0.05 Bike space per car space but not less than 3
Stand-Alone Drugstore	3.5 Parking spaces per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3
Stand-Alone Furniture and Appliance Sales	3.5 Parking spaces per KSF GFA
Bicycle Parking	0.05 Bike space per car space but not less than 3
Stand-Alone Home Improvement Store Includes Building Materials and Lumber Stores	3.5 Parking spaces per KSF GFA *(Outdoor sales area shall be included in total GFA)*
Bicycle Parking	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	0.5 Parking spaces per KSF of display area
Bicycle Parking	0.05 Bike space per car space but not less than 3
Construction Sales, Service, and Rental Contractors office and outside service area	The Greater Of: 1.5 Parking spaces per employee *(largest work shift)* OR 3.3 Parking spaces per KSF GFA
Bicycle Parking	0.05 Bike space per car space but not less than 3
Automotive or Equipment Sales and Service	3.3 Parking spaces per KSF GFA
Automotive Service Only	3 Parking spaces per repair stall
Bicycle Parking	0.05 Bike space per car space but not less than 3
Automotive Rental	The Greater Of: 2.5 Parking spaces per employee *(largest work shift)* *(Plus 1 parking space per rental vehicle stored on-site)* OR 5 Parking spaces per KSF GFA *(Plus 1 parking space per rental vehicle stored on-site)*
Bicycle Parking	0.05 Bike space per car space but not less than 3
Swap Meet	6.5 Parking spaces per KSF GFA
Bicycle Parking	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)	6 Parking spaces per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3
Participant Sports and Recreation (Outdoor) As Required below for Specific Uses:	The Sum of the Following that Apply:
Sports Courts (e.g. tennis, basketball, etc.)	3 Parking spaces per court
Ball Fields	20 Parking spaces per ball field
Group Picnic Areas	1.5 Parking spaces per picnic table
Passive Useable Turf Areas for Informal Play	0.2 Parking space per KSF
Children's Play Area	5 Parking spaces per KSF
Swimming Pool	10 Parking spaces per KSF of

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

6762

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 *(Largest work shift)*
Guest Parking	3 Parking spaces *(Plus additional on-site parking required for fire trucks/vans assigned to the station)*
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 *(Largest work shift)*
Guest Parking	3 Parking spaces

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

EDUCATIONAL INSTITUTIONS – PUBLIC AND PRIVATE	
Child Day-Care and Small Schools Primary Use Day-Care Center and Pre-School	The Sum of the Following: 1 Parking space per employee plus 0.2 Parking space per child if drop-off and pick-up area is not provided OR 0.1 Parking space per child if adequate drop-off and pick-up area is provided as determined by the Director
Drop-Off Area	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.
Bicycle Parking	0.05 Bike space per car space but not less than 3
Elementary School	The Sum of the Following: 1 Parking space per employee 5 Parking spaces for visitors
School Auditorium	0.2 Parking space per seat minus employee and visitor spaces provided above
Drop-Off Areas	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.
Bicycle Parking	0.25 Bike space per student
Junior High School or Middle School	The Sum of the Following: 1 Parking space per employee 10 Parking spaces for visitors
School Auditorium	0.2 Parking space per seat minus employee and visitor spaces provided above
Drop-Off Areas	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.
Bicycle Parking	0.2 Bike space per student

Senior High School	The Sum of the Following:
	1 Parking space per employee
	15 Parking spaces for visitors
	0.25 Parking spaces per student
Auditorium, Basketball Stadium, or Football Stadium *(whichever has the greatest occupancy)*	0.2 Parking space per seat minus employee, visitor, and student spaces provided above
Bicycle Parking	0.1 Bike space per student
College and University	The Sum of the Following:
(Educational institutions beyond the 12th grade)	0.7 Parking spaces per faculty member/staff
	0.3 Parking spaces per student
	25 Parking spaces for visitors
Auditorium, Basketball Stadium, or Football Stadium *(whichever has the greatest occupancy)*	0.2 Parking space per seat minus employee, visitor, and student spaces provided above
Bicycle Parking	0.05 Bike space per student
Other Educational Institutions	1 Parking space per employee plus
Including Private or Charitable Institutions Offering Instruction, Training, or Learning Opportunities	The Greater of the Following:
When located in a commercial center consisting of 10 KSF GFA or more and this use does not comprise more than 25% of the total GFA of the commercial center, this section does not apply. See Section 6762 Retail Sales and Services.	0.5 Parking space per student/trainee, OR 0.3 Parking space per KSF GFA
Bicycle Parking	0.1 Bike space per student
MEDICAL CARE FACILITIES	
Hospital	2.5 Parking spaces per bed
Acute, General	
Bicycle Parking	0.05 Bike space per car space but not less than 3
Medical Office	5 Parking spaces per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3
Other Medical Care Facilities	0.33 Parking spaces per bed
Other Facilities Providing Overnight Medical Care (e.g. mental/psychiatric institutions, intermediate care homes, nursing homes, etc.)	
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. 10251 (N.S.) adopted 2-6-13. Formerly Sec. 6766, 6770 & 6772.)

6772 PARKING REQUIREMENTS: **INDUSTRIAL AND STORAGE**

Type of Occupancy Use or Structure	Off-Street Parking
Research and Development	3 Parking spaces per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3
General Manufacturing Including Uses Where the Primary Activity is the Conversion of Raw Materials or Parts into Finished Products	1.5 Parking spaces per KSF GFA *(Office space cannot exceed 25% of total facility GFA. Requirement for excess office floor area shall be calculated according to stand-alone commercial office use parking requirements)*
Bicycle Parking	0.1 Bike space per car space but not less than 3
Light Manufacturing Including Printing, Material Testing, Light Assembly, etc.	1 Parking space per KSF GFA *(Office space cannot exceed 25% of total facility GFA. Requirement for excess office floor area shall be calculated according to stand-alone commercial office use parking requirements)*
Bicycle Parking	0.1 Bike space per car space but not less than 3
Industrial Park Including a mix of Light Industrial, Manufacturing, Service, and Warehousing	2 Parking spaces per KSF GFA *(Office space cannot exceed 25% of total facility GFA. Requirement for excess office floor area shall be calculated according to stand-alone commercial office use parking requirements)*
Bicycle Parking	0.1 Bike space per car space but not less than 3
Recycling Center	The Sum of the Following: 1 Parking space per employee but not less than 5 *(Largest work shift)* PLUS 0.33 Parking spaces per KSF site area
Bicycle Parking	0.05 Bike space per car space but not less than 3
Salvage Yard Scrap Metal Processing, Motor Vehicle Dismantling, Junk Yard	0.2 Parking spaces per KSF
Bicycle Parking	0.05 Bike space per car space but not less than 3
Moving and Storage Business	0.5 Parking spaces per KSF GFA
Bicycle Parking	0.05 Bike space per car space but not less than 3
Self Storage / Mini Storage Warehouse	The Sum of the Following: 0.015 Parking space per storage unit PLUS

	2 Parking spaces for caretaker's dwelling, if applicable
Bicycle Parking	0.05 Bike space per car space but not less than 3
General Warehousing and Storage	The Sum of the Following: 1 Parking space per KSF GFA up to 20 KSF PLUS 0.5 Parking spaces per KSF GFA over 20 KSF
Bicycle Parking	0.05 Bike space per car space but not less than 3
Outdoor Storage Yard Contractor, General, Building Materials, Vehicles, Construction Equipment	0.4 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

(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13. Formerly part of Sec. 6778)

6778 PARKING REQUIREMENTS: **AGRICULTURAL**

Type of Occupancy Use or Structure	Off-Street Parking
General Agricultural Horticulture, Crop Production, Animal Production	None Required
Bicycle Parking	None Required

(Added by Ord. No. 6940 (N.S.) adopted 4-10-85.)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6780 PARKING REQUIREMENTS: OTHER OCCUPANCIES AND USES

Type of Occupancy Use or Structure	Off-Street Parking
Other occupancies, uses and buildings not specified elsewhere in the Parking Schedules.	3.3 Parking spaces per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3

(Added by Ord. No. 6940 (N.S.) adopted 4-10-85.)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

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6782 PARKING REQUIREMENTS: USE PERMITS AND HISTORIC DISTRICT SITE PLANS

Type of Occupancy Use or Structure	Off-Street Parking
Uses conducted pursuant to a use permit or to a Historic District Site Plan.	The number of off-street parking, loading, and bicycle spaces shall be as required by the use permit or Historic District Site Plan. To the extent that the use permit or Historic District Site Plan does not specify the number of parking, loading, or bicycle spaces, the requirements of these Parking Regulations shall apply. Notwithstanding the parking requirements of this section, where a Historic District Site Plan pursuant to Section 5749 a has been waived or exempted by the Director, existing buildings which are expanded or renovated shall be required to provide off-street parking only as determined by the Director to be feasible.

(Added by Ord. No. 6940 (N.S.) adopted 4-10-85.)
(Amended by Ord. No. 8407 (N.S.) adopted 5-18-94.)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6783 PARKING REQUIREMENTS: SPECIAL PARKING DISTRICTS

Type of Occupancy Use or Structure	Off-Street Parking
Uses conducted within a Special Parking District as designated in Section 5761.	The number of off-street parking, loading, and bicycle spaces shall be determined according to the provisions of Section 5761 c. Notwithstanding the parking requirements of this section, where the Site Plan required at Section 5761 c. has been waived or exempted by the Director, existing buildings which are expanded or renovated shall be required to provide off-street parking only as determined by the Director to be feasible, taking access from an alley or side street. The number of spaces shall be as close as possible to the number which would be required if the Special Parking District did not exist.

(Added by Ord. 8407 (N.S.) adopted 5-18-94.)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6784 REDUCTION OF PARKING SPACES.

a. Parking Assessment District. The number of required parking spaces for uses and structures located within an assessment district formed to provide off-street parking shall be reduced by the number of parking spaces provided by the assessment district which are attributable to the subject property. For purposes of this Section, the parking spaces shall be attributed to each lot or parcel in the same ratio that the assessed value of the subject parcel bears to the total assessed value of the assessment district, unless the Board of Supervisors determines that the parking spaces should be attributed to individual parcels in another manner.

b. Parking Reduction for Multi-Use and/or Mixed-Use Development. A parking reduction may be approved by the Director where it can be demonstrated that two or more adjacent multi-use and/or mixed-use developments on one or more lots or parcels have distinctly different parking demand patterns that allow for the shared use of parking spaces without conflict. Shared parking is most effective when land uses have distinctly different activity periods such as day and night or weekday and weekend. Shared parking reductions may apply to either new or existing development.

   Requirements for approval of shared parking reductions are as follows:

   1. Administrative Permit Is Required. An Administrative Permit, in accordance with Sections 7050 through 7074, shall be required for the sharing of parking spaces. The Administrative Permit shall apply to every property subject to the shared parking arrangement. In addition to the findings required by Section 7060, the following additional findings are required:

      i. The parking spaces to be provided for shared parking would be available as long as the uses requiring the spaces lawfully exist.

      ii. The quality and efficiency of the shared parking would be comparable to the level that is otherwise required.

   2. Shared Parking Agreement Is Required. The Administrative Permit shall include a condition requiring the applicant to submit a signed agreement between the applicant and the other property owner(s) providing the off-street parking spaces that are subject to the shared parking arrangement, with the County included as a third party beneficiary to the agreement. The agreement, titled “Shared Parking Agreement,” shall be subject to the approval of the Director as to form and content and shall be recorded with the Office of the County Recorder. The Shared Parking Agreement shall meet recording requirements of state statutes and contain the Director’s signature as to form and content, current contact information, the property's address, and the County Assessor's parcel number for the property.

3. Parking Study. The Director may require the applicant to submit a parking study, prepared by a qualified traffic or parking consultant, to assist the Director in determining the appropriate shared parking reduction. For existing development where new or different uses are proposed, the base parking demand may be based on either the County Parking Regulations parking ratio or on a detailed survey of actual parking demand for the active uses on the site. If a field survey approach is used, the study shall apply appropriate seasonal demand adjustments to determine the peak parking demand.

4. Allowable Walking Distances For Shared Parking. The shared parking arrangement will be more effective the closer shared parking spaces are to the uses they serve. The Director shall review and determine that the shared parking spaces are generally within the following desired maximum walking distances for customers/visitors and employees:

    i. Customers/Visitors – 600 feet

    ii. Employees – 1,000 feet

(Renumbered without substantive amendment by Ord. No. 6940 (N.S.) adopted 4-10-85. Formerly Sec. 3260.)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6785 RELATIONSHIP OF REQUIRED PARKING TO BUILDING SITE.
All required parking and bicycle spaces shall be located on the same legal parcel with the use or structure they are intended to serve, unless the site on which they are located is subject to the Village Parking Regulations in Section 8000, meets the provisions of Section 6788, or the site meets all of the following conditions:

a. There is a traversable pedestrian route, not more than 600 feet in length over and along public streets or walkways or permanently established easements between the parking or bicycle spaces and the uses or structures to be served.

b. The site is already zoned S86 Parking Use Regulations or, all persons owning an interest in the site shall execute and record an agreement not to oppose a reclassification to the S86 Parking Use Regulations and then shall make application and pay the fees for this reclassification.

(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85. Formerly Sec. 3272.)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6786 LOADING SPACES.
Loading spaces shall be 10 feet wide by 35 feet long. All buildings containing commercial or industrial use types, hospitals, or institutions hereafter constructed, converted, established, or enlarged to increase their floor area shall be provided with loading spaces as follows:

a. Number of Loading Spaces.

Total Floor Area on Parcel (Other than floor area devoted to office uses)	Number of Loading Spaces
Less than 5,000 square feet	0
5,000 to 19,999 square feet	1
20,000 to 39,999 square feet	2
40,000 to 79,999 square feet	3
80,000 square feet and over	4 plus 1 space for each additional 50,000 square feet

b. Access. Loading spaces shall have safe and adequate means of ingress and egress for trucks to and from a public street or alley and through the parking area.

c. Exemptions. Notwithstanding the provisions of this section, mini-warehouses shall be exempted from the loading space requirements.

d. Exceptions. Notwithstanding the requirements set forth in subsections a. and b. above, loading spaces for uses conducted pursuant to a use permit, Historic District Site Plan, or community design review Site Plan in a Special Parking District, shall be determined in accordance with Sections 6782 and/or 6783.

(Added by Ord. No. 10251 (N.S.) adopted 2-6-13. Formerly Sec. 6794.)

6787 LOCATION OF PARKING AND BICYCLE SPACES ON A BUILDING SITE.

a. Open Parking. Except as provided in Paragraph d. below, open parking spaces shall be outside the ultimate right-of-way of any street. Refer to Section 6700 et seq. for fencing and screening requirements. Open parking spaces shall be located as follows:

ZONE/USE REGULATION	PERMITTED LOCATION
Residential & Agricultural Zones S80, S81, S88, S90, S92 Use Regulations	Anywhere except in a required front or exterior side yard.
C30, C31, C46 Use Regulations	Anywhere except in a required front yard.
Other Commercial Zones, Industrial Zones, S82, S86, and S94 Use Regulations.	Anywhere except in a required landscaped area.
Village Zones	See Section 8000 et seq.

b. Covered Parking. Covered or enclosed parking spaces may be located anywhere on a building site where a structure may be located. In the Fallbrook Village Zones 1 through 4, covered or enclosed parking spaces shall be outside the ultimate right-of-way of any street and shall be located generally behind a building.

c. Bicycle Spaces. Bicycle spaces shall be located:

1. No farther than 100 feet from the visitors' entrance and be readily visible. (Refer to 2010 California Green Building Standards Code Section 5.106).

2. At least as close and accessible to the use or building served as is the most convenient motor vehicle parking (other than handicapped parking).

3. As close to building entrances as is practical without interfering with pedestrian traffic.

4. At ground level.

6787

d. Exceptions. A use permit, Variance, Administrative Permit, or historic district site plan may specify the location of parking areas and bicycle spaces in locations other than as required by Paragraphs a. and c. above with the required finding that the exception to the bicycle spaces or open parking regulations does not create a safety hazard with site distance for access to the site.

(Amended by Ord. No. 5976 (N.S.) adopted 1-28-81. Formerly Sec. 6756.)
(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85. Formerly Sec. 3275.)
(Amended by Ord. No. 9620 (N.S.) adopted 12-10-03)
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6788 COLLECTIVE PROVISION OF OFF-STREET PARKING AND ACCESS. Collective off-street parking facilities that serve two or more uses or structures sharing a common lot line in locations subject to commercial, industrial, or S86 Use Regulations are allowed subject to the following requirements:

a. The total parking spaces in such collective off-street parking facilities shall not be less than the sum of the requirements for the individual buildings or uses computed separately in accordance with the County Parking Regulations, unless a permit approved pursuant to this section specifies another amount.

b. Collective Parking Agreement Is Required – The applicant must submit a signed agreement between the applicant and the property owner(s) providing the collective parking spaces, with the County included as a third party beneficiary to the agreement. The agreement shall grant an easement(s) for public utility purposes, ingress and egress to and from adjacent public right-of-way, access and parking necessary to provide the required collective parking spaces. The agreement shall also provide for the use and maintenance of the collective parking area. The agreement, titled "Collective Parking Agreement," shall be subject to the approval of the Director as to form and content and shall be recorded with the Office of the County Recorder. The Collective Parking Agreement shall meet recording requirements of state statutes and contain the Director's signature as to form and content, current contact information, the property's address, and the County Assessor's parcel number for the property.

c. Parking Information. The Director may require the applicant to submit parking information on the uses and the associated number of parking spaces required, by the County Parking Regulations, a permit or another parking agreement, for each of the properties involved in the collective parking agreement.

(Renumbered without substantive amendment by Ord. No. 6940 (N.S.) adopted 4-10-85. Formerly Sec. 3278.)
Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6790 PARKING PLAN REQUIREMENTS.

Where required, parking plans submitted to Planning & Development Services shall demonstrate compliance with the County Parking Regulations and include the following, at a minimum:

a. The number of parking spaces required for each land use

b. The total number of parking spaces required and provided

c. The number of accessible car spaces required and provided

d. The number of bicycle parking spaces required and provided

e. The percent of area devoted to landscaping

f. For multi-family residential projects, the distribution and proximity of parking spaces in relation to residential entrances

Additional information may be required by the Director as necessary to determine compliance with parking regulations.

(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85. Formerly Sec. 3281.)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6792 DESIGN STANDARDS FOR OFF-STREET PARKING.

The design, dimensions, construction, landscaping, and surfacing of parking and bicycle spaces, driveways and other areas shall conform to the County Parking Regulations. Practical guidance for how to comply with the County Parking Regulations is provided by the County Parking Design Manual.

a. Parking Space Dimensions. Each required parking space shall be at least 9 feet wide by 18 feet long, with adequate provisions for ingress and egress by a standard full size passenger vehicle. The width of a parking space shall be increased by 2 feet when adjacent to fences, walls, and planters. Parking spaces in parking lots shall comply with the minimum dimension requirements in Table 6792.1 and Figure 6792.1. All driveways and curb openings shall be a minimum of 3 feet from any obstruction, i.e. poles, hydrants, buildings, walls, and fences.

b. Parking Aisles.

1. One-Way and Two-Way Traffic Aisles. One-way access driveways leading to aisles within a parking area shall be a minimum of 12 feet wide. Two-way aisles and access driveways leading to aisles within a parking area shall be a minimum of 24 feet wide. Minimum aisle widths for one-way drive aisles within a parking area are shown in Table 6792.1 and Figure 6792.2. A typical parking lot layout is illustrated in Figure 6792.3.

2. Fire Access Aisles. Designated fire access aisles must comply with the County's Consolidated Fire Code and/or the Fire Authority Having Jurisdiction. Minimum unobstructed fire access width is 24 feet. Vertical clearance minimum is 13 feet 6 inches. The Fire Authority Having Jurisdiction may require greater dimensions.

3. Truck Aisles. Access aisles for multiple-axle trucks in commercial and industrial projects shall be a minimum width of 40 feet for projects with a gross floor area of 10,000 square feet or greater or where the design of the project includes a loading dock. Truck movement templates (i.e. turning radii elements including wheel paths, which define the needed width of pavement edge that must be clear from obstructions above curb height) shall be included on the site plan to indicate turning conditions.

Table 6792.1
Minimum Parking Layout Dimensions

Figures 6792.1 & 6792.3 Labels	Design Component		Parking Angle				
			0° (Parallel)	30°	45°	60°	90°
A	Stall Width		9'(8')[1]	9'	9'	9'	9'
B	Stall Length		22'	18'	18'	18'	18'
C	Stall Width Parallel to Aisle		N/A	18'-0"	12'-9"	10'-5"	9'-0"
D	Stall Depth to Curb or Wall		N/A	16'-10"	19'-1"	20'-1"	18'-0"
E	Stall Depth to Interlock		N/A	12'-11"	15'-11"	17'-10"	18'-0"
F	Aisle Width[2]	Fire Aisle	Per Fire Requirements				
		One-Way	13'	14'	16'	19'	N/A
		Two-Way	24'	22'	24'	24'	26'
G	Module Width Wall/Curb to Interlock	One-Way Aisle	N/A	43'-9"	51'-0"	46'-11"	N/A
		Two-Way Aisle	N/A	51'-9"	59'-0"	61'-11"	62'-0"
H	Module Width Interlock to Interlock	One-Way Aisle	N/A	39'-10"	47'-10"	54'-8"	N/A
		Two-Way Aisle	N/A	47'-10"	55'-10"	59'-8"	62'-0"
not shown in Figure 6792.1	Module Width Wall/Curb to Wall/Curb	One-Way Aisle	31'-0"	47'-8"	54'-2"	59'-2"	N/A
		Two-Way Aisle	42'-0"	55'-8"	62'-2"	64'-2"	62'-0"
I	Cross Aisle Width[2]	One-Way	15'	15'	15'	15'	15'
		Two-Way	22'	22'	22'	22'	22'

[1] 8' width applies to on-street parking stalls
[2] The Director may require greater aisle width due to emergency equipment access needs. Aisles 24' or greater shall be designated as Fire Access.
N/A – Not Applicable

6792

Figure 6792.1
Reference Drawing for Minimum Parking Dimensions

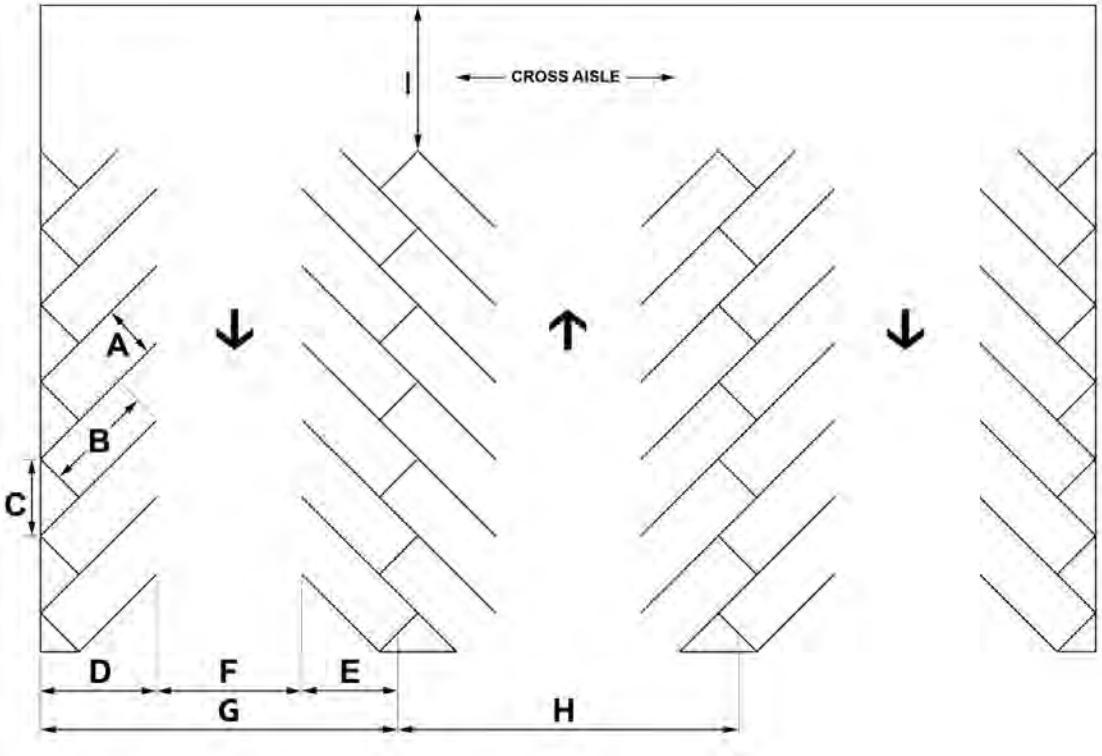
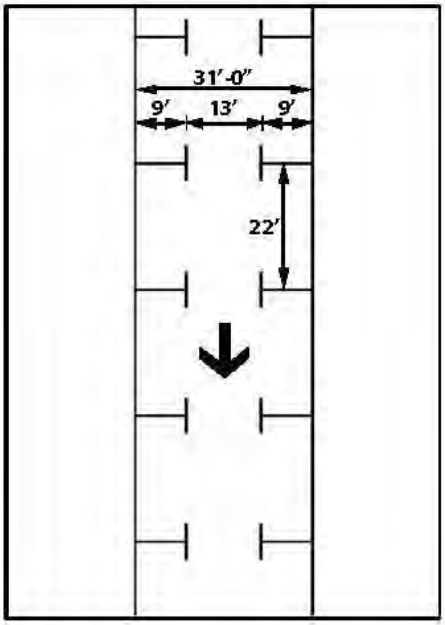
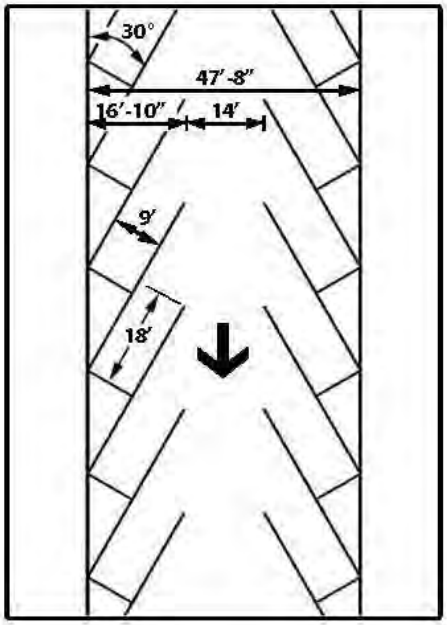


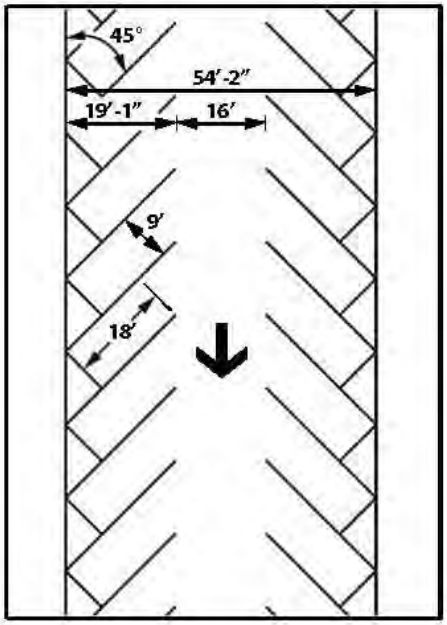
Figure 6792.2
Minimum Dimensions for Common Parking Lot Layouts



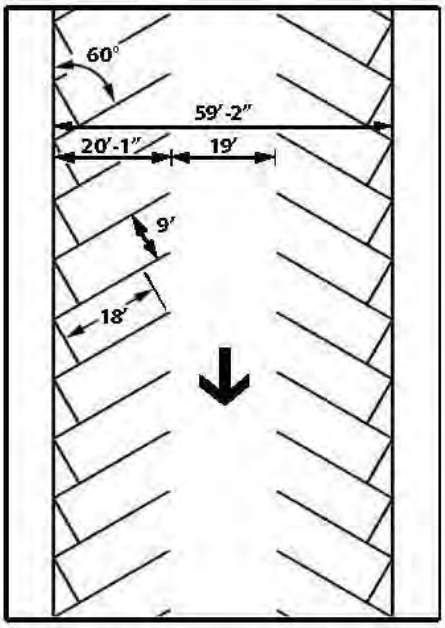
0° Parallel Parking Spaces



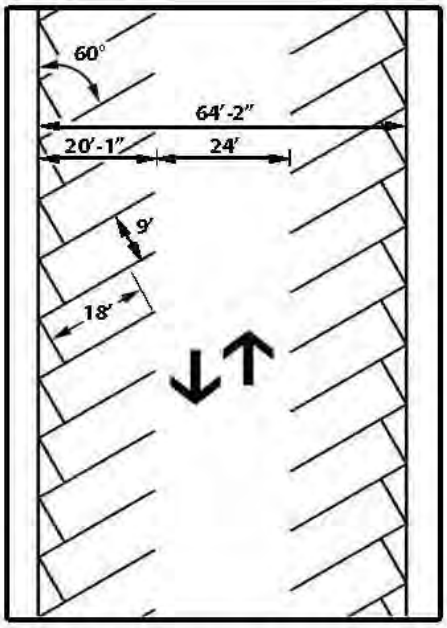
30° Parking Spaces



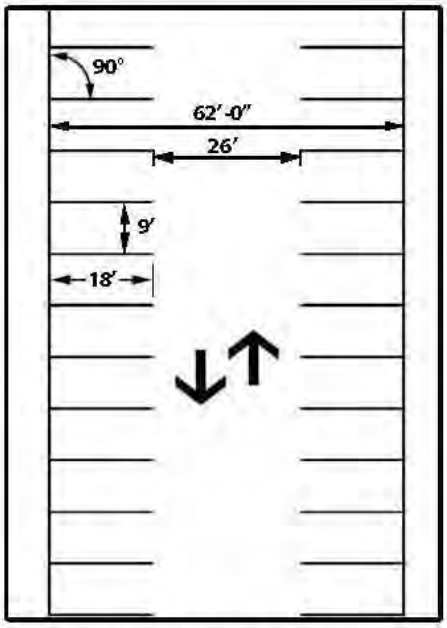
45° Parking Spaces



60° Parking Spaces
One - Way

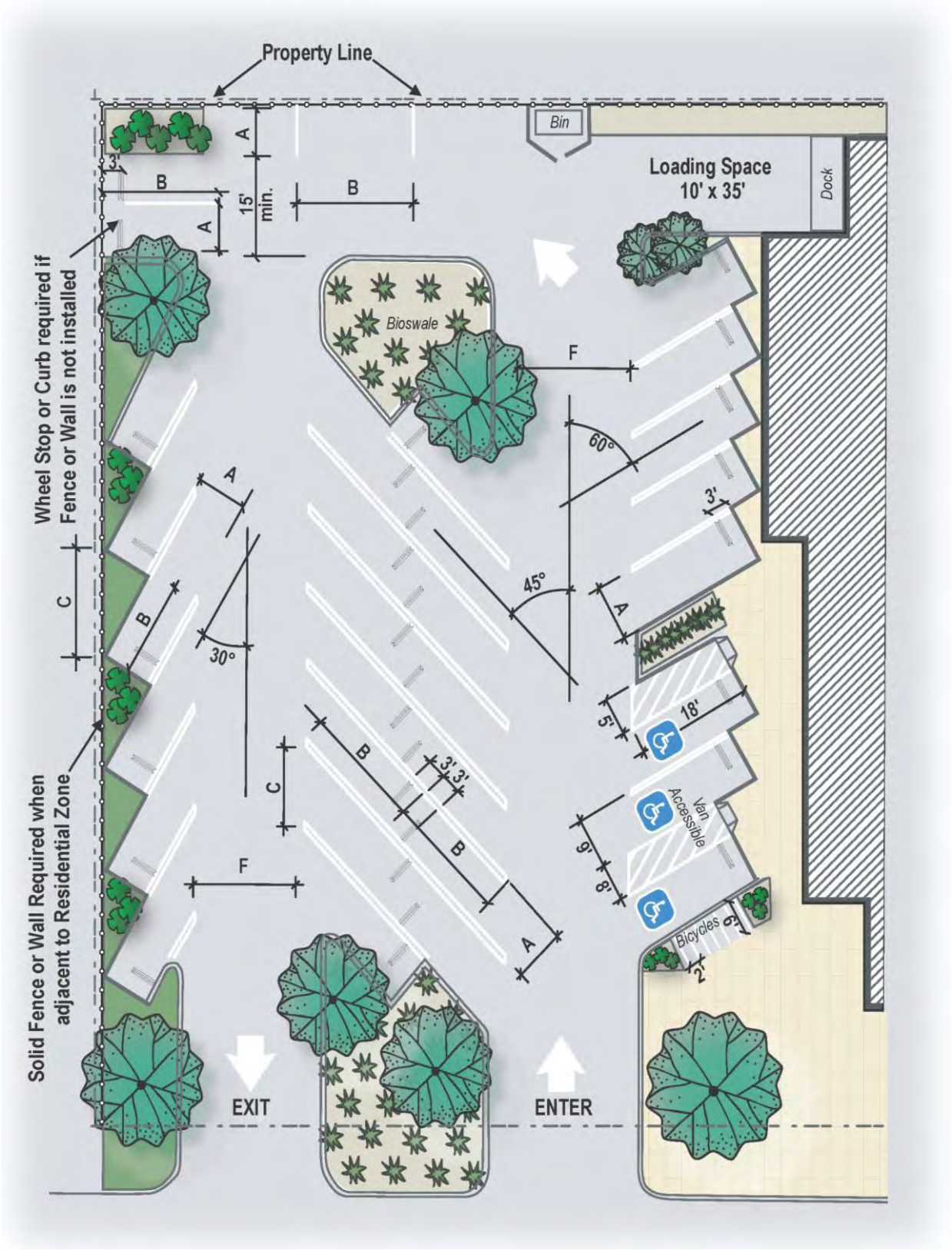


60° Parking Spaces
Two - Way



90° Parking Spaces

Figure 6792.3
Example of Parking Lot Angles and Dimension



4. Drive-Through Aisles. All projects which feature drive-through facilities (bank, fast-food, etc.) shall provide a drive-through aisle capable of a reasonable queuing of vehicles without impeding the circulation of traffic within the parking area or abutting driveway or street travel way. Drive-through aisles should not cross pedestrian pathways and be clearly designated with striping and/or signage. See the Schedule of Parking Requirements for specifications.

c. Parking Details.

1. Surfacing. Except for zones subject to the Agricultural Use Regulations, all parking spaces, loading spaces, and driveways shall be hard surfaced with durable asphalt concrete or Portland Cement Concrete surfacing on a suitably prepared base. Parking spaces and driveways accessory to single-family and duplex dwellings need not be surfaced with a more durable type of surfacing than that which exists on the access street. Driveways and aisles designated for "fire access" must be capable of supporting fire apparatus (minimum 50,000 pounds) unless a greater minimum is required by the Fire Authority Having Jurisdiction.

Table 6792.2 summarizes the required paving thickness of A/C and base according to soil classification, and shall be used unless a suitable alternative pavement design by a registered civil engineer is submitted and approved by the Director. Soil classifications are as established based on the R-value, or resistance value, which identifies the strength of soil from vertically applied pressure. R-value is a factor used in pavement design in the San Diego Regional Standard Drawings to determine the necessary thickness of paving required. Soil classifications identified in Table 6792.2 are established as follows:

Good to Excellent Subbase: soil with an R value of 40 or greater.

Medium Subbase: soil with an R value of 20 to 39

Poor Subbase: soil with an R value less than 20

Where permeable surfacing alternatives are desired or required to protect surface water quality and/or implement Low Impact Development practices, an alternative design which demonstrates adequate material strength, satisfaction of local and regional standards, and community character preferences may be approved pursuant to Section 6795. Structural equivalence should be demonstrated based upon published criteria by Caltrans or AASHTO.

Within the desert areas of the North Mountain, Mountain Empire, and Desert Subregional Plan areas, 4 inches of decomposed granite or suitable alternate material may be approved pursuant to Section 6795 in lieu of more durable paving on residential driveways.

Table 6792.2
Required Thickness of A/C and Subbase

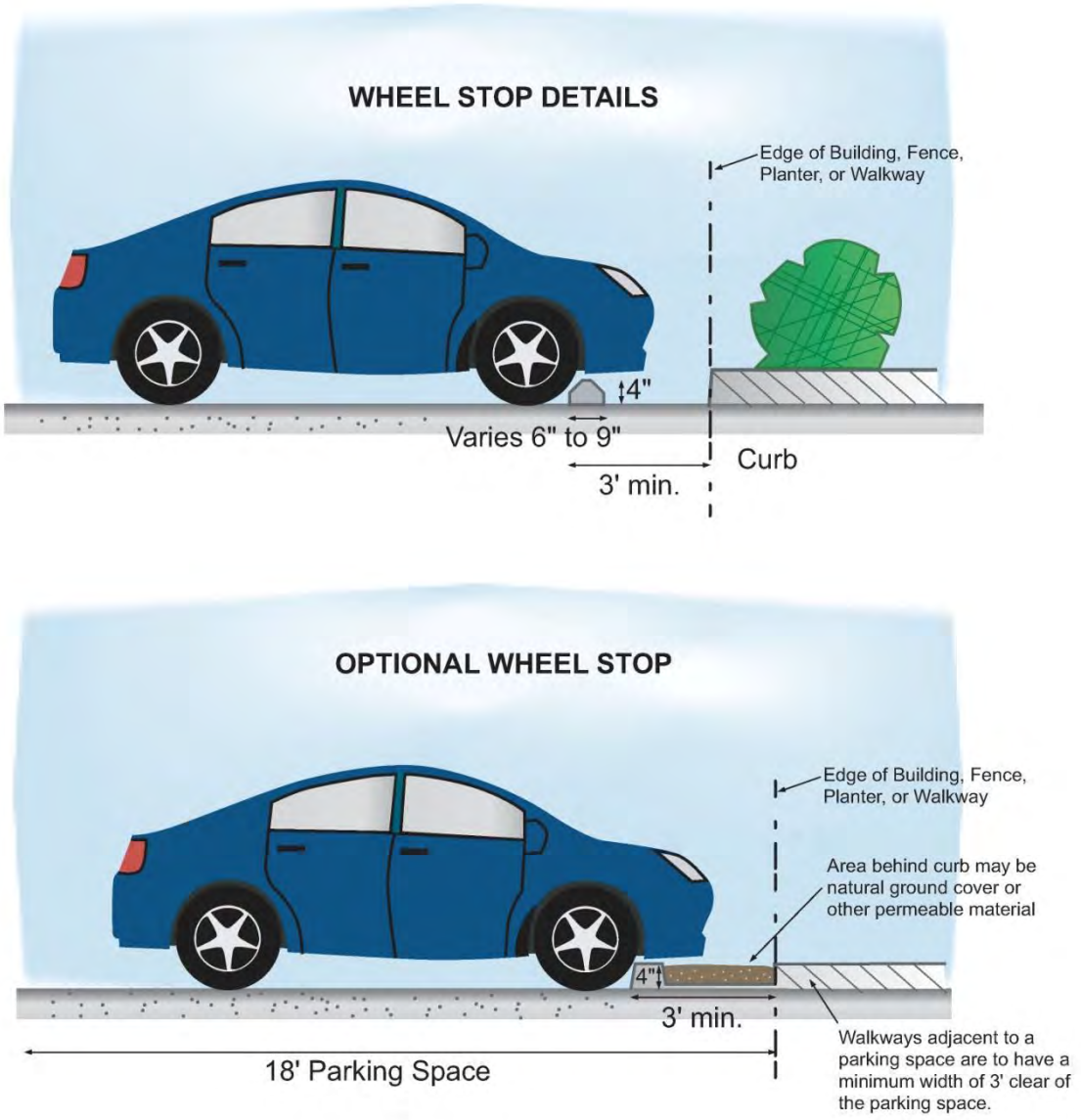
Existing Soil Classifications	Residential Parking (≤4 spaces)	Multi-Family Commercial Frontage Parking	Commercial Truck Loading and Parking
GOOD TO EXCELLENT BASE Decomposed granite, well graded sands and gravels which retain load supporting capacity when wet	2" A/C on existing soil	3" A/C on existing soil	3" A/C on 5" aggregate base or 4" A/C on aggregate base or 5" A/C on existing soil
MEDIUM BASE Silty sands and sand gravels containing moderate amounts of clay and fine silt. Retains moderate amount of firmness under adverse moisture conditions	2" A/C on 6" of decomposed granite base or 3" A/C on 3" aggregate base or 4" on existing soil	3" A/C on 5" aggregate base or 4" A/C on 3" aggregate base or 5" on existing soil	3" A/C on 7" aggregate base or 4" A/C on 5.5" aggregate base or 6" A/C on existing soil
POOR BASE Soils having appreciable amounts of clay and fine silt. Soils become quite soft and plastic when wet	3" A/C on 5.5" aggregate base or 5" A/C on existing soil	3" A/C on 8" aggregate base or 4" A/C on 5.5" aggregate base or 6" A/C on existing soil	3" A/C on 12" aggregate base or 4" A/C on 10.5" aggregate base or 8" A/C on existing soil

2. Vehicular bumper overhang is prohibited in all areas where the parking stall is adjacent to a fence, wall, building or structure, to a pedestrian walkway of less than 7 feet in width, to planter beds (unless the first 3 feet from curb is low volume or subsurface irrigation or is a non-irrigated material), or to an interlocking parking space.

3. Wheel Stops. If a wheel stop is used in the parking stall, it shall be 4 inches high and 4 to 6 feet long. The distance from the front end of the space to the rear of the wheel stop shall be 3 feet. It shall be placed so as to avoid bumper overhang beyond the designated parking space and to avoid creating a safety hazard for pedestrians. Figure 6792.4 illustrates typical wheel stop dimensions

4. Striping. All parking spaces shall be delineated by striping consisting of 4 inches wide painted white lines.

Figure 6792.4
Example of Wheel Stop Dimensions



5. Bicycle Parking. Newly constructed non-residential uses shall provide bicycle parking in accordance with the 2010 California Green Building Standards Code Sections 5.106.4.1 and 5.106.4.2. The 2010 California Green Building Standards Code provides standards for the provision of both short-term bicycle parking for visitors and long-term bicycle parking for building tenant-occupants.

   One bicycle parking space shall consist of a floor area at least 2 feet wide and 6 feet long, served by an aisle at least 5 feet wide for bicycle spaces which are not divided into individual lockers or racks. Bicycle racks should be so designed and constructed that a bicycle can be securely locked with a user-supplied padlock. Racks shall provide a space at least 2 feet in width for each bicycle.

6. Tandem Parking. Tandem parking represents a parking configuration where one vehicle parks directly behind another and the vehicle in back must be moved in order for the front vehicle to leave. Tandem parking shall be limited to a maximum of two cars in depth and should be 9 feet wide and 36 feet long. When determining access aisle widths for tandem parking, the aisle widths for standard stalls should be used. Parking spaces for persons with disabilities shall not be used in a tandem configuration.

   Tandem parking stalls are only allowed for:

   i. Residential use – single family, duplex, and townhome uses.

   ii. Multi-family residential uses – subject to the following conditions:

      a) The tandem spaces should be reserved for and assigned to dwelling units which are required to have two or more parking spaces.

      b) Tandem spaces shall not be used for guest parking.

   iii. Commercial uses – Tandem spaces should not be allowed for new commercial construction. Tandem spaces may only be allowed for pre-existing commercial buildings or pre-existing buildings that are undergoing a change of use and are subject to the following conditions:

      a) The tandem spaces should be reserved for use by employees and should be designated for employee parking through the use of signage or pavement marking.

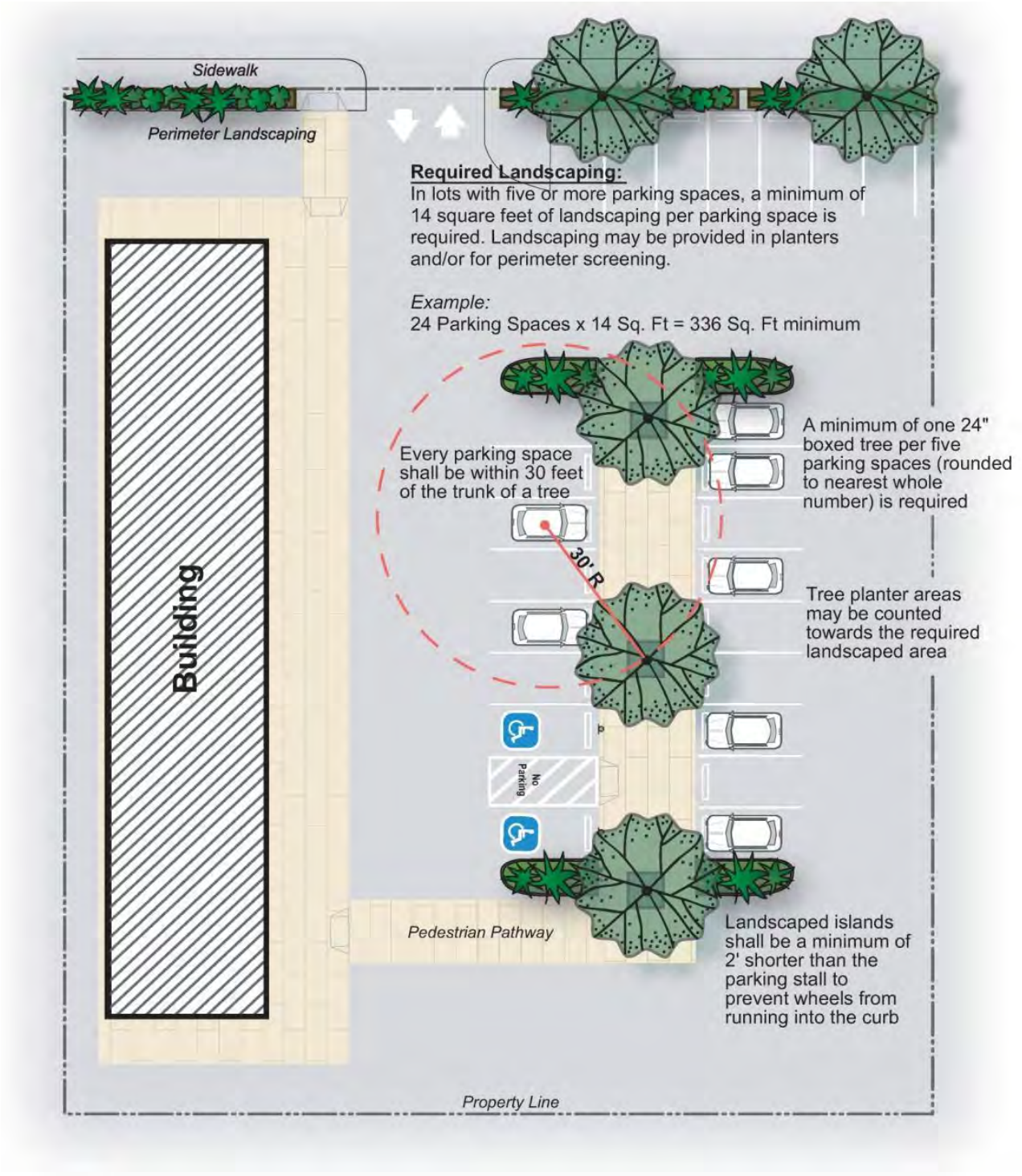
      b) At least 50 percent of the require spaces should be unassigned standard (non-tandem) spaces that are available for the use of visitors.

7. Clean Air Vehicle Parking. In accordance with the 2010 California Green Building Standards Code, newly constructed non-residential uses shall provide designated parking for any combination of low-emitting, fuel efficient and carpool/van pool vehicles. Parking spaces provided for clean air vehicles will be credited towards the minimum parking requirements of the Zoning Ordinance.

d. Lighting. Adequate lighting shall be provided in all parking areas used by the public for safe pedestrian and vehicular movement. A Lighting Plan for parking lot sites with 5 or more parking spaces shall be provided. Lighting should clearly identify the parking lot, entrances and exits to adjacent streets, and enhance the pedestrian environment. Lighting Plans should be appropriate to the location, context and scale of the areas being lit.

e. Landscaping. Landscaping shall comply with Figure 6792.5 and the following requirements:

Figure 6792.5
Landscaping Requirements in Parking Lots



1. In parking areas with 5 or more parking spaces, a minimum of 14 square feet of landscaping shall be provided per parking space. Landscaping may be provided in parking lot planters and/or for perimeter screening. Parking lot landscaping shall be provided in addition to other landscaping requirements in the right-of-way or setback areas by the M50 and M52 Use Regulations, by any other Ordinances or as a condition of a discretionary application approval. Within the Fallbrook Village areas, see Section 8000 et seq. of the Zoning Ordinance.

2. A minimum of one 24 inch boxed tree per 5 parking spaces is required for a parking area.

3. Planter strips with shrubs shall have a minimum unpaved width of 2 feet. Planter strips with trees shall have a minimum unpaved width of 5 feet. Where feasible, planter strips should be concave to help channel stormwater runoff.

4. High shrubs or small trees may be used for perimeter planting, except at driveway entrances where plant material shall be positioned to avoid obstructing motorist views and be sensitive to sight distance requirements.

5. Trees along designated fire access roads/driveways/aisles shall provide a minimum 13 feet 6 inches vertical clearance for the full fire access width.

6. Landscape islands located at the end of parking aisles shall be a minimum of 2 feet shorter than the parking stall length to prevent wheels from running into the curb when turning into or backing out of a space.

f. Residential Parking for Detached Single Family, Duplexes, and Triplexes

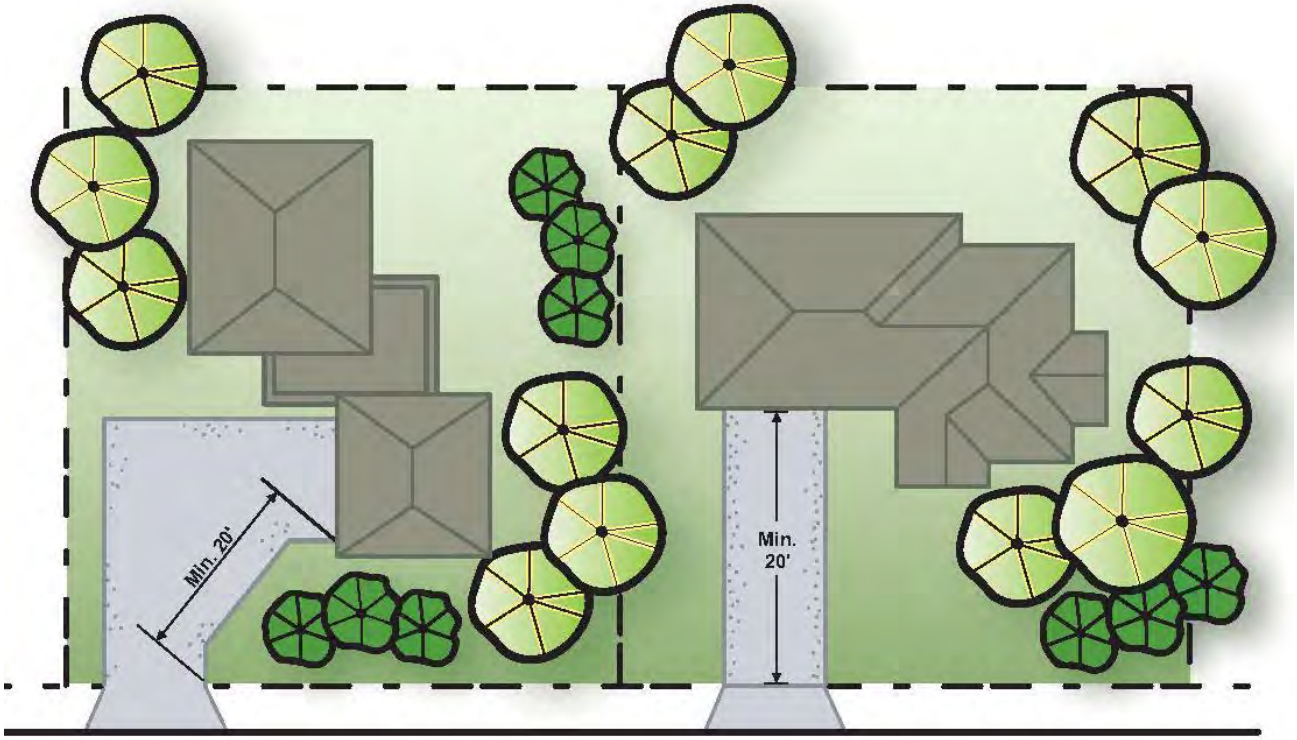
1. Driveways. A residential driveway shall have a minimum length of 20 feet between the garage door and public right-of-way. Reduced driveway lengths may be permitted for driveways on private roads pursuant to project approval provided it can be shown that the reduced driveway length does not interfere with a sidewalk or other designated pathway. Figure 6792.6 illustrates the minimum length for residential driveways.

   Driveways with a grade greater than 15 percent shall be hard-surfaced and have a deep broom finish perpendicular to the direction of travel. Driveways which serve as required fire access must meet additional requirements specified in the applicable Fire Code.

   Where driveways cross existing roadside ditches, a dip section providing an unobstructed waterway equivalent to the full area of the ditch may be used if grades are feasible. Where grades make use of a dip section infeasible, a culvert pipe shall be installed. The size of the culvert pipe and design of the driveway culvert shall be reviewed for adequacy by the Department of Public Works.

2. Garages. For all enclosed residential garages, a minimum parking space size 10 feet wide by 20 feet long is required for parking spaces where the length of the space is next to a wall and 9 feet wide by 20 feet long for any additional spaces. The space(s) should be designated to be free from obstruction (i.e. water heater, laundry equipment, etc.).

Figure 6792.6
Minimum Length for Residential Driveways



(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85. Formerly Sec. 3284.)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13. Formerly Sec. 6793.)

6795 WAIVER, MODIFICATION, VARIANCE FROM PARKING REGULATIONS.

The requirement for design, dimensions, construction, landscaping, and surfacing of parking and bicycle spaces, driveways and other areas may be administratively waived or modified by the Director when practical difficulties make their strict application infeasible and upon a finding that the waiver or modification is consistent with the purpose and intent of Section 6792. Any other waiver or modification of these Parking Regulations shall be allowed only in accordance with the Variance Procedure commencing at Section 7100, unless otherwise specified.

(Renumbered without substantive amendment by Ord. No. 6940 adopted 4-10-85. Formerly Sec. 3292.)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6799 PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL, AGRICULTURAL AND CERTAIN SPECIAL PURPOSE ZONES.

No person shall park any commercial vehicle in excess of one ton capacity on private property in Residential, Agricultural and the S90 and S92 Special Purpose Zones except as follows:

a. When loading or unloading property, or

b. When such vehicle is parked in connection with, and in aid of, the performance of a service to or on property in the block in which such vehicle is parked.

These exceptions do not authorize parking in violation of Fire Lane parking restrictions as detailed in the California Vehicle Code Section 22500.1.

Notwithstanding the above provisions, no commercial vehicle shall remain parked in excess of five consecutive hours. Section 6799 does not apply to recreational vehicles or farm vehicles or equipment, including maintenance equipment, necessary for agricultural production on the property where the vehicles and equipment are parked. In Agricultural Zones and the S90 and S92 Special Purpose Zones, a maximum of two vehicles of up to two tons capacity may be parked by a person owning said vehicles and owning the property where they are parked and who is conducting a commercial agricultural operation located on site or elsewhere.

(Renumbered without substantive amendment by Ord. No. 6940 adopted 4-10-85. Formerly Sec. 3295.)
(Amended by Ord. No. 7935 (N.S.) adopted 6-19-91)
(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
(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. 10251 (N.S.) adopted 2-6-13)

ON-PREMISE SIGN REGULATIONS

6250 TITLE AND PURPOSE.

The provisions of Section 6250 through 6299, inclusive, shall be known as the On-Premise Sign Regulations. It is the purpose of these provisions to establish a comprehensive system for the regulation of on-premise signs. It is intended that these regulations provide a reasonable level of sign standards and controls in order that the public convenience may be properly served and enhanced; and through the regulation of such elements as the number, size, height and location of signs, and the orderly upgrading of outmoded and excessive sign displays, to protect the public welfare, promote traffic safety, prevent blight, promote aesthetics and make substantial contribution toward accomplishing a more desirable Countywide environment.

(Amended by Ord No. 9472 (N.S.) adopted 5-15-02)

6252 EXEMPT ON-PREMISE SIGNS.

The following shall be exempt from these regulations and shall not require sign permits.

a. Directional, warning or informational signs required or authorized by law which are erected by federal, state, county, municipal, or hospital district officials.

b. Official notices issued by a court or public body or office and posted in the performance of a public duty.

c. Danger signs, railroad crossing signs and signs of public utility companies indicating danger and aids to service or safety.

d. House numbers and only one sign per house not exceeding 2 square feet in area displaying name and occupation of occupant.

e. "No Trespassing," and "No Parking" and similar warning signs.

f. Flags, emblems and insignia of a nation or political subdivision.

g. Commemorative signs or plaques of historical organizations.

h. Temporary displays of a civic, political, patriotic, religious or charitable nature.

i. Signs on public transportation vehicles regulated by a political subdivision, including but not limited to buses and taxicabs.

j. Signs on licensed commercial vehicles.

k. Signs that are not intended to be viewed from public streets and or beyond the premises and are not legible therefrom such as signs in interior areas of shopping centers, commercial buildings and structures, ball parks, stadiums, race tracks and similar uses of a recreational or entertainment nature.

l. Changing the copy of a sign and/or performing maintenance that does not involve structural changes.

m. On each lot or parcel, one sign not larger than 4 square feet in size specifying the zone of the property, the uses of such property authorized by this ordinance and/or the fact that a Major or Minor Use Permit has been granted for the use of the property.

n. Incidental signs showing trading stamps offered, credit cards accepted, notices of services required by law, trade affiliations, and the like, attached to a freestanding sign structure or building; provided that all of the following conditions hold:

1. The signs number no more than 4.

2. No such sign projects beyond any property line.

3. No such sign shall exceed an area per face of 5 square feet.

o. Signs on awnings or removable canopies not permanently attached to or built as part of a building, subject to the following conditions:

1. No such sign shall exceed an area of 4 square feet on any side of such awning or canopy.

2. The sign copy shall be limited to name, occupation, street address, telephone number, and/or date of establishment, which copy may relate to one or more separate establishments.

p. Tenant Identification signs, provided that all of the following conditions hold:

1. No more than 2 such signs having an area of not more than 4 square feet each may be placed on a building facing or fence.

2. The sign copy shall be limited to name, occupation, street address, telephone number, date of establishment, trade organization associations, and/or names of products produced under registered trade names, which copy may relate to one or more separate establishments.

q. Occupant directory sign of not more than 20 square feet.

r. Temporary window signs constructed of paper, cloth or similar expendable material, provided:

1. The total area of such signs shall not exceed 25 percent of the window area.

2. Such signs shall be affixed only to the interior window surface for a short period of time to promote a particular sale of produce or merchandise.

s. One sign not exceeding 32 square feet offering premises for sale or lease, shall be permitted along each frontage, except that for any frontage in excess of 500 feet, a sign not exceeding 64 square feet shall be permitted. No sign shall exceed a height of 12 feet. In residential zones, such signs are limited to 4 square feet in area and a maximum height of 6 feet.

t. Temporary construction site signs, provided that all of the following conditions hold:

1. One nonilluminated sign having a total area of not more than 160 square feet shall be permitted along each frontage; except that 2 such signs may be placed along a frontage having a length in excess of 500 feet.

2. Such signs may be either freestanding or wall signs or may be mounted on a temporary construction fence, and shall be permitted only for the duration of the construction with which associated. Such signs will not be subject to the regulations applicable to freestanding signs or wall signs.

3. Such signs may not exceed a height of 20 feet.

u. One sign less than or equal to 12 square feet in area for an allowed roadside sales stand, wholesale nursery, Small Winery or Boutique Winery identifying and advertising agricultural products produced on the premises.

v. One identification sign up to 20 square feet identifying a residential development, multiple dwellings, a horse stable, clubs and similar uses on each street frontage affording primary access to the site.

w. Identification signs up to a total of 40 square feet identifying hotels, motels, hospitals, parking garages, institutions of religious, educational, philanthropic or charitable nature, and resort service uses subject to the Resort Services Regulations at Section 6400.

x. For any use type allowed by the granting of a major use permit, placement, number, and size of on-premise signs shall be determined by the conditions of approval of the major use permit.

y. Signs for recycling facilities provided that all of the following conditions hold:

1. Recycling facilities may have identification signs with a maximum area of 20 percent of each receptacle side or 16 square feet, whichever is smaller. In the case of a wheeled receptacle, the side shall be measured from the pavement to the top of the receptacle;

2. Directional signs, bearing no advertising message, may be installed with the approval of the Director if necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of way;

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3. The Director may authorize increases in the number and size of signs upon finding that such increases are compatible with adjacent businesses.

z. In each instance and under the same conditions as this chapter permits any sign, a sign containing an ideological, political or other non-commercial message and constructed to the same physical dimensions and characteristic shall be permitted.

(Amended by Ord. No. 6389 (N.S.) adopted 7-7-82)
(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)
(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)
(Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)
(Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)
(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
(Amended by Ord. No. 9472 (N.S.) adopted 5-12-02)
(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)
(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. 10285 (N.S.) adopted 9-11-13

6259 PORTABLE ON-PREMISE SIGNS PROHIBITED.
Portable on-premise signs shall be prohibited.

6261 ON-PREMISE SIGNS REGULATED.
Except for the signs specified in Sections 6252, 6259, 6268 and 6269, on- premise signs may be erected, constructed, placed, created by painting, structurally altered, relocated or maintained provided that a building permit has been issued subject to the following provisions:

a. Permitted Locations. On-premise signs may be placed in the following locations, unless prohibited:

1. On premises subject to the C34, C35, C36, C37, C38, C40, C42, C44, M50, M52, M54, and M58 Use Regulations.

2. On premises in any zone where a nonconforming commercial or industrial use type exists.

3. Fallbrook Village Zones.

b. Restricted Locations. Locations subject to Special Area Regulations and to use permits shall be additionally subject to the following limitations:

1. On-premise signs are permitted in zones subject to the Scenic Area Regulations or Historic/Archaeological Landmark and District Area Regulations in accordance with an approved Site Plan. The aggregate area of all signs for any premises shall not exceed one square foot for each linear foot of street frontage. The aggregate sign area for each establishment shall not exceed one square foot for each linear foot of building. No establishment shall have an aggregate sign area greater than 100 square feet.

2. On premise signs are permitted on sites subject to use permits in accordance with the terms and conditions of the use permit or modification. Signs may be altered, relocated or added upon the issuance of a minor use permit provided that such change is not specifically prohibited by the use permit condition.

c. Setbacks. Freestanding and projecting signs may be located in or project into any portion of the premises in a commercial or industrial zone.

d. Permitted Combinations of Sign Types.

1. Roof signs shall be permitted in combination only with wall signs, except no roof signs shall be permitted within the California Coastal Zone or in conjunction with an adult entertainment establishment.

2. Projecting signs are permitted in combination only with wall signs and one freestanding sign, except no projecting signs shall be permitted in conjunction with an adult entertainment establishment.

3. Two freestanding signs, where permitted, shall be permitted in combination with wall signs. A projecting sign may be substituted for one freestanding sign, except no projecting sign shall be permitted in conjunction with an adult entertainment establishment.

e. Lighting. Signs may be illuminated unless otherwise specified, provided such signs are so constructed that no light bulb, tube, filament or similar source of illumination is visible beyond the property lines. Neon signs are permitted provided they do not flash. Signs making use of lights to convey the effect of movement, or flashing, intermittent or variable intensity lighting shall not be permitted, except as allowed herein. Electronic or electrically controlled signs that contain a moving message, or a message that appears to move, shall be allowed only upon issuance of an Administrative Permit, and shall be additionally subject to the following limitations:

1. The characters incorporated into the message shall not change in intensity, hue or size as they move across the sign.

2. Such signs shall be limited to the C36, C37, M52, M54, and M58 zones within the Village Regional Category of the Land Use Element of the General Plan, and to properties abutting streets that are categorized in the Mobility Element of the General Plan as Community, Light or Minor Collector Roads, Boulevard, Major Roads, Prime Arterial or Expressway.

3. Such signs shall not be allowed in areas subject to the S Scenic Special Area Regulations Designator.

4. The Site Plan permit exemption provisions of Section 7156(b). shall not be applied to any Site Plan proposing such signs.

5. The Administrative Permit application shall be provided to the Director of Public Works for review and recommendation, including appropriate limits on the intensity of lights allowed and that the location and design of the sign shall not create a traffic hazard, prior to final action.

f. Movement. No signs shall move or rotate, nor display any moving and/or rotating parts. Wind propellers and other noise creating devices shall not be permitted.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5809 (N.S.) adopted 6-18-80, operative 9-1-80)
(Amended by Ord. No. 6187 (N.S.) adopted 11-18-81)
(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)
(Amended by Ord. No. 6743 (N.S.) effective 1-11-85)
(Amended by Ord. No. 7829 (N.S.) adopted 10-24-90)
(Amended by Ord. No. 8015 (N.S.) adopted 12-04-91)
(Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)
(Amended by Ord. No. 9472 (N.S.) adopted 5-12-02)
(Amended by Ord. No. 9620 (N.S.) adopted 12-10-03)
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

6263 FREESTANDING SIGNS.

a. Number Permitted.

1. Premises having a minimum of 50 feet of frontage may be permitted one freestanding sign for each street frontage. Premises having a frontage of 250 feet or more along the same street may have one additional freestanding sign, except that an adult entertainment establishment shall be limited to one freestanding sign for each street frontage.

2. Where two (2) freestanding signs are permitted on a frontage, the allowable area may be combined into one sign, provided the area does not exceed a maximum area of 200 square feet.

3. One freestanding freeway-oriented sign may be substituted for one permitted freestanding sign, except that an adult entertainment establishment shall not substitute a freeway-oriented sign.

4. One sign to identify freeway service facilities is permitted such an establishment as provided by the following subsection (c)(2).

b. Area.

1. The area of a freestanding sign shall not exceed 1.25 square feet for each linear foot of street frontage, provided the area does not exceed 175 square feet, except that the area of a freestanding sign in conjunction with an adult entertainment establishment shall not exceed 10 feet in height or width and a total of 100 square feet.

2. The maximum area of a freeway oriented sign shall not exceed 300 square feet.

c. Height.

1. A freestanding sign shall not exceed a height measured from the ground of:

i. Eight feet in zones within the California Coastal Zone except that freeway oriented signs shall be subject to the hereinafter specified height limits pertaining to such signs;

ii. Twenty feet in zones subject to the Scenic Area and Historic/Archaeological Landmark and District Regulations;

iii. Twenty-five feet in any zone subject to the C34, C35, C36, C40, C42, C44, M50 and M52 Use Regulations; or

iv. Thirty-five feet in any zone subject to the C37, C38, M54 and M58 Use Regulations.

v. Six feet in Fallbrook Village Zones FB-V1, FB-V2, FB-V3, FB-V4 and FB-V5.

2. A freeway-oriented sign may be increased 10 feet above the height specified in paragraph 1 above.

d. Clearance. A freestanding sign that projects above a driveway, parking lot aisle or parking space, shall maintain a clearance of 8 feet. A clearance less than 16 feet, shall be clearly labeled at the bottom of each sign face.

e. Projection Over Roof. Any freestanding sign that projects over the roof of a building shall be considered a roof sign for the purpose of establishing the allowable area and shall be subject to the area standards specified in Section 6266.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5809 (N.S.) adopted 6-18-80, operative 9-1-80)
(Amended by Ord. No. 6187 (N.S.) adopted 11-18-81)
(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)
(Amended by Ord. No. 6743 (N.S.) effective 1-11-85)
(Amended by Ord. No. 8015 (N.S.) adopted 12-04-91)
(Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)
(Amended by Ord. No. 9472 (N.S.) adopted 5-15-02)
(Amended by Ord. No. 9620 (N.S.) adopted 12-10-03)
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)
(Amended by Ord. No. 10348 (N.S.) adopted 7-30-14)

6265 WALL SIGNS.

a. Area. The maximum area of wall signs, including permanent window signs, on a single building facing shall be calculated as follows:

1. Where wall signs are the only sign type on the premises the area shall not exceed 3.5 square feet for each linear foot of building facing, not to exceed a maximum of 350 square feet per building face, except that the area of said wall sign(s) in conjunction with an adult entertainment establishment shall not exceed 15 feet in height or width and a total of 225 square feet.

2. Where a wall sign(s) and a freestanding sign(s) are used in combination on a premise the area of the wall sign shall not exceed 1.5 square feet for each linear foot of building facing, not to exceed a maximum of 250 square feet per building face, except that the area of said wall sign(s) in conjunction with an adult entertainment establishment shall not exceed 10 feet in height or width and a total of 100 square feet.

3. Where wall signs are combined with projecting or roof signs (no freestanding signs) on the premises the area of the wall sign shall not exceed 1.0 square feet for each linear foot of building facing, not to exceed a maximum of 200 square feet per building facing.

4. The allowable area for wall signs on one frontage shall not be combined with the allowable area for wall signs on another frontage.

5. Each establishment shall be permitted a wall sign of 50 square feet provided no freestanding, roof or projecting signs are located on the same premises.

b. Location. Wall signs may not project above the top of a parapet, the roof line at the wall, or roof line. Wall signs on a sloping roof may not project above the ridge line.

(Amended by Ord. No. 8015 (N.S.) adopted 12-04-91)

6266 ROOF SIGNS.

a. Permit Required. A roof sign is permitted by issuance of an Administrative Permit upon the finding by the Director that no alternate sign location exists on the premises that would provide reasonable exposure except that no permit for roof signs shall be issued in the area covered by the California Coastal Zone or along State or County designated scenic highways or in conjunction with an adult entertainment establishment.

b. Number. Only one roof sign consisting of not more than 2 faces may be permitted for any premises.

c. Area. The permitted areas of roof signs shall be calculated in accordance with the following:

1. The area of a roof sign shall not exceed 1.0 square foot for each linear foot of street frontage not to exceed a maximum of 100 square feet.

2. The maximum area of a freeway oriented roof sign shall not exceed 200 square feet.

d. Height. Maximum height shall be 10 feet above the roof height measured at the top of the parapet or the ridge line as appropriate notwithstanding the height limit of the zone.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)
(Amended by Ord. No. 6743 (N.S.) effective 1-11-85)
(Amended by Ord. No. 8015 (N.S.) adopted 12-04-91)
(Amended by Ord. No. 9472 (N.S.) adopted 5-15-02)

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6267 PROJECTING SIGNS.
Projecting signs may be erected or placed in accordance with the following provisions:

a. Number. An establishment with frontage on a street may have one projecting sign along each street instead of a freestanding sign or a roof sign, except no projecting sign shall be permitted in conjunction with an adult entertainment establishment.

b. Area. The area of a projecting sign shall not exceed 0.5 square foot for each linear foot of building facing not to exceed 100 square feet.

c. Height. Projecting signs may not extend above the roof line at the wall or above the top of a parapet wall.

d. Installation. Projecting signs shall be so installed that support is not visible.

(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)
(Amended by Ord. No. 8015 (N.S.) adopted 12-04-91)

6268 OTHER SIGN TYPES.
In addition to the foregoing types of signs, the following signs shall be permitted in any location. The area of these signs shall be in addition to the aforesaid maximum sign areas.

a. Directional Signs. Signs to direct or control on-premise traffic or parking provided such signs do not exceed an area per face of 8 square feet nor a height of 8 feet.

b. Accessory Signs-Drive-In and Drive-Through Businesses. Such signs shall not be designed to be viewed from beyond the premises and each shall not exceed 25 square feet per frontage.

c. Banners, Pennants and Similar Devices. Strings or individual banners, streamers, inflatables, pennants and similar devices; provided that one of the following holds:

    1. Such signs are for the purpose of calling attention to a grand opening of a new business. Any required Site Plan permit, or Site Plan permit exemption, shall be obtained from the Department. Such temporary signs may be displayed for a maximum of 60 days and then must be removed from display.

    2. Such signs are for the purpose of calling attention to a temporary use accessory to residential construction pursuant to the Temporary Use Regulations at Section 6116. Such signs are permitted along both sides of the interior street affording principal access to the model homes and within that portion of the subdivision or other residential development devoted to display of model homes, provided:

        i. Except as hereinafter specified, each flag, banner, or pennant must be affixed to a separate standard implanted in the ground.

ii. Said standards are to be spaced at least 10 feet apart and, except as hereinafter specified, are not to exceed 12 feet in height.

iii. One flagpole not exceeding the height limit of the applicable zone may be provided within the area devoted to display of model homes and may be used only to display flags.

d. Service Station Signs. One sign relating to grades and prices of gasoline and diesel fuel shall be permitted per station frontage.

e. Temporary Real Estate Signs. The following temporary signs for the purpose of promoting initial residential sales are permitted pursuant to the Temporary Use Regulations at Section 6116 and 7156 and are in addition to the banners, pennants and similar devices permitted at Section 6268 (c):

1. Unlighted freestanding signs identifying the residential development provided that the aggregate area of all signs shall not exceed 800 square feet. One such sign may have a maximum area of 200 square feet provided no other sign exceeds an area of 100 square feet. One sign may be adjacent to each street which provides access to the residential development.

2. One unlighted sign not exceeding 16 square feet in area for each model home and sales office.

f. Mobilehome and Recreation Vehicle Park Signs. Signs located within mobilehome or recreational vehicle parks may be permitted subject to the following

1. One wall sign or freestanding sign identifying the mobilehome or recreational vehicle park is permitted adjacent to each street which provides primary access to the park. No freestanding sign shall exceed a height of 8 feet. No sign shall exceed 32 square feet in area.

2. One directional sign without any advertising at each driveway. Each sign shall not exceed 8 square feet or 8 feet in height. Directional signs may be lighted.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)
(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)
(Amended by Ord. No. 9101 (N.S.) adopted 12-8-99)
(Amended by Ord. No. 9472 (N.S.) adopted 5-15-02)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

6269 SIGNS IN THE RC, C30, C31 AND C32 USE REGULATIONS.
Signs are permitted in the C30, C31 and C32 Use Regulations and for Commercial Use Types in the RC Use Regulations as follows:

a. One wall sign on each wall of a building facing a street but not more than two wall signs for each building, provided that each sign shall be limited to a maximum area of 20 square feet.

b. One monument sign on each street frontage of the premises.

c. One occupant directory sign at or near each principal entrance to a multiple occupancy building in lieu of a wall sign permitted by (a) above.

d. One sign of 12 square feet or less for each building facing/tenant occupancy in lieu of one wall sign per building frontage.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

6271 ON-PREMISE SIGNS – APPLICATION AND FEES.
Applications for signs specified in Sections 6261 through 6269 shall be signed by the owner or include a statement signed by the owner, lessee or other person having legal possession of the property upon which a sign is to be situated giving his/her consent to the application for placement of such sign thereon. An application shall be accompanied by the fee prescribed in Section 7602 and shall list and describe all existing signs on the premises.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)
(Amended by Ord. No. 9472 (N.S.) adopted 5-15-02

6277 BUILDING PERMIT REQUIRED.
Issuance of Administrative Permit does not preclude the requirement for obtaining a building permit pursuant to the Uniform Building Code.

(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)

6279 ISSUANCE OR DENIAL.

The Director or whomever is charged with permitting a particular sign shall, within sixty (60) days of the filing of a complete permit application, approve and issue the permit if the standards and requirements of this part have been met, unless the time is mutually extended by the parties. No action by the Director within 60 days shall constitute a denial.

(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)
(Amended by Ord. No. 9742 (N.S.) adopted 5-12-02)
(Amended by Ord. No. 10222 (N.S.) adopted 9-25-12. Opr. 11-26-12)

6281 NONCONFORMING SIGNS–ABATEMENT SCHEDULE.

Notwithstanding the Nonconformity Regulations commencing at Section 6850 every lawfully erected sign which no longer conforms to these regulations shall be deemed to be a nonconforming sign and shall be removed, or altered, to conform with these regulations as follows:

a. Illegal/Abandoned Signs. Illegal and or abandoned signs shall be removed or brought into conformance immediately.

b. Nonconforming Signs. Within 5 years from the date on which a sign becomes nonconforming, it shall be removed or brought into conformance with these regulations; provided, however:

   1. If such sign has been allowed to be depreciated for tax purposes by the Internal Revenue Service and evidence is presented that the cost has not been fully recovered upon expiration of said 5 year period, such sign may remain until its cost has been recovered in accordance with the depreciation schedule on the date that the sign became nonconforming.

   2. Documentation necessary to establish the remaining or undepreciated value shall be presented to the Director prior to expiration of the 5 year period. The Director shall determine to his/her satisfaction the validity of all documentation presented. Appeals from decisions of the Director shall be taken pursuant to the Administrative Appeal Procedure commencing at Section 7200.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)

6283 ORDER TO ABATE SIGN VIOLATIONS.
In the event a nonconforming sign is not voluntarily removed or brought into compliance, when required or if a sign is erected or maintained in violation of these regulations, or becomes abandoned the Director shall order such sign to be abated by the owner thereof, or by the owner of the premises upon which it is located, or by any other person responsible for the sign, by notice in the form of registered mail. However, the person notified may within 10 days request, in writing, an informal administrative hearing by the Director; the decision of said hearing to be final.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)
(Amended by Ord. No. 8555 (N.S.) adopted 7-14-95)
(Amended by Ord. No. 8962 (N.S.) adopted 9-23-98)

6287 METHOD OF ABATEMENT OF VIOLATIONS .
Unless some other means of abatement is approved in writing by the Director, abatement of nonconforming illegal and abandoned signs shall be accomplished in the following manner:

a. Signs Painted on Buildings, Walls, Fences and Other Structures or Things. By removal of the paint which constitutes the sign, or by painting over it with a color that matches or closely resembles the color of the building or structure, wall, fence, or things, so that the sign shall not thereafter be visible.

b. Other Signs. By complete removal of the sign and supports; or, by modification, alteration, relocation or replacement.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)
(Amended by Ord. No. 8555 (N.S.) adopted 7-14-95)
(Amended by Ord. No. 8962 (N.S.) adopted 9-23-98)

6289 MAINTENANCE OF NONCONFORMING SIGNS.
Nothing in these regulations shall prevent the normal maintenance or repair of any nonconforming sign or sign structure during its effective life. Illegal, abandoned or nonconforming signs which are brought into conformance and compliance with current regulations shall have the required Administrative Permit and/or building permit.

(Amended by Ord. No. 9472 (N.S.) adopted 5-15-02)

6290 SEVERABILITY.
If any section, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, sentence, clause of phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause of phrase be declared invalid or unconstitutional.

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)

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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-l6-79)
(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 7-22-8l)
(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 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 I2 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-I6-79)
(Amended by Ord. No. 5809 (N.S.) adopted 6-I8-80)
(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)

ENCLOSURE MATRIX (Part of Section 6816)

Use or Special Area Regulations	TYPE OF ENCLOSURE												
	Civic Use Types			Commercial Use Types				Industrial Use Types			Agricultural Use Types		
	Enclosed	Open	Drive-in	Enclosed	Semi-Enclosed	Open	Drive-in	Enclosed	Semi-Enclosed	Open	Enclosed	Semi-Enclosed	Open
R-S	•	•									m	m	•
R-D	•	•									m	m	•
R-M	•	•									m	m	•
R-V	•	•									m	m	•
R-U	•	•									m	m	•
RMH	•	•									m	m	•
R-R	•	•	m	•	•	•					•	•	•
R-RO	•	•	m	•	•	•					m	m	•
R-C	•	•		•	m	m		•			m	m	•
C-30	•	•		•			m						
C-31	•	•		•			m						
C-32	•	•		•			m	•			A	A	•
C-34	•	•		•	m	M	m	•			A	A	•
C-35	•	•		•	m	M	m	•			A	A	•
C-36	•	•		•	m	M	•	•			A	A	•
C-37	•	•	•	•	•	•	•	•	•	•	A	A	•
C-38	•	•	•	•	•	•	•	•	•	•	A	A	•
C-40	•	•	•	•	•	•	•	•	•	•	A	A	•
C-42	•	•		•	•	•	•				A	A	•
C-44	•	•	•	•	•	•	•				A	A	•
C-46	•	•		•							A	A	•
M-50	•	•		•	m	M	m	•	m	M	A	A	•
M-52	•	•		•	m	M	m	•	m	M	A	A	•
M-54	•	•		•	•	•	•	•	•	•	A	A	•
M-58	•	•		•	•	•	•	•	•	•	A	A	•
A-70	•	•	m	•	•	•		•	•	m	•	•	•
A-72	•	•	m	•	•	•		•	•	m	•	•	•
S-80	•	•		•	S	M					A	A	•
S-82	•	•		•	•	•					•	•	•
S-86	•	•		•	•	•	•						
S-88	•	•	•	•	•	•	•	•	•	•	•	•	•
S-90	•	•	m	•	•	•	•	•	•	•	•	•	•
S-92	•	•	m	•	•	•		•	•	m	•	•	•
S-94	•	•	m	•	•	•	•	•	•	•	•	•	•
Scenic Area	•	m	m	•	S	m	m	•	S	M	S	S	•

LEGEND:

- **•** Permitted
- **m** Permitted by Minor Use Permit
- **A** Permitted by Administrative Permit
- **M** Permitted by Major Use Permit
- **S** Permitted by Site Plan

ADDITIONAL REFERENCES

08-016 Landscape Ordinance
Water Efficient Landscape Design Manual
Light Pollution Control Ordinance
Watershed Protection Ordinance
Board of Supervisors Policy I-73, Hillside Development

ORDINANCE NO. 10032 (N.S.)
01/13/2010 (9)

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE TO ADD TITLE 8, DIVISION 6, CHAPTER 7, ADOPTING REGULATIONS RELATING TO WATER CONSERVATION IN LANDSCAPING

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines as follows:

(a) The State of California adopted the Water Conservation in Landscaping Act, Government Code sections 65590 et seq. in 1990. The Act required the State Department of Water Resources to adopt a model water efficient landscape ordinance by January 1, 1992. The Act further provided that if a local agency had not by January 1, 1993 either: (1) adopted findings based on climatic, geological or topographical conditions or water availability stating a water efficient landscape ordinance is unnecessary or (2) adopted a water efficient landscape ordinance, then the model water efficient landscape ordinance adopted by the Department of Water Resources would take effect within the local jurisdiction and be enforced by the local agency. The County amended the County Zoning Ordinance adopting water efficient landscape regulations before the January 1, 1993 deadline.

(b) In 2006 the State repealed the Water Conservation in Landscaping Act and adopted a new Water Conservation in Landscaping Act, Government Code sections 65591 et seq. The new Act requires the Department of Water Resources to update the previously adopted model water efficient landscape ordinance that provides for greater efforts at water conservation and more efficient use of water in landscaping. The model ordinance is required to include provisions for: (1) water conservation by the appropriate use and groupings of plants that are well adapted to particular sites and local conditions, (2) a landscape water budget that establishes the maximum amount of water to be applied through the irrigation system, (3) automatic irrigation systems and irrigation schedules based on climatic conditions, terrains and soil types and other environmental conditions, (4) onsite soil assessment and soil management plans that include grading and drainage to promote healthy plant growth and prevent excessive erosion and runoff and (5) promoting the use of recycled water for landscaping when it is available and the use is consistent with State law.

(c) Government Code section 65595 requires that on or before January 1, 2010 a local agency shall adopt a water efficient landscape ordinance that is at least as effective in conserving water as the updated model ordinance or adopt the model ordinance. If a local agency does not adopt a water efficient landscape ordinance

by the deadline, the updated model ordinance shall apply within the local agency's jurisdiction and shall be enforced by the local agency.

(d) The water efficient landscape regulations in the County Zoning Ordinance are not as effective in conserving water as the updated model ordinance and need to be replaced by more comprehensive regulations.

(e) This ordinance adopts water efficient landscape regulations for the unincorporated area of the County that include provisions for: (1) water conservation by the appropriate use and groupings of plants that are well adapted to particular sites and local conditions, (2) a landscape water budget that establishes the maximum amount of water to be applied through the irrigation system, (3) automatic irrigation systems and irrigation schedules based on climatic conditions, terrains and soil types and other environmental conditions, (4) onsite soil assessment and soil management plans that include grading and drainage to promote healthy plant growth and prevent excessive erosion and runoff and (5) promoting the use of recycled water for landscaping when it is available and the use is consistent with State law.

(f) This ordinance will: (1) increase water use efficiency by establishing and monitoring water budgets, promoting installation and maintenance of efficient irrigation systems and encouraging use of plants that use water efficiently based on climate, soil type and site features and (2) reduce water waste that occurs from irrigation runoff and overspray.

(g) This ordinance is consistent with the findings and declarations the State Legislature made when adopting the new Water Conservation in Landscaping Act and is as effective as the State's updated model water efficient landscape ordinance.

Section 2. Title 8, Division 6, Chapter 7 is added to the San Diego County Code to read as follows:

CHAPTER 7. WATER CONSERVATION IN LANDSCAPING

SEC. 86.701. PURPOSE.

The State Legislature determined in the Water Conservation in Landscaping Act (the "Act"), Government Code sections 65591 et seq., that the State's water resources are in limited supply. The Legislature also recognized that while landscaping is essential to the quality of life in California, landscape design, installation, maintenance and management must be water efficient. The general purpose of this chapter is to establish water use standards for landscaping in the

unincorporated area of the County that implement the 2006 development landscape design requirements established by the Act. Consistent with the Legislature's findings the purpose of this chapter is to:

(a) Promote the values and benefits of landscapes while recognizing the need to utilize water and other resources as efficiently as possible.

(b) Establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction.

(c) Promote the use, when available, of tertiary treated recycled water, for irrigating landscaping.

(d) Use water efficiently without waste by setting a Maximum Applied Water Allowance for new projects as an upper limit for water use and reduce water use to the lowest practical amount.

(e) Encourage water users of existing landscapes to use water efficiently and without waste.

SEC. 86.702. DEFINITIONS.

The following definitions shall apply to this chapter:

(a) "Automatic irrigation controller" means an automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers schedule irrigation events using either evapotranspiration (weather-based) or soil moisture sensor data.

(b) "Building permit" means a permit issued by the County Building Department authorizing the permit holder to among other things, erect, construct, enlarge, alter, repair or improve a building or structure.

(c) "Certified landscape irrigation auditor" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other accredited certification program.

(d) "Cool season grass" means a type of grass that remains green in the winter months.

(e) "Developer" includes a developer's partner, associate, employee, consultant, trustee or agent or any other person who has any other business or financial relationship with the developer.

(f) "Director DPLU" means the means the Director of Planning and Land Use or anyone whom the Director has appointed or hired to administer or enforce this chapter.

(g) "Discretionary permit" means any permit requiring a decision making body to exercise judgment prior to its approval, conditional approval or denial.

(h) "Estimated total water use" (ETWU) means the estimated total water use in gallons per year for a landscaped area.

(i) "ET adjustment factor" (ETAF) means a factor that when applied to reference evapotranspiration, adjusts for plant water requirements and irrigation efficiency, two major influences on the amount of water that is required for a healthy landscape.

(j) "Evapotranspiration rate" means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time period. "Reference evapotranspiration" (ETo) means a standard measurement of environmental parameters which affect the water use of plants. ETo is expressed in inches per day, month, or year and is an estimate of the evapotranspiration of a large field of four-inches to seven-inches tall, cool season grass that is well watered. Reference evapotranspiration is used as the basis of determining the MAWA so that regional differences in climate can be accommodated.

(k) "Grading" means any importation, excavation, movement, loosening or compaction of soil or rock.

(l) "Hardscape" means any durable surface material, pervious or non-pervious.

(m) "Hydrozone" means a portion of the landscape area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.

(n) "Invasive plant species" means species of plants not historically found in California that spread outside cultivated areas and may damage environmental or economic resources.

(o) "Irrigation audit" means an in depth evaluation of the performance of an irrigation system conducted by a certified landscape irrigation auditor. An irrigation audit includes, but is not limited to, inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow and preparation of an irrigation schedule.

(p) "Irrigation efficiency" means the measurement of the amount of water beneficially used divided by the water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices.

(q) "Landscaped area" means an area with outdoor plants, turf and other vegetation. A landscaped area includes a water feature either in an area with vegetation or that stands alone. A landscaped area may also include design features adjacent to an area with vegetation when allowed under section 86.714. A landscaped area does not include the footprint of a building, decks, patio, sidewalk, driveway, parking lot or other hardscape that does not meet the criteria in section 86.714. A landscaped area also does not include an area without irrigation designated for non-development such as designated open space or area with existing native vegetation.

(r) "Licensed landscape contractor" means a person licensed by the State of California as a specialty contractor in the C-27 category, to construct, maintain, repair, install or subcontract the development of a landscape system.

(s) "Landscape design manual" means the manual, approved by the Director of Planning and Land Use that establishes specific design criteria and guidance to implement the requirements of this chapter.

(t) "Low head drainage" means a sprinkler head or other irrigation device that continues to emit water after the water to the zone in which the device is located has shut off.

(u) "Low volume irrigation" means the application of irrigation water at low pressure through a system of tubing or lateral lines and low volume emitters such as drip lines or bubblers.

(v) "Mass grading" means the movement of more than 5000 cubic yards of soil by mechanical means to alter the topographic features of a site.

(w) "Maximum applied water allowance" (MAWA) means the maximum allowed annual water use for a specific landscaped area based on the square footage of the area, the ETAF and the ETo.

(x) "Mulch" means an organic material such as leaves, bark, straw, compost or inorganic mineral materials such as rocks, gravel or decomposed granite left loose and applied to the soil surface to reduce evaporation, suppress weeds, moderate soil temperature or prevent soil erosion.

(y) "Overspray" means the water from irrigation that is delivered outside an area targeted for the irrigation and makes contact with a surface not intended to be irrigated.

(z) "Pervious" means any surface or material that allows the passage of water through the material and into underlying soil.

(aa) "Plant factor" means a factor that when multiplied by the ETo, estimates the amount of water a plant needs.

(bb) "Public water purveyor" means a public utility, municipal water district, municipal irrigation district or municipality that delivers water to customers.

(cc) "Recycled water" means waste water that has been treated at the highest level required by the California Department of Health Services for water not intended for human consumption. "Tertiary treated recycled water" means water that has been through three levels of treatment including filtration and disinfection.

(dd) "Runoff" means water that is not absorbed by the soil or landscape to which it is applied and flows from the landscaped area.

(ee) "Special landscaped area" means an area of the landscape dedicated to edible plants, an area irrigated with recycled water or an area dedicated to play such as a park, sports field or golf course where turf provides a playing surface.

(ff) "Subsurface irrigation" means an irrigation device with a delivery line and water emitters installed below the soil surface that slowly and frequently emit small amounts of water into the soil to irrigate plant roots.

(gg) "Transitional area" means a portion of a landscaped area that is adjacent to a natural or undisturbed area and is designated to insure that the natural area remains unaffected by plantings and irrigation installed on the property.

(hh) "Turf" means a groundcover surface of cool season or warm season mowed grass. Annual bluegrass, Kentucky bluegrass, perennial ryegrass, red fescue and tall fescue are cool season grasses. Bermuda grass, kikuyu grass, seashore paspalum, St. Augustine grass, zoysias grass and buffalo grass are warm season grasses.

(ii) "Water feature" means a design element where open water performs an aesthetic or recreational function. A water feature includes a pond, lake, waterfall, fountain, artificial streams, spa and swimming pool where a public water purveyor within the San Diego County Water Authority or the Borrego Water District

provides water for the feature. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices are not water features.

(jj) "WUCOLS" means Water Use Classification of Landscape Species and refers to the most recent version of the Department of Water Resources publication authored by the University of California Cooperative Extension.

SEC. 86.703. APPLICABILITY.

(a) The following projects in the unincorporated area of the County for which the County issues a building permit or a discretionary permit after the chapter's effective date shall be required to obtain an outdoor water use authorization as part of the permitting process:

(1) A project for an industrial, commercial, civic or multi-family residential use where the landscaped area is 1000 square feet or more.

(2) A single family residential development where the total landscaped common area of the project area is 1000 square feet or more or where the developer or the developer's agent installs landscaping on one or more lots in the development.

(3) A new single family residence served by a public water purveyor within the San Diego County Water Authority or the Borrego Water District. As used in this subsection, a new single family residence does not include a single family residence that is being rebuilt after it was destroyed due to a natural disaster, such as a fire, earthquake, hurricane or tornado.

(4) A model home that includes a landscaped area, where the home is served by a public water purveyor within the San Diego County Water Authority or by the Borrego Water District.

(5) A public agency project that contains a landscaped area 1000 square feet or more.

(6) A project not included in categories (a)(1) through (a)(5) that requires a new grading permit and contains an area served by temporary or permanent irrigation.

(7) A cemetery.

(b) The following projects shall be exempt from the requirements of this chapter:

(1) A registered local, State or federal historical site.

(2) An ecological restoration project that does not require a permanent irrigation system.

(3) A mined land reclamation project that does not require a permanent irrigation system.

(4) A botanical garden or arboretum that is open to the public.

(c) Sections 86.725 and 86.726 shall apply to the owners and occupants of all property in the unincorporated area of the County, other than projects listed in subsection (b). Existing landscape projects that were installed before the effective date of this chapter where the landscape area is greater than one acre shall also be subject to section 86.727(b).

SEC. 86.704. OUTDOOR WATER USE AUTHORIZATION.

(a) No person who constructs a project subject to section 86.703(a) shall use water for irrigation or a water feature without the authorization required by this chapter.

(b) A person constructing a project subject to section 86.703(a) shall obtain a water use authorization to provide water to a landscaped area as follows:

(1) A person applying for a building permit for a single family residence shall obtain a water use authorization from the County as part of the permitting process.

(2) A person applying for a discretionary permit shall submit a landscape concept plan with the discretionary permit application. As used in this chapter, a landscape concept plan means a drawing of the site where the project will be located that includes a representation of the site features, proposed plantings areas and the proposed method and type of irrigation.

(3) A person issued a discretionary permit shall obtain a water use authorization as part of the permitting process for each building permit for each project segment that requires installation of a water meter or connection to an existing water meter.

(c) A water use authorization issued by the County shall establish the allowed MAWA for property on which a project that is subject to this chapter is located.

(d) Once the County establishes the MAWA for a property, no person who obtains water for the property from a public water purveyor in the unincorporated area of the County shall exceed the MAWA on that property, unless the County agrees to modify the MAWA, as provided in section 86.721.

(e) Any person may examine the water use authorization establishing the MAWA for a property at the Department of Planning and Land Use during normal business hours.

SEC. 86.705. ADMINISTRATION, ENFORCEMENT AND LANDSCAPE MANUAL.

(a) The Director DPLU shall administer and enforce this chapter, except that the Director DPLU may refer an application for a water use authorization to the Director of Public Works or the Director of General Services for processing.

(b) The Director DPLU shall prepare a landscape design manual that provides guidance to applicants on how to comply with the requirements of this chapter. The manual shall also provide guidance for a person with an existing landscaped area on how to increase water use efficiency and avoid wasting water.

SEC. 86.706. NEW SINGLE FAMILY RESIDENTIAL PROJECTS WITH LIMITED LANDSCAPING.

An applicant for a building permit for a new single family residence subject to this chapter where the landscaped area of the project is less than 5,000 square feet shall, as a condition of obtaining a building permit, submit an application for an outdoor water use authorization on a form provided by the Director. The application process shall include establishing a MAWA for the project.

SEC. 86.707. LANDSCAPE DOCUMENTATION PACKAGE.

(a) Except as provided in subsection (b) an applicant for a building permit for a project described in section 86.703(a) shall submit a landscape documentation package with the permit application.

(b) An applicant for a building permit for a single family residence with a landscaped area less than 5,000 square feet is not required to submit a landscape documentation package with the permit application, but shall comply with section 86.706. This subsection does not apply to a person who is applying for one or more building permits for single family residences in a residential development where the person applying is the developer.

(c) The landscape documentation package required by subsection (a) shall contain the following:

(1) A soil management report that complies with section 86.708 that analyzes soil composition within each landscaped area of the project.

(2) A landscaping and irrigation plan that complies with section 86.709 that describes the landscaping and irrigation for the project.

(3) A water efficient landscape worksheet that complies with section 86.711 that calculates the MAWA and the ETWU for the project.

(4) A grading design plan that complies with section 86.710 that describes the grading of the project.

SEC. 86.708. SOIL MANAGEMENT REPORT.

(a) The soil management report required by section 86.707(c)(1) shall contain the following information:

(1) An analysis of the soil for the proposed landscaped areas of the project that includes information about the soil texture, soil infiltration rate, pH, total soluble salts, sodium, percent organic matter.

(2) Recommendations about soil amendments that may be necessary to foster plant growth and plant survival in the landscaped area using efficient irrigation techniques.

(b) When a project involves mass grading of a site the applicant shall submit a soil management report that complies with subsection (a) above with the certificate of completion required by section 86.722.

SEC. 86.709. LANDSCAPING AND IRRIGATION PLAN.

(a) The landscaping and irrigation plan required by section 86.707(c)(2) shall be prepared by a landscape architect, civil engineer or architect licensed by the State of California. A homeowner of a single family residence required to submit a landscape and irrigation plan may have a licensed landscape contractor prepare the landscaping and irrigation plan if the homeowner has contracted with that contractor to install the landscaping and irrigation pursuant to the plan.

(b) The landscaping and irrigation plan shall contain the following information:

(1) A list of all vegetation by common and botanical plant name which exists in the proposed landscaped area. The plan shall state what vegetation will be retained and what will be removed.

(2) A list of all vegetation by common and botanical plant name which will be added to each landscaped area. The plan shall include the total quantities by container size and species. If the applicant intends to plant seeds, the plan shall describe the seed mixes and applicable germination specifications.

(3) A detailed description of each water feature that will be included in the landscaped area.

(4) The plan shall be accompanied by a drawing showing on a page or pages, the specific location of all vegetation, retained or planted, the plant spacing and plant size, natural features, water features and hardscape areas. The drawing shall include a legend listing the common and botanical plant name of each plant shown on the drawing.

(5) The location, type and size of all components of the irrigation system that will provide water to the landscaped area, including the controller, water lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators and backflow prevention devices.

(6) The static water pressure at the point of connection to the public water supply and the flow rate in gallons, the application rate in inches per hour and the design operating pressure in pounds per square inch for each station.

(7) The MAWA for the plan, including the calculations used to determine the MAWA. The calculations shall be based on the formula in section 86.712.

(8) The ETWU for the plan, including the calculations used to determine the ETWU. The calculations shall be based on the formula in section 86.713.

(9) A statement signed under penalty of perjury by the person who prepared the plan that provides, "I am familiar with the requirements for landscape and irrigation plans contained in the County Landscape Water Conservation Regulations, in Title 8, Division 6, Chapter 7. I have prepared this plan in compliance with those regulations. I certify that the plan implements those regulations to provide efficient use of water."

(c) The landscape and irrigation plan shall be designed as follows:

(1) All plants shall be grouped in hydrozones and the irrigation system shall be designed to deliver water to hydrozones based on the moisture requirements of the plant grouping. A hydrozone may mix plants of moderate and low water use, and mix plants of high water use with plants of moderate water use, but no high water use plants shall be allowed in a low water use hydrozone. A high water use hydrozone may, however, provide for some low water use plants if the low water use plants are of a type that are likely to thrive and flourish with the additional water. The plan shall also demonstrate how the plant groupings accomplish the most efficient use of water.

(2) The irrigation system shall be designed to prevent standing water and any condition such as runoff, overspray and low-head drainage where irrigation water flows or sprays onto areas not intended for irrigation. The plan shall also demonstrate how grading and drainage techniques promote healthy plant growth and prevent standing water, erosion and runoff.

(3) The plan shall provide for use of mulch as follows:

(A) A minimum two inch layer of mulch shall be applied on all exposed soil surfaces in each landscaped area except in turf areas, creeping or rooting ground covers or direct seeding applications where mulch is contraindicated.

(B) Stabilizing mulch shall be applied on slopes.

(C) The mulching portion of a seed/mulch slurry in hydro-seeded applications shall comply with subsection (B) above.

(D) Highly flammable mulch material, such as straw or small or mini size wood chips, shall not be used in a "Hazardous Fire Area," as that term is defined in the County Fire Code.

(4) The plan shall identify the type and amount of mulch for each area where mulch is applied.

(5) On a project other than a single family residence, the plan shall identify recreational areas.

(6) The plan shall identify areas permanently and solely dedicated to edible plants.

(7) The plan shall identify each area irrigated with recycled water, gray water and other non-potable water.

(8) The plan shall identify any soils amendments and their type and quantity.

(9) The plan shall demonstrate that landscaping when installed and at maturity will be positioned to avoid obstructing motorists' views of pedestrian crossings, driveways, roadways and other vehicular travel ways. If the landscaping will require maintenance to avoid obstructing motorist's views, the plan shall describe the maintenance and the frequency of the proposed maintenance.

(10) The plan shall avoid the use of landscaping with known surface root problems adjacent to a paved area, unless the plan provides for installation of root control barriers or other appropriate devices to control surface roots.

(11) The plan shall provide that any slope greater than 25 percent will be irrigated with an irrigation system with a precipitation rate of .75 inches per hour or less to prevent runoff and erosion. As used in this chapter, 25 percent grade means one foot of vertical elevation change for every four feet of horizontal length. An applicant may employ an alternative design if the plan demonstrates that no runoff or erosion will occur.

(12) The plan shall provide that all wiring and piping under a paved area that a vehicle may use, such as a parking area, driveway or roadway, will be installed inside a PVC conduit.

(13) The plan shall provide that irrigation piping and irrigation devices that deliver water, such as sprinkler heads, shall be installed below grade if they are within 24 inches of a vehicle or pedestrian use area. The Director DPLU may allow on-grade piping where landform constraints make below grade piping infeasible.

(14) That plan shall provide that only low volume or subsurface irrigation shall be use to irrigate any vegetation within 24 inches of an impermeable surface unless the adjacent impermeable surfaces are designed and constructed to cause water to drain entirely into a landscaped area.

(15) The plan shall provide that plants in a transitional area consist of a combination of site adaptive and compatible native and non-native species. The plan shall also provide that no invasive plant species shall be introduced or tolerated in a transitional area. The irrigation in a transitional area shall be

designed so that no overspray or runoff shall enter an adjacent area that is not irrigated.

(16) The plan shall demonstrate compliance with best management practices required by sections 67.801 et seq. (Watershed Protection, Stormwater Management and Discharge Control regulations).

(17) The plan shall address fire safety issues and demonstrate compliance with State and County requirements for defensible space around buildings and structures and shall avoid the use of fire prone vegetation.

(18) The irrigation system shall provide for the installation of an easily accessible manual shutoff valve as close as possible to the water supply. Additional manual shutoff valves shall be installed between each zone of the irrigation system and the water supply.

(19) The irrigation system shall provide that irrigation for any landscaped area will be regulated by an automatic irrigation controller.

(20) The irrigation system shall be designed to meet or exceed an average landscape irrigation efficiency of 0.71.

(d) The landscaping and irrigation plan shall describe each automatic irrigation controller the system uses to regulate the irrigation schedule and whether it is a weather based system or moisture detection system. The plan shall depict the location of electrical service for the automatic irrigation controller or describe the use of batteries or solar power that will power valves or an automatic irrigation controller.

SEC. 86.710. GRADING DESIGN PLAN.

(a) The grading design plan required by section 86.707(c)(4) shall be prepared by a landscape architect, civil engineer or architect licensed by the State of California. A homeowner of a single family residence required to submit a grading design plan may have a licensed landscape contractor prepare the grading design plan if the homeowner has contracted with that contractor to do the work covered by the plan. The grading design plan shall comply with following requirements:

(1) The grading on the project site shall be designed for the efficient use of water by minimizing soil erosion, runoff and water waste, resulting from precipitation and irrigation.

(2) The plan shall show the finished configurations and elevations of each landscaped area including the height of graded slopes, the drainage pattern, pad elevations, finish grade and any stormwater retention improvements.

(b) If the project applicant has submitted a grading plan with the application for the project the Director DPLU may accept that grading plan in lieu of the grading design plan required by this section, if the grading plan complies with subsection (a) above.

SEC. 86.711. WATER EFFICIENT LANDSCAPE WORKSHEET.

The water efficient landscape worksheet required by section 86.707(c)(3) shall be prepared by a landscape architect, civil engineer or architect licensed by the State of California. A homeowner of a single family residence required to submit a water efficient landscape worksheet may have a licensed landscape contractor prepare the water efficient worksheet if the homeowner has contracted with that landscape contractor to install the landscaping and irrigation covered by the plan for which the worksheet was prepared. The water efficient worksheet shall contain all of the following:

(a) A hydrozone information table that contains a list of each hydrozone in the landscaped area of the project. For each hydrozone listed the applicant shall provide all of the following information:

(1) The square footage of the hydrozone and the percentage of the total landscaped area of the project the hydrozone represents.

(2) The irrigation methods proposed to be used within the hydrozone.

(3) The category of the hydrozone as high, moderate or low water use and the median plant factor for the hydrozone. The category of the hydrozone and median plant factor shall be determined as follows:

(A) The plant factor used shall be from WUCOLS. The plant factor ranges from 0 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants and from 0.7 to 1.0 for high water use plants. The median plant factor for low water use plants is 0.2, for moderate water use plants is 0.5 and for high water use plants is 0.8. If plants within a hydrozone have different water use requirements the hydrozone category shall be determined using the highest water using plant. The median plant factor shall be assigned based on the category determined.

(B) Temporarily irrigated areas shall be included in the low water use hydrozone. Temporarily irrigated as used in this chapter means the period of time when plantings only receive water until they become established.

(C) The surface area of a water feature shall be included in a high water use hydrozone unless the water feature is a pool or a spa with a durable cover. In that case, the water feature may be included in a moderate water use hydrozone.

(4) Each special landscaped area and the area's water use calculated using an ETAF of 1.0.

(b) Budget calculations for the MAWA and the ETWU. The calculations shall use the formula for the MAWA in section 86.712 and for the ETWU in section 86.713.

SEC. 86.712. MAXIMUM APPLIED WATER ALLOWANCE.

(a) A landscape project subject to this chapter shall not exceed the MAWA. The MAWA for a new landscape project shall be determined by the following calculation:

$$MAWA = (ETo)(0.62)[0.7 \times LA + 0.3 \times SLA]$$

(b) The abbreviations used in the equation have the following meanings:

(1) MAWA = Maximum Applied Water Allowance in gallons per year.

(2) ETo = Evapotranspiration in inches per year.

(3) 0.62 = Conversion factor to gallons per square foot.

(4) 0.7= ET adjustment factor for plant factors and irrigation efficiency.

(5) LA = Landscaped area includes special landscaped area in square feet.

(6) 0.3 = the additional ET adjustment factor for a special landscaped area (1.0 - 0.7 = 0.3)

(7) SLA = Portion of the landscaped area identified as a special landscaped area in square feet.

(c) If a public water purveyor establishes a MAWA for a property that is lower than the MAWA established pursuant to this chapter nothing in this chapter shall

be construed to prevent the water purveyor from enforcing its rules, regulations or ordinances.

SEC. 86.713. ESTIMATED TOTAL WATER USE.

(a) An applicant for a project subject to this chapter shall calculate the estimated water use for each hydrozone, except a special landscaped area, using the following equation:

(1) Estimated water use = (ETo)(0.62)(PF x HA /IE)

For special landscaped areas the applicant shall use the following equation:

(2) Estimated water use = (ETo)(0.62)(SLA)

The sum of all landscaped areas shall be the ETWU for the project.

(b) The abbreviations used in the equation have the following meanings:

(1) ETWU = Estimated total water use in gallons per year.

(2) ETo = Evapotranspiration in inches per year.

(3) 0.62 = Conversion factor to gallons per square foot.

(4) PF = Average plant factor for each hydrozone based on whether the hydrozone is classified as high, medium or low water use. The hydrozone classification shall be based on the data included in the landscape and irrigation plans.

(5) HA = Hydrozone Area in square feet.

(6) IE = Irrigation Efficiency of the irrigation method used in the hydrozone.

(7) SLA = Special landscaped area in square feet.

(c) The ETWU for a proposed project shall not exceed the MAWA.

SEC.86.714. ADJUSTMENT TO LANDSCAPED AREA FOR NON-VEGETATED AREA.

Rock and stone or pervious design features such as decomposing granite ground cover that are adjacent to a vegetated area may be included in the calculation of the MAWA and ETWU provided the features are integrated into the design of the landscape area and the primary purpose of the feature is decorative.

SEC. 86.715. LIMITATIONS ON USE OF WATER FEATURES.

The total of all water features for a project, except for a swimming pool or spa, shall be limited to 15 percent of the total landscaped area of the project.

SEC.86.716. LIMITATIONS ON USE OF TURF IN LANDSCAPED AREAS.

The following regulations shall apply to the use of turf on a project subject to this chapter:

(a) Only low volume or subsurface irrigation shall be used for turf in a landscaped area:

(1) On a slope greater than 25 percent grade where the toe of the slope is adjacent to an impermeable hardscape.

(2) Where any dimension of the landscaped area is less than eight feet wide.

(b) On a commercial, industrial or multi-family project, no turf shall be allowed:

(1) On a center island median strip, on a parking lot island or in a public right of way.

(2) On any portion of a site that is inaccessible to or unusable by a person who uses the site.

(c) On a commercial or industrial project, decorative cool season turf shall not exceed 15 percent of the total landscaped area of a project unless the site is irrigated using recycled water.

(d) A ball field, park, golf course, cemetery and other similar use shall be designed to limit turf in any portion of a landscaped area not essential for the operation of the facility.

(e) No turf shall be allowed in a landscaped area if the turf cannot be irrigated without causing runoff, overspray or other wasteful water uses.

SEC. 86.717. CEMETERIES.

A person submitting an application for a Major Use Permit for a cemetery shall also submit the following:

(a) A concept plan, as described in section 86.704(b)(2).

(b) A water efficient irrigation worksheet that calculates the MAWA for the project with the application that complies with section 86.711.

(c) A landscape and irrigation maintenance schedule that complies with section 86.724.

SEC. 86.718. PROJECTS WITH MODEL HOMES.

A person who obtains a permit to construct a single family residential development that contains a model home shall provide a summary of this chapter prepared by the Director DPLU to each adult visitor that visits a model home. If an adult visitor is accompanied by one or more adults during the visit only one set of written materials is required to be provided. Each model home shall provide an educational sign in the front yard of the model home visible and readable from the roadway that the home faces that states in capital lettering at least two inches high, "THIS MODEL HOME USES WATER EFFICIENT LANDSCAPING AND IRRIGATION."

SEC.86.719. RECYCLED WATER.

(a) A person who obtains a permit for a project that is subject to this chapter shall use recycled water for irrigation when tertiary treated recycled water is available from the water purveyor who supplies water to the property for which the County issues a permit.

(b) A person using recycled water from a public water purveyor shall install a distribution system that separates recycled water from potable water. Pipes carrying recycled water shall be purple.

(c) A person who uses recycled water under this section shall be entitled to an ETAF of 1.0.

(d) This section does not excuse a person using recycled water from complying with all State and local laws and regulations related to recycled water use.

SEC. 86.720. INSTALLATION BEFORE FINAL INSPECTION.

A person issued an outdoor water use authorization for a project, other than a single family residence where the landscaped area of the project is less than 5,000 square feet, shall install the approved landscaping and irrigation system before final inspection of the project.

SEC. 86.721. MODIFICATION OF OUTDOOR WATER USE AUTHORIZATION.

(a) A person may submit an application to modify the outdoor water use authorization required by this chapter on a form provided by the Director DPLU.

(b) An applicant requesting modification of an authorization for a single family residence where the total landscaped area after modification is less than 5,000 square feet shall comply with section 86.706.

(c) An applicant requesting modification of an authorization other than the type of project in subsection (b) above, shall comply with sections 86.707 - 86.711.

SEC. 86.722. CERTIFICATE OF COMPLETION.

Each person issued a water use authorization who has installed approved landscaping and irrigation, other than a single family residence with a total landscaped area less than 5,000 square feet shall submit:

(a) A certificate of completion on a form provided by the Director DPLU within 10 days after installation, verifying that the landscaping and irrigation were installed as allowed in the approved landscape and irrigation plan, that all approved soil amendments were implemented and the installed irrigation system is functioning as designed and approved. The certificate of completion shall be signed under penalty of perjury by the person to whom the water use authorization has been issued and by a California licensed, landscape architect, civil engineer or architect. Where the water use authorization has been issued to a single family homeowner with a landscaped area of 5,000 square feet or more who hired a licensed landscape contractor to install the landscaping and irrigation, the certificate shall be signed under penalty of perjury by the homeowner and the contractor.

(b) An irrigation schedule that complies with section 86.723 that describes the irrigation times and water usage for the project

(c) A landscape and irrigation system maintenance schedule that complies with section 86.724.

(d) A soil management report that complies with section 86.708(b) if the applicant did not submit the report with the landscape documentation package.

SEC. 86.723. IRRIGATION SCHEDULE.

The irrigation schedule required by section 86.722 shall be prepared by a California licensed, landscape architect, civil engineer or architect and provide the following information:

(a) A description of the automatic irrigation system that will be used for the project.

(b) The time period when overhead irrigation will be scheduled and confirm that no overhead irrigation shall be used between the 10:00 a.m. and 8:00 p.m.

(c) The parameters used for setting the irrigation system controller for watering times for:

(1) The plant establishment period.

(2) Established landscaping.

(3) Temporarily irrigated areas.

(4) Different seasons during the year.

(d) The parameters used for each station for the following factors:

(1) The days between irrigation.

(2) Station run time in minutes for each irrigation event, designed to avoid runoff.

(3) Number of cycle starts required for each irrigation event, designed to avoid runoff.

(4) Amount of water to be applied on a monthly basis.

(5) The root depth setting.

(6) The plant type setting.

(7) The soil type.

(8) The slope factor.

(9) The shade factor.

SEC. 86.724. LANDSCAPING AND IRRIGATION MAINTENANCE.

(a) A person using water under a water use authorization that the County issued pursuant to this chapter shall maintain the landscaping and irrigation on the property to ensure compliance with the MAWA.

(b) A property owner using water on property subject to a water use authorization other than a single family residence with a total landscaped area less than 5,000 square feet, shall prepare a maintenance schedule for the landscaping and irrigation on the project. The schedule shall provide for: (1) inspections to guard against runoff and erosion and detect plant or irrigation system failure, (2) replacement of dead, dying and diseased vegetation, (3) eradication of invasive plant species in transitional areas, (4) repairing the irrigation system and its components when necessary, (5) replenishing mulch, (6) soil amendment when necessary to support and maintain healthy plant growth, (7) fertilizing, pruning, weeding and mowing and (8) maintenance to avoid obstruction of motorists' view. The schedule shall also identify who will be responsible for maintenance.

(c) A person who uses water pursuant to a water use authorization shall maintain the irrigation system to meet or exceed an average irrigation efficiency of 0.71.

(d) A person who replaces broken or malfunctioning irrigation system components shall replace the components with the same materials or their equivalent.

(e) A person who replaces vegetation shall replace it with plantings that are representative of the hydrozone in which the plants were removed and shall be typical of the water use requirements of the plants removed provided that the replaced vegetation does not result in mixing plants contrary to the requirements of this chapter.

SEC. 86.725. PROHIBITION ON WASTING WATER AND EXCEEDING THE MAXIMUM ALLOWED WATER ALLOWANCE

(a) No person who owns or occupies property in the unincorporated area of the County shall use water for irrigation that due to runoff, low head drainage, overspray or other similar condition, results in water flowing onto adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas. This section is not intended to apply to circumstances beyond the control of the property owner or other person in possession of the property.

(b) No person whose property is subject to an outdoor water use authorization pursuant to this chapter shall exceed the MAWA for the property.

(c) A person who violates subsections (a) or (b) above shall be subject to the Administrative Citation Procedures in sections 18.101 et seq. of this code.

(d) The County may also obtain an injunction against a person who continues to violate subsections (a) or (b) after receiving a warning of an Administrative Citation pursuant to section 18.103.

SEC. 86.726. COUNTY'S RIGHT TO INSPECT.

Whenever the County has reasonable grounds to believe that a person is violating section 86.725 the County may inspect the property and any irrigation system or water feature on the property. If a person refuses to consent to an inspection the County may obtain an inspection warrant pursuant to Code of Civil Procedure sections 1822.50 et seq. No person shall interfere with a County inspector conducting an inspection authorized by this chapter.

SEC. 86.727. OUTDOOR WATER USE AUDIT.

(a) The County may randomly audit outdoor water use on any property for which it issued a water use authorization pursuant to this chapter to determine compliance with the authorization. A person who owns or occupies property subject to a water use authorization, shall be deemed to consent to the audit of outdoor water use if the person engages in outdoor water use on the property.

(b) The County may also analyze, survey and audit outdoor water use using methods described in 23 California Code of Regulations sections 490 et seq., on an existing landscape project where the landscaped area exceeds one acre and the County has reasonable grounds to believe that due to irrigation runoff, low head drainage, overspray or other similar condition, water is flowing onto adjacent

property, non-irrigated areas, structures, walkways, roadways or other paved areas of the project.

SEC. 86.728. FEES.

An applicant for a project subject to this chapter shall include with the application, all fees established by the Board of Supervisors to cover the County's costs to review an application, any required landscape documentation package and any other documents the County reviews pursuant to the requirements of this chapter.

SEC. 86.729. APPEAL

A person whose application for a water use authorization or for modification of a water use authorization is denied may appeal the denial to the Planning Commission by making a written request for the appeal to the Director DPLU within 10 days of the denial. The Planning Commission shall consider the matter within 45 days after the appeal is filed. The 45-day period may be extended upon written consent of the appellant. The Planning Commission's decision shall be final.

Section 3. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce a newspaper of general circulation published in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL
BY
SENIOR DEPUTY

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 13th day of January, 2010.

PAM SLATER-PRICE
Chairwoman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 13th day January, 2010.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By _____
Nancy Vizcarra, Deputy

No. 10032 (N.S.)

01-13-2010 (9)

WATER EFFICIENT LANDSCAPE DESIGN MANUAL

COUNTY OF SAN DIEGO

DEPARTMENT OF PLANNING AND LAND USE

DPLU (02/10)

APPROVAL

I hereby certify that this **Water Efficient Landscape Design Manual** has been considered and approved by the Director of Planning and Land Use on this 16th day of February, 2010, to be used in conjunction with the County's Water Conservation in Landscaping Ordinance, County Code, Title 8, Division 6, Chapter 7.

ERIC GIBSON
Director of Planning and Land Use

PURPOSE

Impacts from landscaping can improve or impair quality of life. Landscaping affects water conservation, fire protection, soil erosion, storm-water management, wildland preservation, health standards, recreation and aesthetics. The primary purpose of this document is to provide guidance on landscaping design and installation that encourages the efficient use and conservation of water. It also encourages landscapes that create defensible space in the event of a wildfire.

This document incorporates the requirements of the County's Water Conservation in Landscaping regulations (County Code of Regulatory Ordinances Section 86.701 *et seq.*) with landscape design guidelines and installation specifications. It provides guidance on preparing the various components of landscape plans which may be required as part of a discretionary or ministerial permit process. Compliance with this manual will result in a more efficient process and avoid unnecessary time delays. For those people who are not required to submit a formal landscape plan, this manual serves as a
resource to educate and assist in the design and installation of a water efficient landscape.

Lake Oroville June 2005

Lake Oroville February 2008

Lake Oroville November 2008

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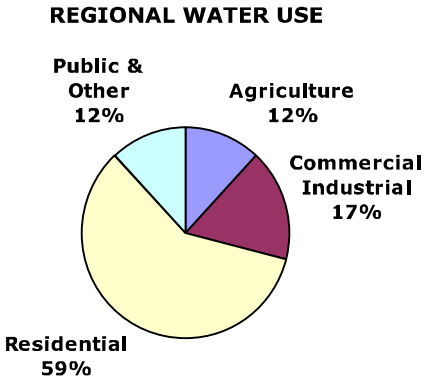

"Estimates of Water Use in the San Diego Region." *Our Water, Our Future – 2009 Update*, California Landscape Contractors Association, San Diego Chapter, May 2009

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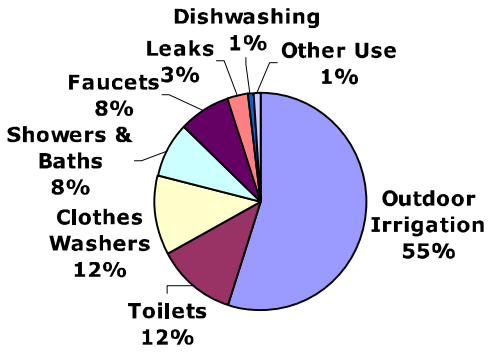
SINGLE FAMILY RESIDENTIAL



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Cover photograph of the Water Conservation Garden at Cuyamaca College taken by Dixie Switzer.

SECTION 1
APPLICABILITY AND PROCESS

A. Construction of New Single-Family Residences

1. Landscapes under 5,000 square feet

a. A Residential Outdoor Water Use Compliance form must be submitted to the Department of Planning and Land Use for all new construction of primary single-family residences that meet the applicability requirements of the Water Conservation in Landscaping regulations and that contain a landscaped area of less than 5,000 square feet. The regulations apply to residences that are or will be served by a member agency of the San Diego County Water Authority (Appendix J) or by the Borrego Water District.

b. The application may be submitted by the property owner or the owner's agent. The application must be approved by the Director of Planning and Land Use in order to obtain a Water Use Authorization, as described in the County Code of Regulatory Ordinances Section 86.704, and to receive a building permit.

c. The application consists of project information, the size of the landscaped area, the water supply type, and calculation of the maximum applied water allowance (MAWA). It also includes a certification that the installation and maintenance of the landscape and the irrigation system will comply with County regulations and will not exceed MAWA. (See Appendix B).

2. Landscapes 5,000 square feet or greater

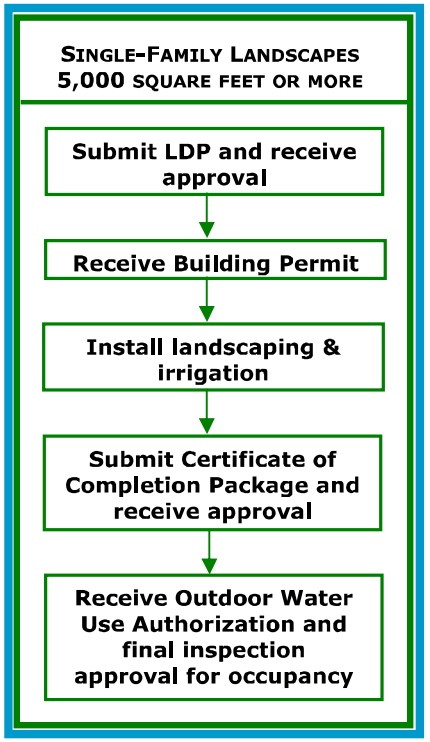
a. A Landscape Documentation Package (LDP) must be submitted to the Department of Planning and Land Use for all new construction of primary single-family residences that meet the applicability requirements of the Water Conservation in Landscaping regulations and that contain a landscaped area of 5,000 square feet or greater.

The LDP is described in detail in Section 2 of this manual. The regulations apply to residences that are or will be served by a member agency of the San Diego County Water Authority (Appendix J) or by the Borrego Water District.

b. The LDP must be prepared and certified by a California licensed landscape architect, licensed civil engineer, licensed architect, or licensed landscape contractor. The LDP must be approved by the Director of Planning and Land Use in order to obtain an Outdoor Water Use Authorization as described in the County Code of Regulatory Ordinances Section 86.704.

c. If the LDP is prepared by a California licensed landscape contractor, evidence of a signed contract with the property owner, acknowledging that the contractor will also install the landscaping, must be provided as part of the LDP submittal.

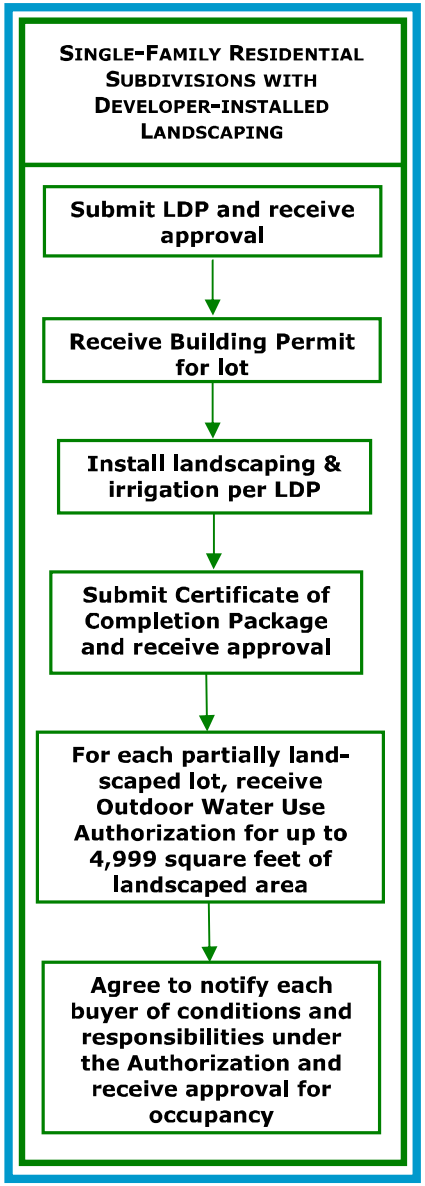
d. The LDP must be submitted and approved prior to issuance of the building permit. Upon installation of the landscaping and the irrigation system, the applicant will submit a Certificate of Completion Package (County Code of Regulatory Ordinances Section 86.722). The landscaping and the irrigation system must be installed and approved before final inspection of the residence will be approved for occupancy.



3. Single Family Residential Subdivisions

a. Before a building permit can be issued for an individual lot within a residential subdivision where no landscaping will be installed by the developer, an Outdoor Water Use Authorization must be issued. The Outdoor Water Use Authorization will be issued to the developer based on the water budget for the entire landscaped area up to a maximum of 4,999 square feet.

b. Before a building permit can be issued for an individual lot where all or any portion of the landscape will be installed by the developer, the



developer must receive approval for the Landscape Documentation Package (LDP).

c. If the developer allows the buyer to choose from among various standard landscape design plans, one set of plans must be submitted and approved for each standard design. If the landscaping on a lot will not conform to an approved design plan, the developer must submit a separate set of plans for each non-standard landscape.

d. If the developer installs only a portion of the landscaping on a lot:

   i. The Outdoor Water Use Authorization will be issued to the developer based on the water budget for the entire landscaped area up to a maximum of 4,999 square feet.

   ii. The estimated total water use of the installed landscape must not be greater than the water budget calculated for the square footage of the area where the landscape is installed.

e. A Certificate of Completion must be submitted for any lot where all or a portion of the landscape will be installed by the developer.

f. The developer must advise the buyer of the Outdoor Water Use Authorization and the buyer's obligation not to exceed the outdoor water budget established by the authorization. The developer must inform the buyer that if the buyer wishes to increase the landscaped area beyond 4,999 square feet, the buyer must contact the County for a modification to the Outdoor Water Use Authorization.

B. Construction of New Commercial, Industrial, Civic, and Multifamily Landscapes of 1,000 square feet or more and New Single-Family Common Area Landscapes of 1,000 square feet or more

1. Concept Plan

a. Landscape projects that meet the applicability requirements of the Water Conservation in Landscaping Regulations and are required to

submit an application for a discretionary permit must submit a concept plan as part of the discretionary permit process (Sec. 86.704 (b)(2)).

b. The concept plan is a generalized notion as to how the goal of water conservation will be attained. It should include a representation of the site features, proposed plantings and the proposed method and type of irrigation.

c. When a concept plan is submitted, it will be compared to the Landscape Documentation Package which is required before a building permit for the site can be issued.

2. Landscape Documentation Package

a. The Landscape Documentation Package (LDP) is a detailed plan submittal that is required before a building permit will be issued. The LDP is described in detail in Section 2 of this manual.

b. The LDP must be prepared and certified by a California licensed landscape architect, licensed civil engineer or licensed architect.

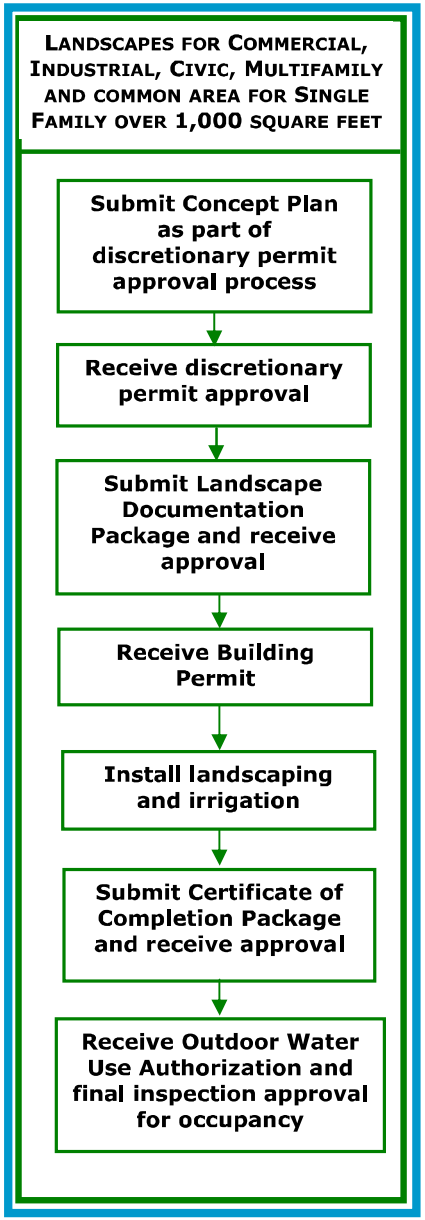
c. The LDP must be approved by the Director of Planning and Land Use in order to obtain an Outdoor Water Use Authorization as described in the County Code of Regulatory Ordinances Section 86.704.

d. The LDP must be submitted and approved prior to issuance of a building permit.

e. Upon installation of the landscaping and the irrigation system, the applicant will submit a Certificate of Completion (County Code of Regulatory Ordinances Section 86.722).

f. The landscaping and the irrigation system must be installed and approved before final inspection of the site will be approved for use or occupancy.

g. The landscape architect, civil engineer or architect shall conduct periodic site visits during construction to ensure that the landscaping



and irrigation system are being installed per the approved Landscape Document Package and shall certify to such as part of the Certificate of Completion requirements.

C. Model Homes

1. The new construction of a model home in a residential development that is subject to the Water Conservation in Landscaping regulations requires the submittal and approval of a Landscape Documentation Package and a Certificate of Completion before occupancy is permitted.
2. In addition, the developer must provide educational materials on water efficient landscaping and irrigation requirements to visitors.
3. Each model must have a sign in the front yard. The sign must be visible and readable from the roadway that the home faces. The sign must state in capital lettering at least two inches high, "THIS MODEL HOME USES WATER EFFICIENT LANDSCAPING AND IRRIGATION."

D. Public Agencies

A public agency project that contains a landscaped area of 1,000 square feet or more is required to submit a Landscape Documentation Package and a Certificate of Completion.

E. Cemeteries

1. The applicant does not need to submit a Landscape Documentation Package, but must submit a concept plan and a water efficient irrigation worksheet with the application for the discretionary permit.
2. The applicant is also required to submit a landscape and irrigation maintenance schedule.

F. Graded Slopes

An applicant for any discretionary permit that includes grading and landscaping, where the landscaping will require temporary or permanent

irrigation, must submit a Landscape Documentation Package and Certificate of Completion to the Department of Planning and Land Use. Occupancy of the site may be delayed until the landscaping is sufficiently established to prevent erosion as required by the County Grading Ordinance.

SECTION 2
LANDSCAPE DOCUMENTATION PACKAGE

A. General Information

1. A Landscape Documentation Package (LDP) must be submitted to the Department of Planning and Land Use for all landscape projects that meet the applicability requirements of the Water Conservation in Landscaping regulations with the exception of the new construction of single-family residences with landscapes less than 5,000 square feet. The Landscape Documentation Package shall address water conservation techniques and efficient irrigation systems. The owner or his agent shall be responsible for implementation of the Landscape Documentation Package.
2. The LDP must be prepared and certified by a California licensed landscape architect, licensed civil engineer or licensed architect. A California licensed landscape contractor may prepare and certify the LDP for the homeowner of a single family residence if evidence of a signed contract with the property owner, acknowledging that the contractor will also install the landscaping, is provided.
3. The LDP must be submitted and approved before a building permit will be issued. The landscape architect, civil engineer, architect, or landscape contractor shall conduct periodic site visits during construction to ensure that the landscaping and irrigation system are being installed per the approved Landscape Document Package and shall certify to such as part of the Certificate of Completion requirements.

GIVE YOUR LANDSCAPE A MAKEOVER

- **Simple design changes can save water and give your landscape a fresh, new look.**
- **Replace lawn areas with water smart groundcovers, trees and shrubs.**
- **Use permeable landscaping materials to create pathways or borders.**
- **Attend classes on water smart landscaping.**
- **Visit the Water Conservation Garden at Cuyamaca College or the Quail Botanical Gardens in Encinitas.**
- **Look for water-saving plants at local nurseries.**
- **Check with your water agency or equipment retailer for rebates on irrigation equipment.**

4. The LDP consists of:
   a. Project Information
   b. Water Efficient Landscape Worksheet
   c. Landscape Design Plan
   d. Irrigation Design Plan
   e. Grading Design Plan
   f. Soil Management Report
5. The LDP must be approved by the Director of Planning and Land Use in order to obtain a Water Use Authorization as described in the County Code of Regulatory Ordinances Section 86.704.

B. Project Information

The applicant shall provide the following information:

1. Date of application
2. Project applicant
3. Project Address (including parcel and lot number(s))
4. Total irrigated landscape area (square feet)
5. Landscape type (e.g., new, existing, public, private, cemetery, home-owner installed, etc)
6. Water supply type (potable, recycled, well)
7. Checklist of all documents in Landscape Documentation Package
8. Project contact information for the Project Applicant and Property Owner

C. Water Efficient Landscape Worksheet

See Appendix C for the required Worksheet to verify that the project's Estimated Total Water Use (ETWU) does not exceed the project's Maximum Applied Water Allowance (MAWA).

1. For the calculations of the MAWA, the evapotranspiration adjustment factor (ETAF) is equal to .7 except for special landscaped areas where the ETAF is equal to 1, pursuant to the County Code of Regulatory Ordinances Section 86.711.
2. For calculation of the ETWU, a project applicant shall use the evapotranspiration values from the Reference Evapotranspiration (ETo) Table or the average annual ETo value based on the County classification of the Community Planning Area where the site is located. See Appendix A for the ETo Table and information on County classifications and corresponding average ETo values.
3. Each hydrozone in the landscape plan must be categorized (low, moderate, high water use or special landscaped area) based on the plant within the hydrozone with the highest plant factor. The applicant shall utilize the Water Use Classification of Landscape Species publication (WUCOLS) to determine plant factors (crop coefficients).
4. High water use plants cannot be planted in a low water use hydrozone.
5. All surface area of water features shall be included in a high water use hydrozone.
6. Temporarily irrigated areas shall be included in a low water use hydrozone.
7. Artificial turf shall be included in a low water use hydrozone.
8. After the appropriate hydrozone category has been established, the ETWU calculation will utilize an average plant factor for each hydrozone category as shown on the Worksheet in Appendix C.

Highest Plant Factor	Hydrozone Category
0.0 – 0.3	Low water use
0.4 – 0.6	Medium water use
0.7 – 1.0	High water use

Example of a landscape using low water use plants

D. Landscape Design Plan

For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project.

1. General Submittal Requirements

a. Submit two complete sets.

b. Submit a copy of the project's Storm Water Management Plan (SWMP) with all vegetated Best Management Practices (BMPs) highlighted. SWMP must a copy of the approved plan or most recent version, updated and highlighted for landscape review. See Section 2.D.11.

c. Plans must address fire safety issues and demonstrate compliance with State and County requirements for defensible space around buildings and structures.

d. Plans must be standard 24" X 36" blueprint sheets. Any other size is not acceptable.

e. Scale is 1" = 20' or smaller (such as: 1" = 10' or 1" = 5').

f. Plans must be legible, professionally prepared and a print of an original drawing. Photocopies are not acceptable.

g. All sheets must be signed, stamped, and dated along with a renewal date by the professional licensed by the State of California who prepared the plans.

h. Each sheet must contain the following certification:

I am familiar with the requirements for landscape and irrigation plans contained in the County Landscape Water Conservation regulations, in Title 8, Division 6, Chapter 7. I have prepared this plan in compliance with those regulations. I certify that the plan implements those regulations to provide efficient use of water.

2. Plan Requirements

Plans shall:

a. Delineate and label each hydrozone by number, letter, or other method.

b. Identify each hydrozone as low, moderate, high water use or a special landscaped area.

c. Show specific location of all vegetation, retained or planted, the plant spacing and plant size.

d. Include a legend listing the common and botanical plant names of each plant shown on the drawing.

e. Identify recreational areas (both passive and active) except on plans for single family residential projects.

f. Identify areas permanently and solely dedicated to edible plants.

g. Identify areas irrigated with recycled water.

h. Identify temporarily irrigated areas.

i. Show all pervious and non-pervious hardscapes.

j. Show all natural features.

k. Identify the type, and surface area of all water features.

l. Identify the type and amount of mulch for each area where mulch is applied.

m. Identify any soil amendments, the type, and quantity.

3. Plant Material

a. Landscaping includes the planting and maintenance of trees, groundcover, shrubs, vines, flowers, or turf varieties. In addition, when appropriate for the site and intended use, the landscaping may include natural features such as rock and stone or structural features including, but not limited to, fountains, pools, art work or pervious pathways.

b. Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic and topographical conditions of

Once a year, groom ornamental grasses. Do not mow.

Buffalo Grass

California Meadow Sedge

the project site. Low-water use, deep-rooted plants and native species are highly recommended, as well as plants that are well-suited for the soil type that exists on site.

c. Plants shall be grouped into hydrozones with plant species having similar water demands and by their soil, sun, shade, and maintenance requirements.

d. Within hazardous fire areas, highly flammable plant materials and mulches, such as straw or small wood chips, should be avoided. Refer to the plant list in Appendix G for plants that are both ignition resistive and low water use. Also see Section 2.D.7.

e. Plant material used in landscapes within the wildland/urban interface should design and maintain a defensible, ignition resistive landscape. Projects are encouraged to use ignition-resistive, low water use plants that reduce the chance for embers from the plants to spread to either urban areas or wildlands.

f. Plantings in transitional areas must consist of site adaptive and compatible native species and may also be combined with site adaptive and compatible non-native species. Invasive plant species must not be planted in transitional areas and must be eradicated when and where they occur. See Section 2.D.6. and Appendix I.

4. Turf Areas

a. Turf must be efficiently irrigated so as to avoid runoff or overspray.

b. Turf shall not be allowed in an area that is less than eight feet wide in any direction unless low volume or subsurface irrigation is utilized.

c. Turf shall not be allowed within 24 inches of impermeable surfaces unless it is irrigated with low volume or subsurface irrigation or unless the adjacent impermeable surfaces are designed and constructed to cause water to drain entirely into a landscaped area.

d. Turf shall not be allowed on slopes where the grade is greater than 25 percent (4:1) and where the toe of the slope is adjacent to an impermeable hardscape unless the turf is irrigated with low volume or subsurface irrigation .

e. All large turf areas in projects such as, but not limited to, ball fields, cemeteries and parks shall be designed to limit the use of turf in any portion of the landscaped area not essential to operation of the facility.

f. Turf shall not be allowed in center island median strips, parking lot islands or public right of way.

g. Turf shall not be allowed in locations inaccessible and unusable to the public or site occupants. This restriction does not apply to single-family residential landscapes.

h. Decorative cool season turf shall not exceed 15 percent of the landscape area, unless recycled (non-potable) water has been approved and used for irrigation at the site. This restriction does not apply to single-family residential landscapes.

5. Water Features

a. Recirculating water systems must be used for decorative water features.

b. The surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculations unless the water feature is a recreational pool or spa and is equipped with a durable cover. If a cover is used, the pool or spa may be included in a moderate water use hydrozone.

c. The total of all water features, excluding a recreational pool or spa, is limited to 15 percent of the total landscaped area.

TURF MANAGEMENT

- **30% of San Diego's water is used to irrigate residential landscapes. Turf consumes the majority of that water.**
- **Turf should be at least 2 to 3 inches high.**
- **Leave grass clippings on the lawn**
- **Use warm season turf instead of cool season turf.**
- **As an alternative, try low water use ornamental grasses such as buffalo grass or California meadow sedge.**
- **Dethatch or aerate your lawn to allow water to penetrate the soil.**

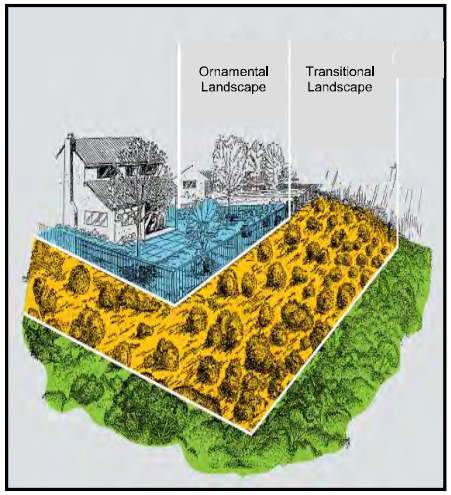


Illustration of a Transitional Landscape

d. If groundwater resources are proposed to be used, long term availability of this resource and the water quality must be approved to the satisfaction of the Director of Planning and Land Use.

6. Transitional Landscapes

a. Transitional landscape areas are the areas between non-native landscapes and undeveloped areas. The plants specified for transitional landscapes, including slopes and other disturbed areas typically consist of a combination of site adaptive and compatible native and non-native species. The mix of native and non-native plant materials should generally vary, with areas contiguous to existing native vegetation being planned with predominantly native material.

b. Invasive (i.e., those capable of reproducing and spreading into native, non-irrigated areas and displacing those communities) non-native plant species are prohibited in all transitional landscapes. Invasive plants that sprout in transition areas shall be promptly abated. The irrigation in a transitional area shall not influence adjacent vegetation.

7. Fuel Management

a. Combustible vegetation must be cleared in a 100-foot radius from any structure. Combustible vegetation is any material that left in its natural state will readily ignite, burn and cause fire to move to any structure or other vegetation. Examples are dry grass, brush, weeds, litter, waste and dead and dying vegetation. See the Undesirable Plant List in Appendix H for plants to avoid.

i. The first 50 feet from the structure may be permanently irrigated and planted with ignition resistive plants which must be maintained all year around.

ii. Within the remaining 50 feet of the 100-foot area, all dead and dying vegetation must be removed and the remaining vegetation must be thinned by 50 percent.

b. Vegetation can only be removed or thinned by mowing, cutting or grazing. The root structure must be left intact to prevent erosion. Do not completely remove or disturb the existing plant root system.

c. No irrigated or non-native landscaping is allowed within an open space easement.

d. Trees that overhang or touch your structures must be trimmed back away from the structure.

e. Remove any tree limbs within 10 feet of your chimney.

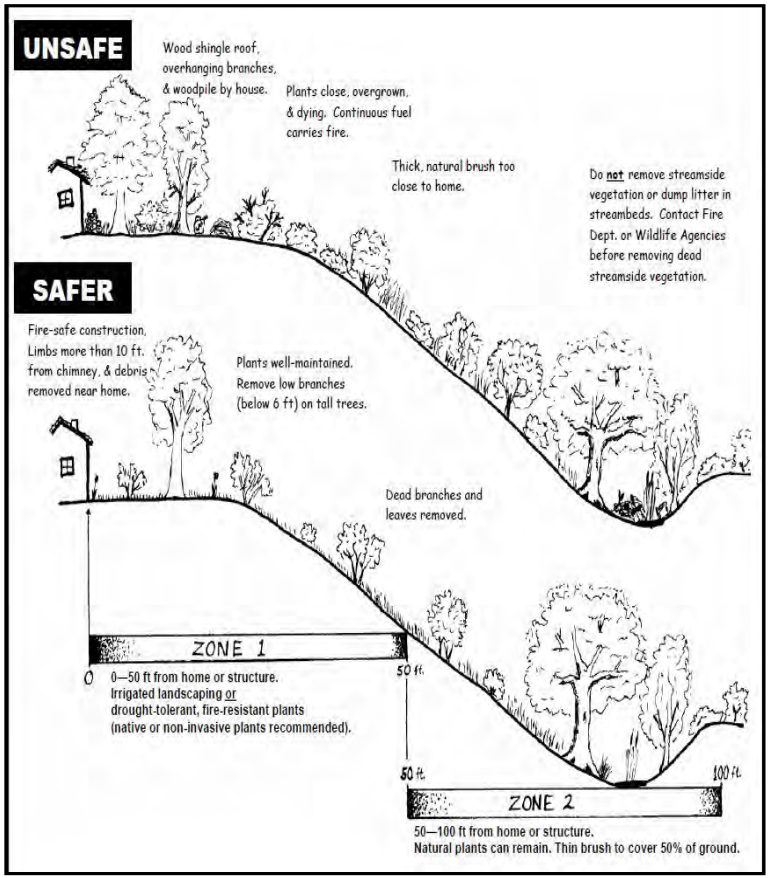
f. For fire truck access, remove trees and shrubs within 10 feet of each side of your driveway.

g. Avoid planting trees under or near electrical lines. If the trees grow into overhead lines or make contact with overhead lines under windy conditions, they could cause a fire.

h. Existing trees should be pruned by cutting off any branches up to 6 feet above the ground and the vegetation beneath the canopy of the tree should be trimmed to prevent ground fires from spreading upward into trees.

i. Vary the height of plants and adequately space them. Taller plants need to be spaced wider apart.

j. To conserve water, plant low water use trees and shrubs that can be maintained by deep watering as infrequently as once or twice a month.



k. Work with your neighbors to clear common areas between houses, and prune areas of heavy vegetation that are a fire threat to both properties.

Properly maintained defensible space saves property and lives.

l. If you have a heavily wooded area on your property, removing dead, weak or diseased trees may improve growing conditions. This will leave you with a healthy mixture of both new and older trees.

m. Except in hazardous fire areas, any removed trees may be chipped and used as mulch provided the depth of the mulch does not exceed six inches. In hazardous fire areas, highly flammable mulch such as straw or small size wood chips must not be used.

n. Don't forget to legally dispose of all your cut vegetation. You may contact your local landfill to inquire about green waste recycling. Open burning may not be allowed. Contact your fire agency for more information.

o. Stack firewood and scrap wood piles at least 30 feet from any structure and clear away any combustible vegetation within 10 feet of the piles. Many homes have survived as a fire moved past it, only to burn later from a wood pile that caught fire after the firefighters had moved on to protect other homes.

p. Check and clean your roofs and gutters on all structures several times during the spring, summer and fall to remove debris that can easily ignite from a spark.

q. Check with your local fire district for additional requirements.

8. Slope Erosion Control

a. At a minimum, all manufactured slope areas shall be covered within 10 days of completion of grading with hydroseed/mulch, punched straw mulch, jute netting or other approved geotextile material capable of controlling surface soil erosion.

b. Except where approved otherwise, all slopes and any other areas disturbed in conjunction with grading activities shall be maintained until vegetation is established, with coverage equal to at least 70 percent of the coverage achieved by native background plants. This threshold must be met before occupancy of the site will be permitted.

c. A minimum of 50 percent of the total slope area of manufactured slopes shall be planted with deep rooting plantings (i.e., those with a typical root depth of approximately 5 feet or greater). For seeded plantings, at least 50 percent of the viable seed count shall be deep rooting species.

d. All plant materials on manufactured slopes shall be appropriate to the site conditions, shall be water efficient when established and shall be adequately spaced to control soil erosion.

e. All slopes in excess of 15 feet shall be planted with rooted container stock at an average rate of one per 100 square feet unless approved otherwise by the Director of Planning and Land Use. Containers shall be a minimum of one gallon for shrubs and five gallons for trees. All container stock shall be provided with a temporary irrigation system.

f. Turf shall not be allowed on slopes where the grade is greater than 25 percent (4:1) and where the toe of the slope is adjacent to an impermeable hardscape unless the turf is irrigated with low volume or subsurface irrigation.

g. Slopes greater than 25% shall not be irrigated with an irrigation system with a precipitation rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed for Certificate of Completion.

Vegetated slopes prevent erosion.

9. Groundcovers

Herbaceous groundcovers shall be planted at a distance that will typically ensure 100 percent coverage within one year of installation.

10. Mulch and Amendments

a. A minimum two inch (2") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping

MULCH TIPS

- **Organic mulch absorbs and retains water so do not irrigate areas covered with organic mulch until the mulch dries out (about once a week).**
- **Use gravel mulch in areas planted with succulents.**

Mulch can be a decorative ground cover that reduces evaporation and weeds.

or rooting groundcovers, or other special planting situations where mulch is not recommended.

b. Stabilizing mulching products shall be used on slopes.

c. The mulching portion of the seed/mulch slurry in hydro-seed applications shall meet the mulching requirements.

d. Highly flammable mulch material, such as straw or small size wood chips, shall not be used in hazardous fire areas.

e. Preserve and reuse as much site topsoil as possible.

f. Amend disturbed soil with compost and prevent recompaction.

g. Follow the recommendations from the soil analysis. See Section 2.G.

11. Drainage

a. Landscape plans shall show the location and installation details of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Examples include, but are not limited to:

- Infiltration beds, swales, and basins that allow water to collect and soak into the ground.
- Constructed wetlands and retention ponds that retain water, handle excess flows, and filter pollutants
- Pervious or porous surfaces (e.g., permeable pavers or blocks, pervious or porous concrete, etc.) that minimize runoff.

b. No drainage shall flow or collect in such a manner as to allow breeding by mosquitoes or any other vermin.

c. Low areas that may cause standing water shall be filled and replanted.

12. Vehicular Use Areas not within the Street Right of Way

a. Landscape improvements, including, but not limited to, plants, berms, signs, and structures shall be selected, positioned, and

maintained to avoid obstructing views of motorists near intersections of aisles, drives, and pedestrian walkways.

b. Trees shall be selected and maintained such that, at mature size, scaffold branches are a minimum of 60 inches above the finish grade as measured at the trunk.

c. Plant materials with known surface root problems shall not be used in vehicular use areas, paved pedestrian walkways, and structures with poured concrete slabs.

Surface roots have raised the sidewalk.

13. Planting in the Right of Way

a. All public right of way areas between a newly developed property or rehabilitated landscapes and the existing sidewalk or street edge shall be fully landscaped for erosion control purposes and community character. Trees shall not be planted in the right of way unless pursuant to an encroachment permit issued by the Department of Public Works.

b. Plans shall include a statement indicating who is responsible for on-going maintenance, including runoff and overspray prevention, repairs of broken or malfunctioning irrigation equipment, replacement of dead, dying, or diseased vegetation, and continual compliance with the project's approved water calculations.

c. Turf shall not be planted in the public right of way.

14. Screening Requirements

a. When plant materials are used to satisfy screening requirements, planting shall be spaced to ensure 100 percent screening within two years of installation.

b. All plant material will be spaced according to acknowledged characteristics of the plant's growth.

15. Staking

a. All trees which are not self-supporting must be staked or cabled.

SMALL CHANGES FOR BIG SAVINGS

- **The easiest and most effective action you can take to conserve water is to reduce overwatering and runoff.**
- **Install a smart controller.**
- **If you have an old sprinkler system, replace the heads with newer, more efficient heads.**
- **Replace sprinkler heads with mini rotors to reduce runoff. Mini rotors have a reduced precipitation rate which allows time for water to penetrate the soil.**
- **Use rotors to water large areas of 25 feet by 25 feet or larger.**
- **Water in 2 to 3 short cycles rather than one long cycle.**
- **Switch to drip irrigation for watering trees and shrubs.**

b. Stakes or cables are to be removed once the tree is self-supporting.

E. Irrigation Design Plan

1. General Information

a. Submit two complete sets.

b. Plans must be standard 24" X 36" blueprint sheets. Any other size is not acceptable.

c. Scale is 1" = 20' or smaller (such as: 1" = 10' or 1" = 5').

d. Plans must be legible, professionally prepared and a print of an original drawing. Photocopies are not acceptable.

e. For the efficient use of water, an irrigation system shall meet all requirements listed in the Water Conservation in Landscaping regulations as well as the manufacturer's specifications.

f. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance.

g. The designated landscape architect, civil engineer, architect, or landscape contractor shall conduct periodic site visits during construction to ensure that the landscaping and irrigation system are being installed per the approved Landscape Document Package and shall certify to such as part of the Certificate of Completion requirements. Preliminary inspection shall include, but not be limited to, mainline, lateral lines, control wires, communication wires, and sprinkler head layout.

h. All sheets must be signed, stamped, and dated along with a renewal date by the professional licensed by the State of California who prepared the plans.

i. Each sheet must contain the following certification:

I am familiar with the requirements for landscape and irrigation plans contained in the County Landscape Water Conservation regulations, in Title 8, Division 6, Chapter 7. I have prepared this plan in compliance with those regulations. I certify that the plan implements those regulations to provide efficient use of water.

2. Plan Requirements

Plans, at a minimum shall:

a. Depict the location of a dedicated separate landscape water meter for all irrigated landscape projects greater than 5,000 square feet. Dedicated landscape water meters are not required for single family residences and landscapes with less than 5,000 square feet. However, they are highly recommended to help facilitate water management.

b. Show the locations of the pipes that supply water for outdoor use and the pipes that connect to any dedicated irrigation meter.

c. Show the location of recycled irrigation pipes and water meter.

d. Conform to the hydrozones of the landscape plan.

e. Illustrate a system that efficiently irrigates each hydrozone without wasting water and without exceeding the MAWA. The irrigation system shall be designed to meet or exceed an average irrigation efficiency of 0.71.

f. Provide that only low volume or subsurface irrigation will be used to irrigate any vegetation within 24 inches of an impermeable surface unless the adjacent impermeable surfaces are designed and constructed to cause water to drain entirely into a landscaped area.

3. Water Supply

a. When recycled water is available within the basin containing the project site or when a Reclamation Master Plan indicating the availability of recycled water in the future has been adopted by either the County or a special district, the applicant shall incorporate the use

SAVE WATER

- **Learn how to operate your irrigation controller.**
- **Water between midnight and 6 a.m. to avoid evaporation and wind.**
- **Do not irrigate when it rains. Wait until the soil dries out.**
- **Check your irrigation system every month for:**
  - **leaking valves or heads**
  - **misaligned heads**
  - **runoff**
  - **puddles**

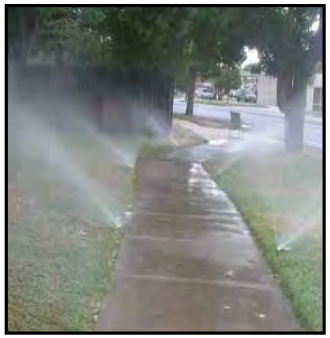
of recycled water into the project design. If the project will also be using potable water, the original project shall provide for a dual distribution system for all landscaped areas. Projects proposing the use of recycled water must first submit irrigation plans through the Department of Environmental Health for approval prior to submitting final landscape plans to the Department of Planning and Land Use.

b. Untreated and recycled water supplies shall be clean and free of suspended particles, algae, or chemicals that may form insoluble precipitates in the equipment or may be detrimental to plantings.

c. Sites receiving recycled water shall utilize an ET adjustment factor of 1.0 (0.3 additional) for water budget calculations in establishing the project's MAWA

d. Graywater may be used legally in the County of San Diego when designed and installed in accordance with the regulations stated in Appendix G of the California Plumbing Code (California Code of regulations Title 24, Part 5) and under permit and inspection by San Diego County Department of Environmental Health.

e. If groundwater resources are proposed to be used, potential availability must be demonstrated to the satisfaction of the Director of Planning and Land Use.



Overspray creates runoff and wastes water.

4. Runoff and Overspray.

a. All irrigation systems shall be designed to avoid runoff, seepage, low head drainage, overspray or other similar conditions onto adjacent property, non-irrigated areas, walks, roadways or structures. Systems benefiting from flushing shall accommodate the water generated by the flushing without erosion or disturbance to the planting. Water used for flushing shall be channeled into adjacent drainage structures (swales, gutter, etc.) where possible.

b. Overhead irrigation shall not be permitted within 24 inches of an impermeable surface. Allowable irrigation within the setback from impermeable surfaces may include drip, drip line, or other low flow

non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel or other porous material. These restrictions may be modified if:

i. The landscape area is adjacent to permeable surfacing and no overspray and runoff occurs; or

ii. The adjacent impermeable surfaces are designed and constructed to drain entirely to landscaping; or

iii. The irrigation designer specifies an alternative design or technology and clearly demonstrates strict adherence to irrigation system design criteria as described in the Water Conservation in Landscaping regulations and this manual. Prevention of overspray and runoff must be confirmed as part of the Certificate of Completion.

5. Application Rate

The water delivery rate of the irrigation system shall take into account the slope gradient and percolation rate of the soil in order to minimize runoff.

6. Uniformity and Use

The irrigation system shall deliver water efficiently and uniformly. Water used for irrigation shall be minimized to the amount needed to maintain adequate plant health and growth.

7. Backflow Prevention

Approved backflow prevention units are required on all potable water irrigation systems. Installation shall comply with all applicable health and safety standards.

8. Electrical Service

Electrical service for the irrigation system controllers shall be indicated and referenced on the irrigation plans, including the use of battery operated valves or solar powered controllers.

HOW TO READ YOUR WATER METER

Water is typically measured by the cubic foot which equals approximately 7.5 gallons.

Your water meter records how much water you use in the same way the odometer in your car records how many miles you travel.

To check your daily water use:

1. **Record the reading on your meter on Day 1.**
2. **Twenty-four hours later, record the new reading.**
3. **Subtract the reading on Day 1 from the reading on Day 2.**
4. **Multiply the answer by 7.5.**
5. **The result is the number of gallons you have used in the last 24 hours.**

Hydrozone Plan

Hydrozone	Plant Water Use Type(s)
1	Moderate
2	Special Landscape Area
3	Moderate
4	High
5	High
6	Low

9. Hydrozones

a. Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

b. Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.

c. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf.

d. Individual hydrozones that mix plants of moderate and low water use plants or moderate and high water use plants, may be allowed if the plant factor of the higher water using plant is used for calculations.

e. High water use plants shall not be permitted in a low water use hydrozone, but low water use plants may be allowed in a high water use hydrozone if the plants are of the type that tolerate the additional water.

f. On the landscape design plan and irrigation design plan, hydrozone areas shall be designated by number, letter, or other designation. On the irrigation design plan, designate the areas irrigated by each valve, and assign a number to each valve. Use this valve number in the Hydrozone Information Table (see Appendix C). This table can also assist with pre and final inspections of the irrigation system and programming the controller.

10. Scheduling and Lateral Systems

a. Each lateral system shall be capable of meeting the minimum needs of the mature plant material during peak demands.

b. Lateral systems shall be divided by exposure (sun/shade, etc.), plant material (turf/shrub, etc.), differing plant water requirements (tropical/low water using, etc.), elevation, and by type of application equipment (drip, spray, etc.), to the degree that is both practical and feasible.

c. Spray system heads of different manufacturers or of different basis types (drip, bubbler, stream, low gallonage, standard, impact etc.) shall have consistent operating characteristics on any single lateral circuit.

d. Spray heads on the same lateral circuit shall be balanced for matched precipitation rates within 5 percent from the average for any different arcs of coverage or operating radii.

e. Separately controlled lateral systems shall be used when head or nozzle precipitation rate varies more than 15 percent from the average application in the area.

f. Specially designed adjustable nozzles shall be used for odd shaped areas, maintaining even application rates.

g. After plants are established, the irrigation system is to provide sufficient water to sustain plants in a healthy, growing condition.

11. Design Pressure

a. The system design pressure and the recorded static pressure or hydraulic gradeline information (with the recording date) shall be indicated on the plans.

b. When the pressure reading is less than 40 psi, more than five years old, or is not available, the pressure shall be calculated from the hydraulic gradient (contact individual Water District Engineers) and the site elevation. The calculated pressure, meter elevation and hydraulic gradient shall be indicated on the plans.

c. When the actual measured or calculated minimum pressure is above 40 psi, irrigation systems shall include compensating design or equipment modifications.

WHY ARE PARTS OF MY LAWN TURNING BROWN?

Typically these dry spots occur because overhead spray is not distributing water evenly.

1. **Place several small containers with straight sides around your lawn in even rows and on brown spots.**
2. **Run your irrigation system for 15 minutes.**
3. **Using a ruler, measure the amount of water in each container.**
4. **If there is a significant difference in the amount of water in each container, water is not being applied evenly.**
5. **Make sure that the spray isn't blocked by tall vegetation.**
6. **Change the rate and direction of spray by adjusting the screw on the top of the nozzle head.**
7. **Different heads have different application (precipitation) rates. Replace heads so that you have the same (or matched) precipitation rates through out the area.**

12. Pressure Constraints

a. Irrigation systems shall be designed to operate correctly at the lowest available operational pressure expected during the year and shall withstand water system surges.

b. Pressure loss within lateral piping circuits shall not exceed 20 percent of the designed operating pressure of the equipment on that circuit.

c. Pressure regulating devices shall be installed on any systems with a static inlet pressure at the point of connection greater than 80 psi unless specifically approved by the Director of Planning and Land Use. Pressure shall be regulated to a pressure adequate to operate the equipment at designed pressures with all incidental and line losses included. Where the pressure within the system exceeds 80 psi (due to elevation drops, etc.) a pressure reducing valve shall be used to reduce pressure to designed levels.

d. The irrigation system shall be designed to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.

e. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure regulating devices such as inline pressure regulators, booster pumps or other devices shall be installed to meet the required dynamic pressure of the irrigation system.

f. Static water pressure, dynamic or operating pressure and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.

13. Velocity Constraints

Irrigation system piping shall be sized such that velocities remain below 5 feet per second for metal piping and 6 feet per second for PVC piping.

14. Coverage

a. Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's specifications.

b. Head to head coverage is recommended. However, sprinkler spacing shall be set to achieve distribution uniformity using the manufacturer's specifications.

15. Equipment Protection

a. Any irrigation equipment located within 24 inches of pedestrian and vehicular use areas shall be located entirely below grade, including the use of pop-up type heads, or otherwise adequately protected from potential damage.

b. Pop-ups heads shall be installed with swing joints or other flexible assembly. Swing joints shall be installed in lines at all abrupt changes of grade.

c. Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to high traffic areas.

16. Broken or Malfunctioning Equipment

High flow sensors that detect and report high flow conditions created by system damage or malfunction are recommended.

17. Control Systems

a. Automatic control systems are required, and must be able to accommodate all aspects of the design, including multiple schedules, repeat cycles, and moisture sensing and rain sensing override devices. Control mechanisms for moisture-sensing systems shall be accommodated within the controller enclosure. All control circuits shall be designed to operate one valve at a time unless otherwise approved by the Director of Planning and Land Use.

Smart Controllers

DEEP ROOT SYSTEMS

- **Deep root systems use less water.**
- **Deep root systems require less frequent irrigation.**
- **Encourage deep rooting:**
  - **Water in 2 to 3 short cycles rather than one long cycle with at least 30 minutes delay between each short cycle.**
  - **Slowly increase the number of days between waterings until you irrigate only 1 or 2 days per week. If necessary, increase the number of short cycles.**
  - **In winter, irrigate only after the top 2 or 3 inches of soil dries out.**

b. Controller units shall be enclosed in secure, weather and vandal resistant, locking housings manufactured expressly for that purpose or located within a structure.

c. All irrigation systems shall be adjusted seasonally and as weather and plant conditions warrant. Scheduling tools may be found at: www.cimis.water.ca.gov.

d. All control systems shall include rain sensing override devices acceptable to the Director of Planning and Land Use and installed per manufacture's recommendations.

e. Irrigation systems must use self-adjusting, weather based automatic irrigation controllers.

18. Valves

a. Shutoff Valves: Globe or ball valves shall be provided at points of connection and loop or zone isolation points to divide the irrigation system into controllable units, and to avoid draining long runs of piping for system repairs. For manifold remote control valves, the globe or ball valve shall be equal to or larger than the size of the largest control valve in the manifold.

b. Remote Control Valves: Control valves shall be manifolded when the main line is greater than two inches in diameter and installed in individual valve boxes. Valves shall be of slow closing design, and automatically close in the event of power failure. Valves shall be sized to provide adequate pressure differential for proper operation.

c. Quick Coupling Valves/Hose Bibs: Quick coupler valves or hose bibs shall be spaced at 100 foot intervals, maximum, and as needed to logically service areas. Quick coupling valves located with valve manifolds shall be separate and up stream of the manifold shutoff valve.

d. Check valves or anti-drain valves are required for all irrigation systems.

19. Piping

All piping shall be as per the following charts:

Acceptable Pipe Materials

Location	Use	Material	Type	Notes
Below Grade	Pressure Mains	Copper	Type "L"	Any Size
		PVC	Class 315	≥ 2"
		PVC	Sch 40	< 1½"
		Red Brass	Sch 50	Threaded
	Lateral Lines	Copper	Type "L"	
		Galvanized Steel	Sch 40	Any Size
		Polyethylene	UV-Resistant	Drip Systems
		Flexible PVC	Algae Resistant	Drip Systems
		PVC	Class 315	½"
		PVC	Class 200	≥ ¾"
		PVC	Sch 40	Any Size
	Fittings	Cast Iron	Class 250	Threaded
		Copper	Type "L"	Drip Systems
		Galvanized Steel	Sch 40	Any Size
		Nylon or ABS	Specialty	Threaded
		PVC	Sch 40	Any Size
		Red Brass	Sch 40	Threaded

NOTE: When dissimilar metals are connected together, dielectric fittings are required.

Acceptable Pipe Materials

Location	Use	Material	Type	Notes
Above grade	Pressure Mains	Copper	Type "L"	Any Size
		Galvanized Steel	Sch 40	Threaded
		Red Brass	Sch 40	Threaded
	Lateral Lines	Copper	Type "L"	Any Size
		Galvanized Steel	Sch 40	Threaded
		Polyethylene	UV-Resistant	Drip Systems and Mulch Required
		Flexible PVC	Algae Resistant	Drip Systems and Mulch Required
		PVC	Sch 40	< 2"
		PVC	UVR-Sch 409	Any Size
	Fittings	Copper	Type "L"	Any Size
		Galvanized Steel	Sch 40	Threaded
		Molded Plastic	UV Resistant	Drip Systems
		PVC	Sch 40	W/Flex PVC pipe
		PVC	Sch 40	Any Size*
		PVC	UVR-Sch 40	Any Size
		Red Brass	Sch 40	Threaded

NOTE: When dissimilar metals are connected together, dielectric fittings are required.
*Temporary systems only.

20. Trench Widths

a. Trenches for irrigation pressure lines shall be excavated wide enough to allow a minimum of 8 inches between parallel pipe lines, and 8 inches from lines of other trades.

b. Lines shall not be installed parallel and directly over one another.

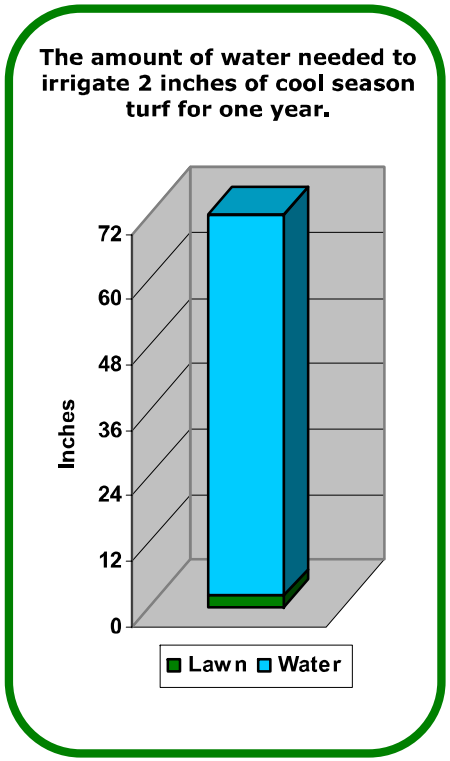
c. At least three inches of vertical clearance shall be maintained between crossing irrigation lines; and the minimum transverse angle shall be 45 degrees.

21. Trench Depths

The following trench depths shall be observed:

Trench Depths

Line Type	Location	Size	Depth (min.)
Pressure main	Within landscape	< 3" I.D.	18"
		≥ 3" I.D.	24"
		≥ 4" I.D.	30"
	Under vehicular paving	< 3" I.D.	30"
		< 3" I.D.	36"
		≥ 3" I.D.	36"
Non-pressure lateral	Within landscape	< 3" I.D.	12"
		≥ 3" I.D.	18"
	Under vehicular paving	< 3" I.D.	24"
		< 3" I.D.	30"
		≥ 3" I.D.	30"



22. Sleeving

a. All pipe and wire under vehicular paving shall be installed in PVC schedule 40 sleeves.

b. Sleeves shall be at least twice the diameter of the pipe or wire bundle to be enclosed, with a minimum two inch size.

c. Sleeving locations shall be marked at each end at the time of installation with a painted spot on the back face of the curb or other similar marking.

23. Backfill

a. Backfill material shall be clean and free of debris, large rocks, and objects with sharp edges.

b. Finish grade of all trenches must conform to adjacent grades without dips, sunken areas, humps or other irregularities.

24. On-Grade Irrigation Systems

a. Permanent on-grade systems may only be allowed for selective watering of native areas or areas with highly erosive or rocky soils where trenching would disturb or loosen unstable materials and requires approval of the Director of Planning and Land Use.

b. On-grade piping shall not be allowed adjacent to pedestrian traffic.

c. All on-grade lines shall be secured to slopes every ten feet or less. The ends of all laterals shall also be staked.

d. On-grade lateral piping is allowed for temporary systems and irrigation in revegetation areas.

25. Drip Irrigation Systems

a. All components shall be of non-corrosive materials.

b. Separate or multiple outlet emitters shall be of self-flushing, pressure compensating design.

c. The design of drip systems shall provide balanced water supplies to plant materials of different sizes irrigated with a common lateral line.

d. All drip systems shall be adequately filtered and regulated per the manufacture's recommended design parameters.

e. All systems shall be capable of flushing out accumulated particulate matter. Design shall provide a means for flushing with a minimum of erosion or disruption to the surrounding landscape. Water from flushing shall be accommodated back into the site, where feasible.

f. Emitters shall be protected from soil or root incursion and easily accessible. Metal studs may be required at underground emitters if necessary for easy location with a metal detector.

26. Special Irrigation Systems

Special systems shall be allowed at the discretion of the Director of Planning and Land Use.

F. Grading Design Plan

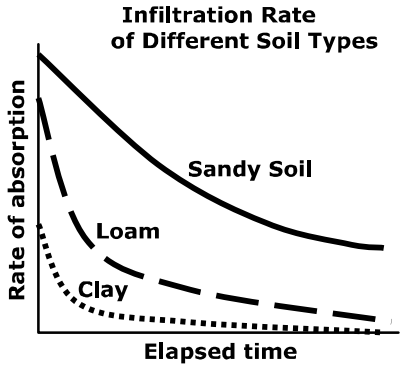
1. For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. Plans shall be signed by the project's licensed landscape professional.
2. Projects that require a grading permit and plans may submit a copy of these plans to satisfy the requirements of the Landscape Documentation Package as long as the required information is available on the plans.
3. The grading design plan should contain the following information:
   a. Finished configurations and elevations of the landscaped areas.
   b. Bottom and top of slope elevations.
   c. Drainage patterns.
   d. Finished grade and pad elevations.
   e. Stormwater retention improvements:

PLANTING HINTS

- **Plant in the fall when less water is required to establish the plants.**
- **Plant high water use plants in shady areas that are protected from the wind.**
- **For each irrigation zone, choose plants that need the same amount of water and sunlight.**
- **Use compost rather than fertilizer.**
- **Only use the minimum amount of fertilizer necessary.**
  - **Fertilizers result in higher water use.**
  - **Fertilizers encourage rapid growth which increases maintenance and green waste.**

A rain barrel captures roof and gutter runoff to irrigate landscape.

Photograph Courtesy of Arid Solutions, Inc.



- Where feasible storm water must be captured and retained on site to improve water use efficiency and water quality.
- Where feasible, rain water harvesting methods must be implemented.
- Water harvesting containers must be operated in a manner that excludes trash, insects (including mosquitoes), animals, and children.
- Where feasible, pervious hard surfaces shall be installed to harvest and cleanse rain water.

4. Projects that are not required to prepare grading plans for a grading permit shall provide sufficient information on the landscape plans to verify slope heights and drainage patterns. All applicable grading, drainage, and stormwater improvement information must be shown on the landscape design plan or by separate sheet.
5. Areas planned for vegetation should be protected from soil compaction activities.
6. Retain and protect native topsoil and vegetation where practical.
7. Stockpile and reuse good quality topsoil.

G. Soil Management Report

1. In order to reduce runoff and encourage healthy plant growth, a soil management report must be submitted.
2. The report must contain an analysis of the soil for the proposed landscaped areas of the project. The analysis should include information about the soil texture, soil infiltration rate, pH, total soluble salts, sodium and percent of organic matter.
3. The report should also contain recommendations about the type and amount of amendments necessary to sustain the vegetation proposed in the landscape design plan.

4. The information contained within the soils analysis report must be made available to the preparer of the required landscape and irrigation plans to make any necessary adjustments to the design relating to soil erosion, runoff, and plant establishment.
5. If movement of more than 5,000 cubic yards of soil is planned, the soil management report must be submitted as part of the Certificate of Completion. Otherwise the report must be submitted as part of the Landscape Documentation Package.

CLAY SOIL

- **Clay soil does not absorb water as quickly as loam or sandy soil.**
- **Clay soil can be amended to increase the infiltration rate.**
- **Clay soil should be irrigated using short watering cycles with enough time in between each cycle to allow the soil to absorb the water.**

SECTION 3
CERTIFICATE OF COMPLETION PACKAGE

A. Landscape Certificate of Completion

1. A Certificate of Completion is only required for those projects that submit a Landscape Documentation Package.
2. The applicant shall provide this information to the Director of Planning and Land Use within 10 days after installation of the landscaping and irrigation system.
3. An irrigation schedule and a maintenance schedule must also be submitted. In addition, a soil management report will also be required if one was not submitted as part of the Landscape Documentation Package. See Appendix D for the Certificate of Completion form and the required documentation to be submitted, verified, and approved prior to obtaining use of the property
4. The Certificate of Completion certifies that the landscaping and irrigation system have been installed in compliance with the approved Landscape Documentation Package and that the irrigation system functions as designed and approved.
5. The landscape architect, civil engineer or architect shall conduct periodic site visits during construction to ensure that the landscaping and

HOW QUICKLY DOES YOUR SOIL ABSORB WATER?

1. **Dig a hole 6 inches deep by 6 inches across.**
2. **Fill the hole with water and let it stand for one hour to saturate the soil.**
3. **Refill the hole with water. Measure depth of the water with a ruler.**
4. **Let stand one hour. Then measure depth of the water.**
5. **The difference in the water level between step 3 and step 4 is the amount of water absorbed by your soil in an hour.**

irrigation system are being installed per the approved Landscape Document Package and shall certify to such as part of the Certificate of Completion requirements. Preliminary inspection shall include, but not be limited to, mainline, lateral lines, control wires, communication wires, and sprinkler head layout.

6. An irrigation system evaluation must be conducted prior to submitting the Certificate of Completion. The evaluation must include a system test and inspection of the various components. The evaluation must indicate the efficiency of the controller and the overall system and must verify that the rain sensing override device functions properly.
7. The applicant shall submit two sets of the signed Landscape Certificate of Completion.

B. Irrigation Scheduling

An annual irrigation program with monthly or seasonal irrigation schedules shall be submitted with the Landscape Certificate of Completion and provide the following information:

1. A description of the automatic irrigation system that will be used for the project.
2. The time period when overhead irrigation will be scheduled and confirm that no overhead irrigation shall be used between 10:00 a.m. and 8:00 p.m.
3. The parameters used for setting the irrigation system controller for the following:
   a. The plant establishment period (monthly).
   b. The established landscape (seasonal).
   c. Temporarily irrigated areas (monthly).
   d. Different seasons during the year.

4. Each schedule for each station should consider all of the following that apply:
   a. Irrigation interval (days between irrigation).
   b. Irrigation run times (hours or minutes per irrigation event to avoid runoff).
   c. Number of cycle starts required for each irrigation event to avoid runoff.
   d. Amount of water scheduled to be applied on a monthly basis.
   e. Application rate setting, root depth setting, plant type setting, soil type, slope factor setting, shade factor setting, and irrigation efficiency setting.

C. Landscape and Irrigation Maintenance and Schedule

1. Landscapes shall be maintained by the property owner or the owner's designee to ensure water use efficiency and continuing compliance with the approved Landscape Documentation Package.
2. All required plantings shall be maintained in good growing condition and whenever necessary, shall be replaced with similar plant materials to ensure continued compliance with applicable landscaping, buffering, and screening requirements.
3. All landscaping and irrigation systems shall be properly maintained for the life of the permit and per the approved irrigation and maintenance schedules.
4. Broken or malfunctioning equipment and material shall be repaired or replaced immediately with equipment and material of the same type and operating characteristics as the original.
5. All irrigation systems shall be maintained in a fully operational condition. The irrigation system must function at a minimum average efficiency factor of 0.71.

Broken sprinkler heads can waste water at the rate of 10 gallons per minute.

HOW TO CHECK FOR LEAKS

- **Turn off all water (including ice makers).**
- **Record the reading on your water meter and mark the position of the needle.**
- **Wait 30 minutes to one hour and check the meter.**
- **If the needle has moved or the reading has changed, you have a leak.**

6. Plans shall include a statement indicating who is responsible for on-going maintenance, including runoff and overspray prevention, repairs of broken or malfunctioning irrigation equipment, replacement of dead, dying, or diseased vegetation, and continual compliance with the project's approved water calculations.
7. A regular maintenance schedule must be submitted as part of the Certificate of Completion and shall include, but not be limited to:
   a. Routine inspection of the irrigation system.
   b. Adjustments and repair of the irrigation system and its components.
   c. Aerating and dethatching turf areas.
   d. Replenishing mulch.
   e. Fertilizing of non-native vegetation.
   f. Pruning, weeding and removing any obstruction to emission devices.
   g. Brush management.
   h. Storm water management.

SECTION 4
DEFINITIONS

Automatic irrigation controller means an automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers schedule irrigation events using either evapotranspiration (weather-based) or soil moisture sensor data.

Cool season turf means a type of grass that grows during the cool months of the year. Examples include bluegrass and tall fescue.

Discretionary permit means any permit that requires a decision making body to exercise judgment prior to its approval, conditional approval or denial.

ET adjustment factor (ETAF) means a factor that when applied to reference evapotranspiration, adjusts for plant water requirements and irrigation efficiency, two major influences on the amount of water that is required for a healthy landscape.

Evapotranspiration rate means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time period.

Graywater means untreated household waste water which has not come into contact with toilet waste. Examples include used water from bathtubs, showers, bathroom wash basins, and water from clothes washing machines and laundry tubs. Graywater does not include waste water from kitchen sinks, dishwashers, or laundry water from soiled diapers.

Hardscape means any durable surface material, pervious or non-pervious.

Hazardous Fire Area means any geographic area mapped by the State or designated by a local jurisdiction as a moderate, high or very high fire hazard area or which the fire authority having jurisdiction has determined is a hazardous fire area, because the type and condition of vegetation, topography, weather and structure density increase the probability that the area will be susceptible to a wildfire. (See County Code Section 96.1.202)

Hydrozone means a portion of the landscape area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.

Invasive species means non-native vegetation that spreads outside cultivated areas and may damage environmental or economic resources.

Irrigation efficiency means the measurement of the amount of water beneficially used divided by the water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices.

Landscaped area means an area with outdoor plants, turf and other vegetation. A landscaped area includes a water feature either in an area with vegetation or that stands alone. A landscaped area may also include design features adjacent to an area with vegetation when allowed under the County Code of Regulatory Ordinances Section 86.714. A landscaped area does not include the footprint of a building, decks, patio, sidewalk, driveway, parking lot or other hardscape that does not meet the criteria of Section 86.714. A landscaped area also does not include an area without irrigation designated for non-development such as designated open space or area with existing native vegetation.

Low head drainage means a sprinkler head or other irrigation device that continues to emit water after the water to the zone in which the device is located has shut off.

Low volume irrigation means the application of irrigation water at low pressure through a system of tubing or lateral lines and low volume emitters such as drip lines or bubblers.

Maximum Applied Water Allowance (MAWA) means the maximum allowed annual water use for a specific landscaped area based on the square footage of the area, the ETAF and the reference ETo.

Mulch means an organic material such as leaves, bark, straw, compost or inorganic mineral materials such as rocks, gravel or decomposed granite left loose and applied to the soil surface to reduce evaporation, suppress weeds, moderate soil temperature or prevent soil erosion.

Overspray means the water from irrigation that is delivered outside an area targeted for the irrigation and makes contact with a surface not intended to be irrigated.

Pervious means any surface or material that allows the passage of water through the material and into underlying soil.

Plant factor means a factor, when multiplied by the ETo, that estimates the amount of water a plant needs.

Public water purveyor means a public utility, municipal water district, municipal irrigation district or municipality that delivers water to customers.

Recycled water means waste water that has been treated at the highest level required by the California Department of Health Services for water not intended for human consumption. "Tertiary treated recycled water" means water that has been through three levels of treatment including filtration and disinfection.

Reference evapotranspiration (ETo) means a standard measurement of environmental parameters which affect the water use of plants. ETo is given in inches per day, month, or year and is an estimate of the evapotranspiration of a large field of four-inch to seven-inch tall, cool season turf that is well watered. Reference evapotranspiration is used as the basis of determining the MAWA so that regional differences in climate can be accommodated.

Runoff means water that is not absorbed by the soil or landscape to which it is applied and flows from the landscaped area.

Special landscaped area means an area of the landscape dedicated to edible plants, an area irrigated with recycled water or an area dedicated to play such as a parks sports field or golf course where turf provides a playing surface.

Subsurface irrigation means an irrigation device with a delivery line and water emitters installed below the soil surface that slowly and frequently emit small amounts of water into the soil to irrigate plant roots.

Transitional area means a portion of a landscaped area that is adjacent to a natural or undisturbed area and is designed to ensure that the natural area remains unaffected by plantings and irrigation installed on the property.

Turf means a groundcover surface of grass that is classified in WUCOLS as a high water use plant.

Warm season turf means a type of grass that grows during the warmest months of the year. Examples include Bermuda grass, buffalo grass and St. Augustine grass.

Water feature means a design element where open water performs an aesthetic or recreational function. A water feature includes a pond, lake, waterfall, fountain, artificial streams, spa and swimming pool where a public water purveyor within the San Diego County Water Authority or the Borrego Water District provides water for the feature. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices are not water features.

WUCOLS means Water Use Classification of Landscape Species and refers to the most recent version of the Department of Water Resources publication authored by the University of California Cooperative Extension.

APPENDICES

APPENDIX A
REFERENCE EVAPOTRANSPIRATION (ETO) DATA

Reference Evapotranspiration (ETo) Table

County Classification	CIMIS Station/ Location	Annual ETo	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Coastal	Torrey Pines	46.4	1.8	2.2	3.4	4.5	5.3	5.7	5.9	5.6	4.5	3.4	2.4	1.8
Coastal	Oceanside	48.7	2.1	2.4	3.7	4.8	5.4	5.7	6.0	6.0	4.6	3.6	2.4	2.0
Coastal	Chula Vista*	44.2	2.2	2.7	3.4	3.8	4.9	4.7	5.5	4.9	4.5	3.4	2.4	2.0
Coastal Corridor	San Diego	46.5	2.1	2.4	3.4	4.6	5.1	5.3	5.7	5.6	4.3	3.6	2.4	2.0
Coastal Corridor	Miramar	46.4	1.8	2.2	3.4	4.5	5.3	5.7	5.9	5.6	4.5	3.4	2.4	1.8
Inland	Otay Lake	50.5	1.3	1.9	3.3	4.7	5.9	7.0	7.8	6.8	5.2	3.5	2.0	1.2
Inland	Santee*	51.1	2.1	2.7	3.7	4.5	5.5	6.1	6.6	6.2	5.4	3.8	2.6	2.0
Inland	Ramona	51.6	2.1	2.1	3.4	4.6	5.2	6.3	6.7	6.8	5.3	4.1	2.8	2.1
Mountain	Escondido	57.0	2.5	2.7	3.9	5.3	6.1	6.9	7.3	7.0	5.5	4.2	3.0	2.5
Mountain	Pine Valley*	54.8	1.5	2.4	3.8	5.1	6.0	7.0	7.8	7.3	6.0	4.0	2.2	1.7
Mountain	Warner Springs*	56.0	1.6	2.7	3.7	4.7	5.7	7.6	8.3	7.7	6.3	4.0	2.5	1.3
Desert	Borrego Springs	75.4	2.7	3.5	5.9	7.7	9.7	10.1	9.3	8.3	6.9	5.5	3.4	2.2

APPENDIX A
REFERENCE EVAPOTRANSPIRATION (ETo) DATA

With the exception of those locations identified with an asterisk (*), the values in the ETo table are based on the monthly average ETo data available on the California Irrigation Management Information System (CIMIS) website (http://www.cimis.water.ca.gov) as of January 6, 2010. Locations identified with an asterisk (*) are included in the State's Model Efficient Landscape Ordinance ETo Table (Appendix A) but do not have data available on the CIMIS site. For these locations, the ETo table uses the data contained in the State's ETo table.

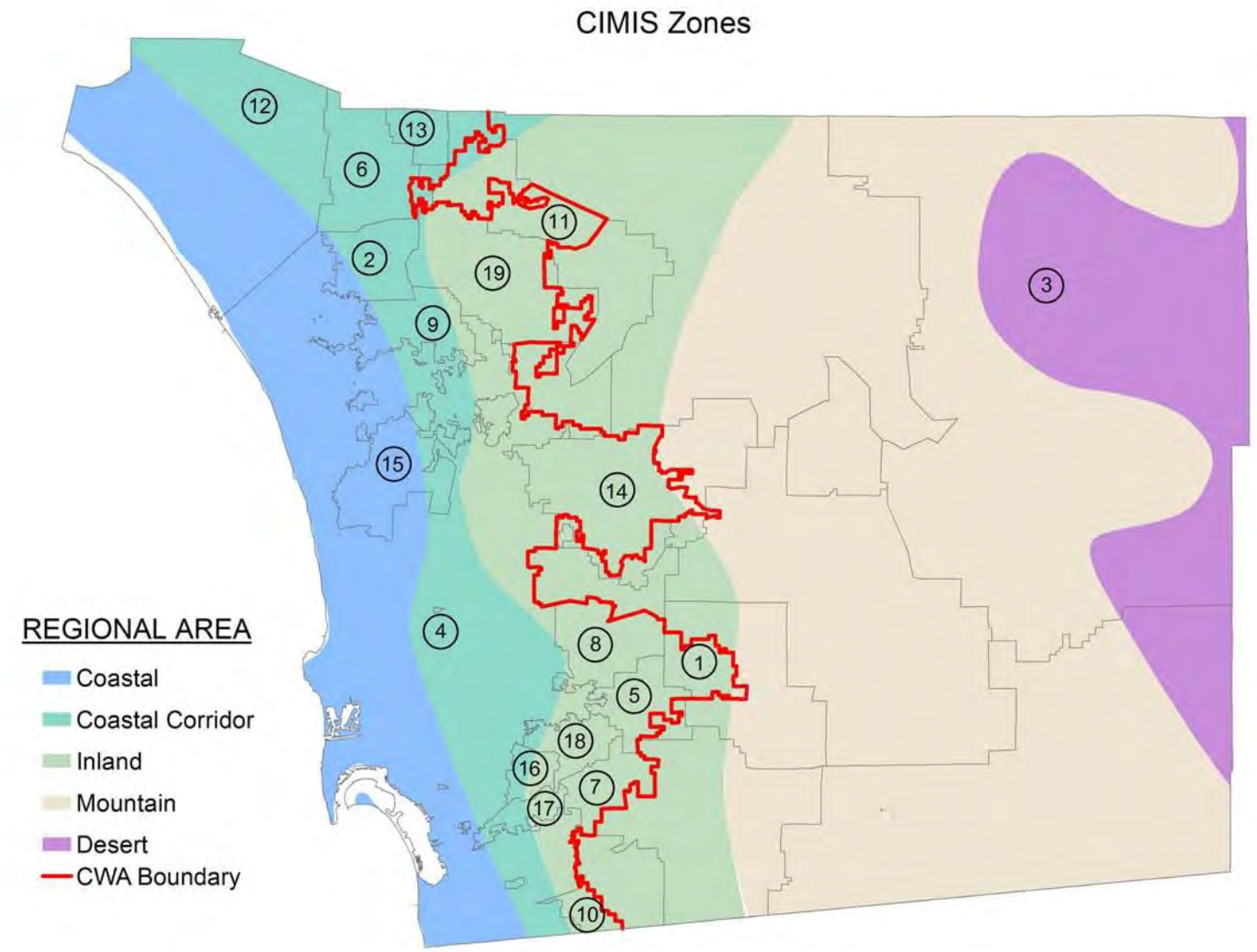
Monthly average ETo is a long-term average of monthly ETo. The time period over which the data is averaged varies from station to station depending on how long the station has been active. The minimum time requirement was five years. Stations with less than five years of data at the time of calculation (year 2000) were assigned regional averages.

County Classification Alternative

The following classifications have been assigned by the County to the various California Irrigation Management Information System (CIMIS) zones. (See the Reference Evapotranspiration (ETo) Table above and the CIMIS Zones map below). The average annual ETo for each classification is based on the average annual ETo of the CIMIS stations within the classification. For sites within geographical areas not included in the Reference Evapotranspiration (ETo) Table above, the average annual ETo from the table below may be used. This table has also been used to calculate the Maximum Applied Water Allowance for the Application for Residential Outdoor Water Use Compliance. (See Appendix B).

Classification	Average Annual ETo (inches per year)
Coastal	46.4
Coastal Corridor	46.4
Inland	51.1
Mountain	55.9
Desert	75.4

APPENDIX A
REFERENCE EVAPOTRANSPIRATION (ETO) DATA



APPENDIX A
REFERENCE EVAPOTRANSPIRATION (ETo) DATA

	Community Planning Area	County Classification	Average Annual ETo (inches per year)
1	Alpine	Inland	51.1
2	Bonsall	Coastal corridor	46.4
3	Borrego Springs	Desert	75.4
4	County Islands	Coastal corridor	46.4
5	Crest	Inland	51.1
6	Fallbrook	Coastal corridor	46.4
7	Jamul/Dulzura	Inland	51.1
8	Lakeside/Pepper Drive-Bostonia	Inland	51.1
9	North County Metro	Coastal corridor	46.4
10	Otay	Inland	51.1
11	Pala-Pauma	Inland	51.1
12	Pendleton/DeLuz	Coastal corridor	46.4
13	Rainbow	Coastal corridor	46.4
14	Ramona	Inland	51.1
15	San Dieguito	Coastal	46.4
16	Spring Valley	Inland	51.1
17	Sweetwater	Inland	51.1
18	Valle de Oro	Inland	51.1
19	Valley Center	Inland	51.1

NOTE: Only areas within the County Water Authority and the Borrego Water District are classified.

APPENDIX B

County of San Diego, Department of Planning and Land Use

APPLICATION FOR RESIDENTIAL OUTDOOR WATER USE COMPLIANCE

COUNTY LANDSCAPE ARCHITECT

This form must accompany the building permit application for construction of a single family primary residence with a proposed irrigated area of less than 5,000 square feet. If the irrigated area is 5,000 square feet or greater, please contact the Zoning Counter for more information at 858-565-5981.

Applicant Name:	Date:
Project Address:	Permit Application Number:
	APN:
Select type of water for irrigation: ☐ Potable *(Water district service)* ☐ Well ☐ Reclaimed	

1. Irrigable Landscaped Area Calculations in square feet:
   - **A.** Total lot size: **A.** _____ (sq. ft.)
   - **B.** Total impervious area after construction: **B.** _____ (sq. ft.)
   - **C.** Calculate maximum area available for landscaping: **A – B = C.** _____ (sq. ft.)
   - **D.** Actual proposed irrigated landscaped area: **D.** _____ (sq. ft.)

The actual proposed irrigated landscaped area, including water features such as pools, cannot exceed the total maximum area available for landscaping.

2. Check the water agency that will supply a water meter for the property:

☐ Borrego Water District	☐ Rincon Del Diablo Municipal District
☐ Fallbrook Public Utility District	☐ San Dieguito Water District
☐ Helix Water District	☐ Santa Fe Irrigation District
☐ Lakeside Water District	☐ Sweetwater Authority
☐ Olivenhain Water District	☐ Vallecitos Water District
☐ Otay Water District	☐ Valley Center Municipal Water District
☐ Padre Dam Municipal Water District	☐ Vista Irrigation District
☐ Rainbow Municipal Water District	☐ Yuima Municipal Water District
☐ Ramona Municipal Water District	☐ Not served by the above agencies

If you marked "Not served by the above agencies", STOP ***you do not need to complete this form.***

3. Select the regional area/community where the property is located:
   - ☐ Coastal: *San Dieguito*
   - ☐ Coastal Corridor: *Bonsall, County Islands, Fallbrook, North County Metro, Pendleton/De Luz, Rainbow*
   - ☐ Desert: *Borrego Springs*
   - ☐ Inland: *All other communities*

APPENDIX B

County of San Diego, Department of Planning and Land Use

APPLICATION FOR RESIDENTIAL OUTDOOR WATER USE COMPLIANCE

COUNTY LANDSCAPE ARCHITECT

Maximum Applied Water Allowance for Outdoor Use
(gallons per year)

REGIONAL AREA	SIZE OF LANDSCAPED AREA (SQUARE FEET)				
	0 – 999	*1,000 – 1,999*	*2,000 – 2,999*	*3,000 – 3,999*	*4,000 – 4,999*
Coastal	20,903	40,255	60,393	80,530	100,668
Coastal Corridor	20,903	40,255	60,393	80,530	100,668
Inland	22,155	44,333	66,510	88,687	110,865
Desert	32,691	65,414	98,138	130,862	163,585

Select the allowed water usage for the property from the table above and **CIRCLE IT.**

For more information on Maximum Applied Water Allowance (MAWA), please refer to the County's Water Conservation in Landscaping regulations* and the Water Efficient Landscape Design Manual*.

APPLICANT CERTIFICATION OF COMPLIANCE

I acknowledge that it is my responsibility to design, install and maintain this landscape project in accordance with the regulations and guidelines contained in the County's Water Conservation in Landscaping Ordinance* and the Water Efficient Landscape Design Manual*. I agree that the water used outdoors on this property shall not exceed the Maximum Applied Water Allowance authorized by the County as shown in this document. If after I install the landscaping and irrigation, the information I provided to the County in this certificate is not accurate, within 10 days after installation, I will contact the Department of Planning and Land Use (DPLU), Zoning Counter main phone line at (858) 565-5981 for further instructions. I certify under penalty of perjury under the laws of the State of California that the foregoing information is true and correct.

_____ _____

Signature of Property Owner or Agent *Date*

Original Form to County Landscape Architect **Copy to Applicant**

**The County of San Diego Water Conservation in Landscaping Ordinance and the Water Efficient Landscape Design Manual can be obtained from the cashier at the Department of Planning and Land Use, Building Division and are available online at the County's web site at:*

http://www.sdcounty.ca.gov/dplu/appforms/index.html

APPENDIX C

County of San Diego, Department of Planning and Land Use

WATER EFFICIENT LANDSCAPE WORKSHEET

COUNTY LANDSCAPE ARCHITECT

This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package. Please complete all section of the worksheet.

PROJECT INFORMATION

Project Name		
Name of Project Applicant	*Telephone No.*	
Title	*Fax No.*	
Company	*Email Address*	
Street Address		
City	*State*	*Zip Code*

APPENDIX C

County of San Diego, Department of Planning and Land Use

WATER EFFICIENT LANDSCAPE WORKSHEET

COUNTY LANDSCAPE ARCHITECT

SECTION A. HYDROZONE INFORMATION TABLE

Please complete the hydrozone table(s) for each irrigation point of connection. Use as many tables as necessary to provide information on the total landscaped area. Controller #, Hydrozone #, and Valve Circuit # should correspond to the landscape and irrigation system plans.

Irrigation Point of Connection (P.O.C.) #_____									
A	B	C	D	E	F	G	H	I	J
Controller #	Hydro zone #	Valve Circuit #	Irrigation Method (Code)	Plant Factor (average) (PF)	Hydro zone Area (HA) (sf)	% of Total Landscaped Area	PF x HA	IE	PF x HA / IE
				SLA				1.0	
				TOTAL		100%			

SLA = Special Landscaped Area

Hydrozone Category is based on the feature or plant within the hydrozone with the highest plant factor.

Hydrozone Category	PF – Plant Factor (average)
High Water Use	0.8
Moderate Water Use	0.5
Low Water Use	0.2
Special Landscaped Area	1.0

Artificial turf is considered Low Water Use.

Irrigation Method Code	IE – Irrigation Efficiency *
S = Spray	0.55
R = Rotor	0.70
D = Drip	0.80

* *Turf and Landscape Irrigation Best Management Practices,* April 2005, Water Management Committee of the Irrigation Association

APPENDIX C

County of San Diego, Department of Planning and Land Use

WATER EFFICIENT LANDSCAPE WORKSHEET

COUNTY LANDSCAPE ARCHITECT

SECTION B. WATER CALCULATIONS

SECTION B1. MAXIMUM APPLIED WATER ALLOWANCE (MAWA)

The project's Maximum Applied Water Allowance shall be calculated using this equation:

MAWA = (ETo)(0.62)[(0.7 x LA) + (0.3 x SLA)]

Where:

MAWA = Maximum Applied Water Allowance (gallons per year)

ETo = Reference Evapotranspiration Appendix A (inches per year)

0.7 = ET Adjustment Factor

LA = Landscaped Area including Special Landscape Area (square feet)

0.62 = Conversion factor (to gallons per square foot)

SLA = Portion of the landscaped area identified as Special Landscape Area (square feet)

0.3 = Additional ET adjustment Factor for Special Landscape Area (1.0 – 0.7 = 0.3)

Show values:

ETo = _____ in./yr.

LA = _____ sq. ft. (Total from Column F of Hydrozone Information Table)

SLA = _____ sq. ft.

Show calculation:

Maximum Applied Water Allowance = _____ gallons per year

APPENDIX C

SECTION B2. ESTIMATED TOTAL WATER USE (ETWU)

The project's Estimated Total Water Use is calculated using the following formula:

ETWU = (ETo)(0.62)(Total of Column J from the Hydrozone Information Table)

Where:
ETWU = Estimated total water use per year (gallons)
ETo = Reference Evapotranspiration (inches)

Show value: ETo = _____ in./yr.

Show calculation:

Estimated Total Water Use = _____ gallons per year.

_____ _____
Signature Date

APPENDIX D

County of San Diego, Department of Planning and Land Use

LANDSCAPE CERTIFICATE OF COMPLETION

COUNTY LANDSCAPE ARCHITECT

This certificate is filled out by the project applicant upon completion of the landscape project. Please complete all sections below.

SECTION A. PROJECT INFORMATION

Date		
Project Name		
Name of Project Applicant	*Telephone No.*	
	Fax No.	
Title	*Email Address*	
Company	*Street Address*	
City	*State*	*Zip Code*

Project Address and Location:

Street Address		*Parcel, tract or lot number, if available*
City		*Latitude/Longitude, if available*
State	*Zip Code*	

Property Owner:

Name	*Telephone No.*	
	Fax No.	
Title	*Email Address*	
Company	*Street Address*	
City	*State*	*Zip Code*

"I acknowledge that I have received copies of all documents within the Landscape Documentation Package and the Certificate of Completion and that it is my responsibility to maintain the landscaping and irrigation in accordance with the Schedule of Landscape and Irrigation Maintenance. I understand that I may be subject to fines or penalties if I fail to meet my responsibilities."

_____ _____

Property Owner Signature Date

Please answer the following questions:

1. Date on which the Landscape Documentation Package was submitted to the County. _____
2. Date on which the Landscape Documentation Package was approved by the County. _____

APPENDIX D

County of San Diego, Department of Planning and Land Use

LANDSCAPE CERTIFICATE OF COMPLETION

COUNTY LANDSCAPE ARCHITECT

3. Maximum Applied Water Allowance (MAWA) from approved Landscape Documentation Package. _____
4. Estimated Total Water Use from approved Landscape Documentation Package. _____

SECTION B. CERTIFICATION OF INSTALLATION ACCORDING TO THE LANDSCAPE DOCUMENTATION PACKAGE

"I certify under penalty of perjury under the laws of California that 1) the landscaping and irrigation project approved by the County of San Diego has been completed, 2) the landscaping and irrigation installation conforms to the criteria and specifications of the approved Landscape Documentation Package and 3) the irrigation system operates and performs as designed and approved."

*Signature**	*Date*	
Name (print)	*Telephone No.*	
	Fax No.	
Title	*Email Address*	
License No. or Certification No.		
Company	*Street Address*	
City	*State*	*Zip Code*

*Signer of the Landscape Documentation Package.

SECTION C. IRRIGATION SCHEDULING

Attach the irrigation schedule for each controller as required by County Code Section 86.723.

SECTION D. SCHEDULE OF LANDSCAPE AND IRRIGATION MAINTENANCE

Attach the schedule of landscape and irrigation maintenance as required by County Code Section 86.724.

SECTION E. SOIL MANAGEMENT REPORT

Attach soil analysis report as required by County Code Section 86.708 if not previously submitted with the Landscape Documentation Package.

Attach documentation verifying implementation of recommendations from soil analysis report.

Acceptance and approval of this Certificate of Completion by the County will serve as the Outdoor Water Use Authorization per Section 86.704 of the County Code.

APPENDIX E

County of San Diego, Department of Planning and Land Use

LANDSCAPE DOCUMENTATION PACKAGE CHECKLIST

COUNTY LANDSCAPE ARCHITECT

Application Processing

All applications for a Landscape Documentation Package must meet the following requirements. Incomplete applications will not be accepted; or if accepted, will be returned to the applicant.

First Check: The first plan check turn around time is 30 days from the date of submittal. Please return the corrected plans to the Zoning Counter with a copy of the plan check letter. Plans will not be accepted without this letter.

Second Check: The second plan check turn around time is 1 week after resubmittal.

Third Check: The third plan check turn around time is 1 week after resubmittal. NOTE: If the landscape plan is not acceptable after the third plan check, a new fee and application will be required in order to continue.

General Requirements

Initial

_____ DPLU Application Form 346, signed, including Assessor's Parcel Numbers

_____ Two Complete Sets of the Landscape Design Plan

_____ Two Complete Sets of the Irrigation Plan

_____ Two Complete Sets of the Water Efficient Landscape Worksheet

_____ Two copies of the Grading Design Plan

_____ Two copies of the Soil Management Report

_____ All required information and layouts have been provided as per the Water Efficient Landscape Design Manual.

_____ One Copy of the project's Storm Water Management Plans (SWMPs) with all vegetated Best Management Practice's (BMPs) highlighted. Note: SWMPs are required for all landscape plan submittals, including Model Home Landscape Plans. SWMPs must be copy of approved set or most recent version, updated and highlighted for landscape review.

_____ Submittal fees for review and approval of Landscape Plans per the County's Fee Schedule.

_____ Plans are standard 24" X 36" blueprint sheets. **Any other size is not acceptable.**

_____ Scale is 1" = 20' or smaller (such as: 1" = 10' or 1" = 5')

County of San Diego, Department of Planning and Land Use

LANDSCAPE DOCUMENTATION PACKAGE CHECKLIST

COUNTY LANDSCAPE ARCHITECT

Initial

_____ Plans are legible, professionally prepared and a print of an original drawing. Photocopies are not acceptable.

_____ Plans show plants and irrigation for all areas that require vegetated protection for erosion control, storm water management, or fuel management and for all areas that contain decorative landscaping.

_____ If plans are for a single-family residential landscape project for a homeowner and the plans are prepared by a California licensed landscape contractor, evidence of a signed contract with the property owner acknowledging that the contactor will also install the landscaping has been submitted.

_____ All sheets in the document set are signed, stamped, and dated along with a renewal date by the landscape professional licensed by the State of California (landscape architect, civil engineer, or architect) who has prepared the plans. A landscape contractor may also perform this requirement if the landscaping is for the homeowner of the single-family residential project.

_____ Compliance Statement shall be provided on the title sheet for each set of plans as follows:

"I am familiar with the requirements for landscape and irrigation plans contained in the County Landscape Water Conservation regulations, in Title 8, Division 6, Chapter 7. I have prepared this plan in compliance with those regulations. I certify that the plan implements those regulations to provide efficient use of water."

NOTE: NO PLANS WILL BE ACCEPTED WITHOUT THIS STATEMENT.

Landscape Design Plan

_____ Plan includes location, botanical name, common name, size and quantity of all retained plants.

_____ Plan includes location, botanical name, common name, size and quantity of all new plants.

_____ Soil amendment specifications and planting specifications

_____ Mulch applied to a depth of at least 2" to all areas of bare soil

_____ All buildings, property lines, paving, fencing, walls, and above ground utilities are shown.

APPENDIX E

County of San Diego, Department of Planning and Land Use

LANDSCAPE DOCUMENTATION PACKAGE CHECKLIST

COUNTY LANDSCAPE ARCHITECT

Initial

_____ A finish grading note such as: All landscape areas shall be finish graded to remove rocks and to ensure surface drainage away from buildings.

_____ Details, specifications, guarantees and necessary notes on all parking plans. Construction details of walls, fencing, lighting and paving for clarity of intent may be required.

_____ All required street trees are planted outside of the public right-of-way on private property. If tree planting is proposed within the public right-of-way, a copy of an encroachment permit issued by the Department of Public Works has been included with this submittal.

_____ All required screening (parking lots, trash enclosures, etc.) is shown on plans. Plants spaced and sized to insure 100% screening within two growing seasons.

_____ Root barrier is provided for all trees within 5 feet of hardscape.

_____ Landscape improvements, including, but not limited to, plants, berms, walls (decorative or retaining), signs, and structures have been selected and positioned so as to avoid obstructing views of motorists near intersections or aisles, drives, and pedestrian walkways. Tree's have been selected (and shall be maintained) such that, at mature size, scaffold branches will be a minimum of 60 inches above the finished grade.

_____ A note on the plans indicates who is responsible for maintaining the landscape, including the public right-of-way, in a healthy, disease free condition.

_____ Plantings adjacent to open space lots do not contain any non-native, invasive plants.

_____ Erosion control planting is provided for all slopes over 3 feet in vertical height and additional planting (as per Section 87.417 of the Grading Ordinance) is provided for slopes over 15 feet in vertical height.

_____ All vegetated BMPs, as per the approved Storm Water Management Plans, are shown on landscape plans as required by Section 67.804 (g) of the Watershed Protection, Storm Water Management, and Discharge Control Ordinance.

APPENDIX E

County of San Diego, Department of Planning and Land Use

LANDSCAPE DOCUMENTATION PACKAGE CHECKLIST

COUNTY LANDSCAPE ARCHITECT

Irrigation Plan

Initial

_____ Water meter location, size and available pressure are shown.

_____ Point of connection and backflow prevention are shown on the irrigation plans. Include make and model number of backflow prevention device.

_____ The irrigation legend provides a complete description of all the irrigation equipment.

_____ Location, size, and type of valves and sprinklers (give make and model number in an irrigation legend).

_____ Location, depth, size and type of pressure and lateral lines. Use of sleeves for pipes under driveways and paved surfaces.

_____ All piping is sized, including sleeve pipe.

_____ The system design pressure and the recorded static pressure or hydraulic gradeline information (with recording date) is indicated on the plans.

_____ An automatic controller with a rain sensing override device is shown both graphically and described in the legend.

_____ Details such as water filters and pressure regulators on any drip irrigation systems.

_____ Irrigation layout is consistent with the Water Efficient Landscape Design Manual.

_____ Avoid sprinkler risers in corner, along walls and parking areas. No overhead irrigation within 24" of an impermeable surface or in areas less than 8' wide in any direction.

_____ Check valves/anti-drain valves shown on slopes where needed.

_____ Temporary, on-grade irrigation is shown for areas planted solely with native vegetation. Temporary irrigation is required to help establish native vegetation and then shall be removed (typically two to three years after initial planting).

County of San Diego, Department of Planning and Land Use

LANDSCAPE DOCUMENTATION PACKAGE CHECKLIST

COUNTY LANDSCAPE ARCHITECT

Initial

_____ An overspray note such as: "Field adjust all sprinklers to eliminate overspray onto sidewalks or driveways."

_____ Details/specifications and guarantees on all irrigation plans.

Reclaimed Water: For Projects Using Reclaimed Water or Projects Where Reclaimed Water Will Be Available in the Future

_____ The local water district has confirmed that reclaimed water is available and plans have been submitted and approved by the Department of Environmental Health prior to submittal to the Department of Planning and Land Use. Irrigation plans have the required RW# posted as required by DEH.
RW#_____

_____ The local water district has confirmed that reclaimed water will be available in the future, or is currently available, and the submitted plans provide for a dual distribution system for all landscaped areas (dual distribution is required if potable water is used for areas where food is served or consumed).

Water Efficient Landscape Worksheet

_____ Hydrozone Information Table is complete and accurately conforms to the landscape design plan, irrigation plan and County regulatory requirements.

_____ Calculations of estimated total water use and maximum applied water allowance (water budget).

_____ CONFIRM THAT ESTIMATED TOTAL WATER USE DOES NOT EXCEED THE MAXIMUM APPLIED WATER ALLOWANCE.

Grading Design Plan

_____ Demonstrate the elimination or minimization of soil erosion, runoff and water waste resulting from precipitation or irrigation.

_____ Finished configuration and elevations of each landscaped area shown.

_____ Height of graded slopes shown.

_____ Drainage pattern shown.

_____ Pad elevations shown.

APPENDIX E

County of San Diego, Department of Planning and Land Use

LANDSCAPE DOCUMENTATION PACKAGE CHECKLIST

COUNTY LANDSCAPE ARCHITECT

Initial

_____ Finish grade shown.

_____ Any stormwater retention improvements shown.

Grading permit in lieu of grading design plan. If the project requires a grading permit and a plan, that grading plan may be used in lieu of a grading design plan provided it meets all of the grading design plan requirements listed above and the additional requirements of the Grading Ordinance listed below.

_____ All planting shown as required by Section 87.417 of the Grading Ordinance.

_____ All irrigation shown as required by Section 87.418 of the Grading Ordinance.

_____ Certification statement, as required by Section 87.401.a.2 (cuts) and 87.406.a (fills) for all slopes steeper than 2:1.

_____ Compliance Statement - per the Department of Public Works (DPW) – is provided on all sheets in document set prepared by, or under the direct supervision of, the California licensed landscape professional of record.

The required signed and dated compliance statements are as follows:

"I, _____, certify that the Landscape and Irrigation Plan as shown hereon per this grading plan L- _____ satisfy the grading ordinance requirements as stated per section 87.417 (planting) and section 87.418 (irrigation)."

Prior to the approval of the record plan, the licensed landscape professional of record shall certify that the landscape and irrigation has been constructed per the approved landscape and irrigation as is shown hereon.

Soil Management Report

If the project requires mass grading, the soil management report should be submitted with the Certificate of Completion. Otherwise it must be submitted as part of the Landscape Documentation Package.

_____ Soil analysis of the landscaped areas with information on the soil texture, soil infiltration rate, pH, total soluble salts, sodium, and percent of organic matter.

_____ Recommendations for improving the soil to efficiently utilize irrigation to sustain the health of landscape plantings.

APPENDIX E

County of San Diego, Department of Planning and Land Use

LANDSCAPE DOCUMENTATION PACKAGE CHECKLIST

COUNTY LANDSCAPE ARCHITECT

NOTE: For all building permit applications not requiring a discretionary review (per the zoning of the property), landscape plans shall be submitted to the Department of Planning and Land Use, when there is 5,000 square feet or more of single-family residential landscaped area or 1,000 square feet or more of any other type of landscaped area. All submittal requirements, certification of landscape plan compliance, reclaimed water, and off-street parking standards mentioned above are applicable and shall be addressed and initialed by the California licensed landscape professional of record upon submittal.

NOTE: All built structures proposed with the approval of these landscape plans shall require the applicant to obtain necessary building permit's to comply with the most current version of the County's Building, Electrical, Fire, and Plumbing Codes.

NOTE: When a Fire District requires District review and approval, the applicant shall first submit landscape plans for review to the Department of Planning and Land Use (DPLU). If plans require corrections, the applicant will be issued a comment letter outlining necessary revisions. At this time, the applicant shall make the corrections and then submit those 'revised' plans to the local Fire District for their review. Once the landscape plans have been approved by the Fire District, resubmit two sets of plans to the Department of Planning and Land Use (with the Fire District's approval stamp and signatures on plans). At this stage the plans should be ready for approval and there should be no further iteration submittals. The DPLU will review to assure corrections have been made and will then stamp the plans approved. The approved plans (two sets) will have both the DPLU and Fire District's approval stamp on the title sheet. If the plans are ready for approval after the first submittal, the DPLU will require the applicant to pick up the plans and proceed with the Fire District review as mentioned above. All other submittal procedures shall remain the same.

NOTE: Per Sections 86.720 and 86.722 of the San Diego County Code, the landscape professional who prepared the Landscape Documentation Package is required to submit (to the County Landscape Architect), prior to the issuance of a certificate of occupancy, or notice of completion, whichever is applicable, a Certificate of Completion acknowledging that the landscape improvements have been installed per the approved landscape plans. Periodic inspections may be conducted by the Department to verify conformance and corrections may be required if needed.

For additional information, please contact:

David Kahler
County Landscape Architect, RLA 3945
Department of Planning and Land Use
(858) 694-3040
(858) 694-3373 (fax)
David.Kahler@sdcounty.ca.gov

APPENDIX E

County of San Diego, Department of Planning and Land Use

LANDSCAPE DOCUMENTATION PACKAGE CHECKLIST

COUNTY LANDSCAPE ARCHITECT

As a landscape professional licensed by the State of California, I hereby acknowledge that the preceding items initialed by me are provided on the attached landscape plans. I understand that the Department of Planning and Land Use may verify compliance.

Signature	Date
Name	Phone No.
License No.	Renewal Date

SUMMARY OF LANDSCAPE APPROVAL PROCESS

SINGLE-FAMILY LANDSCAPES 5,000 SQUARE FEET OR MORE

- Submit LDP and receive approval
- Receive Building Permit
- Install landscaping & irrigation
- Submit Certificate of Completion Package and receive approval
- Receive Outdoor Water Use Authorization and final inspection approval for occupancy

SINGLE-FAMILY RESIDENTIAL SUBDIVISIONS WITH DEVELOPER-INSTALLED LANDSCAPING

- Submit LDP and receive approval
- Receive Building Permit for lot
- Install landscaping & irrigation per LDP
- Submit Certificate of Completion Package and receive approval
- For each partially landscaped lot, receive Outdoor Water Use Authorization for up to 4,999 square feet of landscaped area
- Agree to notify each buyer of conditions and responsibilities under the Authorization and receive approval for occupancy

LANDSCAPES FOR COMMERCIAL, INDUSTRIAL, CIVIC, MULTIFAMILY AND COMMON AREA FOR SINGLE FAMILY OVER 1,000 SQUARE FEET

- Submit Concept Plan as part of discretionary permit approval process
- Receive discretionary permit approval
- Submit Landscape Documentation Package and receive approval
- Receive Building Permit
- Install landscaping and irrigation
- Submit Certificate of Completion Package and receive approval
- Receive Outdoor Water Use Authorization and final inspection approval for occupancy

APPENDIX F

County of San Diego, Department of Planning and Land Use

LANDSCAPE CERTIFICATE OF COMPLETION CHECKLIST

COUNTY LANDSCAPE ARCHITECT

The Landscape Certificate of Completion must be submitted to the County Landscape Architect and approved before the project site can receive approval for occupancy.

Initial

General Requirements

_____ Two copies of the completed and signed Landscape Certificate of Completion form

_____ Two copies of the Irrigation Schedule

_____ Two copies of the Landscape and Irrigation Maintenance schedule

_____ Two copies of the Soil Management Report, if not previously submitted

Landscape Certificate of Completion

_____ Completed and signed form certifying that the installed landscaping and irrigation system conform to the approved plans and the requirements of the County's Water Conservation in Landscaping Ordinance.

_____ Signed acknowledgment by property owner of ongoing responsibility to maintain the landscape and irrigation system in compliance with approved plans.

Irrigation Schedule

_____ Description of irrigation system and name of responsible party.

_____ Schedule of irrigation events and parameters used for setting the system controller per Section 86.723. No overhead irrigation allowed between 10:00 a.m. and 8:00 p.m.

_____ Irrigation schedules for plant establishment period, established landscaping, temporarily irrigated areas, and different seasons during the year.

Landscape and Irrigation Maintenance Schedule

_____ Maintenance schedule is designed to ensure continuing compliance with the maximum applied water allowance authorized by the County.

_____ Schedule of irrigation system inspection and repair and name of responsible party.

_____ Schedule of landscape maintenance including pruning, feeding, weeding and mowing as well as removal of dead and dying plants. Name of responsible party.

_____ Schedule to replenish mulch.

APPENDIX F

County of San Diego, Department of Planning and Land Use

LANDSCAPE CERTIFICATE OF COMPLETION CHECKLIST

COUNTY LANDSCAPE ARCHITECT

Initial

_____ Schedule of inspection and eradication of invasive species in transitional areas.

_____ Instructions to replace broken irrigation components with the same or equivalent parts and to maintain an average irrigation efficiency factor of at least 0.71.

_____ Instructions to replace a removed plant with a plant that is classified within the same hydrozone.

Soil Management Report

_____ Was a grading permit required for the project? (If not, skip this section.)

_____ Soil analysis of the landscaped areas with information on the soil texture, soil infiltration rate, pH, total soluble salts, sodium, and percent of organic matter.

_____ Recommendations for improving the soil to efficiently utilize irrigation to sustain the health of landscape plantings.

Random audits may be conducted by the County to verify conformance, and corrections may be required if needed.

As a landscape professional licensed by the State of California, I hereby acknowledge that the preceding items initialed by me are being provided to the County. Upon approval, I will provide copies to the property owner. I understand that the County may verify compliance.

_____ _____

Signature Date

_____ _____

Name Phone No.

_____ _____

License No. Renewal Date

For additional information, please contact:

David Kahler
County Landscape Architect, RLA 3945
Department of Planning and Land Use
(858) 694-3040
(858) 694-3373 (fax)
David.Kahler@sdcounty.ca.gov

APPENDIX G
LOW WATER USE, IGNITION RESISTIVE PLANTS

Courtesy of Dixie Switzer

The intent of this list is to provide examples of plants that are less prone to ignite or spread flames to other vegetation during a fire and that can naturalize or survive without irrigation after growth has been established. This list indicates those plants that are considered native to California. It also excludes non-native invasive species that easily spread into natural, non-irrigated areas.

No plant is totally fire resistant. The plants listed have been chosen because they contain minimal amounts of flammable resins and have a low fuel volume. All plants on this list are considered to be drought-tolerant.

When first planting drought-tolerant plants, it is necessary to water deeply to encourage the plant roots to seek natural moisture in the soil. During this establishment period, many plants will require more water in summer than in winter but be careful not to overwater. Even in summer some natives will die if watered too much. Over a three year establishment period, these plants should be weaned off supplemental irrigation. Once established, these plants can grow and reproduce with only natural moisture such as rainfall. Occasional irrigation is necessary only in extreme drought conditions.

APPENDIX G
LOW WATER USE, IGNITION RESISTIVE PLANTS

LEGEND

* Native plant as identified in the Native Plant list published by the San Diego Chapter of the California Native Plant Society or the California Native Plant Link Exchange for San Diego County www.cnplx.info.

TYPE: A = Annual
C = Succulent
G = Groundcover
P = Perennial
S = Shrub
T = Tree

The following references were used to avoid any listing of invasive plants:

Los Angeles Regional Guide to Invasive Plants http://weedwatch.lasgrwc.org/Matrix_Master_20071022.pdf.

California Invasive Plant Council Inventory of California Invasive Plants http://www.cal-ipc.org/ip/inventory/index.php.

American Society of Landscape Architects, San Diego Chapter: Invasive Ornamental Plant Guide http://www.asla-sandiego.org/Download/PG_08_mod.pdf.

APPENDIX G
LOW WATER USE, IGNITION RESISTIVE PLANTS

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Yarrow

Used with permission of www.laspilitas.com

California Buckeye

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Desert Century

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Shaw's Century

BOTANICAL NAME	COMMON NAME	TYPE
Achillea Tomentosa*	Wooly Yarrow	G
Aesculus californica*	California Buckeye	T/S
Agave		
americana	Century Plant	C
deserti*	Desert Century Plant	C
shawii*	Shaw's Century Plant	C
Aloe arborescens	Tree Aloe	C
Alyogyne huegelii	Blue Hibiscus	S
Antigonon leptopus*	San Miguel Coral Vine	V
Arbutus unedo	Strawberry Tree	T
Baccharis glutinosa*	Mule Fat	S
Brachychiton populneus	Bottle Tree	T
Caesalpinia gilliesii	Bird of Paradise Bush	S
Calliandra californica*	Baja Fairy Duster	S
Cassia artemisioides	Feathey Senna	S
Ceanothus spp.*	California Lilac	S/G
Ceratonia siliqua	Carob	T
Cercidium floridum	Blue Palo Verde	T
Cercis occidentalis*	Western Redbud	T/S

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Mule Fat

Used with permission of www.laspilitas.com

California Mountain Lilac (Ceanothus)

Used with permission of www.laspilitas.com

Western Redbud

APPENDIX G
LOW WATER USE, IGNITION RESISTIVE PLANTS

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Summer Holly

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Coast Sunflower

Used with permission of www.laspilitas.com

Giant Coreopsis

BOTANICAL NAME	COMMON NAME	TYPE
Comarostaphylis diversifolia*	Summer Holly	S
Convolvulus cneorum	Bush Morning Glory	S
Coreopsis		
gigantea*	Giant Coreopsis	P
maritima*	Sea Dahlia	P
verticillata	Coreopsis	P
Dalea		
orcuttii	Orcutt's Delea	S
spinosa	Smoke Tree	S
Delosperma alba	White Trailing Ice Plant	G
Dudleya		
brittonii*	Britton's Chalk Dudleya	G
pulverulenta*	Chalk Dudleya	G
virens*	Island Live-Forever	G
Elaeagnus pungens	Silverberry	S
Encelia		
californica*	Coast Sunflower	P
farinosa*	White Brittlebush	P
Eriophyllum confertiflorum*	Golden Yarrow	S
Erythrina caffra	Kaffirboom Coral Tree	T

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Sea Dahlia

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Chalk Dudleya

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White Brittlebush

APPENDIX G
LOW WATER USE, IGNITION RESISTIVE PLANTS

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Golden Yarrow

Used with permission of www.laspilitas.com

California Poppy

Used with permission of www.laspilitas.com

Island Bush-Snapdragon

BOTANICAL NAME	COMMON NAME	TYPE
Eschscholzia californica*	California Poppy	G/A
Ferocactus viridescens*	Coast Barrel Cactus	C
Fouquieria splendens*	Ocotillo	C
Galvezia		
Juncea*	Baja Bush-Snapdragon	S
speciosa*	Island Bush-Snapdragon	S
Garrya flavescens*	Ashy Silktassel	S
Grevillea spp.	Grevillea	T/S/G
Helianthemum spp.*	Sunrose	G
Hesperaloe parviflora	Red Yucca	C
Heteromeles arbutifolia*	Toyon	S
Iva hayesiana*	Poverty Weed	P
Juglans		
californica*	California Walnut	T
hindsii	California Black Walnut	T
Keckiella cordifolia*	Heart-Leaved Penstemon	V
Kniphofia uvaria	Red-Hot Poker	P
Lampranthus aurantiacus	Ice Plant	G
Lantana spp.	Lantana	S/G

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Ashy Silktassel

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Sunrose

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Toyon

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Poverty Weed

APPENDIX G
LOW WATER USE, IGNITION RESISTIVE PLANTS

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California Walnut

Used with permission of www.laspilitas.com

Heart-Leaved Penstemon

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Chaparral Honeysuckle

BOTANICAL NAME	COMMON NAME	TYPE
Lasthenia californica*	Common Goldfields	G
Laurus nobilis	Sweet Bay	T/S
Lavandula spp.	Lavender	P
Leucophyllum frutescens	Texas Ranger	S
Lonicera subspicata*	Chaparral Honeysuckle	V
Lotus scoparius*	Deerweed	S
Lupinus spp.	Lupine	G/A
Lyonothamnus floribundus spp.		
asplenifolius*	Fernleaf Catalina Ironwood	T
Malacothamnus fasciculatus*	Mesa Bushmallow	S
Nolina		
parryi*	Parry's Nolina	C
parryi spp. Wolfii*	Wolf's Bear Grass	C
Penstemon spp. (wild)*	Penstemon wild	P
Pittosporum phillyraeoides	Willow Pittosporum	T
Portulacaria afra	Elephant's Food	T/S
Prunus		
ilicifolia*	Hollyleaf Cherry	T/S
lyonii	Catalina Cherry	T/S

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Deerweed

Used with permission of www.laspilitas.com

Fernleaf Catalina

Used with permission of www.laspilitas.com

Mesa Bushmallow

APPENDIX G
LOW WATER USE, IGNITION RESISTIVE PLANTS

Used with permission of www.laspilitas.com

Wild Penstemon

Used with permission of www.laspilitas.com

Hollyleaf Cherry

Courtesy of Dixie Switzer

Coast Live Oak

BOTANICAL NAME	COMMON NAME	TYPE
Quercus		
agrifolia*	Coast Live Oak	T
dumosa*	Scrub Oak	S
engelmannii*	Engelmann Oak	T
suber	Cork Oak	T
Rhamnus californica*	Coffeeberry	S
Robinia Ambigua 'Purple Robe'	Purple Robe Locust	T
Romneya coulteri*	Matilija Poppy	S
Rosa		
californica*	California Wild Rose	S
minutifolia*	Baja California Wild Rose	S
Sambucus spp.	Elderberry	S
Santolina		
chamaecyparissus	Lavender Cotton	P
virens	Santolina	P
Sedum spp.	Stonecrops	C
Senecio cineraria	Dusty Miller	P
Sisyrinchium bellum*	Blue-Eyed Grass	P
Symphoricarpos mollis*	Creeping Snowberry	S

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Engelmann Oak

Used with permission of www.laspilitas.com

Coffeeberry

Used with permission of www.laspilitas.com

Matilija Poppy

APPENDIX G
LOW WATER USE, IGNITION RESISTIVE PLANTS

Used with permission of www.laspilitas.com

California Wild

Used with permission of www.laspilitas.com

Blue-Eyed Grass

Used with permission of www.laspilitas.com

Creeping Snowberry

BOTANICAL NAME	COMMON NAME	TYPE
Tagetes lemmonii	Copper Canyon Daisy	P
Teucrium fruticans	Bush Germander	S
Ulmus pumila	Siberian Elm	T
Verbena lilacina*	Lilac Verbena	P
Viguiera laciniata*	San Diego Sunflower	G
Westringia fruticosa	Coast Rosemary	S
Yucca		
schidigera*	Mojave Yucca	C
whipplei*	Foothill Yucca	C
Zauschneria		
californica	California Fuschia	P
cana	Hoary California Fuschia	P
'Catalina'	Catalina Fuschia	P

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San Diego Sunflower

Used with permission of www.laspilitas.com

Mojave Yucca

Used with permission of www.laspilitas.com

Foothill Yucca

Please note: The above list is not intended as a comprehensive compilation of all plants that meets the criteria of low water use, ignition resistive, and non-invasive. It only suggests some plants that meet the criteria.

APPENDIX H
UNDESIRABLE PLANTS

The following vegetation is more susceptible to burning due to rough or peeling bark, production of large amounts of litter, vegetation that contains oils, resin, wax or pitch, large amounts of dead material in the plant, or plantings with a high dead to live fuel ratio. To reduce the possibility of fire spreading to structures, these plants should be avoided within the first 50 feet adjacent to a structure.

- ⇒ Eucalyptus
- ⇒ Pines
- ⇒ Rosemary
- ⇒ Larger California sagebrush
- ⇒ Chamise
- ⇒ Tea trees
- ⇒ Pepper trees
- ⇒ Acacias
- ⇒ Junipers
- ⇒ Pampas grass
- ⇒ Palms

If the owner wishes to retain these plants, they must be adequately maintained (pruning, thinning, irrigation, litter removal and weeding) to reduce the potential for spreading a fire.

APPENDIX I
INVASIVE SPECIES

BOTANICAL NAME	COMMON NAME
Acacia baileyana	Bailey Acacia
Acacia cyclops	Coastal Wattle
Acacia dealbata	Silver Wattle
Acacia longifolia (A. latifolia)	Golden Wattle
Ailanthus altissima	Tree of Heaven
Anthemis cotula	Mayweed
Aptenia cordifolia	Red Apple Iceplant
Arctotheca calendula	Cape Weed
Arundo donax	Giant Cane
Asparagas asparagoides	Bridal Creeper
Asparagus densiflorus & all varieties	Asparagus Fern
Asparagus setaceus	Fern Asparagus
Asphodelus fistulosa	Onionweed
Atriplex semibaccata	Australian Saltbush
Brassica nigra	Black Mustard
Brassica rapa	Field Mustard
Brassica tournefortii	Asian Mustard, Sahara Mustard

BOTANICAL NAME	COMMON NAME
Callistemon viminalis	Weeping Bottlebrush
Carpobrotus chilensis	Sea Fig, Highway Ice Plant
Carpobrotus edulis	Ice Plant
Centaurea solstitialis	Yellow Starthistle
Centranthus ruber	Red Valerian, Jupiter's Beard
Chrysanthemum coronarium	Garland or Crown Daisy
*Cirsium vulgare**	Wild Artichoke
Conium maculatum	Poison Hemlock
Cortaderia jubata & all varieties	Jubata Grass & all varieties
Cortaderia selloana & all varieties	Pampas Grass & all varieties
Cotoneaster lacteus	Cotoneaster
Cotoneaster pannosus	Silverleaf Cotoneaster
Crassula ovata (C. argentea)	Jade Plant
Cupaniopsis anacardioides	Carrot Wood
*Cynara cardunculus**	Artichoke Thistle
Cyperus involucratus (C. alternifolius)	African Umbrella Plant
Echium candicans (E. fastuosum)	Pride of Madeira

APPENDIX I
INVASIVE SPECIES

BOTANICAL NAME	COMMON NAME
Ehrharta longiflora	Long-flowered/Annual Veldt Grass
Eucalyptus camaldulensis (E. rostrata)	Red Gum, River Red Gum
Eucalyptus globulus	Eucalyptus Blue Gum
Ficus carica	Edible Fig
Foeniculum vulgare	Sweet Fennel, Wild Fennel
Fraxinus uhdei	Evergreen/Shamel/ Mexican/Tropical Ash
Gazania linearis (Gazania longiscapa)	Gazania, Gazania Daisy, Colorado Gold
Genista monspessulana	French Broom
Hedera canariensis	Algerian Ivy
Hedera helix	English Ivy
Hypericum canariense	Canary Island Hypericum
Hypericum perforatum	St. John's Wort
Ipomoea purpurea	Common Morning Glory
Iris pseudacorus	Yellow Iris

BOTANICAL NAME	COMMON NAME
Koelreuteria paniculata	Goldenrain Tree
*Lactuca serriola**	Prickly Lettuce
Lepidium latifolium	Perennial Pepperweed
Limonium perezii	Perez's Marsh-rosemary, Sea Lavender
Limonium ramosissimum	Algerian Sea Lavender
Limonium sinuatum	Wavy Leaf Sea Lavender, Statice
Lobularia maritima	Sweet Allyssum
Lonicera japonica & all varieties	Japanese Honeysuckle & all varieties
Lotus corniculatus	Birdfoot Trefoil
Ludwigia hexapetala (L. uruguayensis)	Uruguay Marsh-Purslane, Water Primrose
Lythrum salicaria	Purple Loosestrife
Malephora crocea	Red-flowered Ice Plant, Croceum Ice Plant
Melinus repens (Rhynchelytrum repens)	Natal Grass, Natal Ruby Grass, Red Top
Mentha pulegium	Pennyroyal

APPENDIX I
INVASIVE SPECIES

BOTANICAL NAME	COMMON NAME
Ehrharta calycina	Perennial Veldt Grass
Ehrharta erecta	Panic Veldt Grass
Mentha spicata	Spearmint
Mesembryanthemum crystallinum	Crystalline Ice Plant
Mesembryanthemum nodiflorum	Slender-leaved Ice Plant
Mirabilis jalapa (M. lindheimeri)	Four O-Clock, Marvel of Peru
Myoporum laetum	Ngaio Tree, Myoporum
Myriophyllum aquaticum	Parrotfeather
Myriophyllum spicatum	Eurasian Watermilfoil
Nassella tenuissima	Finestem Needlegrass, Mexican Feather Grass
Nerium oleanader	Oleander
Nicotiana glauca	Tree Tobacco
Oenothera speciosa	Mexican Evening Primose
Olea europaea (fruiting varieties)	Olive Tree

BOTANICAL NAME	COMMON NAME
Opuntia ficus-indica	Mission Prickly-Pear, Indian Fig, Tuna Cactus
Osteospermum fruticosum (Dimorphotheca fruticosa)	Trailing African Daisy, Freeway Daisy
Parkinsonia aculeata	Mexican Palo Verde, Jerusalem Thorn
Pennisetum villosum (Cenchrus villosus)	Feathertop Fountain Grass
Pennisetum ciliare (Cenchrus ciliare)	Buffelgrass
Pennisetum clandestinum (Cenchrus clandestinum)	Kikuyu Grass
Pennisetum setaceum (Cenchrus setaceum) & all varieties except 'Rubrum'/'Cupreum'	Fountain Grass
Phoenix canariensis	Canary Island Date Palm
Pittosporum undulatum	Victorian Box
Platanus x acerifolia	London Plane Tree
Prunus lyonii (Prunus ilicifolia ssp. lyonii*)*	Catalina Cherry
Retama monosperma (Genista monosperma)	Bridal Veil Broom
Ricinus communis	Castor Bean
Robinia pseudoacacia	Black Locust

APPENDIX I
INVASIVE SPECIES

BOTANICAL NAME	COMMON NAME
Salsola tragus	Russian Thistle
Schinus molle	California Pepper
Schinus terebinthifolius	Brazilian Pepper
Senna didymobotrya (Cassia didymobotrya)	Popcorn Senna, Popcorn Cassia, African Senna
Silybum marianum	Milk Thistle
Spartium junceum	Spanish Broom

BOTANICAL NAME	COMMON NAME
Tamarix species	Tamarisk
Tropaeolum majus	Garden Nasturtium
Ulmus parvifolia	Chinese Elm Tree
Vinca major	Periwinkle
Washington robusta	Mexican Fan Palm
Zantedeschia aethiopica (Calla aethiopica)	Calla-lily

The following references were used:

Los Angeles Regional Guide to Invasive Plants http://weedwatch.lasgrwc.org/Matrix_Master_20071022.pdf.

California Invasive Plant Council Inventory of California Invasive Plants http://www.cal-ipc.org/ip/inventory/index.php.

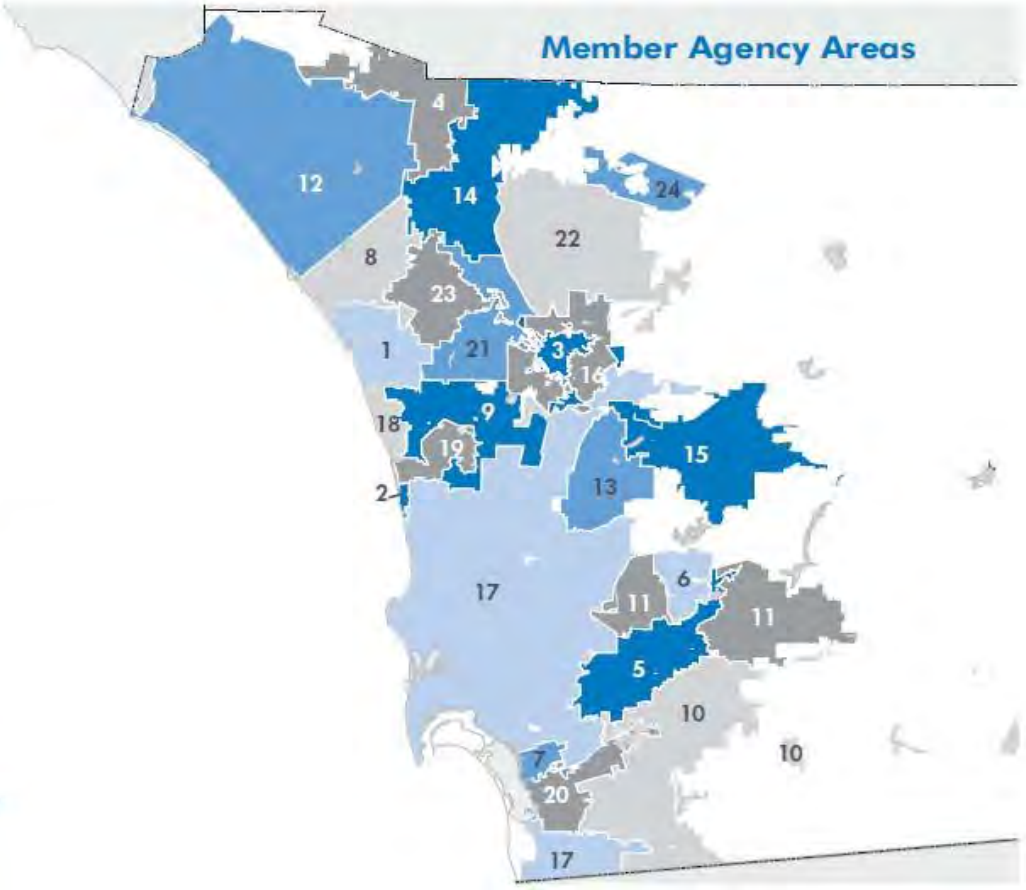
American Society of Landscape Architects, San Diego Chapter: Invasive Ornamental Plant Guide http://www.asla-sandiego.org/Download/PG_08_mod.pdf.

APPENDIX J

San Diego County Water Authority

Water Authority Member Agencies

CONTACT YOUR LOCAL WATER AGENCY FOR INFORMATION ON RESTRICTIONS, RATES



1 Carlsbad Municipal Water District
www.carlsbadca.gov/water
Ph: 760-438-2722

2 City of Del Mar
www.delmar.ca.us
Ph: 858-755-3294

3 City of Escondido
www.ci.escondido.ca.us
Ph: 760-839-4658

4 Fallbrook Public Utility District
www.fpud.com
Ph: 760-728-1125

5 Helix Water District
www.hwd.com
Ph: 619-466-0585

6 Lakeside Water District
www.lakesidewaterdistrict.com
Ph: 619-443-3805

7 City of National City*
www.ci.national-city.ca.us
Ph: 619-336-4241
www.sweetwater.org
Ph: 619-420-1413

8 City of Oceanside
www.ci.oceanside.ca.us
Ph: 760-435-5800

9 Olivenhain Municipal Water District
www.olivenhain.com
Ph: 760-753-6466

10 Otay Water District
http://www.otaywater.gov
Ph: 619-670-2222

11 Padre Dam Municipal Water District
www.padredam.org
Ph: 619 448-3111

12 Camp Pendleton Marine Corps Base
www.cpp.usmc.mil
Ph: 760-725-4743

13 City of Poway
www.poway.org
Ph: 858-668-4700

14 Rainbow Municipal Water District
www.rainbowmwd.com
Ph: 760-728-1178

15 Ramona Municipal Water District
www.rmwd.org
Ph: 760-789-1330

16 Rincon del Diablo Municipal Water District
www.rinconwater.org
Ph: 760-745-5522

17 City of San Diego
www.sandiego.gov/water
Ph: 619-515-3500

18 San Dieguito Water District
www.ci.encinitas.ca.us
Ph: 760-633-2810

19 Santa Fe Irrigation District
www.sfidwater.org
Ph: 858-756-2424

20 South Bay Irrigation District*
www.sbid.us
Ph: 619-427-0868
www.sweetwater.org
Ph: 619-420-1413

21 Vallecitos Water District
www.vwd.org
Ph: 760-744-0460

22 Valley Center Municipal Water District
www.vcmwd.org
Ph: 760-749-1600

23 Vista Irrigation District
www.vid-h2o.org
Ph: 760-597-3100

24 Yuima Municipal Water District
www.yuimamwd.com
Ph: 760-742-3704

*Sweetwater Authority manages City of National City and South Bay Irrigation District.

APRIL 2009

APPENDIX K
WATER CONSERVATION PROGRAM FOR ESTABLISHED LANDSCAPES

ESTABLISH A WATER BUDGET FOR LANDSCAPE IRRIGATION

The water applied to your landscape, including any water features such as swimming pools, should not exceed your water budget.

For properties served by public water providers, figure your water budget as follows:

1. Locate your community planning area in the table.
2. Multiply the corresponding Water Budget Factor by the area of your irrigated landscape, including the surface area of any water features. The size of your landscape should be in square feet.

Budget = Water Budget Factor * landscaped area (sq. ft.)

The water budget sets the maximum number of gallons per year that should be used to water your landscape.

The water you actually use should not exceed your budget.

Community Planning Area	Water Budget Factor
Alpine	22.2
Bonsall	20.1
Borrego Springs	32.7
County Islands	20.1
Crest	22.2
Fallbrook	20.1
Jamul/Dulzura	22.2
Lakeside/Pepper Drive-Bostonia	22.2
North County Metro	20.1
Otay	22.2
Pala-Pauma	22.2
Pendleton/DeLuz	20.1
Rainbow	20.1
Ramona	22.2
San Dieguito	20.1
Spring Valley	22.2
Sweetwater	22.2
Valle de Oro	22.2
Valley Center	22.2

APPENDIX K
WATER CONSERVATION PROGRAM FOR ESTABLISHED LANDSCAPES

ELIMINATE OVER-WATERING

This is the easiest and most effective way to conserve water.

You will use less water.

Your water bill will be reduced.

You will prevent runoff which contaminates our beaches.

Over-watering occurs when the soil is not able to absorb water as quickly as the water is applied. If your soil does not absorb water very quickly, you should irrigate for only a short time, wait until that water has completely infiltrated the soil, and then irrigate for another short time.

FIX LEAKS

How to check for leaks in your plumbing:

1. Record the reading on your water meter and mark the position of the needle.
2. Turn off all water inside and outside, including an ice maker.
3. Wait at least 30 minutes to one hour.
4. Check the water meter.
5. If the reading has changed or the needle has moved, there is a leak in your plumbing.

FIX BROKEN IRRIGATION EQUIPMENT

A broken sprinkler head can waste water at a rate of 10 gallons per minute. That's equal to 100 gallons during a 10 minute irrigation cycle.

Check your irrigation system at least once a month.

1. Manually start the system.
2. Check the valves for leaks.
3. Check each head for leaks or puddling around the head.

4. Check for overspray onto surfaces that should not be watered such as sidewalks, structures, or patios.
5. Adjust and properly align heads.
6. Check for vegetation or other obstacles that block spray.
7. Check for over-watering or runoff.
8. Shorten the watering cycle if necessary.

ADJUST THE IRRIGATION SCHEDULE

The amount of water that is necessary for a healthy landscape will vary depending on the time of year and the type of plants.

- During the summer months, water 2 or 3 days per week for grass and 1 or 2 days per week for other plants.
- In winter, irrigate only when the top 2 to 3 inches of soil is dry.

Force plants and lawns to develop deep roots rather than shallow roots. Plants with deep roots can be watered less often, once a week may be sufficient. Shallow roots develop from frequent watering. To develop deep roots:

1. Apply water using 2 or 3 short cycles rather than one long cycle.
2. Add one extra day between waterings.
3. After three weeks, add another day between waterings and, for overhead spray systems, increase the watering time by 1 to 3 minutes.
4. If the plants respond well, try adding another day between waterings.

Your irrigation schedule should be adjusted at least once a month.

Learn how to use your irrigation controller. Replace an old controller with a smart controller which will automatically suspend irrigation during rainy weather conditions.

Do not water when it rains. Wait until the soil dries out.

Water between midnight and 6 a.m. to reduce water loss due to evaporation and wind.

For overhead spray systems, water between 4 a.m. and 6 a.m. to allow the morning sun to dry the vegetation.

Experiment to find the most efficient schedule for your landscape.

Check the following website for a calculator that provides estimates for irrigation schedules:

http://www.bewaterwise.com/calculator.html

PERFORM REGULAR MAINTENANCE

Turf

- Do not mow lawns any shorter than 3 inches to encourage deep roots.
- Leave grass clippings on the lawn to provide nutrients and reduce green waste.
- Use a mulching mower.
- Dethatch or aerate your lawn to allow water to penetrate into the soil.
- Sporadic brown spots on your lawn are usually caused by the uneven distribution of water from your spray heads. Check the heads to be sure they are not blocked and that vegetation is not obstructing the spray. Adjust the spray heads or the pressure of your irrigation system if necessary. Using more water is not the solution.

Plants

- Plant in the fall when less water is required to establish plants.
- Do not overprune shrubs and trees.
- Ornamental grasses should be groomed once a year. Do not mow.
- Use plants that are well-suited to the type of soil on your site.

Mulch

- Place a 2 or 3 inch layer of mulch over bare dirt to reduce water evaporation, improve the soil, and control weeds.
- Organic mulch absorbs and retains water. If it gets wet during irrigation, allow it to dry out. Otherwise is will become vulnerable to molds, fungi and other diseases that may spread to the plants.
- Re-mulch every 1—2 years.
- Use gravel mulch around succulents to keep the plants from becoming too wet.

Soil

- Amend the soil with compost to improve filtration, texture and nutrients which will produce healthy plants with less water.
  - For turf, 1—2 inches of compost tilled into an 8-inch depth.
  - For trees and shrubs, 2—4 inches compost tilled at least 12 inches deep.
  - If not tilling the soil, mulch with compost, then put wood chips on top for weed control.
- Use only the minimum amount of fertilizer necessary. Fertilizers result in higher water use, increased maintenance, and more green waste.
- When using fertilizer, try more frequent applications using smaller amounts. Fertilizer is toxic and any excess washes into waterways.
- Select slow-release or natural organic fertilizers to reduce runoff pollution.

Pests

- Select pest-resistant plants.
- If necessary, spot treat with non-toxic insecticide.

GIVE YOUR LANDSCAPE A MAKEOVER

Simple design changes can save water and give your landscape a fresh, new look.

Design

- Attend classes on water smart landscaping.
- Visit the Water Conservation Garden at Cuyamaca College or the Quail Botanical Gardens in Encinitas.
- Choose plants that require the same amount of water and sunlight for each irrigation zone (or hydrozone).
- Use permeable landscaping materials to create pathways and borders.

Plants

- Replace high water use lawns with water smart groundcovers, trees and shrubs.
- Plant drought-tolerant plants. After 1 to 3 years of regular watering, the plants will be able to survive with little or no irrigation.
- Plant high water use plants in shady areas that are protected from the wind.
- Consider plants native to the region. They require less maintenance and less water.
- Do not plant invasive species or plants that can easily burn or spread fire. (See Appendices G, H, and I)
- Look for low water use plants at local nurseries.

Irrigation System

- Install a water smart controller.
- Switch to drip irrigation for trees and shrubs.
- Replace old sprinkler heads with newer, more efficient heads.
- Replace sprinkler heads with mini rotors to reduce runoff. Mini rotors have a reduced precipitation rate which allows time for water to penetrate the soil.
- Use rotors to water large areas of 25 feet by 25 feet or larger.

- Check with your water agency or equipment retailer for rebates on water smart irrigation equipment.

WATERING WITHOUT AN AUTOMATED IRRIGATION SYSTEM

When watering with a garden hose:

- Always attach a trigger nozzle or a watering wand with a ball valve to a garden hose. The trigger nozzle should be the type that must be depressed continuously by hand in order to allow water to flow.
- Shut off the water when moving from plant to plant during garden watering.
- Check your hose and fittings to make sure they are in good condition, and replace with quality fittings if required. Worn hoses and fittings are more likely to leak.
- Remember to shut off the water at the faucet after use.

When watering with portable lawn sprinklers:

- Do not leave the water running unattended. Set an alarm to remind you to turn it off.
- Adjust the water pressure to avoid overspray and runoff
- Use a hose timer between the faucet and the hose to automatically shut off the water.
- Remember to shut off the water at the faucet when you are done.

HOW TO READ A WATER METER

A water meter records the amount of water used in the same way the odometer in a car records the number of miles traveled. A water meter measures water use by the cubic foot. One cubic foot equals 7.48 gallons.

To check your daily water use:

1. Record the reading on your meter.
2. Twenty-four hours later, record the reading on the meter again.
3. Subtract the reading in Step 1 from the reading in Step 2.

4. Multiply the result in Step 3 by 7.48.
5. The answer in Step 4 is the number of gallons used over the twenty-four hour period.

HOW TO DETERMINE THE AMOUNT OF WATER USED FOR OUTSIDE IRRIGATION

Most water meters measure all water used by the customer regardless of how the water is used. However, there are some methods to estimate the amount of water used for irrigation.

1. Install a water sub-meter.

   The meter can be attached to the branch off the main water line that supplies water to the irrigation system. This method allows you to accurately track the amount of water used for irrigation. Be sure the sub-meter meets AWWA standards.

2. Read the main water meter.
   - Check the reading on your meter.
   - Turn off all water, including ice makers and manually run the full cycle of your irrigation system.
     - Check the new reading on your meter.
     - The difference between the two readings is the amount of water used by the irrigation system.

3. Check your water bill.

   Each water agency has its own billing system. Some water agencies charge customers for sewer service based on the amount of water that went into the customer's sewer. Check your bill. Subtract this amount from the total amount of water used. The result gives a rough estimate of how much water was used for irrigation and outdoor use during the billing period.

   Please contact your water agency if you need help reading your water bill or for information on how sewer service is billed.

APPENDIX L
WATER CONSERVATION IN LANDSCAPING ORDINANCE

ORDINANCE NO. 10032 (N.S.)
01/13/2010 (9)

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE TO ADD TITLE 8, DIVISION 6, CHAPTER 7, ADOPTING REGULATIONS RELATING TO WATER CONSERVATION IN LANDSCAPING

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines as follows:

(a) The State of California adopted the Water Conservation in Landscaping Act, Government Code sections 65590 et seq. in 1990. The Act required the State Department of Water Resources to adopt a model water efficient landscape ordinance by January 1, 1992. The Act further provided that if a local agency had not by January 1, 1993 either: (1) adopted findings based on climatic, geological or topographical conditions or water availability stating a water efficient landscape ordinance is unnecessary or (2) adopted a water efficient landscape ordinance, then the model water efficient landscape ordinance adopted by the Department of Water Resources would take effect within the local jurisdiction and be enforced by the local agency. The County amended the County Zoning Ordinance adopting water efficient landscape regulations before the January 1, 1993 deadline.

(b) In 2006 the State repealed the Water Conservation in Landscaping Act and adopted a new Water Conservation in Landscaping Act, Government Code sections 65591 et seq. The new Act requires the Department of Water Resources to update the previously adopted model water efficient landscape ordinance that provides for greater efforts at water conservation and more efficient use of water in landscaping. The model ordinance is required to include provisions for: (1) water conservation by the appropriate use and groupings of plants that are well adapted to particular sites and local conditions, (2) a landscape water budget that establishes the maximum amount of water to be applied through the irrigation system, (3) automatic irrigation systems and irrigation schedules based on climatic conditions, terrains and soil types and other environmental conditions, (4) onsite soil assessment and soil management plans that include grading and drainage to promote healthy plant growth and prevent excessive erosion and runoff and (5) promoting the use of recycled water for landscaping when it is available and the use is consistent with State law.

(c) Government Code section 65595 requires that on or before January 1, 2010 a local agency shall adopt a water efficient landscape ordinance that is at least as effective in conserving water as the updated model

ordinance or adopt the model ordinance. If a local agency does not adopt a water efficient landscape ordinance by the deadline, the updated model ordinance shall apply within the local agency's jurisdiction and shall be enforced by the local agency.

(d) The water efficient landscape regulations in the County Zoning Ordinance are not as effective in conserving water as the updated model ordinance and need to be replaced by more comprehensive regulations.

(e) This ordinance adopts water efficient landscape regulations for the unincorporated area of the County that include provisions for: (1) water conservation by the appropriate use and groupings of plants that are well adapted to particular sites and local conditions, (2) a landscape water budget that establishes the maximum amount of water to be applied through the irrigation system, (3) automatic irrigation systems and irrigation schedules based on climatic conditions, terrains and soil types and other environmental conditions, (4) onsite soil assessment and soil management plans that include grading and drainage to promote healthy plant growth and prevent excessive erosion and runoff and (5) promoting the use of recycled water for landscaping when it is available and the use is consistent with State law.

(f) This ordinance will: (1) increase water use efficiency by establishing and monitoring water budgets, promoting installation and maintenance of efficient irrigation systems and encouraging use of plants that use water efficiently based on climate, soil type and site features and (2) reduce water waste that occurs from irrigation runoff and overspray.

(g) This ordinance is consistent with the findings and declarations the State Legislature made when adopting the new Water Conservation in Landscaping Act and is as effective as the State's updated model water efficient landscape ordinance.

Section 2. Title 8, Division 6, Chapter 7 is added to the San Diego County Code to read as follows:

CHAPTER 7. WATER CONSERVATION IN LANDSCAPING

SEC. 86.701. PURPOSE.

The State Legislature determined in the Water Conservation in Landscaping Act (the "Act"), Government Code sections 65591 et seq., that the State's water resources are in limited supply. The Legislature also recognized

that while landscaping is essential to the quality of life in California, landscape design, installation, maintenance and management must be water efficient. The general purpose of this chapter is to establish water use standards for landscaping in the unincorporated area of the County that implement the 2006 development landscape design requirements established by the Act. Consistent with the Legislature's findings the purpose of this chapter is to:

(a) Promote the values and benefits of landscapes while recognizing the need to utilize water and other resources as efficiently as possible.

(b) Establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction.

(c) Promote the use, when available, of tertiary treated recycled water, for irrigating landscaping.

(d) Use water efficiently without waste by setting a Maximum Applied Water Allowance for new projects as an upper limit for water use and reduce water use to the lowest practical amount.

(e) Encourage water users of existing landscapes to use water efficiently and without waste.

SEC. 86.702. DEFINITIONS.

The following definitions shall apply to this chapter:

(a) "Automatic irrigation controller" means an automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers schedule irrigation events using either evapotranspiration (weather-based) or soil moisture sensor data.

(b) "Building permit" means a permit issued by the County Building Department authorizing the permit holder to among other things, erect, construct, enlarge, alter, repair or improve a building or structure.

(c) "Certified landscape irrigation auditor" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other accredited certification program.

(d) "Cool season grass" means a type of grass that remains green in the winter months.

(e) "Developer" includes a developer's partner, associate, employee, consultant, trustee or agent or any other person who has any other business or financial relationship with the developer.

(f) "Director DPLU" means the means the Director of Planning and Land Use or anyone whom the Director has appointed or hired to administer or enforce this chapter.

(g) "Discretionary permit" means any permit requiring a decision making body to exercise judgment prior to its approval, conditional approval or denial.

(h) "Estimated total water use" (ETWU) means the estimated total water use in gallons per year for a landscaped area.

(i) "ET adjustment factor" (ETAF) means a factor that when applied to reference evapotranspiration, adjusts for plant water requirements and irrigation efficiency, two major influences on the amount of water that is required for a healthy landscape.

(j) "Evapotranspiration rate" means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time period. "Reference evapotranspiration" (ETo) means a standard measurement of environmental parameters which affect the water use of plants. ETo is expressed in inches per day, month, or year and is an estimate of the evapotranspiration of a large field of four-inches to seven-inches tall, cool season grass that is well watered. Reference evapotranspiration is used as the basis of determining the MAWA so that regional differences in climate can be accommodated.

(k) "Grading" means any importation, excavation, movement, loosening or compaction of soil or rock.

(l) "Hardscape" means any durable surface material, pervious or non-pervious.

(m) "Hydrozone" means a portion of the landscape area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.

(n) "Invasive plant species" means species of plants not historically found in California that spread outside cultivated areas and may damage environmental or economic resources.

(o) "Irrigation audit" means an in depth evaluation of the performance of an irrigation system conducted by a certified landscape irrigation auditor. An irrigation audit includes, but is not limited to, inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow and preparation of an irrigation schedule.

(p) "Irrigation efficiency" means the measurement of the amount of water beneficially used divided by the water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices.

(q) "Landscaped area" means an area with outdoor plants, turf and other vegetation. A landscaped area includes a water feature either in an area with vegetation or that stands alone. A landscaped area may also include design features adjacent to an area with vegetation when allowed under section 86.714. A landscaped area does not include the footprint of a building, decks, patio, sidewalk, driveway, parking lot or other hardscape that does not meet the criteria in section 86.714. A landscaped area also does not include an area without irrigation designated for non-development such as designated open space or area with existing native vegetation.

(r) "Licensed landscape contractor" means a person licensed by the State of California as a specialty contractor in the C-27 category, to construct, maintain, repair, install or subcontract the development of a landscape system.

(s) "Landscape design manual" means the manual, approved by the Director of Planning and Land Use that establishes specific design criteria and guidance to implement the requirements of this chapter.

(t) "Low head drainage" means a sprinkler head or other irrigation device that continues to emit water after the water to the zone in which the device is located has shut off.

(u) "Low volume irrigation" means the application of irrigation water at low pressure through a system of tubing or lateral lines and low volume emitters such as drip lines or bubblers.

(v) "Mass grading" means the movement of more than 5000 cubic yards of soil by mechanical means to alter the topographic features of a site.

(w) "Maximum applied water allowance" (MAWA) means the maximum allowed annual water use for a specific landscaped area based on the square footage of the area, the ETAF and the ETo.

(x) "Mulch" means an organic material such as leaves, bark, straw, compost or inorganic mineral materials such as rocks, gravel or decomposed granite left loose and applied to the soil surface to reduce evaporation, suppress weeds, moderate soil temperature or prevent soil erosion.

(y) "Overspray" means the water from irrigation that is delivered outside an area targeted for the irrigation and makes contact with a surface not intended to be irrigated.

(z) "Pervious" means any surface or material that allows the passage of water through the material and into underlying soil.

(aa) "Plant factor" means a factor that when multiplied by the ETo, estimates the amount of water a plant needs.

(bb) "Public water purveyor" means a public utility, municipal water district, municipal irrigation district or municipality that delivers water to customers.

(cc) "Recycled water" means waste water that has been treated at the highest level required by the California Department of Health Services for water not intended for human consumption. "Tertiary treated recycled water" means water that has been through three levels of treatment including filtration and disinfection.

(dd) "Runoff" means water that is not absorbed by the soil or landscape to which it is applied and flows from the landscaped area.

(ee) "Special landscaped area" means an area of the landscape dedicated to edible plants, an area irrigated with recycled water or an area dedicated to play such as a park, sports field or golf course where turf provides a playing surface.

(ff) "Subsurface irrigation" means an irrigation device with a delivery line and water emitters installed below the soil surface that slowly and frequently emit small amounts of water into the soil to irrigate plant roots.

(gg) "Transitional area" means a portion of a landscaped area that is adjacent to a natural or undisturbed area and is designated to insure that the natural area remains unaffected by plantings and irrigation installed on the property.

(hh) "Turf" means a groundcover surface of cool season or warm season mowed grass. Annual bluegrass, Kentucky bluegrass, perennial ryegrass, red fescue and tall fescue are cool season grasses. Bermuda grass, kikuyu grass, seashore paspalum, St. Augustine grass, zoysias grass and buffalo grass are warm season grasses.

(ii) "Water feature" means a design element where open water performs an aesthetic or recreational function. A water feature includes a pond, lake, waterfall, fountain, artificial streams, spa and swimming pool where a public water purveyor within the San Diego County Water Authority or the Borrego Water District provides water for the feature. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices are not water features.

(jj) "WUCOLS" means Water Use Classification of Landscape Species and refers to the most recent version of the Department of Water Resources publication authored by the University of California Cooperative Extension.

SEC. 86.703. APPLICABILITY.

(a) The following projects in the unincorporated area of the County for which the County issues a building permit or a discretionary permit after the chapter's effective date shall be required to obtain an outdoor water use authorization as part of the permitting process:

(1) A project for an industrial, commercial, civic or multi-family residential use where the landscaped area is 1000 square feet or more.

(2) A single family residential development where the total landscaped common area of the project area is 1000 square feet or more or where the developer or the developer's agent installs landscaping on one or more lots in the development.

(3) A new single family residence served by a public water purveyor within the San Diego County Water Authority or the Borrego Water District. As used in this subsection, a new single family residence does not include

a single family residence that is being rebuilt after it was destroyed due to a natural disaster, such as a fire, earthquake, hurricane or tornado.

(4) A model home that includes a landscaped area, where the home is served by a public water purveyor within the San Diego County Water Authority or by the Borrego Water District.

(5) A public agency project that contains a landscaped area 1000 square feet or more.

(6) A project not included in categories (a)(1) through (a)(5) that requires a new grading permit and contains an area served by temporary or permanent irrigation.

(7) A cemetery.

(b) The following projects shall be exempt from the requirements of this chapter:

(1) A registered local, State or federal historical site.

(2) An ecological restoration project that does not require a permanent irrigation system.

(3) A mined land reclamation project that does not require a permanent irrigation system.

(4) A botanical garden or arboretum that is open to the public.

(c) Sections 86.725 and 86.726 shall apply to the owners and occupants of all property in the unincorporated area of the County, other than projects listed in subsection (b). Existing landscape projects that were installed before the effective date of this chapter where the landscape area is greater than one acre shall also be subject to section 86.727(b).

SEC. 86.704. OUTDOOR WATER USE AUTHORIZATION.

(a) No person who constructs a project subject to section 86.703(a) shall use water for irrigation or a water feature without the authorization required by this chapter.

(b) A person constructing a project subject to section 86.703(a) shall obtain a water use authorization to provide water to a landscaped area as follows:

(1) A person applying for a building permit for a single family residence shall obtain a water use authorization from the County as part of the permitting process.

(2) A person applying for a discretionary permit shall submit a landscape concept plan with the discretionary permit application. As used in this chapter, a landscape concept plan means a drawing of the site where the project will be located that includes a representation of the site features, proposed plantings areas and the proposed method and type of irrigation.

(3) A person issued a discretionary permit shall obtain a water use authorization as part of the permitting process for each building permit for each project segment that requires installation of a water meter or connection to an existing water meter.

(c) A water use authorization issued by the County shall establish the allowed MAWA for property on which a project that is subject to this chapter is located.

(d) Once the County establishes the MAWA for a property, no person who obtains water for the property from a public water purveyor in the unincorporated area of the County shall exceed the MAWA on that property, unless the County agrees to modify the MAWA, as provided in section 86.721.

(e) Any person may examine the water use authorization establishing the MAWA for a property at the Department of Planning and Land Use during normal business hours.

SEC. 86.705. ADMINISTRATION, ENFORCEMENT AND LANDSCAPE MANUAL.

(a) The Director DPLU shall administer and enforce this chapter, except that the Director DPLU may refer an application for a water use authorization to the Director of Public Works or the Director of General Services for processing.

(b) The Director DPLU shall prepare a landscape design manual that provides guidance to applicants on how to comply with the requirements of this chapter. The manual shall also provide guidance for a person with an existing landscaped area on how to increase water use efficiency and avoid wasting water.

APPENDIX L
WATER CONSERVATION IN LANDSCAPING ORDINANCE

SEC. 86.706. NEW SINGLE FAMILY RESIDENTIAL PROJECTS WITH LIMITED LANDSCAPING.

An applicant for a building permit for a new single family residence subject to this chapter where the landscaped area of the project is less than 5,000 square feet shall, as a condition of obtaining a building permit, submit an application for an outdoor water use authorization on a form provided by the Director. The application process shall include establishing a MAWA for the project.

SEC. 86.707. LANDSCAPE DOCUMENTATION PACKAGE.

(a) Except as provided in subsection (b) an applicant for a building permit for a project described in section 86.703(a) shall submit a landscape documentation package with the permit application.

(b) An applicant for a building permit for a single family residence with a landscaped area less than 5,000 square feet is not required to submit a landscape documentation package with the permit application, but shall comply with section 86.706. This subsection does not apply to a person who is applying for one or more building permits for single family residences in a residential development where the person applying is the developer.

(c) The landscape documentation package required by subsection (a) shall contain the following:

(1) A soil management report that complies with section 86.708 that analyzes soil composition within each landscaped area of the project.

(2) A landscaping and irrigation plan that complies with section 86.709 that describes the landscaping and irrigation for the project.

(3) A water efficient landscape worksheet that complies with section 86.711 that calculates the MAWA and the ETWU for the project.

(4) A grading design plan that complies with section 86.710 that describes the grading of the project.

SEC. 86.708. SOIL MANAGEMENT REPORT.

(a) The soil management report required by section 86.707(c)(1) shall contain the following information:

(1) An analysis of the soil for the proposed landscaped areas of the project that includes information about the soil texture, soil infiltration rate, pH, total soluble salts, sodium, percent organic matter.

(2) Recommendations about soil amendments that may be necessary to foster plant growth and plant survival in the landscaped area using efficient irrigation techniques.

(b) When a project involves mass grading of a site the applicant shall submit a soil management report that complies with subsection (a) above with the certificate of completion required by section 86.722.

SEC. 86.709. LANDSCAPING AND IRRIGATION PLAN.

(a) The landscaping and irrigation plan required by section 86.707(c)(2) shall be prepared by a landscape architect, civil engineer or architect licensed by the State of California. A homeowner of a single family residence required to submit a landscape and irrigation plan may have a licensed landscape contractor prepare the landscaping and irrigation plan if the homeowner has contracted with that contractor to install the landscaping and irrigation pursuant to the plan.

(b) The landscaping and irrigation plan shall contain the following information:

(1) A list of all vegetation by common and botanical plant name which exists in the proposed landscaped area. The plan shall state what vegetation will be retained and what will be removed.

(2) A list of all vegetation by common and botanical plant name which will be added to each landscaped area. The plan shall include the total quantities by container size and species. If the applicant intends to plant seeds, the plan shall describe the seed mixes and applicable germination specifications.

(3) A detailed description of each water feature that will be included in the landscaped area.

(4) The plan shall be accompanied by a drawing showing on a page or pages, the specific location of all

vegetation, retained or planted, the plant spacing and plant size, natural features, water features and hardscape areas. The drawing shall include a legend listing the common and botanical plant name of each plant shown on the drawing.

(5) The location, type and size of all components of the irrigation system that will provide water to the landscaped area, including the controller, water lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators and backflow prevention devices.

(6) The static water pressure at the point of connection to the public water supply and the flow rate in gallons, the application rate in inches per hour and the design operating pressure in pressure per square inch for each station.

(7) The MAWA for the plan, including the calculations used to determine the MAWA. The calculations shall be based on the formula in section 86.712.

(8) The ETWU for the plan, including the calculations used to determine the ETWU. The calculations shall be based on the formula in section 86.713.

(9) A statement signed under penalty of perjury by the person who prepared the plan that provides, "I am familiar with the requirements for landscape and irrigation plans contained in the County Landscape Water Conservation Regulations, in Title 8, Division 6, Chapter 7. I have prepared this plan in compliance with those regulations. I certify that the plan implements those regulations to provide efficient use of water."

(c) The landscape and irrigation plan shall be designed as follows:

(1) All plants shall be grouped in hydrozones and the irrigation system shall be designed to deliver water to hydrozones based on the moisture requirements of the plant grouping. A hydrozone may mix plants of moderate and low water use, and mix plants of high water use with plants of moderate water use, but no high water use plants shall be allowed in a low water use hydrozone. A high water use hydrozone may, however, provide for some low water use plants if the low water use plants are of a type that are likely to thrive and flourish with the additional water. The plan shall also demonstrate how the plant groupings accomplish the most efficient use of water.

(2) The irrigation system shall be designed to prevent standing water and any condition such as runoff, overspray and low-head drainage where irrigation water flows or sprays onto areas not intended for irrigation. The plan shall also demonstrate how grading and drainage techniques promote healthy plant growth and prevent standing water, erosion and runoff.

(3) The plan shall provide for use of mulch as follows:

(A) A minimum two inch layer of mulch shall be applied on all exposed soil surfaces in each landscaped area except in turf areas, creeping or rooting ground covers or direct seeding applications where mulch is contraindicated.

(B) Stabilizing mulch shall be applied on slopes.

(C) The mulching portion of a seed/mulch slurry in hydro-seeded applications shall comply with subsection (B) above.

(D) Highly flammable mulch material, such as straw or small or mini size wood chips, shall not be used in a "Hazardous Fire Area," as that term is defined in the County Fire Code.

(4) The plan shall identify the type and amount of mulch for each area where mulch is applied.

(5) On a project other than a single family residence, the plan shall identify recreational areas.

(6) The plan shall identify areas permanently and solely dedicated to edible plants.

(7) The plan shall identify each area irrigated with recycled water, gray water and other non-potable water.

(8) The plan shall identify any soils amendments and their type and quantity.

(9) The plan shall demonstrate that landscaping when installed and at maturity will be positioned to avoid obstructing motorists' views of pedestrian crossings, driveways, roadways and other vehicular travel ways. If the landscaping will require maintenance to avoid obstructing motorist's views, the plan shall describe the maintenance and the frequency of the proposed maintenance.

(10) The plan shall avoid the use of landscaping with known surface root problems adjacent to a paved area, unless the plan provides for installation of root control barriers or other appropriate devices to control surface roots.

(11) The plan shall provide that any slope greater than 25 percent will be irrigated with an irrigation system with a precipitation rate of .75 inches per hour or less to prevent runoff and erosion. As used in this chapter, 25 percent grade means one foot of vertical elevation change for every four feet of horizontal length. An applicant may employ an alternative design if the plan demonstrates that no runoff or erosion will occur.

(12) The plan shall provide that all wiring and piping under a paved area that a vehicle may use, such as a parking area, driveway or roadway, will be installed inside a PVC conduit.

(13) The plan shall provide that irrigation piping and irrigation devices that deliver water, such as sprinkler heads, shall be installed below grade if they are within 24 inches of a vehicle or pedestrian use area. The Director DPLU may allow on-grade piping where landform constraints make below grade piping infeasible.

(14) That plan shall provide that only low volume or subsurface irrigation shall be use to irrigate any vegetation within 24 inches of an impermeable surface unless the adjacent impermeable surfaces are designed and constructed to cause water to drain entirely into a landscaped area.

(15) The plan shall provide that plants in a transitional area consist of a combination of site adaptive and compatible native and non-native species. The plan shall also provide that no invasive plant species shall be introduced or tolerated in a transitional area. The irrigation in a transitional area shall be designed so that no overspray or runoff shall enter an adjacent area that is not irrigated.

(16) The plan shall demonstrate compliance with best management practices required by sections 67.801 et seq. (Watershed Protection, Stormwater Management and Discharge Control regulations).

(17) The plan shall address fire safety issues and demonstrate compliance with State and County requirements for defensible space around buildings and structures and shall avoid the use of fire prone vegetation.

(18) The irrigation system shall provide for the installation of an easily accessible manual shutoff valve as close as possible to the water supply. Additional manual shutoff valves shall be installed between each zone of the irrigation system and the water supply.

(19) The irrigation system shall provide that irrigation for any landscaped area will be regulated by an automatic irrigation controller.

(20) The irrigation system shall be designed to meet or exceed an average landscape irrigation efficiency of 0.71.

(d) The landscaping and irrigation plan shall describe each automatic irrigation controller the system uses to regulate the irrigation schedule and whether it is a weather based system or moisture detection system. The plan shall depict the location of electrical service for the automatic irrigation controller or describe the use of batteries or solar power that will power valves or an automatic irrigation controller.

SEC. 86.710. GRADING DESIGN PLAN.

(a) The grading design plan required by section 86.707(c)(4) shall be prepared by a landscape architect, civil engineer or architect licensed by the State of California. A homeowner of a single family residence required to submit a grading design plan may have a licensed landscape contractor prepare the grading design plan if the homeowner has contracted with that contractor to do the work covered by the plan. The grading design plan shall comply with following requirements:

(1) The grading on the project site shall be designed for the efficient use of water by minimizing soil erosion, runoff and water waste, resulting from precipitation and irrigation.

(2) The plan shall show the finished configurations and elevations of each landscaped area including the height of graded slopes, the drainage pattern, pad elevations, finish grade and any stormwater retention improvements.

(b) If the project applicant has submitted a grading plan with the application for the project the Director DPLU may accept that grading plan in lieu of the grading design plan required by this section, if the grading plan complies with subsection (a) above.

APPENDIX L
WATER CONSERVATION IN LANDSCAPING ORDINANCE

SEC. 86.711. WATER EFFICIENT LANDSCAPE WORKSHEET.

The water efficient landscape worksheet required by section 86.707(c)(3) shall be prepared by a landscape architect, civil engineer or architect licensed by the State of California. A homeowner of a single family residence required to submit a water efficient landscape worksheet may have a licensed landscape contractor prepare the water efficient worksheet if the homeowner has contracted with that landscape contractor to install the landscaping and irrigation covered by the plan for which the worksheet was prepared. The water efficient worksheet shall contain all of the following:

(a) A hydrozone information table that contains a list of each hydrozone in the landscaped area of the project. For each hydrozone listed the applicant shall provide all of the following information:

(1) The square footage of the hydrozone and the percentage of the total landscaped area of the project the hydrozone represents.

(2) The irrigation methods proposed to be used within the hydrozone.

(3) The category of the hydrozone as high, moderate or low water use and the median plant factor for the hydrozone. The category of the hydrozone and median plant factor shall be determined as follows:

(A) The plant factor used shall be from WUCOLS. The plant factor ranges from 0 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants and from 0.7 to 1.0 for high water use plants. The median plant factor for low water use plants is 0.2, for moderate water use plants is 0.5 and for high water use plants is 0.8. If plants within a hydrozone have different water use requirements the hydrozone category shall be determined using the highest water using plant. The median plant factor shall be assigned based on the category determined.

(B) Temporarily irrigated areas shall be included in the low water use hydrozone. Temporarily irrigated as used in this chapter means the period of time when plantings only receive water until they become established.

(C) The surface area of a water feature shall be included in a high water use hydrozone unless the water feature is a pool or a spa with a durable cover. In that case, the water feature may be included in a moderate water use hydrozone.

(4) Each special landscaped area and the area's water use calculated using an ETAF of 1.0.

(b) Budget calculations for the MAWA and the ETWU. The calculations shall use the formula for the MAWA in section 86.712 and for the ETWU in section 86.713.

SEC. 86.712. MAXIMUM APPLIED WATER ALLOWANCE.

(a) A landscape project subject to this chapter shall not exceed the MAWA. The MAWA for a new landscape project shall be determined by the following calculation:

$$MAWA = (ETo)(0.62)[0.7 \times LA + 0.3 \times SLA]$$

(b) The abbreviations used in the equation have the following meanings:

(1) MAWA = Maximum Applied Water Allowance in gallons per year.

(2) ETo = Evapotranspiration in inches per year.

(3) 0.62 = Conversion factor to gallons per square foot.

(4) 0.7= ET adjustment factor for plant factors and irrigation efficiency.

(5) LA = Landscaped area includes special landscaped area in square feet.

(6) 0.3 = the additional ET adjustment factor for a special landscaped area (1.0 - 0.7 = 0.3)

(7) SLA = Portion of the landscaped area identified as a special landscaped area in square feet.

(c) If a public water purveyor establishes a MAWA for a property that is lower than the MAWA established pursuant to this chapter nothing in this chapter shall be construed to prevent the water purveyor from enforcing its rules, regulations or ordinances.

APPENDIX L
WATER CONSERVATION IN LANDSCAPING ORDINANCE

SEC. 86.713. ESTIMATED TOTAL WATER USE.

(a) An applicant for a project subject to this chapter shall calculate the estimated water use for each hydrozone, except a special landscaped area, using the following equation:

(1) Estimated water use = (ETo)(0.62)(PF x HA /IE)

For special landscaped areas the applicant shall use the following equation:

(2) Estimated water use = (ETo)(0.62)(SLA)

The sum of all landscaped areas shall be the ETWU for the project.

(b) The abbreviations used in the equation have the following meanings:

(1) ETWU = Estimated total water use in gallons per year.

(2) ETo = Evapotranspiration in inches per year.

(3) 0.62 = Conversion factor to gallons per square foot.

(4) PF = Average plant factor for each hydrozone based on whether the hydrozone is classified as high, medium or low water use. The hydrozone classification shall be based on the data included in the landscape and irrigation plans.

(5) HA = Hydrozone Area in square feet.

(6) IE = Irrigation Efficiency of the irrigation method used in the hydrozone.

(7) SLA = Special landscaped area in square feet.

(c) The ETWU for a proposed project shall not exceed the MAWA.

SEC.86.714. ADJUSTMENT TO LANDSCAPED AREA FOR NON-VEGETATED AREA.

Rock and stone or pervious design features such as decomposing granite ground cover that are adjacent to a vegetated area may be included in the calculation of the MAWA and ETWU provided the features are integrated into the design of the landscape area and the primary purpose of the feature is decorative.

SEC. 86.715. LIMITATIONS ON USE OF WATER FEATURES.

The total of all water features for a project, except for a swimming pool or spa, shall be limited to 15 percent of the total landscaped area of the project.

SEC.86.716. LIMITATIONS ON USE OF TURF IN LANDSCAPED AREAS.

The following regulations shall apply to the use of turf on a project subject to this chapter:

(a) Only low volume or subsurface irrigation shall be used for turf in a landscaped area:

(1) On a slope greater than 25 percent grade where the toe of the slope is adjacent to an impermeable hardscape.

(2) Where any dimension of the landscaped area is less than eight feet wide.

(b) On a commercial, industrial or multi-family project, no turf shall be allowed:

(1) On a center island median strip, on a parking lot island or in a public right of way.

(2) On any portion of a site that is inaccessible to or unusable by a person who uses the site.

(c) On a commercial or industrial project, decorative cool season turf shall not exceed 15 percent of the total landscaped area of a project unless the site is irrigated using recycled water.

(d) A ball field, park, golf course, cemetery and other similar use shall be designed to limit turf in any portion of a landscaped area not essential for the operation of the facility.

(e) No turf shall be allowed in a landscaped area if the turf cannot be irrigated without causing runoff, overspray or other wasteful water uses.

SEC. 86.717. CEMETERIES.

A person submitting an application for a Major Use Permit for a cemetery shall also submit the following:

(a) A concept plan, as described in section 86.704(b)(2).

(b) A water efficient irrigation worksheet that calculates the MAWA for the project with the application that complies with section 86.711.

(c) A landscape and irrigation maintenance schedule that complies with section 86.724.

SEC. 86.718. PROJECTS WITH MODEL HOMES.

A person who obtains a permit to construct a single family residential development that contains a model home shall provide a summary of this chapter prepared by the Director DPLU to each adult visitor that visits a model home. If an adult visitor is accompanied by one or more adults during the visit only one set of written materials is required to be provided. Each model home shall provide an educational sign in the front yard of the model home visible and readable from the roadway that the home faces that states in capital lettering at least two inches high, "THIS MODEL HOME USES WATER EFFICIENT LANDSCAPING AND IRRIGATION."

SEC.86.719. RECYCLED WATER.

(a) A person who obtains a permit for a project that is subject to this chapter shall use recycled water for irrigation when tertiary treated recycled water is available from the water purveyor who supplies water to the property for which the County issues a permit.

(b) A person using recycled water from a public water purveyor shall install a distribution system that separates recycled water from potable water. Pipes carrying recycled water shall be purple.

(c) A person who uses recycled water under this section shall be entitled to an ETAF of 1.0.

(d) This section does not excuse a person using recycled water from complying with all State and local laws and regulations related to recycled water use.

SEC. 86.720. INSTALLATION BEFORE FINAL INSPECTION.

A person issued an outdoor water use authorization for a project, other than a single family residence where the landscaped area of the project is less than 5,000 square feet, shall install the approved landscaping and irrigation system before final inspection of the project.

SEC. 86.721. MODIFICATION OF OUTDOOR WATER USE AUTHORIZATION.

(a) A person may submit an application to modify the outdoor water use authorization required by this chapter on a form provided by the Director DPLU.

(b) An applicant requesting modification of an authorization for a single family residence where the total landscaped area after modification is less than 5,000 square feet shall comply with section 86.706.

(c) An applicant requesting modification of an authorization other than the type of project in subsection (b) above, shall comply with sections 86.707 - 86.711.

SEC. 86.722. CERTIFICATE OF COMPLETION.

Each person issued a water use authorization who has installed approved landscaping and irrigation, other than a single family residence with a total landscaped area less than 5,000 square feet shall submit:

(a) A certificate of completion on a form provided by the Director DPLU within 10 days after installation, verifying that the landscaping and irrigation were installed as allowed in the approved landscape and irrigation plan, that all approved soil amendments were implemented and the installed irrigation system is functioning as

designed and approved. The certificate of completion shall be signed under penalty of perjury by the person to whom the water use authorization has been issued and by a California licensed, landscape architect, civil engineer or architect. Where the water use authorization has been issued to a single family homeowner with a landscaped area of 5,000 square feet or more who hired a licensed landscape contractor to install the landscaping and irrigation, the certificate shall be signed under penalty of perjury by the homeowner and the contractor.

(b) An irrigation schedule that complies with section 86.723 that describes the irrigation times and water usage for the project

(c) A landscape and irrigation system maintenance schedule that complies with section 86.724.

(d) A soil management report that complies with section 86.708(b) if the applicant did not submit the report with the landscape documentation package.

SEC. 86.723. IRRIGATION SCHEDULE.

The irrigation schedule required by section 86.722 shall be prepared by a California licensed, landscape architect, civil engineer or architect and provide the following information:

(a) A description of the automatic irrigation system that will be used for the project.

(b) The time period when overhead irrigation will be scheduled and confirm that no overhead irrigation shall be used between the 10:00 a.m. and 8:00 p.m.

(c) The parameters used for setting the irrigation system controller for watering times for:

(1) The plant establishment period.

(2) Established landscaping.

(3) Temporarily irrigated areas.

(4) Different seasons during the year.

(d) The parameters used for each station for the following factors:

(1) The days between irrigation.

(2) Station run time in minutes for each irrigation event, designed to avoid runoff.

(3) Number of cycle starts required for each irrigation event, designed to avoid runoff.

(4) Amount of water to be applied on a monthly basis.

(5) The root depth setting.

(6) The plant type setting.

(7) The soil type.

(8) The slope factor.

(9) The shade factor.

SEC. 86.724. LANDSCAPING AND IRRIGATION MAINTENANCE.

(a) A person using water under a water use authorization that the County issued pursuant to this chapter shall maintain the landscaping and irrigation on the property to ensure compliance with the MAWA.

(b) A property owner using water on property subject to a water use authorization other than a single family residence with a total landscaped area less than 5,000 square feet, shall prepare a maintenance schedule for the landscaping and irrigation on the project. The schedule shall provide for: (1) inspections to guard against runoff and erosion and detect plant or irrigation system failure, (2) replacement of dead, dying and diseased vegetation, (3) eradication of invasive plant species in transitional areas, (4) repairing the irrigation system and its

components when necessary, (5) replenishing mulch, (6) soil amendment when necessary to support and maintain healthy plant growth, (7) fertilizing, pruning, weeding and mowing and (8) maintenance to avoid obstruction of motorists' view. The schedule shall also identify who will be responsible for maintenance.

(c) A person who uses water pursuant to a water use authorization shall maintain the irrigation system to meet or exceed an average irrigation efficiency of 0.71.

(d) A person who replaces broken or malfunctioning irrigation system components shall replace the components with the same materials or their equivalent.

(e) A person who replaces vegetation shall replace it with plantings that are representative of the hydrozone in which the plants were removed and shall be typical of the water use requirements of the plants removed provided that the replaced vegetation does not result in mixing plants contrary to the requirements of this chapter.

SEC. 86.725. PROHIBITION ON WASTING WATER AND EXCEEDING THE MAXIMUM ALLOWED WATER ALLOWANCE

(a) No person who owns or occupies property in the unincorporated area of the County shall use water for irrigation that due to runoff, low head drainage, overspray or other similar condition, results in water flowing onto adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas. This section is not intended to apply to circumstances beyond the control of the property owner or other person in possession of the property.

(b) No person whose property is subject to an outdoor water use authorization pursuant to this chapter shall exceed the MAWA for the property.

(c) A person who violates subsections (a) or (b) above shall be subject to the Administrative Citation Procedures in sections 18.101 et seq. of this code.

(d) The County may also obtain an injunction against a person who continues to violate subsections (a) or (b) after receiving a warning of an Administrative Citation pursuant to section 18.103.

SEC. 86.726. COUNTY'S RIGHT TO INSPECT.

Whenever the County has reasonable grounds to believe that a person is violating section 86.725 the County may inspect the property and any irrigation system or water feature on the property. If a person refuses to consent to an inspection the County may obtain an inspection warrant pursuant to Code of Civil Procedure sections 1822.50 et seq. No person shall interfere with a County inspector conducting an inspection authorized by this chapter.

SEC. 86.727. OUTDOOR WATER USE AUDIT.

(a) The County may randomly audit outdoor water use on any property for which it issued a water use authorization pursuant to this chapter to determine compliance with the authorization. A person who owns or occupies property subject to a water use authorization, shall be deemed to consent to the audit of outdoor water use if the person engages in outdoor water use on the property.

(b) The County may also analyze, survey and audit outdoor water use using methods described in 23 California Code of Regulations sections 490 et seq., on an existing landscape project where the landscaped area exceeds one acre and the County has reasonable grounds to believe that due to irrigation runoff, low head drainage, overspray or other similar condition, water is flowing onto adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas of the project.

SEC. 86.728. FEES.

An applicant for a project subject to this chapter shall include with the application, all fees established by the Board of Supervisors to cover the County's costs to review an application, any required landscape documentation package and any other documents the County reviews pursuant to the requirements of this chapter.

SEC. 86.729. APPEAL

A person whose application for a water use authorization or for modification of a water use authorization is denied may appeal the denial to the Planning Commission by making a written request for the appeal to the Director DPLU within 10 days of the denial. The Planning Commission shall consider the matter within 45 days

after the appeal is file. The 45-day period may be extended upon written consent of the appellant. The Planning Commission's decision shall be final.

Section 3. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 13th day of January, 2010

PAM SLATER-PRICE
Chairwoman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Slater Price, Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 13th day January, 2010.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By
Nancy Vizcaino, Deputy

No. 10032 (N.S.)

01-13-2010 (9)

APPENDIX M
ADDITIONAL RESOURCES

County Landscape website: http://www.sdcounty.ca.gov/dplu/Landscape-Ordinance_Design_Review_Manual.html

The County of San Diego does not endorse the following websites. They are provided as resources for additional information.

San Diego County Water Authority: http://www.sdcwa.org/manage/conservation.phtml

California Department of Water Resources: http://www.water.ca.gov/

CIMIS: http://wwwcimis.water.ca.gov/cimis/welcome.jsp

Gray water: http://www.water.ca.gov/wateruseefficiency/docs/graywater_guide_book.pdf

Invasive Plants:

- California Invasive Plants Council: http://www.cal-ipc.org/
- Los Angeles Regional Guide to Invasive Plants: http://weedwatch.lasgrwc.org/Matrix_Master_20071022.pdf
- American Society of Landscape Architects (San Diego): http://www.asla-sandiego.org/reference.html

Irrigation:

- Irrigation tutorial: http://www.irrigationtutorials.com/
- Drip tutorial: http://www.irrigationtutorials.com/dripguide.htm

Plants:

- Water use classifications:
  - WUCOLS: http://www.water.ca.gov/pubs/planning/guide_to_estimating_irrigation_water_needs_of_landscape_plantings_in_ca/wucols.pdf
- California plants database: http://www.calflora.org/
- USDA plants database: http://plants.usda.gov/
- Water Conservation Garden at Cuyamaca College: http://www.thegarden.org/
- California Native Plant Society (San Diego): http://www.cnpssd.org/

APPENDIX M
ADDITIONAL RESOURCES

Sustainable gardens:

http://www.plantsoup.com/

http://www.sunset.com/garden/climate-zones/sunset-climate-zones-california-nevada-00400000036331/

Soil:

http://www.buildingsoil.org/

http://www.soilfoodweb.com/sfi_approach1.html

Water conservation:

California Landscape Contractors Association (San Diego): http://www.clcasandiego.org/h20management.html

http://www.bewaterwise.com/

http://irrigationessentials.com/

Landscape watering calculator: http://www.bewaterwise.com/calculator.html

COUNTY REGULATIONS AND GUIDELINES

Fire Code: http://www.sdcounty.ca.gov/dplu/docs/2009_Consolidated_Fire_Code.pdf

Fuel management:

http://www.sdcounty.ca.gov/dplu/fire_resistant.html

http://www.wildfirezone.org/

http://www.sdcounty.ca.gov/oes/ready/docs/wildfire_preparedness_guide.pdf

Grading Ordinance: http://www.sdcounty.ca.gov/dpw/land/landpdf/gradingordinance102108.pdf

Groundwater Ordinance: http://www.sdcounty.ca.gov/dplu/docs/GROUNDWATER-ORD.pdf

Low Impact Development Handbook: http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf

Offstreet Parking Manual: http://www.sdcounty.ca.gov/dplu/docs/Offstreet_Parking_Manual.pdf

Stormwater: http://www.co.san-diego.ca.us/dpw/watersheds/business/landscape.html

CHAPTER 2. LIGHT POLLUTION

SEC. 51.201. PURPOSE.

The purpose of this chapter is to minimize light pollution to allow citizens of the County to view and enjoy the night environment and to protect the Palomar and Mount Laguna observatories from the detrimental effect that light pollution has on astronomical research.
(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

SEC. 51.202. GENERAL REQUIREMENTS FOR OUTDOOR LIGHTING FIXTURES.

(a) All artificial outdoor luminaires installed or reinstalled after January 1, 1985 shall comply with this chapter.
(b) All artificial outdoor luminaires shall comply with the County Building and Electrical Codes and the Zoning Ordinance.
(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

SEC. 51.203. DEFINITIONS.

The following definitions shall apply to this chapter:
(a) "Outdoor luminaire" means an outdoor illuminating device, outdoor fixture, lamp and other similar device, whether permanently installed or portable, that produces artificial light.
(b) "Class I lighting" means outdoor lighting for an outdoor sales or eating area, vehicle fueling area, assembly or repair area, billboard or other sign, recreational facility or other similar application, where color rendition is important for commercial or safety purposes.
(c) "Class II lighting" means outdoor lighting for commercial, industrial and residential walkways, roadways and parking lots, equipment yards, outdoor security and residential entrance lighting.
(d) "Class III lighting" means outdoor lighting used for decorative effects such as architectural illumination, flag and monument lighting and landscape lighting.
(e) "Building official" means the Director of Planning and Development Services and any person appointed or hired by the Director to administer and enforce this chapter.
(f) "Residential entrance light" means an exterior lighting fixture mounted on a building required by the California Electrical Code or California Building Code to illuminate an outdoor entrance or exit with grade level access.
(g) "Zone A" means the area within a 15 mile radius of the center of the Palomar Observatory and the area within a 15 mile radius of the center of Mount Laguna Observatory.
(h) "Zone B" means all areas within the unincorporated area of the County not included in Zone A.
(i) "Luminaire" means a complete lighting unit, including the lamp, the fixture and other parts.
(j) "Holiday decoration" means an outdoor luminaire that is used only for temporary decorative purposes, to celebrate a specific holiday.
(k) "Fully shielded" means a luminaire constructed in a manner that all light emitted by the fixture, either directly from the lamp or a defusing element, or indirectly by reflection or refraction from any part of the luminaire is projected below the horizontal plane, as determined by photometric test or certified by the manufacturer. Any structural part of the luminaire providing this shielding shall be permanently affixed so that no light is able to be emitted above the horizontal plane.

(l) "Luminous tube lighting" means gas-filled glass tubing which, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used, e.g., neon, argon, etc.
(m) "On premises advertising sign" means a sign located on the premises of a facility that is open to the public, that advertises the name of the facility, the product or service the facility offers, the facility's hours of operation or some other fact related to the facility.
(Added by Ord. No. 9974 (N.S.), effective 4-3-09; amended by Ord. No. 10224 (N.S.), effective 10-25-12)

SEC. 51.204. REQUIREMENTS FOR LAMP SOURCE AND SHIELDING.

The requirements for lamp source and shielding of light emissions for outdoor luminaires shall be as provided in the following table:
LAMP TYPE AND SHIELDING REQUIREMENTS PER FIXTURE
CLASS I-COLOR RENDITION IMPORTANT

LAMP TYPE	ZONE A (15 Mi.)	ZONE B
Low Pressure Sodium	Fully Shielded	Fully Shielded
Others above 4050 Lumens	Prohibited	Fully Shielded
Others 4050 Lumens & Below	Fully Shielded [1]	Fully Shielded [1]

CLASS II-PARKING LOTS, SECURITY, ETC.

LAMP TYPE	ZONE A (15 Mi.)	ZONE B
Low Pressure Sodium	Fully Shielded	Fully Shielded
Others above 4050 Lumens	Prohibited	Prohibited, except fully shielded HPS is allowed for private roadways
Others 4050 Lumens & Below	(a) Fully Shielded Fixture with motion sensor, or (b) Unshielded Luminaire, 2000 lumens maximum with motion sensor or (c) Residential Entrance Light, 2000 lumens maximum	(a) Fully Shielded Fixture, or (b) Unshielded Luminaire, 2000 lumens maximum with motion sensor or (c) Residential Entrance Light, 2000 lumens maximum

CLASS III-DECORATIVE

LAMP TYPE	ZONE A (15 Mi.)	ZONE B
Low Pressure Sodium	Fully Shielded	Fully Shielded
Others above 4050 Lumens	Prohibited	Prohibited
Others 4050 Lumens & Below	Prohibited	Prohibited except if less than 2000 lumens per fixture
Luminous Tube	Prohibited	Fully Shielded

[1] Lighting for On-Premises Advertising Displays, as defined under Section 5490 of the Business and Professions Code, shall be shielded where feasible and focused to minimize spill light into the night sky or adjacent properties.
(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

SEC. 51.205. SUBMISSION OF PLANS AND EVIDENCE OF COMPLIANCE.

(a) An applicant for any permit required by the County for work involving an outdoor luminaire, unless the work is exempt as provided in this chapter, shall submit evidence with the permit application that the proposed work will comply with this chapter. The submission shall contain the following:
(1) A map or other drawing showing the location of the property where any outdoor luminaire will be installed.
(2) Plans indicating the location on the property where each type of outdoor luminaire will be installed, indicating the type of fixture.
(3) The specifications for each outdoor luminaire to be installed including but not limited to manufacturer's catalog cuts, photometric study and drawings.
(b) In order to be considered complete, the plans and descriptions shall enable the plans examiner to readily determine whether the work will comply with the requirements of this chapter. If the plans examiner cannot determine from the applicant's submission whether the proposed work complies with this chapter, the examiner may reject the application or allow the applicant to submit additional information.
(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

SEC. 51.206. HOURS OF OPERATION.

(a) All Class I lighting shall be off between 11:00 p.m. and sunrise, except as follows:
(1) An "on premises" advertising sign may be illuminated while a facility is open to the public.
(2) A billboard may remain lighted until midnight.
(3) Outdoor illumination of a sales area, commercial area, assembly area, repair area or industrial area is allowed when the area is in use and the use is not prohibited by any permit issued by the County or by any law or regulation.
(4) Lighting at an outdoor recreational facility may remain on to allow an organized recreational event in progress to be completed, provided the event and the facility are not violating the terms of any permit issued by the County or any law or regulation.
(5) The lighting is exempt from this section as provided in section 51.207 or a temporary exemption has been granted under section 51.209.
(b) Operation of a searchlight for advertising purposes is prohibited between 11:00 p.m. and sunrise.
(c) Class III lighting shall be off between 11:00 p.m. and sunrise.
(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

SEC. 51.207. EXEMPTIONS.

An outdoor luminaire in any of the following categories is exempt from the requirements of this chapter, except the requirements in section 51.202(b):
(a) The outdoor luminaire was legally installed prior to January 18, 1985 except that:
(1) When an existing luminaire becomes inoperable any replacement of the luminaire shall comply with this chapter.
(2) The exemption shall no longer apply when the property undergoes a change in use.
(b) An outdoor luminaire producing light directly by the combustion of a fossil fuel such as a kerosene lantern or gas lamp.
(c) An outdoor luminaire on, in or in connection with any facility or property owned or operated by the government of the United States of America or the State of California.
(d) A luminaire used for a holiday decoration, provided it is used for no more than 60 days in a 12 month period and is off between the hours of 11:00 p.m. and sunrise.

(e) Lighting that illuminates a United States or California Flag and the flagpole to which the flag is affixed. A luminaire or combination of luminaires with an output of more than 4050 lumens per flag, however, shall be fully shielded.
(f) Outdoor lighting for a facility required by State or federal law to have outdoor lighting that does not comply with this chapter. A person seeking an exemption under this subsection shall request an exemption at that time the person submits the application for the permit required by the County Electrical Code. The applicant shall submit proof along with the application for the permit that demonstrates the applicant is entitled to an exemption under this subsection.
(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

SEC. 51.208. SPECIAL REQUIREMENTS.

County airports and County correctional institutions located in the unincorporated area of the County shall be subject to the following special requirements:
(a) Outdoor lighting at a County airport in an area not regulated by State or federal law, such as a parking lot or outside building, shall be low-pressure sodium.
(b) Outdoor lighting at a County correctional institution in an area not regulated by State or federal law, such as a parking lot, shall be fully shielded.
(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

SEC. 51.209. TEMPORARY EXEMPTIONS.

(a) A person may submit a written request to the building department for a temporary exemption from the requirements of this chapter. The request shall be submitted on a form provided by the building official. The fee for the temporary exemption shall be as provided in section 362.1 of the County Administrative Code.
(b) A temporary exemption under this section shall only be granted if the applicant is able to establish that: (1) an exemption is necessary during a community event or some other event that benefits the public and the public benefit outweighs any harm that might result to the public or any private person or (2) the exemption is necessary due to an emergency that is behind the control of the applicant and that no other reasonable alternative exists. No temporary exemption shall be granted when the outdoor lighting for which a temporary exemption is requested has been installed in violation of this chapter.
(c) The building official shall have ten days from the date the applicant submits a complete request for a temporary exemption to approve or disapprove the request. The building official shall notify the applicant of the decision in writing.
(d) The temporary exemption shall be valid for no more than 30 consecutive days from the date the County approves the request. Upon request from the applicant, the County, upon receipt of evidence that a condition justifying continuing the exemption exists, may extend the exemption for up to an additional 30 consecutive days. The request for renewal shall be processed in the same manner as an original request. No exemption for an outdoor luminaire shall be granted for more than 60 days during any 12 month period.
(e) If the building official denies the request for a temporary exemption the applicant may request that the chief of the Building Division review the denial. The applicant shall submit the request for review in writing within 15 days from the date of the denial. The fee for the review shall be the same as fee for the request for a temporary exemption. The decision by the chief of the Building Division shall be final.
(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

Ordinance No.: 10410 (N.S.)
Meeting Date: 01/27/16 (7)

AN ORDINANCE TO AMEND SECTION 67.801 ET SEQ. OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO WATERSHED PROTECTION

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that it is necessary to amend Title 6, Division 7, Chapter 8 of the San Diego County Code of Regulatory Ordinances relating to watershed protection, stormwater management and discharge control to ensure the County's ordinances enacted as part of its Jurisdictional Runoff Management Program implements California Regional Water Quality Control Board Order R9-2013-0001, NPDES No. CAS0109266, adopted by the California Regional Water Quality Control Board, San Diego Region, on May 8, 2013 as amended by Order Numbers R9-2015-0001 and R9-2015-0100.

Section 2. Amend Chapter 8 (Sections 67.801 through and including 67.821) to read as follows:

SEC. 67.801. PURPOSE AND INTENT.

(a) The purpose of this Chapter is to protect water resources and to improve water quality by controlling the stormwater conveyance system and receiving waters; to cause the use of management practices by the County and its citizens that will reduce the adverse effects of non-stormwater and polluted stormwater discharges to the stormwater conveyance system and receiving waters; to secure benefits from the use of stormwater as a resource; and to ensure the County is compliant with applicable state and federal law and California Regional Water Quality Control Board Order No. R9-2013-0001, NPDES No. CAS0109266 as amended by Order Numbers R9-2015-0001 and R9-2015-0100.

(b) The requirements of this Chapter are specifically intended to implement a Jurisdictional Runoff Management Program in accordance with California Regional Water Quality Control Board amended Order No. R9-2013-0001, NPDES No. CAS0109266. To the extent necessary to ensure compliance with this order, this Ordinance shall require the following:

(1) Prohibit non-stormwater discharges to the stormwater conveyance system and receiving waters unless otherwise authorized by this Chapter.

(2) Establish requirements to prevent and reduce pollution to water resources.

(3) Establish requirements for development project site design to prevent non-stormwater discharges to the stormwater conveyance system and reduce stormwater pollution and erosion.

(4) Establish requirements for the management of stormwater flows from development projects to prevent erosion and to protect and enhance existing water-dependent habitats.

(5) Establish standards for the use of off-site facilities, when permissible, for stormwater management to supplement on-site practices at new development sites.

(6) Establish notice procedures and standards for adjusting stormwater and non-stormwater management requirements, where necessary.

SEC. 67.802. DEFINITIONS.

Unless a different meaning is clearly intended and more protective of water quality under the circumstances, terms used in this Chapter shall have the same meaning as the same or equivalent term when defined in Attachment C of California Regional Water Quality Control Board amended Order No. R9-2013-0001, NPDES No. CAS0109266. For purposes of this Chapter subject to the foregoing limitation, the following definitions shall apply:

(a) "Authorized enforcement official" means the Director of Public Works, the Director of Planning and Development Services, the Director of Environmental Health, the Agricultural Commissioner, Department of Agriculture, Weights and Measures, or their designees.

(b) "Active/Passive Sediment Treatment" means using mechanical, electrical or chemical means to flocculate or coagulate suspended sediment for removal from runoff from construction sites prior to discharge.

(c) "Authorized non-stormwater discharge" means a discharge allowed to enter the stormwater conveyance system or receiving waters in accordance with a permit under the National Pollutant Discharge Elimination System or as specifically authorized by this Chapter.

(d) "Best management practices" (BMPs) shall have the same meaning as defined in the NPDES Order. Best management practices may include any type of pollution prevention and pollution control measure that achieves compliance with this Chapter.

(e) "Biofiltration" means practices that use vegetation and amended soils to detain and treat runoff from impervious areas. Treatment is through filtration, infiltration, adsorption, ion exchange, and biological uptake of pollutants.

(f) "BMP Design Manual" means the plan developed by the County in accordance with the NPDES Order to eliminate, reduce, or mitigate the impacts of water runoff from development projects and existing development.

(g) "Detention" means the temporary storage of storm run-off in a manner that controls peak discharge rates and provides some gravity settling of pollutants.

(h) "Detention facility" means a detention basin or alternative structure designed for the purpose of temporary storage of stream flow or surface run-off and gradual release of stored water at controlled rates.

(i) "Development project" means construction, rehabilitation, redevelopment, land disturbance activity, or reconstruction of any public improvement projects or private projects.

(j) "Discharge", when used as a verb, means to allow pollutants to directly or indirectly enter stormwater, or to allow stormwater or non-stormwater to directly or indirectly enter the stormwater conveyance system or receiving waters, from an activity or operations which one owns or

operates. When used as a noun, "discharge" means the pollutants, stormwater, or non-stormwater that are discharged.

(k) "Discharger" means any person or entity engaged in activities or operations or owning facilities, from which an allowed non-stormwater discharge to the stormwater conveyance system may or does originate or which will or may result in pollutants entering stormwater, the stormwater conveyance system, or receiving waters or the owners of real property on which such activities, operations or facilities are located, except that a local government or public authority is not a discharger as to activities conducted by others in public rights-of-way.

(l) "Environmentally sensitive area" or "ESA" means impaired water bodies, as defined by the federal Clean Water Act, Section 303(d), areas designated as Areas of Special Biological Significance or with the RARE beneficial use by the SWRCB in the Water Quality Control Plan for the San Diego Basin (1994 and amendments) and areas designated as preserves for species-protection purposes by the State of California or a local government.

(m) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors as determined in the sole discretion of the County. Feasibility may be limited in this Chapter to eliminate consideration of economic, environmental and other factors as, for example, where feasibility is specifically defined as technological feasibility.

(n) "Flow-thru treatment control BMPs" mean structural, engineered facilities that are designed to remove pollutants from stormwater runoff using treatment processes that do no incorporate significant biological methods. Examples include dry extended detention basins, sand filters, media filters, and vegetated swales.

(o) "Illicit connection" means any man-made conveyance or drainage system through which non-stormwater or pollutants in water, not authorized by an NPDES permit or the NPDES Order are discharged or may be discharged to the stormwater conveyance system.

(p) "Impervious surface area" means the ground area covered or sheltered by an impervious surface, measured in plan view. For example, the "impervious surface area" for a pitched roof is equal to the ground area it shelters, rather than the surface area of the roof itself.

(q) "Infiltration BMPs" mean structural measures that capture, store, and infiltrate stormwater runoff. These BMPs are engineered to store a specified volume of water and have no design surface discharge (underdrain or outlet structure) until this volume is exceeded. Infiltration BMPs may also support evapotranspiration processes, but are characterized by having their most dominant volume losses due to infiltration. They are a type of retention BMP.

(r) "Land disturbance activity" means any activity, whether or not a stormwater quality management plan or County permit or approval is required, that moves soils or substantially alters the land such as grading, digging, cutting, scraping, stockpiling or excavating of soil; placement of fill materials; paving, pavement removal, exterior construction; substantial removal of vegetation where soils are disturbed including but not limited to removal by clearing or grubbing; clearing or road- cutting associated with geotechnical exploration and assessment, percolation testing, or any

other activity that is a condition of a permit application; or any activity which bares soil or rock or involves streambed alterations or the diversion or piping of any watercourse.

(s) "Maximum extent practicable" (MEP) shall have the same meaning as defined in the NPDES Order.

(t) "Natural drainage" means a naturally occurring drainage consisting of native soils such as a natural swale or topographic depression which gathers or conveys run-off to a permanent or intermittent watercourse or water body.

(u) "Natural System Management Practices" (NSMP) means stormwater practices implemented to restore and/or preserve predevelopment watershed functions in lieu of providing direct pollutant removal and hydromodification flow control. NSMPs may include structural or engineered elements, but these elements do not expressly provide pollutant removal. NSMPs include land restoration, land preservation and stream rehabilitation projects.

(v) "Non-Stormwater" means all discharges to and from the stormwater conveyance system that do not originate from precipitation.

(w) "NPDES Order" shall mean and refer to California Regional Water Quality Control Board, San Diego Region Order No. R9-2013-0001, NPDES No. CAS00109266, as the same may be amended, modified or replaced from time to time.

(x) "Offsite Alternative Compliance Project" means a project implemented, either as a structural BMP or a Natural System Management Practice, which provides a greater overall water quality Benefit to the watershed management area and offset stormwater pollutant control impacts and hydromodification flow control impacts associated with Priority Development Projects (PDPs). Offsite Alternative Compliance Projects (ACP) may be implemented as an applicant-implemented ACP in which the ACP is owned or constructed by the same party that is generating the PDP impact. ACPs may be either structural BMPs or stormwater management practices implemented to restore and/or preserve predevelopment watershed function of a natural system.

(y) "Pollutant" means any agent that may cause, potentially cause or contribute to the degradation of water quality such that a condition of pollution or contamination is created or aggravated.

(z) "Pollutant Control BMP" (PC-BMP) means any engineered system designed to remove pollutants from stormwater by simple gravity settling of particulate pollutants, filtration, biological uptake, media absorption or any other physical, biological, or chemical process. They are also known as treatment control BMPs.

(aa) "Pollution prevention" means the practices and processes that reduce or eliminate the generation of pollutants such as the use of smaller quantities of toxic materials or substitution of less toxic materials; changes to production processes to reduce waste; decreases in waste water flows; recycling of wastes as part of the production process; segregation of wastes, and treatment of wastes on site to decrease volume or toxicity.

(bb) "Priority Development Projects" (PDPs) are new development and redevelopment projects that are subject to general, source control site design, pollutant control, and hydromodification management BMP requirements, and that must demonstrate compliance through a stormwater quality management plan to be approved by the County.

(cc) "Public improvement projects" means any project for the erection, construction, alteration, repair or improvement of any public structure, building, road, or other public improvement of any kind.

(dd) "Rainy season" means from October 1 through April 30.

(ee) "Receiving waters" shall mean waters of the United States.

(ff) "Redevelopment" means creation, addition, or replacement of impervious surface on an already developed site. Examples include the expansion of building footprints, road widening, the addition or replacement of a structure, and creation or addition of impervious surfaces. Replacement of existing impervious surfaces includes any activity that is not part of a routine maintenance activity where impervious material(s) are removed exposing underlying soil during construction. Redevelopment does not include trenching and resurfacing associated with utility work, resurfacing existing roadways, new sidewalk construction, pedestrian ramps, or bike lane on existing roads; and routine replacement of damaged pavement, such as pothole repair.

(gg) "Residential discharger" means the occupant, owner, manager, caretaker, or owner's association that owns, occupies or has responsibility for a discharge from a single-family dwelling, a multiple-family dwelling, mobile home park, condominium complex, board-and-care house, or other housing structure or portion of a residential development from which the discharge originated.

(hh) "Regional Water Quality Control Board" or "RWQCB" means the California Regional Water Quality Control Board for the San Diego Region.

(ii) "Source control BMP" means land use or site planning practices, or structural or nonstructural measures that aim to prevent runoff pollution by reducing the potential for contamination at the source of pollution. Source control BMPs minimize the contact between pollutants and runoff.

(jj) "Stormwater conveyance system" means private and public drainage facilities other than sanitary sewers within the unincorporated area of San Diego County by which water run-off may be conveyed to receiving waters, and includes but is not limited to roads, streets, constructed channels, aqueducts, storm drains, pipes, street gutters, inlets to storm drains or pipes, or catch basins.

(kk) "Stormwater Quality Management Plan" or "SWQMP" means a plan, submitted on a County form or in a County approved format with an application for a County permit or other County approval, identifying the measures that will be used for stormwater and non-stormwater management for a development project. There are two types of SWQMPs: a Standard SWQMP and a PDP SWQMP. A PDP SWQMP is required for all Priority Development Projects. Standard SWQMPs are required for all other development projects.

(ll) "Stormwater pollution prevention plan" (SWPPP) means an approved site-specific plan that (1) identifies and evaluates sources of pollutants associated with activities that may affect the quality of stormwater discharges, (2) eliminates non-stormwater discharges, and (3) identifies and implements site-specific BMPs to reduce or to prevent pollutants in stormwater or retain non-stormwater discharges.

(mm) "Structural BMPs" are a subset of BMPs which detain, retain, filter, remove, or prevent the release of pollutants and control runoff discharge rates to surface waters from development projects in perpetuity, after construction of a project is completed. These BMPs can satisfy the requirements for Pollutant Control BMPs and Hydromodification BMP requirements for Priority Development Projects.

(nn) "SUSMP" or standard urban stormwater mitigation plan for land development projects and public improvement projects means the SUSMP adopted by the County Board of Supervisors on November 13, 2002 pursuant to California Regional Water Quality Control Board Order No. 2001-01, as it may thereafter be revised by the Director, Department of Public Works. The County BMP Design Manual will supersede the SUSMP pursuant to the NPDES Order.

(oo) "Treatment control BMPs" are also known as a Pollutant Control BMPs (PC-BMPs).

(pp) "Tributary to an impaired water body" means any facility or activity that is a tributary to an impaired water body because urban run-off from that facility or activity enters (1) the stormwater conveyance system at a place and in a manner that will carry pollutants for which that water body is impaired to the impaired water body; (2) a flowing stream that will carry pollutants for which that water body is impaired to the impaired water body; or (3) an ephemeral stream that reaches the impaired water body during storm events and that will carry pollutants for which that water body is impaired during such storm events.

(qq) "Water quality standards" mean those regionally determined beneficial uses and water quality objectives in applicable water quality control and basin plans, together with anti-degradation policies that serve as water quality standards under the Clean Water Act.

(rr) "Watershed Management Areas" mean those areas identified in Table B-1 of the NPDES Order where the County is identified as a responsible Copermittee.

(ss) "Watershed Management Area Analysis" means the analysis completed pursuant to Section II.B.3.b.(4) of the NPDES Order.

(tt) "Water Quality Improvement Plans" mean the plans developed by the County in accordance with Section II.B. of the NPDES Order for the Watershed Management Areas.

SEC. 67.803. GENERAL PROVISIONS.

(a) Interpretation of this Chapter shall be consistent with the provisions of state and federal clean water laws and the NPDES Order. The requirements of this Chapter are not intended to interfere with, abrogate or annul any other ordinance, rule, regulation, statute, or terms of the NPDES Order that apply to the operation of the stormwater conveyance system. The requirements of this Chapter are minimum requirements, and where any provision of this Chapter imposes restrictions different

from those imposed by any other ordinance (e.g., such as the County Subdivision Ordinance, Title 8, Division 1 of the San Diego County Code of Regulatory Ordinances, the County Grading Ordinance, Title 8, Division 7, Chapter 4, of the San Diego County Code of Regulatory Ordinances, or Part 3, commencing with Section 3000 of the San Diego County Zoning Ordinance regulating animal care), rule, regulation, statute, Stormwater Quality Management Plan, the BMP Design Manual, or the NPDES Order, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall take precedence.

(b) Except as set forth in Section 67.805, this Chapter shall apply to any development project in the County, whether or not a permit or other approval is required.

(c) If the authorized enforcement official identifies a discharge or category of facility or activity that is a source of a non-stormwater discharge in excess of what is allowed by this Chapter or of pollutants in stormwater or non-stormwater to the stormwater conveyance system or receiving waters, the discharger may be ordered by the authorized enforcement official to install, implement and maintain additional source control, structural or other BMPs to prevent or reduce the pollutant discharges to the MEP and non-stormwater discharges to the extent necessary to bring the discharge into compliance with this Chapter. Any such order shall specify a reasonable date by which those BMPs must be put in place. Failure to install, implement, or maintain additional BMPs as required by such order, is a violation of this Chapter.

(d) Areas within which facilities and sources will be presumed to be tributary to an impaired water body are identified on the most current listing in the Clean Water Act, Section 303(d). The presumption that a discharge is tributary to an impaired water body can be overcome for a particular discharge based on specific facts and analysis presented by a discharger. In making a site-specific determination as to whether a discharge is tributary to an impaired water body, consideration may be given to the amount of water and pollutant discharged; to whether the pollutant for which the water body is impaired is a suspended or dissolved pollutant; to whether the pollutant is volatile or degradable; and to whether the pollutant is substantially removed during transport by any natural or man-made features (sinks, infiltration areas, ponds or impoundments, vegetated swales or wetlands, media filtration devices, etc.) located between the site and the impaired water body. Any such analysis must consider common mechanisms for pollutant mobilization, remobilization, and transport over time.

(e) An authorized enforcement official may modify any requirement imposed by this Chapter to allow the on-site collection and use of stormwater, or the collection of stormwater for delivery to and use at County-designated sites, provided the modified requirements are enforceable, consistent with the NPDES Order and provide equivalent environmental protection.

SEC. 67.804. DISCHARGE PROHIBITIONS.

(a) It is unlawful for any person to discharge or cause the discharge of pollutants or non-stormwater directly or indirectly into the stormwater conveyance system or receiving waters, except as set forth in Section 67.805 or as otherwise authorized by law.

(b) It is unlawful for any person to construct, use or maintain a connection to the stormwater conveyance system that discharges any matter other than stormwater, except as set forth in Section

67.805(a). This Section expressly supersedes any previously issued permit or authorization granted by the County and expressly prohibits any previously legal non-conforming connection.

(c) It is unlawful to throw, deposit, leave, abandon, maintain, or keep materials or wastes on public or private lands in a manner and place where they may result in a discharge.

(d) Stormwater discharges from the site may not contain sediments in amounts in excess of the sediments that would have been discharged from the site in an undisturbed condition.

SEC. 67.805. EXEMPTIONS FROM DISCHARGE PROHIBITIONS.

The following are exempt from the prohibitions in Section 67.804:

(a) Any discharge or connection regulated under a valid facility-specific NPDES permit or non-stormwater discharges exempted pursuant to Section II.E.2. of the NPDES Order, provided that the discharge or connection is in compliance with all relevant permit conditions and the requirements of the NPDES Order to the satisfaction of the County or Regional Water Quality Control Board.

(b) Discharges of non-stormwater to the stormwater conveyance system covered by or meeting the exception criteria under NPDES Permit No. CAG919003 (Order No. R9-2015-0013, as it may be amended or reissued) for discharges to surface waters within the San Diego Region meeting the requirements enumerated below are allowed unless determined by the County or RWQCB to be a source of pollutants to receiving waters:

(1) Uncontaminated pumped ground water;

(2) Discharges from foundation drains if the system is designed to be located at or below the groundwater table to actively or passively extract groundwater during any part of the year;

(3) Water from crawl space pumps; and

(4) Water from footing drains if the system is designed to be located at or below the groundwater table to actively or passively extract groundwater during any part of the year.

(c) Non-stormwater discharges from water line flushing and water main breaks to the stormwater conveyance system are allowed provided the discharge is covered by NPDES Permit No. CAG679001 (Order No. R9-2010-0003, as it may be amended or reissued) or NPDES General Permit No. CAG140001 (Order 2014-0194-DWQ, as it may be amended or reissued) unless determined by the County or RWQCB to be a source of pollutants to receiving waters. This exemption does not cover discharges from recycled or reclaimed water lines unless covered by a separate NPDES permit.

(d) Discharges of non-stormwater to the stormwater conveyance system meeting the requirements enumerated below are allowed unless determined by the County or RWQCB to be a source of pollutants to receiving waters:

(1) Diverted stream flows;

(2) Rising ground waters;

(3) Uncontaminated ground water infiltration to stormwater conveyance system;

(4) Springs;

(5) Flows from riparian habitats and wetlands;

(6) Discharges from potable water sources;

(7) Discharges from foundation drains where the system is designed to be located above the groundwater table at all times of the year, and the system is only expected to discharge non-stormwater under unusual circumstances; and

(8) Discharges from footing drains where the system is designed to be located above the groundwater table at all times of the year, and the system is only expected to discharge non-stormwater under unusual circumstances.

(e) Discharges of non-stormwater to the stormwater conveyance system as enumerated below are allowed unless determined by the County or RWQCB to be a source of pollutants to receiving waters:

(1) Air conditioning condensation

(A) Whenever feasible, the discharge of air conditioning condensation shall be directed to landscaped areas, pervious surfaces, or to the sanitary sewer.

(2) Individual residential vehicle washing at a residence in accordance with Section 67.807(b)

(A) Whenever feasible, the discharge of wash water shall be directed to landscaped areas or other pervious surfaces; and

(B) The amount of water, washing detergent and other vehicle wash products used shall be the minimum amount necessary to completely wash the vehicle. This requirement shall be deemed violated if visible soap scum, oil sheen, or other by-products of residential vehicle washing reach the gutter or other drainage conveyance device in front of the residence where the vehicle is being washed.

(3) Dechlorinated swimming pool discharges

(A) Residual chlorine from swimming pools and fountains must be eliminated prior to discharging to the stormwater conveyance system or receiving waters;

(B) Filter backwash, acid-wash water (pH <7.2 and > 8.0), and algaecide-treated pool water shall be prohibited from discharge to the stormwater conveyance system or receiving water; and

(C) The discharge of saline swimming pool water must be directed to the sanitary sewer, landscaped areas, or other pervious surfaces that can accommodate the volume of water, unless the saline swimming pool water can be discharged via a pipe or concrete channel directly to a naturally saline water body (e.g. Pacific Ocean).

(f) Firefighting discharges to the stormwater conveyance system are only prohibited if determined to be a significant source of pollutants to receiving waters by the County or RWQCB. Firefighting discharges to the stormwater conveyance system not identified as a significant source of pollutants to receiving waters are allowed provided they meet the following requirements:

(1) Non-emergency firefighting discharges

(A) Building fire suppression system maintenance discharges (e.g. sprinkler line flushing) to the stormwater conveyance system are prohibited unless BMPs are implemented to prevent pollutants associated with such discharges from entering the stormwater conveyance system.

(B) Non-emergency firefighting discharges (i.e., discharges from controlled or practice blazes, firefighting training, and maintenance activities not associated with building fire suppression systems) must be addressed by a program developed and implemented by the County, to reduce or eliminate pollutants in such discharges from entering the stormwater conveyance system.

(2) Emergency firefighting discharges

(A) The development and implementation of BMPs to reduce or eliminate pollutants in emergency firefighting discharges to the stormwater conveyance system and receiving waters is encouraged, but not required. Notwithstanding the foregoing, the County may require the use of BMPs for firefighting discharges when determined by the authorized enforcement official to be necessary to eliminate or reduce the discharge of pollutants to the stormwater conveyance system or receiving waters. As applicable, required BMPs may include those described in Sections 67.806 and 67.808. Any BMPs that interfere with immediate emergency response operations or impact public health and safety need not be used.

(g) In the event that any non-stormwater discharge identified in Section 67.805 (a) through (f) is determined to be a source of pollutants to receiving waters, it may only be allowed to continue within an applicable Watershed Management Area if controls set forth by the County in the corresponding Water Quality Improvement Plan are implemented to the satisfaction of the RWQCB.

(h) Discharges exempted from compliance by operation or law; any permits, orders or decisions issued by the RWQCB; and any waivers, or renewals of waivers issued by the RWQCB such as those covered by Regional Board Order No. R9-2014-0041, adopted June 26, 2014.

(i) Discharges of critical coarse sediment necessary to comply with Section 67.811(b)(5)(C).

SEC. 67.806. GENERAL BEST MANAGEMENT PRACTICE REQUIREMENTS.

The following requirements apply to all dischargers:

(a) All dischargers must perform and maintain the following BMPs:

(1) Prior to the rainy season, except as required to maintain critical coarse sediment supply pursuant to Section 67.811(b)(5)(C), remove or secure any significant accumulations of eroded soils from slopes previously disturbed by landscaping, clearing or grading, if those eroded soils could otherwise enter and impact the stormwater conveyance system or receiving waters during the rainy season.

(2) Implement, as practicable, those stormwater pollution prevention practices that are generally recognized in that discharger's industry or business as being effective and economically advantageous.

(3) Eliminate illicit connections.

(4) Except as required to maintain critical coarse sediment supply pursuant to Section 67.811(b)(5)(C), protect from erosion those slopes that have been disturbed by clearing, grading, or landscaping and are more than three feet in height or steeper than 3:1 (run-to-rise). Slope protection shall occur prior to the first rainy season following the clearing, grading or landscaping of the slope and continuously thereafter.

(5) Store all materials and wastes with the potential to pollute stormwater in a manner that prevents contact with rainfall, run-on, run-off and wind dispersal.

(6) Except as required to maintain critical coarse sediment supply pursuant to Section 67.811(b)(5)(C), locate, configure, and manage stockpiles of soil, green waste and compost to prevent the release of materials to the stormwater conveyance system or receiving waters.

(7) Use all materials with the potential to pollute run-off, such as outdoor cleaning and maintenance products, fertilizers, pesticides and herbicides in accordance with label directions. No such product may be disposed of or rinsed into receiving waters or the stormwater conveyance system.

(8) Use dry methods such as sweeping, vacuuming, raking, and application of absorbents to cleanup pollutants, unless wet cleanup methods are otherwise allowed in this Chapter.

(b) BMPs shall be maintained to function as intended and designed. BMPs which fail shall be repaired or replaced as soon as it is safe or practicable. If BMPs fail notwithstanding their intent or design, the BMPs shall be modified or upgraded to prevent any further failure in the same or similar circumstances.

(c) Notwithstanding the provisions of this Chapter, an authorized enforcement official may require a discharger to prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) for approval by the authorized enforcement official as follows:

(1) If the discharger fails to comply with any applicable requirement of this Chapter after one or more written notifications or other enforcement actions have been taken because BMPs have been determined to be inadequate or are not being adequately maintained.

(2) The activity at issue is considered a significant source of pollutants or a source of a non-stormwater discharge in excess of what is allowed by this Chapter to the stormwater conveyance system or receiving waters. Any discharger required to submit and to obtain approval of a SWPPP shall install, implement and maintain the BMPs specified in the approved SWPPP.

(3) The SWPPP shall identify the BMPs or corrective measures that will be used by the discharger to prevent or control pollution of stormwater to the MEP and bring the non-stormwater discharge into conformance with the requirements of this Chapter. If a facility discharges non-stormwater to ground water, the facility shall obtain an RWQCB permit as required by the State Water Code, and shall describe the requirements of that permit in the SWPPP.

(d) Notification of Spills, Releases and Illegal Discharges.

(1) Spills, releases, or discharges of pollutants or non-stormwater in excess of what is allowed by this Chapter to receiving waters or to the stormwater conveyance system shall be reported by the discharger as required by all applicable state and federal laws.

(2) Any such spills, releases or discharges with the potential to endanger health, safety or the environment shall be reported to the Director, Department of Public Works, within 24 hours after discovery of the spill, release or discharge. Spills that have been completely contained and cleaned up on-site are not considered significant unless they pose a threat to human health or safety.

(3) If safe to do so, necessary actions shall be taken to contain and minimize the spill, release or discharge of any pollutants to the MEP and bring any allowed discharge of non-stormwater into compliance with this Chapter.

(e) Sampling, Testing, Monitoring, and Reporting.

(1) Dischargers shall perform the sampling, testing, monitoring and reporting required by this Chapter.

(2) An authorized enforcement official may order a discharger to conduct testing or monitoring and to report the results to the County if one or more of the following occurs:

(A) The authorized enforcement official determines that testing or monitoring is needed to determine whether BMPs are effectively preventing or reducing pollution in stormwater to the MEP or necessary to allow for the continued discharge of non-stormwater under the limited circumstances permitted by this Chapter.

(B) Testing or monitoring is needed to determine whether the facility is a significant source of pollutants or of otherwise prohibited non-stormwater discharges to receiving waters or the stormwater conveyance system.

(C) The authorized enforcement official determines that testing or monitoring is needed to assess the impacts of a discharge on the public's health, safety or the environment.

(D) A discharge has not been eliminated after written notice by an authorized enforcement official.

(E) The RWQCB requires the County to provide any information related to the discharger's activities.

(3) Sampling, testing or monitoring ordered pursuant to this Section may include one or more of the following:

(A) Visual monitoring of dry weather flows, wet weather erosion, discharge points or conditions of BMPs.

(B) Visual monitoring of premises for spills or discharges.

(C) Laboratory analyses of discharges for pollutants.

(D) Background or baseline monitoring or analysis.

(E) Monitoring of receiving waters or sediments that may be affected by pollutant discharges by the discharger or by a group of dischargers including the discharger.

(4) The authorized enforcement official may direct the manner in which the results of required testing and monitoring are reported, and may determine that sampling, testing or monitoring may discontinue.

SEC. 67.807. ADDITIONAL MINIMUM BEST MANAGEMENT AND POLLUTION PREVENTION PRACTICES FOR RESIDENTIAL ACTIVITIES AND USES.

Residential dischargers shall install and maintain BMPs and implement pollution prevention practices, as follows:

(a) Motor Vehicle or Boat Repair and Maintenance.

(1) All repair and maintenance activities shall be performed under a permanent roof or other permanent cover, where feasible.

(2) All maintenance and repair activities conducted without cover or without BMPs to prevent discharges are prohibited during times of precipitation.

(3) Any release of fluids, including boat bilge water, during repair or maintenance shall be promptly contained and cleaned up. Any absorbent materials used shall be disposed of as required by law.

(4) Degreasing or pressure washing of engines and other parts is prohibited unless the liquid wastes are contained and properly disposed of as required by law.

(5) Automotive and boat materials and wastes shall be stored indoors, under cover, or in secure and watertight containers.

(b) Residential Motor Vehicle Washing.

(1) Individual motor vehicles shall be washed over porous surfaces such as lawns and gravel areas where feasible.

(2) Unused detergent solutions shall not be disposed of directly or indirectly into the stormwater conveyance system or receiving waters. Disposal to the sanitary sewer, such as a sink, toilet or floor drain or to a porous surface, where allowed by this Chapter, is required.

(3) The use of "hose off" or single use engine degreasing chemicals is prohibited, unless captured and disposed of properly.

(4) Motor vehicle washing other than individual residential motor vehicle washing is prohibited.

(5) Degreasing or pressure washing of engines and other parts is prohibited unless the liquid wastes are contained and properly disposed of as required by law.

(c) Motor Vehicle Parking.

(1) Residential dischargers shall remove excessive accumulations of oil and grease deposited by vehicles they own from parking areas, using dry clean-up methods such as absorbents, scraping, vacuuming, sweeping, mop and bucket.

(2) Residential dischargers shall move vehicles from streets when notified to allow street cleaning.

(d) Home and garden care activities and product use.

(1) Residential dischargers or their contractors shall adjust irrigation systems to avoid run-off that causes discharges to the stormwater conveyance system or receiving waters.

(2) Residential dischargers or their contractors shall clean up and properly dispose of spills from gardening chemicals, fertilizers or soils to non- porous surfaces.

(3) Lawn and garden care products shall be stored in closed, labeled containers, such as in covered areas, off the ground, or under protective tarps, and in a manner that will not lead to a discharge.

(4) Disposal of household hazardous waste directly or indirectly to the trash or to the street, gutter or storm drain is prohibited.

(e) Home care and maintenance.

(1) Cleaning of painting equipment in or over streets, sidewalks, gutters, or yard drains is prohibited.

(2) Action shall be taken to minimize and contain all spills of hazardous materials, if it is safe to do so.

(3) Household hazardous materials shall be stored indoors or under cover, and in closed and labeled containers.

(f) Manure and pet waste management.

(1) Where practicable, all areas where livestock, horses or other large animals are confined, shall be bermed or curbed to contain animal waste where it is produced or managed to prevent discharge of waste or waste byproducts to the stormwater conveyance system or receiving waters. If compliance is not practicable, manure shall be cleaned up at least twice weekly and must be composted or properly stored prior to disposal.

(2) Wastes from small animals (e.g., dogs and cats) shall be cleaned up and properly disposed of at least weekly.

(3) Areas used for storing or composting manure shall be located, configured or managed to prevent run-off to stormwater conveyance system or receiving waters.

(g) Private sewer laterals and on-site wastewater systems.

(1) Private sewer laterals shall be cleaned, maintained and when necessary replaced to prevent seepage and spills. On-site wastewater systems shall be pumped, maintained and when necessary modified or replaced to prevent spills.

(2) Spills from private sewer laterals and on-site wastewater systems shall be contained and cleaned-up in a manner that minimizes any release of pollutants to the stormwater conveyance system or receiving waters.

(3) Any release from a private sewer lateral that enters the stormwater conveyance system or receiving waters shall be immediately reported to the County.

(4) Failed on-site wastewater systems shall be repaired or replaced.

SEC. 67.808. ADDITIONAL MINIMUM BEST MANAGEMENT AND POLLUTION PREVENTION PRACTICES FOR INDUSTRIAL, COMMERCIAL AND MUNICIPAL FACILITIES AND ACTIVITIES.

The following requirements apply to all industrial, commercial and municipal facilities and activities:

(a) The owner or operator shall install and maintain BMPs and implement a pollution prevention program appropriate to the activity, as specified in the following areas and manner:

(1) Stormwater BMP training

(A) Provide stormwater BMP training at least annually to all operators, employees, and workers with responsibility for activities that could result in unauthorized discharges of pollution or non-stormwater.

(B) Training shall address the pollution and non-stormwater generating activities conducted at the facility, the pollutants or risk of non-stormwater discharge associated with those activities, and the BMPs or pollution prevention practices used to minimize or eliminate the discharge of non-stormwater and pollutants.

(C) The following BMP categories shall be included in training ,where applicable:

i. Preventive maintenance.

ii. Good housekeeping.

iii. Proper waste disposal.

iv. Non-stormwater disposal alternatives.

v. Equipment/vehicle maintenance and repair.

vi. Spill response, containment, and recovery.

vii. Recycling, re-use, and volume reduction in materials, water consumption and wastes.

viii. BMP maintenance.

(2) Where required to implement a SWPPP, retain on site a copy of a current, complete, site-specific SWPPP and make it available for review by the authorized enforcement official, upon request.

(3) Review the operations and procedures relating to protecting the stormwater conveyance system and receiving waters from pollutants and prohibited, non-stormwater discharges at least annually.

(4) Implement pollution prevention methods or those stormwater pollution prevention practices that are generally recognized in that discharger's industry or business to eliminate or reduce pollutants in run-off to the MEP and eliminate the discharge of non-stormwater in an amount or manner beyond what is allowed by this Chapter.

(5) Housekeeping.

(A) The property on which the business activity is located shall be inspected for accumulations of debris, litter, waste, organic matter, such as leaves or cut grass or other materials. Such accumulations shall be removed, transported and disposed of in accordance with this Chapter.

(B) Areas where work is being actively conducted shall be cleaned daily using dry clean-up methods such as sweeping, wiping, vacuuming, or raking. Wet clean-up methods such as hosing may only be used if precautions have been taken to prevent the discharge of wash water or other materials to the stormwater conveyance system or receiving waters.

(6) Liquid waste management

(A) Wet clean-up or cleaning methods such as hosing, steaming or pressure washing are prohibited except where adequate precautions have been taken to prevent the discharge of wash water and pollutants into the stormwater conveyance system or receiving waters.

(B) Disposal of slurries to the stormwater conveyance system or receiving waters is prohibited.

(C) Rinse water shall be confined to a designated area such as a sanitary sewer, dead-end sump, process treatment system, or hole where water percolates or evaporates and solids are removed for collection and disposal. Rinse water and solids shall be re-used, recycled, or disposed of in accordance with this Chapter.

(D) Wash water shall be directed to an approved sanitary sewer or landscaped locations.

(E) Wash racks.

i. Wash rack areas shall have perimeter control and be properly sloped to a grated floor drain.

ii. Wash rack areas shall drain to the sanitary sewer or to a holding tank, except that wash racks for animals may drain to the ground in accordance with this Chapter.

(F) Disposal of wastewater to the stormwater conveyance system, receiving waters, or the ground, is prohibited.

(G) If provided, pump-out services for boats, portable toilets, or other holding tanks shall be conducted in a manner that prevents the release of sewage to the stormwater conveyance system or receiving waters.

(H) Wastewater shall be disposed to the sanitary sewer at the job site or to a holding tank. Disposal of wastewater contained in holding tanks shall be disposed of

to the sanitary sewer at the business's company headquarters or at an approved facility.

(I) Discharging backwash wastewater to the stormwater conveyance system or receiving waters is prohibited. Backwash wastewater may be disposed to the sanitary sewer; to a holding tank or settling pond; or where allowed by this Chapter, by infiltration to the soil.

(J) Under the limited circumstances allowed by this Chapter, pool and spa water intended for discharge to the stormwater conveyance system shall be dechlorinated or debrominated prior to discharge.

(K) Under the limited circumstances allowed by this Chapter, pool and spa water discharged after acid washing shall be neutralized to a pH of 7.2 - 8.0.

(L) If rinse water from the cleaning of portable sanitary toilet closets cannot be properly disposed of to the sanitary sewer at a job site, it shall be contained prior to disposal at the service facility or other approved facility.

(M) Wash and rinse water from building and pavement washing that cannot be properly disposed of at the job site shall be collected and contained for recycling, reuse, or proper disposal.

(N) Where irrigation tail-water return ponds are used, the ponds shall be designed with the appropriate vertical separation between the base of the pond and the seasonal high groundwater mark and must be lined or managed to prevent the movement of water-soluble chemicals to the groundwater and to stormwater flows.

(7) Materials and waste management.

(A) Spill prevention and response.

i. Materials and equipment necessary for spill response shall be maintained and kept readily accessible.

ii. All operators, employees, and workers conducting potential discharge activities shall be trained in their proper use.

iii. Spills and leaks shall be promptly cleaned up and the generated waste disposed of in accordance with the applicable federal, state and local laws and regulations.

(B) Hazardous materials and hazardous wastes.

i. Hazardous materials and wastes shall be stored, managed, and disposed in accordance with applicable federal, state and local laws and regulations.

ii. Hazardous materials and wastes shall be stored above the ground. Where practicable, provide overhead coverage for all outside hazardous materials or waste storage areas. If overhead coverage is not available, stored materials shall be covered with an impervious material such as a tarp or other similar method.

iii. Paints, coatings, thinners, and other materials shall be disposed of in accordance with this Chapter.

iv. Secondary containment of hazardous materials or waste shall be provided around storage areas if the authorized enforcement official has determined that a significant potential exists to discharge materials or wastes to the stormwater conveyance system or receiving waters.

v. Hazardous waste storage areas shall be inspected by the owner or operator, at least once prior to the rainy season and monthly during the rainy season.

vi. Pesticides and other chemical products shall be used, stored, and disposed of in accordance with applicable federal, state, and local laws and regulations.

vii. The outdoor application of fertilizers and pesticides is prohibited during rainfall.

viii. Pesticide use shall be reduced whenever practical in areas where recurring applications of pesticides are performed.

(C) Solid, non-hazardous materials and waste.

i. Trash storage and disposal areas shall be kept clean and free of debris.

ii. Dumpsters, grease bins, grease traps, and interceptors, and other containers shall be maintained in a clean and leak -proof condition and shall be kept securely closed when not in use.

iii. Materials and equipment necessary for the clean-up of trash and debris shall be maintained and kept readily accessible.

iv. Loose aggregate, mortar, and dust shall be routinely cleaned up using dry clean-up methods such as sweeping or vacuuming. Wet methods may be used only if necessary to adequately clean equipment for reuse, or where water must be used to lubricate and flush a cut, but only if performed in accordance with this Chapter.

v. All areas where livestock, horses or other large animals are confined shall be bermed or curbed in a manner that avoids a discharge of manure to the stormwater conveyance system or receiving water. If berms or curbs are not practicable, manure shall be cleaned up at least twice weekly and must be composted or properly stored prior to disposal.

vi. Wastes from small animals (e.g., dogs and cats) shall be cleaned up and properly disposed of at least weekly.

(D) Loading and unloading.

i. Storm drain inlets located within or down-gradient of loading or unloading areas shall be covered or otherwise protected during loading and unloading activities to prevent the entry of pollutants and prohibited non-stormwater discharges into the stormwater conveyance system or receiving waters.

ii. Equipment and supplies stored in loading and unloading areas shall be properly maintained to prevent leaks and spills to the stormwater conveyance system or receiving waters, and to prevent their contact with rainfall and run-on.

(E) Storage.

i. Outdoor storage areas of materials and equipment shall be configured using berms, dikes, or other diversion structures or other measures that elevate stored materials and equipment from site surfaces.

ii. Containers shall be kept in a leak-proof condition, securely closed when not in use, and stored in a manner that protects them from contact with precipitation or surface waters.

iii. Storage of cement and masonry materials shall be above ground and covered.

iv. Except as required to maintain critical coarse sediment supply pursuant to Section 67.811(b)(5)(C), placement of stock piles within any drainage system is prohibited.

v. Stockpiles and bulk materials, such as soil, fertilizer, and potting mixture shall be covered during windy and rainy conditions where practicable. Prior to the onset of predicted rain, stockpiles shall be covered and bermed to prevent contact with stormwater.

(8) Vehicles and equipment.

(A) All vehicles and equipment shall be properly maintained and inspected to ensure their proper functioning to prevent discharges.

(B) Vehicles and equipment shall not be washed in areas where wash water or rinse water will drain to the stormwater conveyance system or receiving waters.

(C) Infiltration of wash or rinse water to pervious surfaces is allowed with a minimum of 10 feet separation between the groundwater and the pervious surface, except that wash or rinse water generated from cleaning engines, mechanical parts, or heavy equipment shall not infiltrate a pervious surface.

(D) The use of hose-off or single-use engine degreasing chemicals is prohibited, unless captured and properly disposed.

(E) Maintenance and repair equipment shall be kept clean to avoid the build-up of grease and oil.

(F) Fluids shall be drained from any retired vehicles or equipment stored on site.

(G) Vehicle and equipment maintenance and repair work such as body work shall be conducted indoors or under cover, where practicable. If work cannot be conducted indoors or under cover, other BMPs shall be implemented to prevent the discharge of pollutants into the stormwater conveyance system or receiving waters. Discharge of non-stormwater to the stormwater conveyance system is prohibited.

(H) Major repair and maintenance work on boats over or in the water is prohibited. Touch-up painting, tune ups, or other similar activities are not considered major repair or maintenance work, but may only be conducted over or in the water if adequate precautions have been taken to prevent the entry of pollutants into the water.

(9) Outdoor areas - housekeeping and grounds keeping practices.

(A) Storm drain inlets located within or down gradient of the activity shall be covered or otherwise protected from the entry of pollutants and non-stormwater during the work activity.

(B) Landscaping, grounds keeping and agriculture unless exempt pursuant to Section 67.805(h).

i. Except as required to maintain critical coarse sediment supply pursuant to Section 67.811(b)(5)(C), exposed slopes shall be stabilized as soon as possible.

ii. Paved surfaces such as sidewalks shall be cleaned regularly using dry clean-up methods such as sweeping or vacuuming. Hosing is permissible only after surfaces have previously been cleaned using dry methods, and only if precautions have been taken to prevent the discharge of run-off to the storm drain.

iii. Business, industrial and municipal facilities owners and their contractors shall clean-up and properly dispose of spills from any pesticides, herbicides and fertilizers to non-porous surfaces. These materials shall be stored in closed, labeled containers, such as in covered areas, off the ground, or under protective tarps, and in a manner that will not lead to a discharge. Disposal of pesticides, herbicides and fertilizers to the stormwater conveyance system and receiving waters is prohibited.

(C) Parking lots and vehicle storage areas.

i. Wet clean-up methods may only be used where adequate precautions have been taken to prevent the entry of wash water and pollutants into the stormwater conveyance system or receiving waters.

ii. Vehicle maintenance and repair operations with the potential to release non-stormwater or pollutants are prohibited at commercial parking lots and storage facilities.

(D) Rooftops.

i. Materials which may contaminate stormwater shall not be stored on rooftops unless adequate precautions have been taken to prevent their contact with stormwater.

ii. Equipment such as emergency generators, HVAC systems and other similar items located on rooftops shall be inspected and preventive maintenance conducted to prevent leaks and spills.

iii. Substances such as bird droppings, grease, leaves, that have accumulated on rooftops shall be removed, as practicable, to prevent or reduce the discharge of contaminants directly or indirectly to the stormwater conveyance system or receiving waters.

iv. Where feasible, roof downspouts shall be routed away from work areas and toward pervious areas such as lawns, except where required under Sections 67.810 and 67.811.

(b) Other requirements.

(1) Any commercial, industrial, or municipal facility or activity operating under the statewide Industrial General Permit shall provide the following documents for on-site review by the authorized enforcement official as applicable, and if requested:

(A) The Notice of Intent letter or a Waste Discharge Identification Number issued by the SWRCB.

(B) A SWPPP satisfying the requirements of the Industrial General Permit.

(C) A monitoring program satisfying the requirements of the Industrial General Permit.

(D) Training records satisfying the requirements of the Industrial General Permit.

(2) Any discharger whose facilities or activities are not in compliance with this Chapter, or any discharger or category of dischargers determined to pose a significant threat to water quality, may be required to implement additional controls as determined by the authorized enforcement official. The authorized enforcement official may require dischargers to maintain,

on site, written documentation of these additional requirements, and to provide such documentation upon request.

SEC. 67.809. ADDITIONAL REQUIREMENTS FOR CONSTRUCTION PROJECTS.

(a) All owners of land on which a construction project is performed and all persons performing the work, including without limitation any construction projects involving land disturbance activities, except that a local government or public authority is not a discharger for purposes of land disturbance activities conducted by others in connection with a private construction project in public rights-of-way, shall ensure that the following additional types of BMPs shall be installed, implemented, and maintained year round:

(1) Project planning;

(2) Good site management "Housekeeping", including waste management;

(3) Non-stormwater management;

(4) Erosion control;

(5) Sediment control;

(6) Run-on and run-off control; and

(7) Active/passive sediment treatment systems, where applicable.

(8) BMPs must be site specific, seasonably appropriate, and construction plan appropriate. Dry season BMPs must plan for and address unusual rain events that may occur during the dry season (May 1 through September 30th).

(b) Prior to obtaining any permit that allows for commencement of a construction project that includes land disturbance activities that can potentially generate pollutants in stormwater runoff, the owner of the property on which the land disturbance activities are performed or the person performing the work shall submit, to the satisfaction of the Director of Public Works or the authorized enforcement official, the following:

(1) A plan describing the pollution control strategies to be implemented on-site that complies with local ordinances and the NPDES Order. The plan submittal shall include the following information:

(A) The name, address, phone number and email for the owner and person performing the work;

(B) Basic site information including the address, hydrologic subarea, Waste Discharge Identification Number (WDID), if applicable, and approximate area of disturbance;

(C) Whether the site is considered a high threat to water quality pursuant to the NPDES Order;

(D) The project's estimated start and completion dates; and

(E) Identification of seasonally appropriate and effective BMPs and management measures as described in Section 67.809(a).

(c) BMPs shall be inspected routinely by the person performing the land disturbance activity or construction project and the property owner to ensure the BMPs are maintained and continue to function as intended. In addition, BMPs shall be inspected and maintenance, repair or replacement performed following every rain event to ensure the BMPs continue to function as intended.

SEC. 67.810. RESERVED FOR FUTURE USE.

SEC. 67.811. ADDITIONAL PLANNING, DESIGN AND POST-CONSTRUCTION REQUIREMENTS FOR DEVELOPMENT PROJECTS.

(a) Requirements for all Development Projects:

(1) Follow as applicable the approach and criteria described in the State Water Resources Control Board General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities.

(2) Except as noted in Section 67.811(b), submit a Standard Stormwater Quality Management Plan (SWQMP), with an application for a County permit or other County approval, identifying the measures that will be used for stormwater and non-stormwater management for the project consistent with the County BMP Design Manual.

(3) General Requirements. BMPs shall be designed, constructed and maintained as follows:

(A) Onsite BMPs must be located so as to remove pollutants from runoff prior to its discharge to any receiving waters, and as close to the source as possible;

(B) Structural BMPs may not be constructed in receiving waters; and

(C) Onsite BMPs must be designed and implemented with measures to avoid the creation of nuisance or pollution associated with vectors (e.g., mosquitos, rodents, or flies).

(4) Source Control BMP Requirements. Where applicable and feasible, the following source control BMPs must be implemented at all development projects:

(A) Prevention of illicit discharges into the stormwater conveyance system;

(B) Stenciling and marking of all storm drains in accordance with the BMP Design Manual;

(C) Protection of all outdoor material storage areas from rainfall, run-on, runoff, and wind dispersal including the following:

- Storage areas must be paved and sufficiently impervious to contain leaks and spills, where necessary.
- The storage area shall be sloped towards a sump or another equivalent measure that is effective to contain spills.
- Runoff from downspouts/roofs must be directed away from storage areas.
- The storage area must have a roof or awning that extends beyond the storage area to minimize collection of storm water within the secondary containment area. A manufactured storage shed may be used for small containers.
- Use other methods approved by the County.

(D) Protection of materials stored in outdoor work areas from rainfall, run-on, runoff, and wind dispersal including the following:

- Create an impermeable surface such as concrete or asphalt, or a prefabricated metal drip pan, depending on the size needed to protect the materials.
- Cover the area with a roof or other acceptable cover.
- Berm the perimeter of the area to prevent water from adjacent areas from flowing on to the surface of the work area.
- Directly connect runoff to sanitary sewer or other specialized containment system(s), as needed and where feasible. Approval for this connection must be obtained from the appropriate sanitary sewer agency.
- Locate the work area away from storm drains or catch basins.
- Use other methods approved by the County.

(E) Protection of trash storage areas from rainfall, run-on, runoff, and wind dispersal including the following:

- Design trash container areas so that drainage from adjoining roofs and pavement is diverted around the area(s) to avoid run-on. This can include berming or grading the waste handling area to prevent run-on of storm water.
- Ensure trash container areas are screened or walled to prevent offsite transport of trash.
- Provide roofs, awnings, or attached lids on all trash containers to minimize direct precipitation and prevent rainfall from entering containers.
- Locate storm drains away from immediate vicinity of the trash storage area and vice versa.

- Post signs on all dumpsters informing users that hazardous material are not to be disposed.
- Use other methods approved by the County.

(F) Implementation of additional BMPs as the County determines necessary to minimize pollutant generation.

(5) Site Design Requirements. Where applicable and feasible, the following Site Design BMPs must be implemented at all development projects:

(A) Natural storage reservoirs and drainage corridors (including topographic depressions, areas of permeable soils, natural swales, and ephemeral and intermittent streams) must be maintained or restored;

(B) Buffer zones must be provided for natural water bodies whenever technically feasible. When buffer zones are technically infeasible, other buffers such as trees and access restrictions are required;

(C) Natural areas within the project footprint should be conserved whenever possible;

(D) Streets, sidewalks, and parking lot aisles shall be constructed to the minimum widths necessary consistent with public safety;

(E) The impervious footprint of the project shall be minimized;

(F) Soil compaction to landscaped areas shall be minimized where doing so does not create an excessive risk of slope failure or erosion;

(G) Impervious surfaces shall be disconnected by disturbed pervious areas that can be used to infiltrate runoff;

(H) Landscaped or other pervious areas shall be designed and constructed to effectively receive and infiltrate, retain, and/or treat runoff from impervious areas prior to discharging to the stormwater conveyance system;

(I) Small collection strategies shall be located at, or as close as possible to, the source of the discharge;

(J) Permeable materials shall be used for projects with low traffic areas and appropriate soil conditions;

(K) Native or drought tolerant landscaping shall be used; and

(L) Precipitation shall be harvested and used for landscaping or other permitted use.

(b) Additional Requirements for Priority Development Projects. These requirements apply only to projects west of the Pacific/Salton Sea Divide. In addition to meeting the BMP requirements applicable to all other development projects as required by the NPDES Order and set forth above, the following are applicable to Priority Development Projects.

(1) Priority Development Projects include:

(A) New development projects that create 10,000 square feet or more of impervious surfaces (collectively over the entire project site). This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land.

(B) Redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface (collectively over the entire project site on an existing site of 10,000 square feet or more of impervious surfaces). This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land.

(C) New and redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface (collectively over the entire project site), and support one or more of the following uses:

i. Restaurants. This category is defined as a facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC code 5812).

ii. Hillside development projects. This category includes development on any natural slope that is twenty-five percent or greater.

iii. Parking lots. This category is defined as a land area or facility for the temporary parking or storage of motor vehicles used personally, for business, or for commerce.

iv. Streets, roads, highways, freeways, and driveways. This category is defined as any paved impervious surface used for the transportation of automobiles, trucks, motorcycles, and other vehicles.

(D) New or redevelopment projects that create and/or replace 2,500 square feet or more of impervious surface (collectively over the entire project site), and discharging directly to an ESA. "Discharging directly to" includes flow that is conveyed overland a distance of 200 feet or less from the project to the ESA, or conveyed in a pipe or open channel any distance as an isolated flow from the project to the ESA (i.e., not commingled with flows from adjacent lands).

(E) New development projects, or redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface, that support one or more of the following uses:

i. Automotive repair shops. This category is defined as a facility that is categorized in any one of the following Standard Industrial Classification (SIC) codes: 5013, 5014, 5541, 7532-7534, or 7536-7539.

ii. Retail gasoline outlets (RGOs). This category includes RGOs that meet the following criteria:

a. 5,000 square feet or more; or
b. A projected Average Daily Traffic (ADT) of 100 or more vehicles per day.

(F) New or redevelopment projects that result in the disturbance of one or more acres of land and are expected to generate pollutants post construction.

(2) The following projects shall not be considered priority development projects:

(A) New or retrofit paved sidewalks, bicycle lanes, or trails that meet the following criteria:

i. Designed and constructed to direct stormwater runoff to adjacent vegetated areas, or other non-erodible permeable areas; or

ii. Designed and constructed to be hydraulically disconnected from paved streets or roads; or

iii. Designed and constructed with permeable pavements or surfaces in accordance with USEPA Green Streets guidance.

(B) Retrofitting or redevelopment of existing paved alleys, streets or roads that are designed and constructed in accordance with the USEPA Green Streets guidance. Compliance with any Green Street guidance developed by the County shall be deemed to satisfy this requirement as long as that guidance is as protective of water quality as the USEPA Green Streets guidance. Green Streets projects are subject to County review and approval.

(3) Special considerations for redevelopment projects:

(A) Where redevelopment results in the creation or replacement of impervious surface in an amount of less than fifty percent of the surface area of the previously existing development, then the structural BMP performance requirements defined in the BMP Design Manual apply only to the creation or replacement of impervious surface, and not the entire development; or

(B) Where redevelopment results in the creation or replacement of impervious surface in an amount of more than fifty percent of the surface area of the previously existing development, then the structural BMP performance requirements defined in the BMP Design Manual apply to the entire development.

(4) Priority Development Projects must submit a PDP Stormwater Quality Management Plan (PDP SWQMP), with an application for a County permit or other County approval, identifying the measures that will be used for stormwater and non-stormwater management for the project consistent with the County BMP Design Manual, and implement structural BMPs that conform to performance requirements described below:

(A) Each PDP must implement BMPs that are designed to retain (i.e., intercept, store, infiltrate, evaporate, and evapotranspire) onsite the pollutants contained in the volume of stormwater runoff produced from a 24-hour 85th percentile storm event (design capture volume); or

(B) If retaining the full design capture volume onsite is not technically feasible, biofiltration BMPs may be used. Biofiltration BMPs must be designed to have an appropriate hydraulic loading rate to maximize stormwater retention and pollutant removal, as well as to prevent erosion, scour, and channeling within the BMP, and must be sized to:

i. Treat 1.5 times the design capture volume not reliably retained onsite, or

ii. Treat the design capture volume not reliably retained onsite with a flow-thru design that has a total volume, including pore spaces and pre-filter detention volume, sized to hold at least 0.75 times the portion of the design capture volume not reliably retained onsite.

(C) If the County determines that biofiltration is not technically feasible, then a PDP may be allowed to utilize flow-thru treatment control BMPs to treat runoff leaving the site, AND mitigate for the design capture volume not reliably retained onsite pursuant to the requirements in Section 67.811(b)(6). Flow thru treatment control BMPs must be sized and designed to:

i. Remove pollutants from storm water to the MEP;

ii. Filter or treat either: 1) the maximum flow rate of runoff produced from a rainfall intensity of 0.2 inch of rainfall per hour, for each hour of a storm event, or 2) the maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity (for each hour of a storm event), as determined from the local historical rainfall record, multiplied by a factor of two;

iii. Be ranked with high or medium pollutant removal efficiency for the PDP's most significant pollutants of concern. Flow-thru treatment control BMPs with a low removal efficiency ranking will only be approved by the County if a feasibility analysis has been conducted which exhibits that implementation of flow-thru treatment control BMPs with high or medium removal efficiency rankings are infeasible for the applicable portion of a PDP.

(5) Hydromodification Management BMP Requirements. Priority Development Projects must implement BMPs to manage hydromodification that may be caused by stormwater runoff discharged from a project as follows:

(A) Hydromodification BMPs must be sized and designed such that post-project runoff conditions (flow rates and durations) will not exceed pre-development runoff conditions by more than 10 percent (for the range of flows that result in increased potential for erosion, or degraded instream habitat downstream of Priority Development Projects).

i. In evaluating the range of flows that results in increased potential for erosion of natural (non-hardened) channels, the lower boundary must correspond with the critical channel flow that produces the critical shear stress that initiates channel bed movement or that erodes the toe of channel banks.

(B) A Priority Development Project may be exempted from the hydromodification management BMP performance requirements where the project discharges stormwater runoff to:

i. Existing underground storm drains that discharge directly to water storage reservoirs, lakes, enclosed embayments, or the Pacific Ocean; or

ii. Conveyance channels whose bed and bank are concrete lined all the way from the point of discharge to water storage reservoirs, lakes, enclosed embayments or the Pacific Ocean; or

iii. An area identified by the County as appropriate for an exemption through a Watershed Management Area Analysis incorporated into a Water Quality Improvement Plan accepted by the RWQCB.

(C) PDP projects must avoid critical coarse sediment yield areas as identified by the County unless measures are implemented consistent with the BMP Design Manual that allow critical coarse sediment to be discharged to receiving waters, such that there is no net impact to the receiving water.

(6) A PDP may be allowed at the County's discretion to utilize offsite alternative compliance in lieu of complying with the storm water pollutant control and hydromodification BMP performance requirements in Section 67.811(b)(4)-(5). The PDP must mitigate for the portion of the pollutant load in the design capture volume not retained onsite and/or post-project runoff conditions not fully managed onsite consistent with a Water Quality Equivalency (WQE) Guidance Document accepted by the RWQCB. If a PDP is allowed to utilize offsite alternative compliance, flow-thru treatment control BMPs must be implemented to treat the portion of the design capture volume that is not reliably retained onsite. Flow-thru treatment control BMPs must be sized and designed in accordance with the requirements of Section 67.811(b)(4)(C). An offsite alternative compliance project for a private PDP may be partially or wholly located within the County Right-of-way upon approval of the Authorized Enforcement Officer. Any and all costs associated with the project shall be the sole responsibility of the applicant, including design and installation and the effective operation and maintenance in perpetuity of any and all treatment and hydromodification controls

required under this Chapter. The County shall retain the authority to recoup as necessary any and all such costs.

(7) The following requirements apply to the use of infiltration BMPs:

(A) Infiltration BMPs shall not cause or contribute to an exceedance of applicable groundwater quality objectives as set out in the RWQCB "Basin Plan" for the San Diego area;

(B) Runoff must undergo pretreatment such as sedimentation or filtration prior to infiltration;

(C) Pollution prevention and source control BMPs must be implemented at a level appropriate to protect groundwater quality at sites where infiltration BMPs are to be used;

(D) Infiltration BMPs must be adequately maintained to remove pollutants in stormwater to the MEP;

(E) The vertical distance from the base of any infiltration BMP to the seasonal high groundwater mark must be at least 10 feet. Where groundwater basins do not support beneficial uses, this vertical distance criteria may be reduced, provided groundwater quality is maintained;

(F) The soil through which infiltration is to occur must have physical and chemical characteristics (e.g., appropriate cation exchange capacity, organic content, clay content, and infiltration rate) which are adequate for proper infiltration durations and treatment of runoff for the protection of groundwater beneficial uses;

(G) Infiltration BMPs must not be used for areas of industrial or light industrial activity, and other high threat to water quality land uses and activities as designated by the County , unless source control BMPs to prevent exposure of high threat activities are implemented, or runoff from such activities is first treated or filtered to remove pollutants prior to infiltration; and

(H) Infiltration BMPs must be located a minimum of 100 feet horizontally from any water supply wells and 25 feet from any septic system or as prescribed by County of San Diego Department of Environmental Health.

(8) A priority development project shall not receive a certificate of occupancy or other final approval allowing use of the project site or any portion thereof, until after all required structural BMPs have been constructed in accordance with the PDP SWQMP, BMP Design Manual, this Chapter, and the NPDES Order.

(c) Grandfathering under Previous Land Development Requirements. The requirements of Sections 67.811(a) and (b) apply to all development projects unless a prior lawful approval to proceed under the provisions of a prior MS4 Permit has been obtained from the County. The

Authorized Enforcement Official may partially or wholly waive these requirements for any private or public development project meeting the conditions of either Section 67.811(c)(1) or (2) below.

(1) Previous land development requirements may be allowed to apply to any portion or phase of a development project for which the Authorized Enforcement Official determines the County lacks the land use authority or legal authority to require the project to implement the requirements of Sections 67.811(a) and/or (b).

(2) At its discretion, the Authorized Enforcement Official may allow the requirements of the immediately prior MS4 Permit to apply to any portion or phase of a Priority Development Project for which all of the conditions below have been satisfied.

(A) Initial Approvals. Prior to the effective date of the current MS4 Permit provisions, the applicant must have:

i. Obtained an approval of a design that incorporates the storm water drainage system for the Priority Development Project in its entirety, including all applicable structural and hydromodification management BMPs consistent with the requirements of the prior MS4 permit. For public projects, a design stamped by the County Engineer or engineer of record for the project is considered an approved design; and

ii. Been issued a project permit or approval that authorizes the commencement of construction activities based on the design approved in Section 67.811(c)(2)(A)i;

For purpose of Section 67.811(c), the effective date of the 2013 MS4 Permit provisions is February 26, 2016.

(B) Demonstrated to the County's satisfaction that construction activities have commenced on any portion of the Priority Development Project site within 365 days prior to, or 180 days after, the effective date of the current MS4 Permit provisions, where construction activities are undertaken in reliance on the permit or approval.

(C) Subsequent Approvals. Within five years of the effective date of the current MS4 Permit provisions, the applicant must have obtained all subsequent project permits or approvals that are needed to implement the design initially approved in conformance with Section 67.811(c)(2)(A)i. After that time, any portion or phase of a Priority Development Project for which subsequent approvals have not been obtained is required to meet the updated requirements of Section 67.811(a) and (b).

(D) Substantial Conformance. The storm water drainage system for the Priority Development Project in its entirety, including all applicable structural pollutant treatment control and hydromodification management BMPs must remain in substantial conformity with the design initially approved in conformance with Section 67.811(c)(2)(A)i. Any portion or phase of a Priority Development

Project not maintaining substantial conformity with this design is required to meet the updated requirements of Sections 67.811(a) and (b).

SEC. 67.812. MAINTENANCE OF STRUCTURAL BMPS AND NATURAL SYSTEM MANAGEMENT PRACTICES.

(a) All existing and new development shall maintain the post-construction structural BMPs and natural system management practices (NSMP), relied upon to achieve and maintain compliance with this Chapter and NPDES Order. The owner of the land on which the BMPs and/or NSMPs are located or the person responsible for completing the BMPs and/or NSMPs as part of a development project shall implement, maintain, replace, or retrofit the pollutant control BMPs, hydromodification control BMPs and/or NSMPs as necessary to ensure pollutants are removed from stormwater to the MEP and all prohibited non-stormwater discharges are prevented from reaching the stormwater conveyance system or receiving waters. BMPs shall remain effective and function in the manner intended. All BMPs must be maintained to avoid the creation of nuisance or pollution associated with vectors (e.g. mosquitos, rodents, or flies).

(b) The owners and occupants of lands on which post-construction structural BMPs and/or NSMPs have been installed to meet the requirements of this Chapter and the NPDES Order shall ensure the maintenance and effective operation of those BMPs and/or NSMPs, and shall themselves maintain, replace, or retrofit those BMPs or NSMPs if other persons or entities who are also obliged to maintain those BMPs fail to do so. The owners and occupants shall provide documentation of such maintenance and effective operation annually and as requested by the authorized enforcement official.

(c) Primary responsibility to maintain post-construction structural BMPs and/or NSMPs may be transferred through a contract or other agreement. If that contract provides that it will be submitted to the County pursuant to this Chapter as part of a development permit application, and if that contract is so submitted, the person or entity accepting a maintenance obligation in such a contract or agreement will also be legally obliged to maintain that BMP or NSMP pursuant to this Chapter.

(d) For purposes of County enforcement, no contract or other agreement imposing an obligation to maintain a BMP or NSMP can relieve a person or entity of any obligation to maintain a BMP or NSMP imposed by this Chapter.

(e) Any developer or property owner who transfers ownership of land on which a post-construction, structural BMP and/or NSMP is located or will be located, or who otherwise transfers ownership of a post-construction structural BMP and/or NSMP or responsibility for the maintenance of such a BMP to another person or entity, shall provide clear written notice of the maintenance obligations associated with that BMP to the new or additional responsible party prior to that transfer. If directed, the developer or property owner must provide a copy of the written notice to the County.

(f) The proponents of any land development project for which post-construction structural BMPs and/or NSMPs are required must enter into a maintenance agreement for each practice. The maintenance agreement shall be provided to the County for review and approval prior to issuance of permits, and must include a plan for maintenance of all post-construction structural BMPs and NSMPs associated with the project. The plan shall specify the persons or entities responsible for maintenance activity, the persons or entities responsible for funding, schedules and procedures for

inspection and maintenance of the BMPs, worker training requirements, and any other activities necessary to ensure BMP or NSMP maintenance. The plan shall provide for servicing of all post-construction structural BMPs and NSMPs at least annually and for the retention of inspection and maintenance records for at least three (3) years. Maintenance agreements must be recorded and shall run with the land.

(g) The proponents of any development project that requires a discretionary County permit shall provide to the County for review and approval prior to issuance of permits, an executed, permanent easement onto the land on which post-construction structural BMPs or NSMPs will be located, and across other lands as necessary for access, to allow inspection and maintenance of those practices.

(h) The proponents of any project that requires a discretionary County permit shall provide to the County prior to issuance of such permit, proof of a mechanism acceptable to the County which will ensure ongoing long-term maintenance of all post-construction structural BMPs and NSMPs associated with the proposed project. The proponents shall be responsible for maintenance, repair and replacement of BMPs and/or NSMPs unless and until an alternative mechanism for ensuring maintenance is accepted by the County and becomes effective.

(i) The County or another public entity may accept responsibility for maintenance of any post-construction structural BMP or NSMP, under such conditions as the County or other public entity determines are appropriate. Where a maintenance obligation is proposed to be accepted by a public entity other than the County, the County shall be involved in the negotiations with that agency, and in negotiations with the resource agencies responsible for issuing permits for the construction or maintenance of the post-construction, structural BMP or NSMP. The County must be identified as a third party beneficiary empowered to enforce any such maintenance agreement.

SEC. 67.813. INSPECTION/SAMPLING.

(a) Authorized enforcement officials may inspect facilities, activities and residences subject to this Chapter at reasonable times and in a reasonable manner to carry out the purposes of this Chapter. If entry for a regulatory inspection is refused by the owner or operator, or by the occupant of a residence, an inspection warrant shall be obtained prior to inspection.

(b) When any new post-construction structural BMP is installed on private property as part of a project that requires a County permit, in order to comply with this Chapter, the property owner shall grant to the County an easement to enter the property at reasonable times and in a reasonable manner to ensure that the BMP is working properly. This includes the right to enter the property without prior notice once per year or as otherwise required by the NPDES Order for routine inspections, to enter as needed for additional inspections when the County has a reasonable basis to believe that the BMP is not working properly, to enter for any needed follow-up inspections, and to enter when necessary for abatement of a nuisance or correction of a violation of this Chapter.

(c) Inspections may include all actions necessary to determine whether any illegal discharges or illicit connections exist, whether the BMPs installed and implemented are adequate to comply with this Chapter, whether those BMPs are being properly maintained, and whether the facility or activity complies with the other requirements of this Chapter. This may include but may not be limited to sampling, metering, visual inspections, and records review. Where samples are collected the owner or operator may request and receive split samples. Records, reports, analyses, or other information

required under this Chapter may be inspected and copied, and photographs taken to document a condition and/or a violation of this Chapter.

SEC. 67.814. ENFORCEMENT.

(a) General. The authorized enforcement official and each agent or deputy thereof who is assigned to duties which include the enforcement of this Chapter in the San Diego County Code of Regulatory Ordinances, and any peace officer, are authorized to enforce the provisions of this Chapter, including the activities set forth in this Section below.

(b) Order to Stop, Repair Work and Bonds. Whenever the authorized enforcement official determines that any activity regulated by this Chapter causes or threatens to cause the discharge of pollutants in stormwater, the prohibited discharge of non-stormwater to the stormwater conveyance system or receiving waters, or otherwise violate a requirement of this Chapter, he or she may order work to be stopped and/or repairs, BMPs, pollution prevention practices or other corrections to be made, by serving written notice on the owner, permittee or any person engaged in the doing or causing such activity to be performed, and such persons shall immediately stop such work until authorized by the authorized enforcement official in writing to proceed. The authorized enforcement official may require performance and payment bonds for the full cost of any repair work in a form meeting the substantive requirement for bonds specified by the County Subdivision Ordinance.

(c) Notice of Violation. The authorized enforcement official may issue and enforce Notices of Violation and Notices of Ineligibility for Land Development, pursuant to this Chapter.

(d) Administrative Remedies, Fines and Liens. The authorized enforcement official may pursue the Administrative Remedies set forth at Division 8 of Title 1 of this Code, including the issuance of Administrative Citations pursuant to Chapter 1 (commencing with Section 18.101) of said Division 8. Unpaid administrative citations may be recorded against the property on which the violation occurred and may be foreclosed in any manner allowed by State law or County ordinance for the foreclosure of liens.

(e) Arrests and Citations. The authorized enforcement official shall have the power to make arrests for violations of this Chapter and State laws which he or she has a duty to enforce, and to issue citations for such violations. Any person so arrested who does not demand to be taken before a magistrate may instead be cited in the manner prescribed in Chapter 5C (commencing with Section 853.5) of Title 3, Part 2 of the Penal Code. The authorized enforcement official may arrest an owner without warrant whenever they have reasonable cause to believe that the person arrested has committed a violation of this Chapter, provided that the officer or employee making the arrest shall have completed a course of training that meets the minimum standards prescribed by the Commission on Peace Officer Standards and Training as prescribed by Section 832(a) of the Penal Code. An officer or employee making an arrest under this Section shall follow the citation-release procedures prescribed by the Penal Code.

(f) Non-Liability. The authorized enforcement official charged with the enforcement of this Chapter, acting in good faith and without malice for the County in the discharge of his duties, shall not thereby render himself or herself liable personally and he or she is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of his duties. Any suit brought against

the authorized enforcement official, because of such act or omission performed by him or her in the enforcement of any provisions of this Chapter, shall be defended by the legal department of the County until final termination of the proceedings.

SEC. 67.815. VIOLATIONS - CRIMINAL PENALTIES.

(a) Any person violating any provision of this Chapter shall be deemed guilty of a misdemeanor, unless, in the discretion of the prosecutor, it is charged as an infraction. A person convicted of a third or subsequent such violation within two years from the date of the first conviction shall be deemed guilty of a misdemeanor.

(b) Any person convicted of an infraction under this Chapter shall be punished by a fine not exceeding one hundred dollars for the first violation, two hundred dollars for the second violation within one year, and five hundred dollars for each subsequent violation within one year. Any person convicted of a misdemeanor under this Chapter shall be punished by imprisonment in the County jail for a term not exceeding six months, or by a fine not exceeding one thousand dollars, or both.

(c) Each day or any portion of a day that any person violates or continues to violate provisions of this Chapter constitutes a separate offense and may be charged and punished separately without awaiting conviction on any prior offense. The penalties imposed by this Section are in addition to penalties imposed under other provisions of this Code and other County ordinances.

(d) Paying a fine or serving a jail sentence shall not relieve any owner or permittee from responsibility for correcting any condition which violates any provision of this Chapter.

SEC. 67.816. VIOLATIONS - PUBLIC NUISANCE.

In addition to any penalty prescribed for violation of this Code, any discharge of pollutants in stormwater, prohibited discharge of non-stormwater to the stormwater conveyance system or receiving waters, or act done contrary to the provisions of this Chapter is unlawful and a public nuisance. Any work performed without a Standard SWQMP, PDP SWQMP, SWPPP or other plan required by this Chapter prior to commencement of work, regardless of whether such failure is due to neglect or refusal, shall be prima facie evidence that a public nuisance has been committed. A public nuisance may be abated in accordance with the Uniform Public Nuisance Abatement Procedure contained in Chapter 2, Division 6, Title 1 (commencing with Section 16.201) of this Code or, upon order of the Board of Supervisors, the County Counsel is authorized to commence necessary proceedings provided by law to abate, remove and/or enjoin such public nuisance.

SEC. 67.817. VIOLATIONS - DENIAL OF SUBSEQUENT PERMITS AND OCCUPANCY.

Any work performed on a priority development project or land disturbance activities on a construction project performed without first obtaining a Standard SWQMP, PDP SWQMP, SWPPP or other plan required by this Chapter and any violation of one or more conditions contained in such a plan where the violation results in or threatens to result in the discharge of pollutants in stormwater or a prohibited, non-stormwater discharge to the stormwater conveyance system or receiving waters, shall be grounds for denying for five years all applications for grading permits, administrative permits, site plans, use permits, major and minor subdivisions, rezones, specific plans, specific plan amendments, general plan amendments and other land development applications proposed for the property on which the violation occurred. The "property" shall be deemed to include the lot or parcel

on which the violation occurred, together with all adjacent parcels owned by the same person or entity or which are part of a common plan of development. The five-year period shall commence from the date of the violation, if documented, or from the date of discovery of the violation. The Board of Supervisors may waive the penalty imposed by this subsection, for good cause. Any such waiver, if granted, shall in no way relieve the owner or applicant for any such subsequent land development application, of their duty to include the environmental effects of the violation in any environmental analysis performed for the subsequent application, to restore or rehabilitate the site, implement such BMPs and/or pollution prevention practices as may be necessary to resolve the violation, and provide substitute or compensating resources, or perform other appropriate measures to mitigate the adverse effects of the illegal activity.

SEC. 67.818. VIOLATIONS - INJUNCTIVE OR DECLARATORY RELIEF.

In addition to or in lieu of other remedies specified in this Chapter, any violation of this Chapter may be enforced by a judicial action for injunctive or declaratory relief.

SEC. 67.819. VIOLATIONS - CIVIL PENALTIES.

(a) As part of a civil action filed by the County to enforce provisions of this Chapter, a court may assess a maximum civil penalty of $2,500 per violation of this Chapter for each day during which any violation of any provision of this Chapter is committed, continued, permitted or maintained by such person(s).

(b) In determining the amount of any civil liability to be imposed pursuant to this Chapter, the superior court shall take into consideration the nature, circumstances, extent, and gravity of the violation or violations, whether any discharge caused by the violation is susceptible to cleanup or abatement, and, with respect to the violator, the ability to pay, the effect on ability to continue in business, the extent of any advantage gained by an unfair business practice, any voluntary cleanup efforts undertaken, any prior history of violations, the degree of culpability, economic savings, if any, resulting from the violation, and such other matters as justice may require.

SEC. 67.820. VIOLATIONS - COST RECOVERY.

In addition to other penalties and remedies permitted in this Chapter, the following may be awarded without monetary limitations in any civil action:

(a) Costs to investigate, inspect, monitor, survey, or litigate;

(b) Costs to place or remove BMPs; costs to correct any violation; and costs to end any adverse effects of a violation;

(c) Compensatory damages for losses to the County or any other plaintiff caused by violations; and/or

(d) Restitution to third parties for losses caused by violations.

SEC. 67.821. NOTICE OF INELIGIBILITY FOR LAND DEVELOPMENT.

(a) If the authorized enforcement official believes that work has been performed on a priority development project or land disturbance activities on a construction project have been performed without first obtaining a Standard SWQMP, PDP SWQMP, SWPPP or other plan required by this Chapter and any violation of one or more conditions contained in such a plan where the violation results in or threatens to result in the discharge of pollutants in stormwater or a prohibited, non-stormwater discharge to the stormwater conveyance system or receiving waters, he or she may deliver to the owner of the property upon which the activity occurred a Notice of Intent to File a Notice of Ineligibility for Land Development with the Departments of Planning and Development Services and Public Works. The notice of intent shall be either served upon the owner personally or be both mailed (via certified mail, return receipt requested) to the owner at the address shown on the most recent tax assessment records and posted on the property. The notice of intent shall state the authorized enforcement official's intention to file the Notice of Ineligibility for Land Development, and shall fix a location, time and date (which shall not be less than fifteen days after the delivery of the notice), at which the authorized enforcement official will hold a hearing at which the owner may submit to the authorized enforcement official written comments or reasons why a Notice of Ineligibility for Land Development should not be filed. The authorized enforcement official shall hold the hearing at the appointed time, shall consider any information provided by the owner, and shall determine whether a violation occurred, whether it has been remedied, and whether to file a Notice of Ineligibility for Land Development.

(b) If the authorized enforcement official files a Notice of Ineligibility for Land Development, and for so long as said notice remains in effect, no application for a building permit, administrative permit, site plan, use permit, variance, tentative parcel map, tentative map, parcel map or final map or any other permit for the development of the subject property shall be approved. All such applications shall be denied, and the authorized enforcement official receiving such an application shall not be required to undertake further review of the application. The "subject property" shall be deemed to include the lot or parcel on which the violation occurred, together with all adjacent parcels owned by the same person or entity or which are part of a common plan of development. The Notice of Ineligibility for Land Development shall remain in effect until the authorized enforcement official files a "Release of Notice of Ineligibility for Land Development," which the authorized enforcement official shall file when the Standard SWQMP, PDP SWQMP, SWPPP or other plan as required by this Chapter has been obtained, and that all necessary BMPs, pollution prevention practices and other site conditions or activities have been inspected and approved in writing by the authorized enforcement official as being in compliance with the requirements of this Chapter.

Section 3. Within 15 days after adoption of this ordinance, a summary hereof shall be published once, with the names of the members of this Board voting for and against the same in the Daily Transcript, a newspaper of general circulation published in the County of San Diego. This ordinance shall be effective thirty days after its adoption.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

By: _____
Thomas Deak, Sr. Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 27th day of January, 2016.

RON ROBERTS
Chairman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 27th day of January, 2016.

DAVID HALL
Clerk of the Board of Supervisors

By
Elizabeth Miller, Deputy

Ordinance No. 10410 (N.S.)

01/27/16 (7)

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject	Policy Number	Page
Hillside Development Policy	I-73	1 of 8

Purpose

The purpose of this policy is to minimize the effects of disturbing natural terrain and provide for creative design for Hillside Developments. The policy provides guidelines to assist the Board of Supervisors, the Planning Commission, the Director of Planning and Development Services, and staff in the evaluation of hillside development in San Diego County. It is intended that this policy serve as a guideline and supplement to any other applicable regulations, including the Resource Protection Ordinance. It is also intended that this policy provide advance notice of what may be required when reviewing development proposals in hillside areas.

Background

It has been recognized for some time that proposed hillside development must be given a special type of analysis and review. Section 66474 of the Government Code (Subdivision Map Act) requires that the Board of Supervisors disapprove any final or tentative subdivision map if it finds "...that the site is not physically suitable for the proposed density of development." The Resource Protection Ordinance provides specific standards and criteria for the amount of steep slope lands that may be disturbed, while the Hillside Development Policy provides flexible guidelines for reducing the negative effects of such disturbance. The Board of Supervisors has concluded that a policy stating only generalized guidelines is the best approach for minimizing the effects of disturbing the natural terrain.

Policy

It is the policy of the County of San Diego that:

Development of building sites in hillside areas be planned and constructed in such a manner as to preserve, enhance or improve the physical features of the area consistent with providing building sites while at the same time optimizing the aesthetic quality of the final product. The design process set forth below shall be used as a guide to achieve the best possible hillside development. The guidelines set forth in this policy are purposely expressed in general terms to allow for flexibility in their application. It is recognized that at times difficulties may be encountered in interpreting some of these guidelines, but it is anticipated that appropriate decisions will be reached by the persons involved in the overall spirit and intent of this policy is respected. This policy is not intended to inhibit or restrict development, but rather to result in the best potential use of any site.
This policy shall not apply to projects for which development applications have been filed, and fees paid, to the Department of Health Services or the Department of Planning and Development Services prior to the effective date of this policy. Where applicants are required to file first with the Department of Health Services, the applicant shall submit his full application to the Department of Planning and Development Services within 1 year of the date the application was first filed with the Department of Health Services.

1. All hillside subdivisions should be designed to minimize the permanent impact upon site resources. The resources include but are not limited to existing natural terrain, established vegetation, visually significant geologic displays and portions of a site which have significant public or multiple-use value. This may be achieved by:

    a. Planning the grading and design of hillside developments to complement natural landforms.

    b. Encouraging variety in the development of hillsides through site preparation techniques; grading techniques; configuration, size and placement of lots; and protection of the public use of on-site vista points.

    c. Protecting and conserving physiographic features of public significance.

    d. Encouraging preservation of bluffs which by their location, relative scale and configuration would be significant features of the development.

    e. Planning of hillside developments to minimize potential soil, geological and drainage problems.

    f. Encouraging street designs, consistent with the public's safety, which diminish conflicts with the natural topography.

    g. Maximizing visual quality and minimizing erosion potential through the use of existing native plant communities and by planting native and naturalized plants especially in disturbed areas adjacent to ungraded hillsides and water courses. (It is recognized that native or naturalized plants may not be appropriate on graded slopes under 12 feet in vertical elevation which are generally adjacent to a building pad. Also, the bottom 12 feet of higher slopes visible from building pads or major through streets may not be appropriate for native or naturalized plants.)

    h. Encouraging the use of smaller or split-level building pads on steeper road grades in order to minimize total grading.

    i. Encouraging the use of graded slopes which may be steeper than existing site topography when the steeper slopes increased the preservation of undisturbed natural areas.

    j. Encouraging the use of limited open-space easements on contiguous lots in undisturbed areas, excluding building areas, and active uses areas, when such areas are highly visible and significantly large.

k. Waiving any requirement for irrigation systems in native and naturalized planting areas when it can be demonstrated that vegetative cover can be re-established without it, and that no significant surface erosion will result during the re-establishment period.

l. Encouraging the use of mechanical erosion control methods such as slope serrations, punched straw and contour plowing which will allow revegetation of disturbed areas without irrigation systems.

m. Encouraging the use of woody shrubs and trees for conventionally irrigated slopes and the arrangement and quantity of these plants so as to ultimately soften and vary the texture of these slopes.

n. Encouraging the use of street tree plantings in the front yard setback to soften the view of the buildings, except where trees may inhibit significant views from the site.

o. Encouraging the arrangement of building site to optimize the views from the site.

p. Designing the developments so that some of the watercourses can be preserved in a natural riparian conditions with minimal channel erosion.

q. Encouraging site design to provide solar access.

2. Definitions. The following definitions shall be applicable to these guidelines:

a. "Hillside Subdivision" means a major or minor subdivision where any of the lots being created are less than 40 acres or less than one quarter of a quarter section for which a slope analysis shows:

1. Twenty-five (25) percent of more of the land's surface has a slope of twenty-five (25) percent or grater; and,

2. A height differential of 50 feet or more within any area having a slope of twenty-five (25) percent or greater.

Also, for the purposes of this policy, any major or minor subdivision exceeding 400 acres in size and any of the lots being created are less than 40 acres or less than one-quarter of a quarter section, shall be considered a hillside subdivision when:

1. It contains 100 or more acres (not necessarily contiguous) with slopes of twenty-five (25) percent or greater; and

2. A height differential of 50 feet or more within any area having a slope of twenty-five (25) percent or greater.

b. "On-site Vista Point" means an area of high ground within the development from where there is a good view of surrounding areas.

c. "Slope Analysis" means an analysis completed by a qualified person such as a registered or licensed architect, landscape architect, engineering geologist, land surveyor, or civil engineer based upon a topographic map with contour intervals not exceeding ten (10) feet. The slope analysis should show the following slope categories for the entire property in acres:

0-15% slope
Above 15-50% slope
Above 25-50% slope
Above 50% slope

d. "Watercourse" means any natural or artificial watercourse, stream, river, creek, ditch, channel, canal, conduit, drain, waterway, gully, ravine, or wash in which water flows in a definite direction or course either continuously or intermittently, and which has a definite channel, bed, and banks; or any area adjacent thereto designated as subject to inundation by reason of overflow or flood water as designated and delineated on those certain maps or plats approved and adopted by the Board of Supervisors.

e. "Hillside Grading" means grading in excess of that exempt from environmental review on a site for which a slope analysis shows:

1. Twenty-five (25) percent or more of the land's surface has a slope of twenty-five (25) percent or greater; and

2. A height differential of 50 feet or more within any area having a slope of twenty-five (25) percent or greater.

Also, for the purposes of this policy, any grading in excess of that exempt from environmental review for a project which contains 400 or more acres shall be considered hillside grading when:

1. It contains 100 or more acres (not necessarily contiguous) with slopes of twenty-five (25) percent or greater.

2. A height differential of 50 feet or more within any area having a slope of twenty-five percent or greater.

f. "Extended Initial Study" means technical environmental documentation which may be distributed for public review (requiring additional copies of the material and fees to be provided by the applicant).

3. Applicability. These guidelines shall be used in evaluating all "Hillside Subdivisions" all "Hillside Grading" as defined herein and major use permits which require a grading permit meeting the definition of "Hillside Grading". This policy shall not be applied to grading for agricultural purposes as such grading is defined in Sections 87.201(f) and 87.209 of the County Code.

a. The Director of Planning and Development Services or his designee may waive application of this policy if any of the following circumstances apply:

1. An existing or proposed Open Space Easement is shown conforming substantially to the to that area of the project having slopes of twenty-five (25) percent or greater; or

2. The applicant agrees to file an application reclassifying the area of the project having slopes of twenty-five (25) percent or greater to a use regulation (zone) which limits future uses of said land to open space or similar type uses as determined by the Director; or

3. All proposed lots or parcels with slopes that would be subject to the Hillside Development Policy already contain structures (residential, commercial or industrial) that would establish a primary use of the site, and preclude further development at this time; or

4. When an entire site is fully developed in agricultural uses which has eliminated natural vegetation, and not grading will take place; or,

5. Upon determination of unique and unusual circumstances in accordance with a waiver request pursuant to (b) below. The fee for processing this waiver request shall be $100.

b. Requests for waiver of the policy by the Director or for a determination that a project is exempt from the policy shall be processed as follows:

1. One copy of the map or plot plan for the project shall be submitted to the Director or his designee together with sufficient supporting material to present the applicant's reasons for waiver of the policy.

2. Within ten (10) working days the Director or his designee shall render a decision and notify the applicant by written notice.

3. Upon receipt of a notice waiving application of the policy, the applicant may file the project with all applicable fees together with a copy of the notice waiving the policy.

4. Upon receipt of a notice denying waiver of application of the policy on appeal may be filed with the appropriate appeal body in accordance with (d) below.

c. The Director of Planning and Development Services or his designee shall determine whether this policy shall be applied to discretionary actions on other than "new" (filed after July 24, 1979) applications in accordance with the following:

1. Time extension requests for tentative maps, tentative parcel maps and major use permits originally approved prior to July 24, 1979, shall be exempt from this policy.

2. Revised or replacement tentative maps and tentative parcels maps, resolution amendments for tentative maps and modification of major use permits may be exempted from the policy if the Director determines the changes proposed will not substantially change the character of the grading approved under the initial application.

d. Appeal of any decision of the Director of Planning and Development Services as to applicability of this policy shall be treated as an Administrative Appeal as provided in The Zoning Ordinance. Applicable appeal fees shall be submitted with each appeal.

4. Supplemental Information. For purposes of analysis, every application for a tentative subdivision map, tentative parcel map, and grading permit which proposes a hillside subdivision or hillside grading permit, shall in addition to any other information required, be submitted with the following information (at a level of detail appropriate to the project being proposed):

   a. A slope analysis, as defined here. (Not required if submitted with Resource Protection Study.)

   b. A map or overlay showing the following information:

      1. Significant geologic features.

      2. Watercourses.

      3. Significant mature trees, groves and native vegetation.

      4. On-site vista points.

   c. An Extended Initial Study submitted as part of the application for Environmental Initial Study to include:

      1. Preliminary soils and engineering geologic statement or report.

      2. Discussion of any special design criteria needed due to geologic hazards.

      3. Preliminary grading plan for building sites and on-site access roads. Any proposed borrow pits and/or spoil areas shall be shown.

      4. Preliminary landscape concept plan.

      5. Discussion of erosion control measures to be used.

      6. Discussion of the existing character of the site and surrounding area.

      7. Discussion of the visibility of the site from the surrounding area including designated scenic highways, regional parks, State and Federal lands, etc., that may have their visual quality affected by development of the property.

8. Discussion of the earthwork to be accomplished and how that will change the character of the site. Alternative potential building sites, if any, should also be discussed.

9. Discussion of how on-site and off-site solar access may be affected.

10. Deposit set by the Board of Supervisors. (No separate deposit for the Hillside Extended Initial Study will be required if a deposit has already been paid for a Resource Protection Study.)

Sunset Date

This policy will be reviewed for continuance by 12-31-17.

B/S Action
07/24/79 (78)
08/15/79 (15)
12/18/79 (122)
07/21/81 (4)
12/15/82 (45), operative 03/01/83
10/25/89 (5)
7/14/99 (4)
08-07-02 (5)
12-09-08 (33)
11-10-10 (7)
09-25-12 (11)

CAO Reference
1. Department of Planning and Development Services
2. Department of Public Works

EXHIBIT C

County of San Diego

Planning & Development Services

Local Coastal Program Update

LOCAL COASTAL PROGRAM IMPLEMENTATION PLAN

October 28, 2020

Appendix B

Implementation Plan Regulations

Prepared For:

County of San Diego

Planning & Development Services

5510 Overland Avenue, Suite 310

San Diego, CA 92123

Prepared By:

AECOM

401 West A Street, Suite 1200

San Diego, CA 92101

DEFINITIONS (C)

California Coastal Zone: That portion of the Coastal Zone described in Section 30103 of the California Coastal Act of 1976 (Public Resources Code Section 20000 et seq.) which is within the unincorporated territory of the County of San Diego.

County Park: Any park (including Public Park/Playground/Recreational & Public Passive Park/Recreational Areas), community center, museum, beach park, or recreation facility, owned by,leased by, or under the control of the County.

DEFINITIONS (P)

Public Active Park/Playground/Recreational Area: An outdoor area, along with its incidental buildings and structures, at least part of which is designed, developed, and intended for organizedsport or athletic activities and/or other activities or events to which groups of people greater thanthe family unit might be attracted as participants or spectators.

Public Park/Playground/Recreational Area: An outdoor area, along with its incidental buildings and structures, owned and/or operated by a public agency or a non-profit organization, which isdesigned, developed and intended to provide one or more recreational opportunities to the general public. Public Park/Playground/Recreational Area includes the following: Public PassivePark/Recreational Area, and Public Active Park/Playground/Recreational Area.

Public Passive Park/Recreational Area: An outdoor area, along with minimal incidental buildingsand structures, designed, developed and intended for low intensity passive recreational use by individuals, families, or small groups. Public Passive Park/Recreational Areas may be of any size and may include wilderness, ecological or natural preserves.

a. Any application for a permit or other approval regulated in any manner by the provisions of this Implementation Plan shall only be required to meet the provisions of this Implementation Plan that were in effect on the date that application was deemed complete. The foregoing provision relates only to individual application(s) regulated by this Implementation Plan, not to the overall project (for which several applications may be required).
b. For purposes of this section, an application is "deemed complete" 30 days following the date it was submitted, unless the applicant has been informed that the application is not complete, or at such earlier date that the County informed the applicant that the application was complete.

1325 COMMUNITY RECREATION.

The Community Recreation use type refers to recreational, social or multi-purpose uses within buildings with no fixed seats and occupancy limited to 500 persons. County Parks are excluded from the Community Recreation use type.

1335 ESSENTIAL SERVICES.

The Essential Services use type refers to services which are necessary to support principal development and involve only minor structures, such as utility lines and/or poles, which are necessary to support principal development.

1350 MAJOR IMPACT SERVICES AND UTILITIES.

The Major Impact Services and Utilities use type refers to public or private services and utilities which have substantial impact. Such uses may be conditionally permitted in any zone when the public interest supersedes the usual limitations placed on land use and transcends the usual restraints of zoning for reasons of necessary location and community wide interest. Typical places or uses are schools, sanitary landfills, public and private airports, hospitals, psychiatric facilities, cemeteries, nursing homes, detention and correction institutions, trade schools (with outdoor training facilities) or security, law enforcement, military, paramilitary type training facilities, or field medical training uses.

1355 MINOR IMPACT UTILITIES.

The Minor Impact Utilities use type refers to public utilities which have a local impact on surrounding properties and are necessary to provide essential services. Typical uses are electrical and gas distribution substations.

1360 PARKING SERVICES.

The Parking Services use type refers to parking services involving garages and lots which are publicly operated.

1365 POSTAL SERVICES.

The Postal Service use type refers to mailing services excluding major processing, owned or operated by governmental agencies as traditionally provided by the United States Postal Service.

1375 SMALL SCHOOLS.

The Small Schools use type refers to the education of 7 or more children, adults, elderly persons, or handicapped persons at one time (but not more than 50), but excluding overnight care or uses classified as Group Care or Major Impact Services and Utilities. Typical uses include day care facilities for the elderly and schools for not more than 50 children or adults.

1400 GENERAL DESCRIPTION OF COMMERCIAL USE TYPES.

Commercial use types include the distribution and sale or rental of goods; and the provision of services other than those classified as Civic Uses. They also include certain uses accessory to the above, as specified in Section 6150, Accessory Use Regulations.

1415 AGRICULTURAL AND HORTICULTURAL SALES.

The Agricultural and Horticultural Sales use type refers to a business establishment with retail sale of agricultural and horticultural goods not cultivated on the premises.

a. Agricultural Sales. Sale of feed, grain, fertilizers, pesticides and similar goods. Typical items include nurseries, hay, feed and grain stores.

b. Horticultural Sales. Retail sale only of horticultural and flori-cultural specialties and related nursery items. Typical items include flowers, shrubs, trees and garden tools and supplies.

1425 ANIMAL SALES AND SERVICES.

Animal Sales and Services refers to a property, establishment or place of business primarily engaged in animal related sales and services. The following are animals sales and services use types:

a. Animal Sales and Services: Horse Stables. Boarding, breeding, raising, rehabilitation, riding training or performing of horses for commercial purposes. This does not include the private use of horses owned by the owners or the occupants of the premises allowed under Section 1725 Animal Raising, such as Horsekeeping. Typical uses include boarding stables or public stables.

b. Animal Sales and Services: Kennels. Kennel services for dogs, cats and similar small animals. Typical uses include boarding kennels, pet motels, dog daycare or dog training centers.

c. Animal Sales and Services: Veterinary (Large Animals). Veterinary services for large animals. Typical uses include animal hospitals (large animals) or veterinary hospitals (large animals). Boarding of animals or grooming of animals may be allowed as accessory to the veterinary use.

d. Animal Sales and Services: Veterinary (Small Animals). Veterinary services for small animals. Typical uses include pet clinics, dog and cat hospitals or animal hospitals (small animals). Boarding of animals or grooming of animals may be allowed as accessory to the veterinary use.

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.

1460 CONVENIENCE SALES AND PERSONAL SERVICES.

The Convenience Sales and Personal Services use type refers to establishments or places of business primarily engaged in the provision of frequently or recurrently needed small personal items or services for residents within reasonable walking distance. These include various general retail sales and personal services of an appropriate size and scale. Typical uses include neighborhood grocery or drug stores. The Convenience Sales and Personal Services use type can include uses permitted by Sections 1465 (Eating and Drinking Establishments), 1480 (Food and Beverage Sales), 1510 (Personal Services, General) and 1525 (Retail Sales, General) provided it is administratively determined that they meet the convenience description set forth above, except that the following uses are not allowed:

a. Any use which includes the serving of alcoholic beverages, except beer and wine, for consumption on the premises;

b. Any use which includes the provision of live entertainment;

c. Any use which includes selling goods by auction; or

d. Any use which includes selling equipment or parts for automobiles, marine craft, aircraft, motorcycles, camper or trailer purposes.

1463 COTTAGE INDUSTRIES.

A Cottage Industry is the production of goods or the provision of services in conjunction with a single detached dwelling conducted in compliance with the requirements of Section 2980.

1465 EATING AND DRINKING ESTABLISHMENTS.

The Eating and Drinking Establishments use type refers to establishments or places of business primarily engaged in the sale of prepared food and beverages for on-premise consumption. Typical uses include restaurants, short order eating places or bars.

1475 FINANCIAL, INSURANCE AND REAL ESTATE SERVICES.

The Financial, Insurance and Real Estate Services use type refers to establishments primarily engaged in the provision of financial, insurance, real estate or securities brokerage services. Typical uses include banks, insurance agencies or real estate firms.

1480 FOOD AND BEVERAGE RETAIL SALES.

The Food and Beverage Retail Sales use type refers to establishments or places of business primarily engaged in the retail sale of food and beverages for home consumption. Typical uses include groceries, liquor stores or delicatessens.

1485 FUNERAL AND INTERMENT SERVICES.

Funeral and Interment Services refers to establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries. The following are Funeral and Interment Services use types.

a. Funeral and Interment Services: Undertaking. Undertaking services such as preparing the dead for burial and arranging and managing funerals. Typical uses include funeral homes or mortuaries.

1500 MEDICAL SERVICES.

The Medical Services use type refers to establishments primarily engaged in the provision of personal health services ranging from prevention, diagnosis and treatment or rehabilitation services provided by physicians, dentists, nurses and other health personnel as well as the provision of medical testing and analysis services, but excludes those classified as any civic use type. Typical uses include medical offices, dental laboratories or health maintenance organizations.

1505 PARTICIPANT SPORTS AND RECREATION.

Participant Sports and Recreation refers to establishments or places primarily engaged in the provision of sports or recreation by and for participants. Any spectators would be incidental and on a nonrecurring basis. The following are participant sports and recreation use types:

a. Participant Sports and Recreation: Indoor. Those uses conducted within an enclosed building. Typical uses include bowling alleys or billiard parlors

b. Participant Sports and Recreation: Outdoor. Those uses conducted in open facilities. Typical uses include driving ranges or miniature golf courses, athletic facilities, carnival facilities, sports fields, health clubs and spas, swimming beaches, swimming pools and nudist facilities.

1510 PERSONAL SERVICES, GENERAL.

The Personal Services, General use type refers to establishments primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature but excludes services classified a Spectator Sports and Entertainment, Participant Sports and Recreation, or Transient Habitation. Typical uses include art studios, barber shops, beauty salons, photography studios, massage parlors, vocational schools, trade schools, dance studios or reducing salons.

1520 RESEARCH SERVICES.

The Research Services use type refers to establishments primarily engaged in research of an industrial or scientific nature which is provided as a service or which is conducted by and for a private firm, but excludes medical testing and analysis and product testing. Typical uses include electronics research laboratories, space research and development firms or pharmaceutical research labs.

1525 RETAIL SALES.

Retail Sales refers to establishments or places primarily engaged in the sale or rental of goods or merchandise for personal or household use, but excludes those classified as Agricultural Sales, Animal Sales and Services, Automotive and Equipment, Business Equipment Sales and Services, Construction Sales and Services, Food and Beverage Retail Sales, Gasoline Sales, and Swap Meets. The following are Retail Sales use types:

a. Retail Sales: General. Goods offered are generally those meeting regular or recurring personal or household needs. Establishment may have a relatively large floor area and offer a wide variety of merchandise types. Typical uses would include department stores, variety stores, super drug stores, apparel stores, and furniture stores.

b. Retail Sales: Specialty. Establishments offering a single type, or closely related types, of merchandise oriented toward impulse or discretionary purchase rather than satisfaction of regular or recurring needs. Included in this use type is accessory custom manufacturing which involves the production for on-site sale only of crafts, jewelry or related specialty items. Individual establishments will have relatively small floor areas (generally not more than 2,000 square feet). Typical uses would include sale of art or craft objects; sales conducted in civic plazas; flower or plant shops; shops offering gifts, novelties, or souvenirs; beachwear stores; and antique shops.

1750 FARM LABOR CAMP.

The Farm Labor Camp use type refers to the occupancy by 13 or more Farm Employees and their families of a living unit or units or 37 or more beds in a group quarters, without regard to duration. A Farm Labor Camp is allowed exclusively in association with the performance of commercialagricultural labor.

RESIDENTIAL USE REGULATIONS

RS SINGLE FAMILY RESIDENTIAL USE REGULATIONS
RV VARIABLE FAMILY RESIDENTIAL USE REGULATIONS

2100 INTENT.
The provisions of Section 2100 through Section 2109, inclusive, shall be known as the RS Single Family Residential Use Regulations and the RV Variable Family Residential Use Regulations, depending on the building type specified in the title. These Use Regulations are intended to create and enhance areas where family residential uses are the principal and dominant use and where certain civic uses are conditionally permitted when they serve the needs of residents. Typically, these Use Regulations would be applied to rural, suburban, and urban areas where adequate levels of public service are available and where there is a desire to create residential neighborhoods and to maintain such neighborhoods once developed. Application of the appropriate Use Regulations with appropriate development designators can create a traditional, exclusively single-family residential area.

2102 PERMITTED USES.
The following use types are permitted by the RS and RV Use Regulations:

a. Residential Use Types.

Family Residential (Principal Permitted Use)

b. Civic Use Types.

County Park (Public Park/Playground/Recreational & Public Passive Park/Recreational Areas)

d. Commercial Use Types.

Participant Sports and Recreation: Indoor
Participant Sports and Recreation: Outdoor
Personal Services [General]
Retail Sales: General
Retail Sales: Specialty

2103 PERMITTED USES SUBJECT TO LIMITATIONS.
The following use types are permitted by the RS and RV Use Regulations subject to the applicable provisions of Implementation Plan, Appendix B Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Residential Use Types.

Mobilehome Residential "1"

b. Commercial Use Types.

Animal Sales & Services:– Horse Stables “2”
Animal Sales & Services: Kennels “2”

c. Agricultural Use Types.

Animal Raising “2”

2104 USES SUBJECT TO A SITE PLAN.
The following use types are permitted by the RS and RV Use Regulations upon issuance of a Site Plan.

a. Civic Use Types.

Enclosed (See Section 6816)
Essential Services
Fire Protection Services
Minor Impact Utilities
Open (See Section 6816)
Small Schools

b. Agricultural Use Types.

Horticulture: Cultivation
Open (See Section 6816)
Row & Field Crops
Tree Crops

2105 USES SUBJECT TO MAJOR USE PERMIT.
The following use types are permitted by the RS and RV Use Regulations, upon issuance of a Major Use Permit.

a. Civic Use Types.

Administrative and Professional Services
Child Care Center
Civic, Fraternal or Religious Assembly
Community Recreation (outside County Parks)
Cultural Exhibits and Library Services
Group Care
Major Impact Services and Utilities
Parking Services
Postal Services

c. Agricultural Use Types.

Enclosed (See Section 6816)
Open (See Section 6816)

Site Preparation

2106 USES SUBJECT TO MAJOR USE PERMIT IN CERTAIN PLANNED DEVELOPMENTS. The following use types are permitted by the RS and RV Use Regulations if approved by a Major Use Permit, as part of a Planned Development, which has the minimum site area required by Section 2980 and 6610 and which is developed pursuant to the Planned Development Standards commencing at Section 2980.

a. Agricultural Use Types

Agricultural and Horticultural Sales (all types)

b. Commercial Use Types.

Administrative and Professional Services
Automotive and Equipment: Parking
Business Support Services
Convenience Sales and Personal Services
Eating and Drinking Establishments
Financial, Insurance and Real Estate Services
Food and Beverage Retail Sales
Medical Services
Personal Services, General
Retail Sales: General
Retail Sales: Specialty

RR RURAL RESIDENTIAL USE REGULATIONS

2180 INTENT.
The provisions of Section 2180 through 2189, inclusive, shall be known as the RR Rural Residential Use Regulations. The RR Use Regulations are intended to create and enhance residential areas where agricultural use compatible with a dominant, permanent residential use is desired. Typically, the RR Use Regulations would be applied to rural or semi-rural areas where urban levels of service are not available and where large lots are desired. Various applications of the RR Use Regulations with appropriate development designators can create buffers between residential and agricultural uses, family or small farm areas, or large lot rural residential developments.

2182 PERMITTED USES.
The following use types are permitted by the RR Use Regulations:

a. Residential Use Types.

Family Residential (Principal Permitted Use)

b. Civic Use Types.

County Park (Public Park/Playground/Recreational & Public Passive Park/Recreational Areas)

c. Commercial Use Types.

Agricultural & Horticultural Sales: Agricultural Sales
Agricultural & Horticultural Sales: Horticultural Sales

d. Agricultural Use Types.

Horticulture (all types)
Tree Crops
Row and Field Crops

2183 PERMITTED USES SUBJECT TO LIMITATIONS.
The following use types are permitted by the RR Use Regulations subject to the applicable provisions of Implementation Plan, Appendix B Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Residential Use Types.

Mobilehome Residential "1"

b. Agricultural Use Types.

Animal Raising “2”

c. Commercial Use Types.

Animal Sales & Services: Horse Stables “2”
Animal Sales & Services: Kennels “2”
Cottage Industries “4”

2184 USES SUBJECT TO A SITE PLAN.
The following use types are permitted by the RR Use Regulations upon issuance of a Site Plan.

a. Civic Use Types.

Enclosed (See Section 6816)
Essential Services
Fire Protection Services
Minor Impact Utilities
Open (See Section 6816)
Small Schools

b. Commercial Use Types.

Enclosed (See Section 6816)
Open (See Section 6816)
Semi-Enclosed (See Section 6816)
Drive-In

c. Agricultural Use Types
Enclosed (See Section 6816)
Farm Labor Camps

Horticulture: Cultivation
Horticulture: Storage
Open (See Section 6816)
Semi-Enclosed (See Section 6816)
Row & Field Crops
Tree Crops

2185 USES SUBJECT TO A MAJOR USE PERMIT.
The following use types are permitted by the RR Use Regulations upon issuance of a Major Use Permit.

a. Residential Use Types.

Group Residential

b. Civic Use Types.

Administrative and Professional Services
Ambulance Services (Sec. 6900)
Child Care Center
Civic, Fraternal or Religious Assembly
Community Recreation (excludes County Parks)
Cultural Exhibits and Library Services
Drive-in
Group Care
Law Enforcement Services
Major Impact Services and Utilities
Parking Services
Postal Services

c. Commercial Use Types.
Participant Sports and Recreation: Outdoor
Transient Habitation: Campground
Transient Habitation: Resort

d. Agricultural Use Types.

Packing and Processing: Limited
Packing and Processing: Winery

COMMERCIAL USE REGULATIONS

C30 OFFICE-PROFESSIONAL USE REGULATIONS

2300 INTENT.
The provisions of Section 2300 through Section 2309, inclusive, shall be known as the C30 Office-Professional Use Regulations. The C30 Use Regulations are intended to create and enhance areas where administrative, office and professional services are the principal and dominant use. It is also intended that uses involving high volumes of vehicular traffic be excluded from the C30 Use Regulations. Typically, the C30 Use Regulations would be applied near residential areas, have a scale and appearance compatible with and complementary to the

adjacent residential use, and have pedestrian as well as vehicular access.

2302 PERMITTED USES.
The following use types are permitted by the C30 Use Regulations:

a. Civic Use Types.

Administrative and Professional Services (Principal Permitted Use)
County Park (Public Park/Playground/Recreational & Public Passive Park/Recreational Areas)

b. Commercial Use Types.

Enclosed (See Section 6816)
Personal Services [General]

2303 PERMITTED USES SUBJECT TO LIMITATIONS.
The following use types are permitted by the C30 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.

Animal Sales & Services: Horse Stables “2”
Animal Sales & Services: Kennels “2”
Convenience Sales and Personal Services "5"
Eating and Drinking Establishments "6"
Food and Beverage Retail Sales "6"

b. Agricultural Use Types.

Animal Raising “2”

2304 USES SUBJECT TO A SITE PLAN.
The following use types are permitted by the C30 Use Regulations upon issuance of a Site Plan.

a. Civic Use Types.

Ambulance Services (Sec.6900)
Child Care Center
Cultural Exhibits and Library Services
Enclosed (See Section 6816)
Essential Services
Fire Protection Services
Law Enforcement Services
Minor Impact Utilities
Open (See Section 6816)
Parking Services
Small Schools

b. Commercial Use Types.

Automotive & Equipment: Parking
Business Support Services
Communications Services
Enclosed (See Section 6816)
Financial, Insurance and Real Estate
Medical Services

2305 USES SUBJECT TO A MAJOR USE PERMIT.
The following use types are permitted by the C30 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Civic, Fraternal or Religious Assembly
Community Recreation (excluding County Parks)
Major Impact Services and Utilities
Postal Services

b. Commercial Use Types.

Drive-in (See Section 6816)
Funeral and Interment Services: Undertaking
Research Services

c. Agricultural Use Types.

Site Preparation

AGRICULTURAL USE REGULATIONS

A70 LIMITED AGRICULTURAL USE REGULATIONS

2700 INTENT.
The provisions of Section 2700 through Section 2709 inclusive, shall be known as the A70 Limited Agricultural Use Regulations. The A70 Use Regulations are intended to create and preserve areas intended primarily for agricultural crop production. Additionally, a limited number of small farm animals may be kept and agricultural products raised on the premises may be processed. Typically, the A70 Use Regulations would be applied to areas throughout the County to protect moderate to high quality agricultural land.

2702 PERMITTED USES.
The following use types are permitted by the A70 Use Regulations:

a. Residential Use Types.

Family Residential

b. Civic Use

Types.

County Park (Public Park/Playground/Recreational & Public Passive Park/Recreational Areas)

c. Commercial Use Types.

Enclosed (See Section 6816)
Open (See Section 6816)
Semi-Enclosed (See Section 6816)

d. Agricultural Use Types.

Enclosed (See
Section 6816)
Horticulture: Cultivation (Principal Permitted Use)
Horticulture: Storage
Tree Crops
Packing and Processing: Limited
Row and Field Crops
Semi-Enclosed (See Section 6816)

2703 PERMITTED USES SUBJECT TO LIMITATIONS.
The following use types are permitted by the A70 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. Residential Use Types

Mobilehome Residential "1"

b. Commercial Use Types

Animal Sales and Services: Horse Stables "2"
Animal Sales and Services: Kennels "2"
Animal Sales and Services: Veterinary (Large Animals) "3"
Animal Sales and Services: Veterinary (Small Animals) "3"
Cottage Industries "4"

c. Agricultural Use Types

Animal Raising "2"
Limited Packing and Processing: Boutique Winery "8"
Limited Packing and Processing: Wholesale Limited Winery "8"
Limited Packing and Processing: General "7"

2304 USES SUBJECT TO A SITE PLAN.
The following use types are permitted by the A70 Use Regulations upon issuance of a Site Plan.

a. Civic Use Types.

Enclosed (See Section 6816)
Essential Services
Fire Protection Services
Law Enforcement Services
Minor Impact Utilities
Open (See Section 6816)

b. Industrial Use Types.

Enclosed (See Section 6816)
Semi-Enclosed (See Section 6816)

c. Agricultural Use Types.

Farm Labor Camp (See Section 6906)
Packing and Processing: Limited

2705 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the A70 Use Regulations upon issuance of a Major Use Permit.

a. Residential Use Types.

Group Residential

b. Civic Use Types.

Ambulance Services (Sec. 6900)
Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services
Community Recreation (outside County Parks)
Cultural Exhibits and Library Services
Drive-in (See Section 6816)
Group Care
Major Impact Services and Utilities
Postal Services
Law Enforcement Services
Small Schools

c. Commercial Use Types.

Agricultural and Horticultural Sales: Agricultural Sales
Agricultural and Horticultural Sales: Horticultural Sales
Participant Sports and Recreation: Outdoor
Transient Habitation: Campground
Transient Habitation: Resort

d. Industrial Use Types.

Open (See Section 6816)

e. Agricultural Use Types.

Agricultural Equipment Storage
Limited Packing and Processing:
Winery
Limited Packing and Processing: Small Winery (see Section 6910)
Limited Packing and Processing:
Support

SPECIAL PURPOSE REGULATIONS

S80 OPEN SPACE USE REGULATIONS

2800 INTENT.

The provisions of Section 2800 through Section 2809, inclusive, shall be known as the S80 Open Space Use Regulations. The S80 Open Space Use Regulations are intended to provide for appropriate controls for land generally unsuitable for intensive development. Typically, the S80 Use Regulations would be applied in both urban and rural environments to hazard or resource areas, public lands, recreation areas, or lands subject to open space easement or similar restrictions. Uses permitted within the S80 Use Regulations include those having a minimal impact on the natural environment, or those compatible with the hazards, resources, or other restrictions on the property. Various applications of the S80 Use Regulations with appropriate development designators can create or protect areas of very large residential parcels, agricultural areas, recreation areas, or limited use areas having identified hazards or resources.

2801 SITE PLAN REVIEW REQUIRED.

All development within areas subject to the S80 Open Space Regulations shall require site plan review in accordance with this Implementation Plan Site Plan Review Procedure in this Implementation Plan and the following guidelines.

a. Content of the Site Plan. A site plan required by this section shall contain such maps, plans, drawings, and sketches as are necessary to show the location, size and use of all proposed buildings and structures and their relationship to the significant physical features located on the development site.

b. Relationship to Subdivision Ordinance. Any tentative map or tentative parcel map which is required by the Subdivision Ordinance shall be used to the maximum extent possible insatisfying the requirements of subsection "a" of this section.

c. Standards and Criteria. The placement and siting of the proposed structures and buildings shall preserve the open space value of the development site, avoid degradation of the significant physical features located on the development site, and avoid hazards.

2802 PERMITTED USES.

The following use types are permitted by the S80 Use Regulations:

a. Residential Use Types.

Family Residential

b. Civic Use Types.

County Park (Public Park/Playground/Recreational & Public Passive Park/Recreational Areas) (Principal Permitted Use)

2703 PERMITTED USES SUBJECT TO LIMITATIONS.
The following use types are permitted by the S80 Use Regulations subject to the applicable provisions of Implementation Plan, Appendix B Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Commercial Use Types.

Animal Sales & Services: Horse Stables “2”
Animal Sales & Services: Kennels “2”

b. Agricultural Use Types.

Animal Raising “2”

2304 USES SUBJECT TO A SITE PLAN.
The following use types are permitted by the S80 Use Regulations upon issuance of a Site Plan.

a. Civic Use Types.

Enclosed (See Section 6816)
Fire Protection Services
Minor Impact Utilities
Open (See Section 6816)

b. Commercial Use Types.

Enclosed (See Section 6816)
Semi-Enclosed (See Section 6816)
Participant Sports and Recreation: Indoor

c. Agricultural Use Types.

Enclosed (See Section 6816)
Horticulture: Cultivation
Horticulture: Storage
Farm Labor Camp
Packing and Processing: Limited
Semi-Enclosed (See Section 6816)
Tree Crops
Open (See Section 6816)
Row & Field Crops

2805 USES SUBJECT TO A MAJOR USE PERMIT.
The following use types are permitted by the S80 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Civic, Fraternal or Religious Assembly
Community Recreation (outside County Parks)
Essential Services
Major Impact Services and Utilities
Postal Services
Small Schools

b. Commercial Use Types.

Automotive & Equipment: Parking
Explosive Storage (see Section 6904)
Open (See Section 6816)
Participant Sports and Recreation: Outdoor

c. Agricultural Use Types
Farm Labor Camps

S86 PARKING USE REGULATIONS

2860 INTENT.
The provisions of Section 2860 through Section 2869, inclusive, shall be known as the S86 Parking Use Regulations. The S86 Use Regulations are intended to identify and create areas for automotive parking in association with another dominant land use. Typically, the S86 Use Regulation would be applied to assure a physical separation between one type of use and another, or to accommodate off-street parking requirements for commercial or industrial uses.

Various applications of the S86 Use Regulations with appropriate development designators cancreate small buffer areas between uses or large parking areas designed to satisfy parking needsof a major commercial or industrial complex.

2862 PERMITTED USES.
The following use types are permitted by the S86 Use Regulations:

Civic Use Types.County Park (Public Park/Playground/Recreational & Public Passive Park/Recreational Areas)
Parking Services (Principal Permitted Use – Concurrent with Site Plan)

a. Commercial Use Types.

Automotive and Equipment: Parking

2703 PERMITTED USES SUBJECT TO LIMITATIONS.
The following use types are permitted by the S86 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.

Animal Sales & Services: Horse Stables “2”
Animal Sales & Services: Kennels “2”

2304 USES SUBJECT TO A SITE PLAN.
The following use types are permitted by the S86 Use Regulations upon issuance of a Site Plan

a. Civic Use Types.

Enclosed (See Section 6816)
Essential Services
Fire Protection Services
Law Enforcement Services
Minor Impact Utilities
Open (See Section 6816)

b. Commercial Use Types.

Automotive & Equipment: Parking
Drive-in (See Section 6816)
Enclosed (See Section 6816)
Open (See Section 6816)
Semi-Enclosed (See Section 6816)

2865 USES SUBJECT TO A MAJOR USE PERMIT.
The following use types are permitted by the S86 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Law Enforcement Services
Minor Impact Utilities

b. Agricultural Use Types.

Site Preparation

"10" Retail Establishments. Limited to retail establishments intended for the convenience of permitted establishments and/or clients thereof, provided no such retail establishment occupies more than 15 percent of the total floor area of the building in which it is located and has no entrance except from the lobby or interior of said building, or from a patio entirely surrounded by said building.

"11" Insurance and Real Estate Offices. Limited to insurance and real estate offices as a secondary use within a dwelling. No such office shall have a floor area greater than the floor area devoted to residential purposes.

"12" Gasoline Sales. There shall be no open storage of goods or materials, and all repair and lubrication services shall take place in an enclosed building.

"13" Drycleaning Plants and Laundries. Limited to drycleaning plants and laundries which provide retail services only, use only non-flammable solvents, and employ not more than 10 people.

2889 CALIFORNIA COASTAL ZONE: AGRICULTURAL LAND.

A Specific Plan for any property subject to these use regulations which lies within the California Coastal Zone, and which is designated Agricultural Cropland on the Local Coastal Program Land Use Plan, shall, in addition to other applicable requirements in the Implementation Plan, be prepared and approved in accordance with the provisions of this section.

a. The Specific Plan shall cover all contiguous properties owned or under the control of the applicant.
b. Approval of the Specific Plan shall be subject to a specific finding that continued exclusive agricultural use of the entire property is no longer feasible, or that allowing residential development on a portion of the property will enhance the feasibility of agricultural use of the remaining portions of the property.
c. The Specific Plan shall show at least fifty percent of the land suitable for agriculture as reserved for agricultural use.
d. Total dwelling units permitted by the Specific Plan shall not exceed the number obtained by multiplying the total acreage covered by the specific plan, exclusive of any wetland areas, by a density factor of 2.8.
e. All development and other activities subject to the Specific Plan shall conform to the following:

    1. All development shall be subject to the Planned Development Area Regulations commencing at Section 5800.
    2. All land shown as reserved for agriculture shall be permanently protected for such use by an appropriate restriction.
    3. Areas shown as reserved for agriculture shall, where feasible, be a minimum of forty contiguous acres in size.
    4. Development shall be located and clustered so as to avoid, to the degree possible, conflict with the continued agricultural use of land reserved for that purpose and, where feasible, shall be located adjacent to existing development or areas planned for development.
    5. To the degree feasible, development shall be concentrated on lands least suitable for agricultural production. Land best suited for agricultural production is defined as land containing Class I-IV soils on slopes of ten percent or less, and is either currently in agricultural production or has the potential for commercial production of food crops.
    6. Where feasible, buffer areas shall be established in the specific plan between agricultural lands and non-agricultural areas within and adjacent to the area covered by the specific plan. Uses within such buffer areas shall be limited to agricultural uses that do not require the application of pesticides or herbicides, or open space uses.
    7. Deeds for residential lots or dwelling units shall contain a clause stating that such lots or dwelling units are located in close proximity to lands reserved for agricultural use and that such use could result in some adverse impacts on such lots or dwelling units.
    8. No roads other than farm access roads shall be constructed across agricultural lands unless mitigation measures are provided that assure the continued long-term viability

of agricultural uses.

9. If land subject to the specific plan borders a lagoon, continuous bluff-top accessways or equivalent overlook areas shall be provided. Such accessways or overlooks shall be reserved for public use by dedication of easements as a condition of development approval.

2980 SUPPLEMENTAL LIMITATIONS ON USES

a. The following limitations apply to the uses indicated by the corresponding number in quotes in the previous sections entitled "Permitted Uses Subject to Limitations." Supplemental limitations on uses are further described below:

1. MOBILEHOME RESIDENTIAL

i. MOBILEHOME RESIDENTIAL. Subject to the Mobilehome Park Regulations or the Planned Development Standards.

ii. INTENT. These provisions shall be known as the Mobilehome (Manufactured Home) Regulations. The purpose of these provisions is:

a) To supplement the zone regulations applied to mobilehomes with additional standards and procedures which will promote a satisfactory living environment for residents of mobilehomes and will permit a mix of mobilehomes and other types of housing within the county.

b) To better facilitate utilization of mobilehomes as a housing resource.

c_To permit greater diversity in the types of mobilehome parks.

iii. APPLICATION. These provisions apply to mobilehomes located on a private lot wherever a single detached residential building is permitted.

iv. EFFECT OF LOCATING A MOBILEHOME ON A PERMANENT FOUNDATION SYSTEM. A mobilehome which has been placed on a private lot and on a permanent foundation system pursuant to these regulations shall be subject to local property taxation.

v. REQUIREMENTS FOR PLACING A CERTIFIED MOBILEHOME ON A PRIVATE LOT.

a) Eligibility. A mobilehome that was constructed after September 15, 1971, and was issued an insignia of approval by the California Department of Housing and Community Development or a mobilehome that has been certified under the National Mobilehome Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.) may be located on a private lot only upon compliance with the requirements set forth below.

b) Requirements. An eligible mobilehome shall comply with the following requirements when located on a private lot:

1. Has not been altered in violation of applicable codes.

2. Is occupied only as a residential use.

3. Is in conformance with all provisions of this Ordinance, The Subdivision ordinance and the Health and Safety Code applicable to residential structures. Subject to the foregoing regulations, mobilehomes may be located on the same lot containing conventionally constructed dwellings.

4. If attached to a permanent foundation system it shall comply with the provisions of Section 18551 of the California Health and Safety Code.

5. Is covered with an exterior wall material customarily used on conventional dwellings. The exterior covering material shall extend to the ground, except that when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.

6. Roofs shall have a pitch of not less than 2 inch vertical rise for each 12 inches of horizontal run and consist of shingles or other material customarily used for conventional dwellings, unless waived by the Director under 8. or 9. below.

7. All roofs shall include roof overhangs of not less than one foot measured from the vertical side of the mobilehome, except where the location of attached structures, such as carports, garages, porches, or similar structures precludes the continuation of the overhang, or unless waived by the Director under 9, below.

8. The Director may waive the roof pitch and eave requirement for attached accessory portions of the structure such as carports, porches, or similar canopy structures not enclosed by solid walls. Roof parapet walls are not required for such canopy structures.

9. The Director may waive the roof pitch and/or the roof overhang requirement if the roof for the main structure is concealed from view by parapet walls consistent with a commonly recognized architectural style such as Santa Fe or Mission style.

c) Building Permit. Prior to installation of a mobilehome on a permanent foundation system, the mobilehome owner or a licensed contractor shall obtain a building permit from the Department of Planning and Development Services. To obtain such a permit, the owner or contractor shall comply with all requirements of Section 18551(a) of the California Health and Safety Code.

d) Cancellation of Registration. The owner shall comply with the regulations established pursuant to Section 18551(b) of the Health and Safety Code for cancellation of registration of a mobilehome. The owner shall also comply with the provisions of Section 18550(b) of the California Health and Safety Code.

e) Approval for Occupancy. The Director shall determine that the proposed project is in compliance with all applicable requirements and conditions prior to issuing final approval for occupancy.

f) Modification of Requirements. Unless otherwise specified, no modification may be granted from these requirements or from the requirements specified in Title 25 of the California Administrative Code which are not subject to local modification.

Standard Mobilehome Park Regulations

vi. APPLICATION. These provisions shall apply to all uses classified in the Mobilehome Residential Use Type, except those uses permitted pursuant to the Mini Mobilehome Park Regulations commencing at Section 2980 or the Planned Development Standards commencing at Section 2980.

vii. USE PERMIT REQUIRED. A standard mobilehome park may be authorized where permitted by the use regulations upon the issuance of a Coastal Development Permit, as provided by the Procedure commencing at Section 9400.d.

viii. PRE-APPLICATION CONFERENCE. Prior to submitting an application for a use permit for a mobilehome park, a prospective applicant should consult with the Department to obtain information and to inform the Department of the applicant's intentions. If requested by the applicant, the Department will schedule a conference to be attended by the applicant and representatives of the Departments of Planning and Development Services, Public Works, Environmental Health, and other agencies as the Department considers necessary. Such a conference shall provide an opportunity to review the applicant's intended plan and to identify potential requirements or subjects requiring particular attention prior to the applicant entering into binding commitments or incurring substantial expense in preparing plans, surveys, and other data. The applicant shall provide a map showing the proposed mobilehome park site, existing topography, adjoining road rights-of-way, and public access.

ix. 6516GENERAL STANDARDS: STANDARD MOBILEHOME PARKS.

a) Minimum Area. A standard mobile home park shall be not less than five acres in area.

b) Density. A standard mobilehome park shall conform to the applicable Density Regulations commencing at Section 2980.c.1.xii and Section 4100 (IP, Appendix B).

c) Reclassification. Prior to final construction approval for any new or expanded standard mobilehome park, the owner shall obtain a zone reclassification to a zone which includes the RMH Use Regulations and

the “A” Building Designator. Such reclassification requirement may be waived by the Director when a tentative subdivision map is filed concurrently with the related use permit application or for mobilehome parks approved pursuant to the Density Bonus Program (Section 9106.c.1.xii, et seq.).

d) Factory-Built Housing. Factory-built housing shall be attached to a permanent foundation system and conform to all other requirements of Section 18611 of the California Health and Safety Code.

x. GENERAL DEVELOPMENT CRITERIA: STANDARD MOBILEHOME PARKS

a) Compatibility with Adjacent Land Uses. The standard mobilehome park shall be designed and developed in a manner compatible with and complementary to existing and potential residential development in the immediate vicinity of the project site. Site planning on the perimeter shall give consideration to protection of the property and its residents from adverse surrounding influences, as well as protection of the surrounding areas from potentially adverse influences within the development. A mobilehome park shall relate harmoniously to the topography of its site, make suitable provision for reservation of water courses, wooded areas, rough terrain, and similar natural features and areas, and shall otherwise be so designed as to use such natural features and amenities to best advantage.

b) Setback: Perimeter. Mobilehome and buildings within a standard mobilehome park shall maintain the following setbacks.

1. The setbacks established by the applicable Setback Regulations, commencing at Section 4800 (IP, Appendix B).

2. A side yard and rear yard setback of at least 15 feet from the exterior boundary of the mobilehome park.

3. A setback of 50 feet from the centerline of any street along the exterior boundary of the mobilehome park, except that when such street has a right of way greater than 60 feet, a setback of 20 feet shall be maintained from the nearest edge of the street right of way.

c) Setbacks: Recreation Use Area. No recreational area or facility specified in the major use permit as being intended for the use of more than one family shall be permitted within 100 feet of any external boundary which adjoins, or is separated only by a boundary street from land in any residential zone; provided, however, that where permanent intervening open space at least 100 feet in width exists on adjacent property, this restriction may be modified.

d) Fencing and Landscaping. Mobilehome parks shall conform to the Fencing and Landscaping Regulations commencing at Section 6700 of

the IP, Appendix B.

e) Open Space. At least one substantial area of group usable open space shall be provided. Such area shall:

1. Conform to the Group Usable Open Space Standards of the Open Space Regulations commencing at Section 4900 (IP, Appendix B). The Group Usable Open Space shall total at least 250 square feet per dwelling unit unless the Open Space Designator provides for another amount.

2. Be of such size and shape that each side of the rectangle inscribed within it is at least 100 feet in length.

3. Include outdoor recreational facilities for both active and passive recreation.

f) Recreational Facilities. Completely enclosed indoor recreation facilities shall be provided and shall consist of not less than 10 square feet for each dwelling unit. Outdoor recreational facilities shall provide for both active and passive recreation. This recreation area shall be landscaped, improved and maintained.

g) Interior Access Drives. Interior private access drives shall be paved with at least 2 inches of asphaltic concrete to a width of not less than 25 feet. All corners shall have a minimum 25 foot radius.

h) Storage Area. Common storage areas shall be provided with an enclosed fenced area for the residents of the mobilehome park for the storage of recreational vehicles, trailers, travel trailers, and other licensed or unlicensed vehicles. This area shall total not less than 50 square feet for each mobilehome lot. All storage on a mobilehome lot shall be in accordance with the provisions of Title 25 of the California Administrative Code.

i) Sewer and Water. Each mobilehome lot in a mobilehome park shall be provided with water and sewer connections in accordance with Title 25 of the California Administrative Code. Water shall be provided by a water supplier having a valid permit from the California Department of Health or the Department of Environmental Health. Public sewers shall be provided by a public agency which has obtained discharge requirements approved by the appropriate California Water Quality Control Board. Individual sewage disposal systems shall be approved by the Department of Health Services.

j) Undergrounding. All sewer and water facilities, electric, gas, telephone, and television signal distribution systems shall be placed underground.

k) Antennas. A master antenna television (MATV) system shall be provided with underground cable service to at least all mobilehome and other buildings containing dwelling units. This MATV system shall be

provided at no charge for service. This requirement may be met by the provision of an underground cable television (CATV) system by a county licensed CATV operator. No other television antennas shall be permitted unless authorized by the major use permit.

l) Fire Protection. On and off site fire hydrants and other fire protection facilities shall be installed as specified in the major use permit and shall be of a type approved by the Chief of the local fire protection district, or if there is no local fire district, by the Fire Services Coordinator.

m) Night Lighting. Artificial light shall be provided and maintained for walks, driveways, parking areas, and other facilities as specified in Title 25 of the California Administrative Code, to assure safe and convenient nighttime use.

n) Signs. Signs shall conform to the On Premise Sign Regulations commencing at Section 6250 of the IP, Appendix B.

o) Access. Each mobilehome park shall have direct vehicular access from a publicly maintained street. This requirement does not apply to the expansion of an existing mobilehome park when adequate access is obtained through the existing portion of the mobilehome park.

xi. MOBILEHOME LOT DEVELOPMENT CRITERIA: STANDARD MOBILEHOME PARKS. For purposes of Mobilehome Lot Development Criteria as used in this section, mobilehome shall also include factory built housing as defined in Section 19971 of the California Health and Safety Code.

a) Density of Occupation. Each mobilehome lot shall be designed to be occupied by one mobilehome and uses thereto.

b) Lot Size. Each mobilehome shall have the minimum size indicated below based on its occupancy.

Occupancy	**Minimum Lot Size (Excluding interior access drives)**
A mobilehome not more than 14 feet in width containing 1 dwelling unit	1,850 square feet
A Mobilehome more than 14 feet in width containing 1 dwelling unit	3,000 square feet
A Mobilehome containing more than 1 dwelling unit	1,500 square feet per dwelling unit

c) Coverage. Not more than 75 percent of the area of a mobilehome lot shall be covered by the mobilehome and its accessory structures.

d) Setback from Interior Access Drive. Each mobilehome lot shall have a front yard setback of not less than 5 feet extending the entire width

of the mobilehome lot. A front yard will be measured from the nearest element of the mobilehome or any mobilehome accessory structure to the closest edge of the interior access drive.

e) Side Yard Setback. Each mobilehome lot shall have a side yard in accordance with Title 25 of the California Administrative Code of not less than 3 feet in width along the entire length of the mobilehome lot. A mobilehome lot containing a mobilehome having a height of more than one story shall have a side yard of not less than 5 feet in width along the entire length of the mobilehome lot.

f) Rear Yard Setback. Each mobilehome lot shall have a rear yard in accordance with Title 25 of the California Administrative Code of not less than 3 feet and shall extend across the entire width of the mobilehome lot. A mobilehome lot containing a mobilehome having a height of more than one story shall have a rear yard of not less than 5 feet along the entire width of the mobilehome lot.

g) Access. All mobilehome lots and recreation facilities shall have access only from an interior access drive.

h) Homes on a Permanent Foundation. No dwelling unit shall be placed on a permanent foundation in a mobilehome park where tenants rent or lease spaces to accommodate their individually owned units. This provisions shall not apply to subdivided parks or to parks where the dwelling units are not owned by the tenants or to parks where the minimum term of lease for a space is 55 years.

i) Number of Dwelling Units to be Specified. Each lot in a mobilehome park shall be designated on the plot plan of the related use permit and shall specify the number of dwelling units permitted.

j) Plot Plan to Specify Typical Development. The plot plan shall indicate the development proposed for each mobilehome lot through the use of "typicals" showing the footprint, floor plan and elevations for each proposed structure. The plot plan shall also clearly designate whether homes are to be of the "manufactured" or "factory-built" construction type. In no case shall factory-built housing be permitted unless shown on an approved plot plan.

xii. MODIFICATION OF REQUIREMENTS. Modification of the development criteria of Sections 9106.c.1.x and xi may be granted by the approving authority when it determines that such modification would not be detrimental to the subject development, adjacent properties and residents, the public interest, or the General Plan. No modification shall be granted from any requirements specified in Title 25 of the California Administrative Code which are not subject to local modification.

xiii. ACCESSORY USES AND STRUCTURES PERMITTED. The following accessory uses and structures may be permitted in mobilehome parks provided that they conform to the requirements of

Title 25 of the California Administrative Code:

a) Convenience Structures. Awnings; portable, demountable, or permanent cabanas; storage cabinets and buildings; fences or windbreaks; carports; garages or porches; greenhouses; bathhouses; and other accessory structures permitted by Title 25 of the California Administrative Code.

b) Recreational Facilities. Parks, playgrounds, riding and hiking trails, golf courses, lakes, stables and riding rings, recreational buildings, clubhouses, community centers, and similar uses and facilities; provided that all such uses and facilities are designed for and limited to use by residents of the mobilehome park and their guests, and that such uses and facilities are not authorized on the individual mobilehome lots.

c) Public Utilities. Public utilities and public service facilities.

Mini Mobilehome Park Regulations

xiv. APPLICATIONS. These provisions shall be known as the Mini Mobilehome Park Regulations, and apply as follows: An expansion of an existing mobilehome park which has been established pursuant to a major use permit by the addition of not more than 49 mobilehomes or the establishment of a new mobilehome park containing not more than 49 mobilehomes.

xv. USE PERMIT REQUIRED. A mini mobilehome park consisting of not more than 8 mobilehomes is permitted upon the issuance of a Minor Use Permit. Mini mobilehome parks consisting of 9 or more mobilehomes are permitted upon the issuance of a Major Use Permit. An existing mobilehome park which was not established pursuant to a Major Use Permit may be expanded under these Mini mobilehome Park Regulations only upon issuance of a Major Use Permit. Modification of development criteria for the existing mobilehome park may be granted pursuant to Section 9106.xi.

xvi. PRE-APPLICATION CONFERENCE. Prior to submitting an application for a use permit for a mini-mobilehome park, a prospective applicant should consult with the Department to obtain information and to inform the Department of the applicant's intentions. If requested by the applicant, the Department will schedule a conference to be attended by the applicant and representatives of the Departments of Planning and Development Services, Public Works, Environmental Health, and other agencies as the Department considers necessary. Such a conference shall provide an opportunity to review the applicant's intended plan and to identify potential requirements or subjects requiring particular attention prior to the applicant entering into binding commitments or incurring substantial expense in preparing plans, surveys, and other data. The applicant shall provide a map showing the proposed mobilehome park site, existing topography, adjoining road rights-of-way, and public access.

xvii. GENERAL STANDARDS: MINI MOBILEHOME PARKS.

a) Density. A mini mobilehome park shall conform to the applicable Density Regulations commencing at Section 4100 (IP, Appendix B).

b) Reclassification. Prior to occupancy of any mini mobilehome park, the owner shall obtain a zone reclassification to a zone which includes the RMH Use Regulations and the "A" Building Designator. Such reclassification requirement may be waived by the Director when a mobilehome subdivision application is filed concurrently with the related use permit application or for a mini mobilehome park with less than nine units.

c. Factory Built Housing. Factory built housing shall be attached to a permanent foundation system and conform to all other requirements of Section 18611 of the Health and Safety Code.

xviii. GENERAL DEVELOPMENT CRITERIA: MINI MOBILEHOME PARKS.

a) Compatibility with Adjacent Land Uses. A mini mobilehome park shall be designed and
developed in a manner compatible with and complementary to existing and potential residential development in the immediate vicinity of the project site. To achieve this purpose, a Minor Use Permit for a mobilehome park with less than nine units, conditioned to meet the requirements for exterior siding and roofing materials and eave overhangs specified in Section 6506 b. (IP, Appendix B) for mobilehomes on private lots, may be approved by the Director except that no permanent foundation system shall be required. Site planning on the perimeter shall give consideration to protection of the property and its residents from adverse surrounding influences, as well as protection of the surrounding areas from potentially adverse influences within the development. A mobilehome park shall relate harmoniously to the topography of its site, make suitable provision for preservation of water courses, wooded areas, rough terrain, and similar natural features and areas, and shall otherwise be so designed as to use such natural features and amenities to best advantage.

b). Setbacks: Perimeter. Mobilehomes and buildings within a mini-mobilehome park shall maintain the following setbacks:

1. The setbacks established by the applicable Setback Regulations.

2. A side yard and rear yard setback of at least 15 feet from the exterior boundary of the mobilehome park except that this requirement shall not apply to a mini mobilehome park of less than nine units.

3. A setback of 50 feet from the centerline of any street along the exterior boundary of the mobilehome park, except that when such

street has a right of way greater than 60 feet, a setback of 20 feet shall be maintained from the nearest edge of the street right of way.

c) Fencing and Landscaping. Mini mobilehome parks shall conform to the Fencing and Landscaping Regulations commencing at Section 6700 (IP, Appendix B). The Director may specify different requirements for a mini mobilehome park with less than nine units.

d) Interior Access Drive. Interior private access drives shall be paved with at least 2 inches of asphaltic concrete to a width of not less than 25 feet. All corners shall have a minimum 25 foot radius. The Director may approve other paving material for a mini mobilehome park with less than nine units.

e) Sewer and Water. Each mobilehome lot in a mobilehome park shall be provided with water and sewer connections in accordance with Title 25 of the California Administrative Code. Water shall be provided by a water supplier having a valid permit from the California Department of Health Services. Public sewers shall be provided by a public agency which has obtained discharge requirements approved by the appropriate California Water Quality Control Board. Individual sewage disposal systems shall be approved by the County of San Diego Department of Environmental Health.

f) Undergrounding. All sewer and water facilities, electric, gas, telephone, and television signal distribution systems shall be placed underground.

g) Fire Protection. On and off site fire hydrants and other fire protection facilities shall be installed as specified in the use permit and shall be of a type approved by the Chief of the local fire protection district, or if there is no local fire district, by the Fire Services Coordinator.

h) Night Lighting. Artificial light shall be provided and maintained for walks, driveways, parking areas, and other facilities as specified in Title 25 of the California Administrative Code, to assure safe and convenient nighttime use.

i) Signs. Signs shall conform to the On Premise Sign Regulations commencing at Section 6250 (IP, Appendix B).

j) Access. Each mobilehome park shall have direct vehicular access from a publicly maintained street. This requirement does not apply to a new mini mobilehome park with less than nine units or the expansion of an existing mobilehome park when adequate access is obtained through the existing portion of the mobilehome park being expanded.

xix. MOBILEHOME LOT DEVELOPMENT CRITERIA: MINI MOBILEHOME PARKS. For purposes of Mobilehome Lot Development Criteria as used in this section, mobilehome shall also include factory built housing as defined in Section 19971 of the Health and Safety Code.

a) Density of Occupation. Each mobilehome lot shall be designed to be occupied by one mobilehome and uses accessory thereto.

b) Lot Size. Each mobilehome lot shall have the minimum size indicated below based on its occupancy.

Occupancy	Minimum Lot Size (Excluding interior access drives)
A Mini Mobilehome not more than 14 feet in width containing 1 dwelling unit	1,850 square feet
A Mini Mobilehome more than 14 feet in width containing 1 dwelling unit	3,000 square feet
A Mini Mobilehome containing more than 1 dwelling unit	1,500 square feet per dwelling unit

c) Coverage. No more than 75 percent of the area of a mobilehome lot shall be covered by the mobilehome and its accessory structures.

d) Setback from Interior Access Drive. Each mobilehome lot shall have a front yard setback of not less than 3 feet extending the entire width of the mobilehome lot. A front yard will be measured from the nearest element of the mobilehome or any mobilehome accessory structure to the closest edge of the interior access drive.

e) Side Yard Setback. Each mobilehome lot shall have a side yard in accordance with Title 25 of the California Administrative Code of not less than 3 feet in width along the entire length of the mobilehome lot. A mobilehome lot containing a mobilehome having a height of more than one story shall have a side yard of not less than 5 feet in width along the entire length of the mobilehome lot.

f) Rear Yard Setback. Each mobilehome lot shall have a rear yard in accordance with Title 25 of the California Administrative Code of not less than 3 feet and shall extend across the entire width of the mobilehome lot. A mobilehome lot containing a mobilehome having a height of more than one story shall have a rear yard of not less than 5 feet along the entire width of the mobilehome lot.

g) Access. All mobilehome lots and recreation facilities shall have access only from an interior access drive.

h) Homes on a Permanent Foundation. No dwelling unit shall be placed on a permanent foundation in a mobilehome park where tenants rent or lease spaces to accommodate their individually owned units. The provision shall not apply to subdivided parks or to parks where the dwelling units are not owned by the tenants or to parks where the minimum term of lease for a space is 55 years.

i) Number of Dwelling Units to be Specified. Each lot in a mobilehome park shall be designated on the plot plan of the related use permit and shall specify the number of dwelling units permitted.

j) Plot Plan to Specify Typical Development. The plot plan shall indicate the development proposed for each mobilehome lot through the use of "typicals" showing the footprint, floor plan and elevations for each proposed structure. The plot plan shall also clearly designate whether homes are to be of the "manufactured" or "factory-built" construction type. In no case shall factory-built housing be permitted unless shown on an approved plot plan.

xx. MODIFICATION OF REQUIREMENTS. Modification of the development criteria of Sections 9106.c.1xviii and 9106.c.1.xix may be granted by the officer or body having jurisdiction when it determines that such modification would not be detrimental to the development, adjacent properties, the public interest, or the General Plan. No modification shall be granted from any requirements specified in Title 25 of the California Administrative Code which are not subject to local modification.

xxi. ACCESSORY USES AND STRUCTURES PERMITTED. The following accessory uses and structures may be permitted in mobilehome parks provided that they conform to the requirements of Title 25 of the California Administrative Code.

a) Convenience Structures. Awnings; portable, demountable, or permanent cabanas; storage cabinets and buildings; fences or windbreaks; carports; garages; porches; greenhouses; lathhouses and other accessory structures permitted by Title 25 of the California Administrative Code.

b) Recreation Facilities. Parks, playgrounds, riding and hiking trails, golf courses, lakes, stables and riding rings, recreational buildings, clubhouses, community centers, and similar uses and facilities; provided that all such uses and facilities are designed for and limited to use by residents of the mobilehome park and their guests, and that such uses and facilities are not authorized on individual mobilehome lots.

c) Public Utilities. Public utility and public service facilities.

xxii. MOBILEHOME SUBDIVISIONS. A mobilehome subdivision may be authorized where permitted by the use regulations upon issuance of the appropriate use permit as specified in Sections 9106.c.1.vii and 9106.c.1.xv and approval of a Final Map. No use permit for a mobilehome subdivision shall be approved unless it is conditioned to require reservation and maintenance of all common areas for common use and enjoyment of the residents of the mobilehome subdivision in the manner specified in Section 9106.c.1.xxiii,. below. A use permit for a mobilehome subdivision shall comply with either the Standard

Mobilehome Park Regulations or the Mini Mobilehome Park Regulations. A mobilehome subdivision wherein each mobilehome lot is serviced by a dedicated public street and wherein no areas are reserved for common use shall not require issuance of a use permit provided all mobilehome lots meet applicable lot size requirements.

xxiii. SUBDIVISION OF EXISTING MOBILEHOME PARKS, ADDITIONAL REQUIREMENTS. A standard mobilehome park or mini mobilehome park may be subdivided in accordance with the applicable provisions of Division 1, Title 8 of the County Code of Regulatory Ordinances relating to subdivisions and shall also comply with the following additional requirements.

a) Parks Established by Use Permit. Prior to approval of a Final Map for a standard mobilehome park or mini mobilehome park, the owner shall apply for modification of the related use permit to add a condition to require reservation and maintenance of all common areas for common use and enjoyment of the residents in a manner which makes the County or a public district or a public agency a party to and entitled to enforce the reservation. Such reservation shall include arrangements, satisfactory to County Counsel, to assure maintenance of all buildings, structures, streets and landscaping located within said common areas.

b) Parks Established Without Use Permit. An existing mobilehome park which was not established pursuant to the Mobilehome Park Regulations may be subdivided only upon determination by the Director that such mobilehome park was legally established in accordance with the Nonconformity Regulations. In addition, prior to approval of a Final Map for such mobilehome park, the owner shall obtain a major use permit which includes a condition to require reservation and maintenance of all common areas in the manner specified in "a" above.

c) All Existing Mobilehome Parks. All applications to subdivide an existing mobilehome park shall be accompanied by the following additional information and/or documents.

1. The number of spaces within the existing park.

2. A list of names and addresses of all tenants within the park for use by the Department in giving notice.

3. The date of manufacture and size of each mobilehome and the current replacement value affected by the relocation. The replacement value shall be determined in the same manner as used by standard insurance replacement criteria.

4. The estimated cost of relocation of each mobilehome affected by the proposed change of use.

5. The length of tenancy by each tenant.

6. The estimated income, age and number of tenants affected by the proposed change of use.

7. The number of alternative sites available to the tenants including written commitments from the owners of those parks to accept the relocated units and tenants.

8. A time table for vacating the existing park.

9. A statement and concept plan indicating what use the park site is intended to accommodate.

10. Evidence satisfactory to the Director that mutually acceptable agreements have been reached on the part of the park owner and all tenants to vacate the park upon recording of a Final Map. Such evidence may include, but is not limited to, the following:

    aa) Written agreements to relocate mobilehomes; and

    bb) Assistance of low and moderate income tenants in the form of payment by the park owner of 80%, up to a maximum of $2,000, of the cost of relocating the mobilehome to another mobilehome park within 100 miles.

11. If such evidence specified in "10" above is not included in the application for subdivision, then the Director of Planning and Development Services shall recommend reasonable conditions to mitigate any adverse impact on tenants of the mobilehome park to the approving authority to be included as a condition in the resolution of conditional approval for said subdivision.

d) Notwithstanding the provisions of Subsection c. above, a park owner who elects to give a 5-year notice to subdivide may file a tentative map if evidence is provided that the following provisions will be completed before approval of the Tentative Map:

1. The mobilehome park owner shall provide evidence that a notice to vacate pursuant to Section 798.56(f) of the California Civil Code has been issued, and

2. Informed each tenant of the rent and location of a number of available spaces equal to the number of occupied units to be displaced, and

3. Assisted each tenant in relocating the tenant's mobilehome to any new space within 100 miles in accordance with the following schedule:

If Tenant Vacates before End of:	Portion of Expenses Paid by Owner:	Up to A Maximum of:

1st Year	80%	$2,000
2nd Year	60%	$1,500
3rd Year	40%	$1,000
4th Year	20%	$500
5th Year	0	$0

xxiv. PLANNED DEVELOPMENT STANDARDS. These provisions shall be known as the Planned Development Standards. The purpose of these provisions is to carry out the intent of Section 5800 (IP, Appendix B) of the Planned Development Area Regulations and to set forth development standards that must be met by planned developments before they are granted a major use permit in accordance with the Use Permit Procedures commencing at Section 9400.d., et seq.. The intent of Section 5800 shall be applicable to all major use permits for planned developments even where the zoning of the property does not include the "P" Planned Development Area designator. It is intended that planned developments containing mobilehomes shall not be considered mobilehome parks for purposes of the application of Title 25 of the California Administrative Code; provided, however, that those provisions of Title 25 relating to the installation, maintenance, use and occupancy of mobilehomes outside of mobilehome parks shall apply.

xxv. CONCEPT OF A PLANNED DEVELOPMENT. A planned development shall consist of an integrated development located on a single tract of land, or on 2 or more tracts of land which may be separated only by a street or other right-of-way. In such development, the land and structures shall be planned and developed as a whole in a single development operation or a series of operations in accordance with a detailed, comprehensive plan encompassing such elements and the location of structures, the circulation pattern, parking facilities, open space, and utilities, together with a program for provision, operation and maintenance of all areas, improvements, facilities and services provided for the common use of the persons occupying or utilizing the property.

xxvi. APPLICABILITY OF ANIMAL REGULATIONS. Except as otherwise provided, a planned development shall conform to all provisions of the Animal Regulations commencing at Section 9200.v.

xxvii. APPLICABILITY OF USE REGULATIONS. Except as provided in Section 5806, only those uses, which are permitted by right, or are permitted by a use permit, or an administrative permit, shall be permitted in a planned development. When the applicable use regulations allow a use type in such use regulations only if such type is within a planned development, such a use type is permitted only within a planned development or contiguous planned developments having a total gross site area of at least 20 acres.

xxviii. APPLICABILITY OF DEVELOPMENT REGULATIONS. Except as otherwise provided hereinafter, a planned development shall conform

to all provisions of the Development Regulations commencing at Section 4000 (IP, Appendix B).

xxix. APPLICABILITY OF SPECIAL AREA REGULATIONS. A planned development shall conform to all provisions of any applicable special area regulations.

xxx. GENERAL DEVELOPMENT CRITERIA.

a) Compatibility with Adjacent Land Uses. A planned development shall be designed and developed in a manner compatible with and complementary to existing and potential residential development in the immediate vicinity of the project site. Site planning on the perimeter shall give consideration to protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potentially adverse influences within the development.

b) Relation to Natural Features. A planned development shall relate harmoniously to the topography of its site, make suitable provision for preservation of water courses, wooded areas, rough terrain and similar natural features and areas, and shall otherwise be so designed as to use such natural features and amenities to best advantage.

xxxi. COMPUTATION OF PERMITTED NUMBER OF LOTS. The maximum density provisions of the General Plan Land Use Element shall be used in the computation of the permitted number of dwelling units. The Director shall compute the residential acreage pursuant to the following:

a) Computation of Residential Acreage in an Exclusively Residential Planned Development. In a planned development devoted exclusively to residential use types, the residential acreage of the proposed development shall equal the total land area within the boundaries of the development. For the purpose of the application of this subsection the "total land area within the boundaries of the development" shall be defined to exclude any land within rights-of-way of public streets or highways existing or to be dedicated or offered for dedication as part of the project.

b) Computation of Residential Acreage in a Planned Development Containing Non-Residential Use Types. For the purpose of computing the maximum and minimum density permitted or required in a planned development containing non-residential use types, the residential acreage of the proposed development shall be determined as follows:

1. For those portions of the site where the residential development (and its associated open space) are separate and distinct from the non-residential development (and its associated open space), the acreage to be used for residential

development (and its associated open space) shall be used as the basis for computing density.

2. For those portions of the site where the residential and non- residential development area not separate and distinct (e.g., they are in the same building or a closely associated group of buildings), the acreage shall be allocated between the residential and non-residential uses on the basis of the floor area, ground area, and other factors which indicate the relative usage of the site by residential and non-residential uses.

xxxii. LOT SIZE. The Lot Size Regulations commencing at Section 4200 (IP, Appendix B) shall not apply in a planned development; provided, however, that all required findings can be made pursuant to Section 7350.

xxxiii. BUILDING TYPE. The Building Type Regulations commencing at Section 4300 (IP, Appendix B) shall not apply in a planned development.

xxxiv. MAXIMUM FLOOR AREA. The Maximum Floor Area Regulations commencing at Section 4400 (IP, Appendix B) shall not apply in a planned development.

xxxv. FLOOR-AREA RATIO. The Floor-Area Ratio Regulations commencing at Section 4500 (IP, Appendix B) shall not apply in a planned development.

xxxvi. HEIGHT. The Height Regulations commencing at Section 4600, (IP, Appendix B) shall apply in a planned development; provided, however, that the approving authority may approve buildings and structures of 15 percent greater height, if, in its opinion, such additional height would not have an adverse effect on adjacent properties or on properties or development in the vicinity and would be consistent with the General Plan and the purpose of these development standards. No additional height shall be approved within 100 feet of any external boundary of the planned development adjacent to land in any residential or agricultural zone.

xxxvii. COVERAGE. The Coverage Regulations commencing at Section 4700 (IP, Appendix B) shall not apply to a planned development; provided, however, that no more than 75 percent of the area of a lot containing a mobilehome shall be covered.

xxxviii. SETBACKS-PERIMETER. The following setbacks shall be maintained on the perimeter of a planned development:

a) The Setback Regulations commencing at Section 4800 (IP, Appendix B) shall apply to the perimeter of a planned development.

b) A setback of at least 50 feet from centerline shall be maintained by

any mobilehome or other building or structure, except a fence or wall, from any street along an exterior boundary of the development, except that when such street has a right-of-way width greater than 60 feet, a setback of 20 feet from the right-of-way of such street shall be maintained.

c) Except as provided in paragraph "b", a setback of not less than 25 feet from the exterior boundary shall be maintained.

xxxix. SETBACK-INTERIOR. The Setback Regulations commencing at Section 4800 (IP, Appendix B) shall not apply to the interior of a planned development; provided, however, that mobilehomes and other buildings shall conform to the following setback and spacing requirements:

a) Setback From Interior Way or Other Surfaced Public Area. No mobilehome or other building shall be located closer than 5 feet from any interior vehicular or pedestrian way, court, plaza, open parking lot or any other surfaced area reserved for public use or for use in common by residents of the planned development. Such setback shall generally be measured from the nearest edge of a surfaced area; provided, however, that where no sidewalk exists in conjunction with a public or private street, such setback shall be measured from the nearest edge of the street right-of-way or private road easement.

b) Garages and Carports. No garage or carport having straight-in access from a public or private circulation street shall be located closer than 20 feet from the nearest edge of the sidewalk of such street, or where no sidewalk exists from the nearest edge of the street right-of-way or road easement.

c) Mobilehome Side Yard Setback. Each lot containing a mobilehome shall have a side yard of not less than 3 feet in width along the entire length of the lot.

d) Mobilehome Rear Yard Setback. Each lot containing a mobilehome shall have a rear yard of not less than 3 feet extending the entire width of the lot.

e) Spacing Between Buildings Other Than Mobilehomes. Wall to wall spacing between buildings other than mobilehomes shall be at least 10 feet. Within the RS, RR, A70 and A72 use regulations, spacing between dwellings (including attached garages) shall be equal to at least twice the width of the interior side yard setback of the zone's setback designator.

f) Open Space Surrounding Buildings Other Than Mobilehomes. Each building other than a mobilehome shall be surrounded by relatively level open space having a slope no greater than 10 percent and extending a minimum distance of 10 feet in all

directions measured from the furthest projections of the external walls of the building.

xl. OPEN SPACE. The Usable Open Space Regulations commencing at Section 4900 (IP, Appendix B) shall apply to a planned development; provided, however, that the following requirements shall be met. Plot plans for planned developments shall include the dimensions of all usable open space areas to ensure compliance with the minimum size, shape and slope requirements of Sections 4915 and 4917 (IP, Appendix B). In the event of conflict between the Usable Open Space Regulations and the provisions of this section, the requirements yielding the most open space shall apply.

a) Minimum Open Space. The total land area in residential use types shall be computed per Section 9106.c.1.xxxi for purposes of determining the open space requirements. Open Space shall be comprised of a combination of private usable open space and conservation/group open space pursuant to b. and c. below.

b) Minimum Private Usable Open Space. Private Usable Open Space shall be provided on each lot within the subdivision per the table below:

GP Designation	Usable Open Space per Lot
SR-# (all)	1000 sf
RL-# (all)	4000 sf

Substitution of group usable open space for private open space may be allowed if the lots cannot satisfy the requirements above. The total area that is not satisfied on individual lots shall be in addition to the Conservation/Group Open Space requirement.

c) Conservation/Group Open Space. The total useable and/or non-usable open space shall be provided on the project site pursuant to the table below.

1. Conservation Open Space. Non-usable conservation open space shall be left in its natural state and shall be preserved in an open space easement. No structures or development shall be permitted. Conservation open space shall be kept free of litter and shall at no time constitute a health, safety, fire or flood hazard. Areas devoted to natural or improved flood control channels and those areas encumbered by flowage, floodway or drainage easements, as well as riding and hiking trails designated on a community or subregional plan map, may be applied toward satisfying this portion of the conservation open space requirement.

2. Group Open Space. Useable open space shall comply with the

standards of Section 4917 (IP, Appendix B). Land occupied by buildings and structures reserved for common recreational use by the residents may be counted as group usable open space for purposes of this subsection provided it meets the requirements of Section 4917 (IP Appendix B).

GP Designation	Percent Conservation/Group Open Space
SR-# (all)	40
RL-# (all)	80

d) Staged Development. If development is to be accomplished in stages, the development plan shall coordinate improvement of the open space, the construction of buildings, structures and improvements in such open space, and the construction of dwelling units in order that each development stage achieves a proportionate share of the total open space and environmental quality of the total planned development.

e) Reservation for Common Use. All or any part of the required open space may be reserved for use in common by the residents of the planned development except as restricted by the private usable open space requirements of the Usable Open Space Regulations. Areas permanently reserved for common open space shall be reserved for the use and enjoyment of the residents in a manner which makes the county or a public district or a public agency a party to and entitled to enforce the reservation. The Approval Authority may require that open space easements over the required open space be conveyed to the county. (Riding and hiking trails designated on a community or subregional plan map shall be open to the general public.)

f) Unreserved open space. Any open space in the development not reserved for the use in common of the residents pursuant to subsection "e" hereof, and not subject to the usable open space requirements of Section 4900 (IP, Appendix B), may be counted toward computation of the permitted number of dwelling units pursuant to Section 6621.e (IP, Appendix B). However, any project proposing such unreserved open space shall be subject to the following conditions to be contained in the major use permit for the planned development: (1) That a homeowners association be created consisting of all owners of residential property in the planned development, and (2) that the unreserved open space shall be subject to an open space easement.

g) Additional Requirements for Mobilehomes. In addition to the open space requirements of subsections "a" through "e" and the Usable Open Space Regulations, planned development containing mobilehomes shall meet the following requirements for open space and recreational facilities:

1. At least one substantial area of group usable open space shall be provided. Such area shall:

   aa). Conform to the requirement for group usable open space set forth in the Usable Group Open Space Regulations.

   bb) Be of such size and shape that each side of a rectangle inscribed within it is at least 100 feet in length.

   cc) Include outdoor recreational facilities for both active and passive recreation.

   dd) Include completely enclosed recreational facilities consisting of not less than 10 square feet of floor area for each lot containing a mobilehome.

2. All or any part of the group usable open space required by the Usable Open Space Regulations may be used to satisfy the requirements of Paragraph "f.1" if such open space meets the standards for minimum dimension, maximum slope and outdoor recreational facilities set forth herein.

xli. ACCESSORY STRUCTURES. The approved plot plan for any planned residential development shall provide standards (i.e., setbacks, sizes, coverage) for permitted accessory structures and buildings or shall specify that the standard allowances of the LCP shall prevail. Such buildings and structures may include but are not limited to swimming pools/spas, patio covers, guest living quarters, storage buildings, detached garages/carports, and outdoor chimneys or barbecue grills.

xlii. SIGNS. Signs shall be permitted in a planned development in accordance with the Off-Premise Sign Regulations commencing at Section 6200 (IP, Appendix B) and the On- Premise Sign Regulations commencing at Section 6250 (IP, Appendix B). Interior street, building and other signs shall be uniform in design and reflect good taste in style and size.

xliii. OFF-STREET PARKING. Off-street parking shall be provided in accordance with the Parking Regulations commencing at Section 6750 (IP, Appendix B).

xliv. CIRCULATION. All streets within the planned development that by function fall within the system of classification of streets as specified in Article III, Classification (Types) of Streets of the "San Diego County Standards", Ordinance No. 2809 (New Series), as amended, shall be improved to county road standards for the particular classification of street, and all such streets shall be offered for dedication to the public. When the developer desires to retain any such streets as private streets, the county may reject the offer of dedication. Other forms of access, such as pedestrian ways, courts, plazas, driveways or open parking lots shall not be offered for

dedication. Forms of common access other than dedicated public streets shall be permanently reserved and maintained for their intended purpose by means acceptable to the approving authority and County Counsel.

xlv. ACCESS. Any mobilehome, other dwelling unit or other building that is located more than 100 feet from a public or private street or other vehicular way shall have pedestrian access thereto capable of accommodating emergency and service vehicles.

xlvi. FIRE PROTECTION. Fire hydrants and connections shall be installed as required by the Planning Commission and shall be of a type approved by the chief of the local fire district, or, if there is no local fire district, by the County Fire Warden.

xlvii. NIGHT LIGHTING. Light fixtures for walks, parking areas, driveways and other facilities shall be provided in sufficient number and at proper locations to assure safe and convenient nighttime use. For normal street lighting, applicable county standards and regulations shall apply.

xlviii. ANTENNAS. A Master Antenna Television (MATV) System shall be provided with underground cable service to at least all mobilehomes and other buildings containing dwelling units. This MATV System shall be provided at no charge for service and shall be conveyed to the homeowners association at no charge. This requirement may be met by the provision of an underground Cable Television (CATV) System by a county-licensed CATV operator. No other exterior television antennas shall be permitted unless authorized by the Planned Development permit, except that individual parcels having dwellings may have dish antennas that are one meter or less in diameter or diagonal measurement.

xlix. UNDERGROUNDING. All sewer and water facilities, electricity, gas, telephone, and television signal distribution systems shall be placed underground.

l. SPECIAL REQUIREMENTS FOR MOBILEHOMES. In addition to the requirements set forth hereinabove, planned developments containing mobilehomes shall conform to the following requirements:

a) Area. A planned development containing mobilehomes shall not be less than 5 acres in area.

b) Fencing and Landscaping. Planned development containing mobilehomes shall conform to the Fencing and Landscaping Regulations commencing at Section 6700 (IP, Appendix B).

c) Storage Areas. Common Storage areas shall be provided within an enclosed fenced area for the residents of the planned development occupying mobilehomes for the storage of

recreational vehicles, trailers, travel trailers, and other licensed or unlicensed vehicles. This area shall be not less than 50 square feet for each lot containing a mobilehome.

d) Sewer and Water. Each lot containing a mobilehome in a planned development shall be provided with water and sewer connections in accordance with Chapter 5 of Title 25 of the California Administrative Code. Water shall be provided by a water supplier having a valid permit from the California Department of Health of the Department of Environmental Health. Public sewers shall be provided by a public agency which has obtained discharge requirements approved by the appropriate California Water Quality Control Board. Individual sewage disposal systems shall be approved by the Department of Environmental Health.

li. MODIFICATION OF REQUIREMENTS. Modification of these Planned Development Standards may be granted by the authority granting or modifying a Major Use Permit for a planned development when it determines that such modification will not be detrimental to the subject development, adjacent properties, or residents, or the public interest; or the General Plan, provided, however, no modification shall be granted for the density provisions of Section 9106.c.1.xxix nor the open space provisions of Section 9106.c.1.xxxviii, nor from any applicable requirements specified in Chapter 5 of Title 25 of the California Administrative Code, except those which are subject to local modification.

lii. EFFECT OF AMENDMENTS ON PENDING PLANNED DEVELOPMENTS. The amendments to the Planned Development Area Standards found in Ordinance No. 8247 (N.S.), adopted on May 19, 1993, shall not apply to any Major Use Permit for a planned development, which was approved by the County, or any application for a Major Use Permit for a planned development which was filed (pursuant to Section 1019 of the IP, Appendix B) with the County, before June 18, 1993. Said amendments shall not apply to any subsequent Time Extension, Minor Deviation or Ministerial Permit filed pursuant to such Major Use Permits. Said amendments shall also not apply to modifications of these Major Use Permits for a planned development, unless such modifications would change the approved Major Use Permit by 1) increasing the number of dwelling units or 2) enlarging the planned development site.

2. **ANIMAL RELATED ACTIVITIES**. Animal related activities may be permitted subject to the Animal Regulations commencing at Section 9200.v.
3.
4. **VETERINARY HOSPITALS.** Hospital must be located on a parcel of land not less than 2 acres in size. Indoor treatment areas must be located at least 100 feet from the near the property line, and outdoor treatment or confinement areas must be located at least 200 feet from the near the property line. If a proposed

Hospital does not meet any of these requirements it may be allowed upon issuance of a coastal permit.

5. COTTAGE INDUSTRIES. Permitted subject to the following provisions.

i. Purpose and Intent. The purpose and intent of this Section is to provide a means for establishing certain limited commercial and industrial uses to provide products and services to rural areas which are not currently zoned commercial or industrial but would benefit from the application of such limited commercial and industrial uses. Furthermore, it is intended that these limited commercial and industrial uses be used in conjunction with a dwelling and that said uses, although more extensive than home occupations, do not significantly alter or disturb the residential or rural nature of the premises or the surrounding community.

ii. Permit.

a) Cottage Industries are permitted, upon issuance of a Coastal Development Permit only in the A70 Use Regulation and in the RR Use Regulations, on parcels of four acres gross or larger.

b) A Site Plan for a Cottage Industry shall be granted for seven years, unless the Director determines that a shorter period is more appropriate to insure conformance with the intent and standards of this section or other applicable requirements. Any person holding an unexpired Minor Use Permit for a cottage industry may apply for a modification pursuant to Section 9400.d to extend its expiration date.

c) The Director, in acting on an unexpired Minor Use Permit for a cottage industry which was granted prior to September 13, 1991, shall not apply the 1,000 square foot maximum floor area standard specified in Section 9106.c.4.iv.d), below. The maximum floor area applicable to an unexpired Minor Use Permit for a cottage industry, which was granted prior to September 13, 1991, shall be the square footage authorized and constructed prior to September 13, 1991.

iii. General Standard. The particular uses conducted by the Cottage Industry, and their operation and appearance, shall not change or disturb the residential or rural character of the premises or its surroundings.

iv. Specific Standards. Cottage Industries shall conform to the following requirements:

a) The Cottage Industry shall be a secondary use of a parcel containing a dwelling occupied as the principal residence of the owner or operator of the Cottage Industry.

b) The use shall be conducted entirely within a dwelling, garage, or accessory building which retains the appearance of buildings normally associated with dwellings.

c) Dwellings or garages modified in conjunction with this use shall, on sides adjacent to streets, retain the appearance of a single detached dwelling and garage. The required number of off-street parking spaces shall be maintained.

d) The maximum floor area devoted to the use shall not exceed 1,000 square feet.

e) Not more than 3 persons may be employed on the premises in addition to the members of a single family residing on the premises.

f) No on-premise signs or advertising is permitted except as permitted for home occupations (one sign not exceeding 2 square feet in area displaying the name and occupation of the occupant).

g) No Cottage Industry may be owned, operated, managed, or leased by any person within one mile of any other Cottage Industry owned, operated, managed, or leased by the same person.

h) The Cottage Industry shall conform to the Performance Standards for the applicable use regulations. (Starting at Section 6300 in IP, Appendix B)

i) Production of goods shall be by hand manufacturing methods which involve the use of hand tools or mechanical equipment not exceeding the use of five horse power at any one time, or a single kiln not exceeding 8 cubic feet in volume. The applicant shall provide a description, including horsepower ratings, of all power tools intended to be utilized.

j) Incidental direct sale to consumers of only those goods produced on site may be permitted subject to any limitations specified by the Minor Use Permit.

v. Decision. If the officer or body having jurisdiction over a permit for a Cottage Industry determines that a particular use does not comply with all applicable regulations or that the permit cannot be conditioned by adequate requirements to ensure compliance with all applicable regulations, the permit shall be denied.

6. **RETAIL ESTABLISHMENTS.** Limited to retail establishments intended for the convenience of permitted establishments and/or clients thereof, provided no such retail establishment occupies more than 15 percent of the total floor area of the building, in which it is located, and has no entrance except from

the lobby or interior of said building, or from a patio entirely surrounded by said building.

7. **EATING AND DRINKING ESTABLISHMENTS.** Allowed upon issuance of a STP.

8. **PACKING AND PROCESSING: GENERAL.** Allowed as an accessory use to Commercial Agriculture subject to the following provisions:

    i. In the A70 Use Regulation, a Packing and Processing operation or facility, accessory to a Commercial Agriculture operation, may be allowed with an Administrative Permit and shall comply with the following provisions:

        a) The operation shall be incidental to primary agricultural, horticultural or animal husbandry use, such that at least 50 percent of the total gross area of the premises shall be suitable and available for agricultural, horticultural, animal husbandry or open space use;

        b) The packing and processing operation or facility may be conducted within a structure or outdoors as required by the Enclosure Regulations (Section 6800 of IP, Appendix B).

        c) For operations with a total area greater than 200 acres, at least 40 acres must be actual active agricultural, horticultural, or animal husbandry use.

        d) Signage: One on-premise sign, not to exceed four square feet, is allowed.

        e) Before an Administrative Permit may be granted or modified, it shall be found:

            1. 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:

                aa) Harmony in scale, bulk and coverage;

                bb) The availability of public facilities, services and utilities;

                cc) The harmful effect, if any, upon desirable neighborhood character;

                dd) The generation of traffic and the capacity and physical character of surrounding streets;

ee) The hours of operation and generation of noise of the proposed use;

ff) The suitability of the site for the type and intensity of use or development which is proposed; and to

gg) Any other relevant impact of the proposed use.

2. 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.

3. That the requirements of the California Environmental Quality Act have been complied with.

4. That notice shall be pursuant to Section 7060.c of the IP, Appendix B. No hearing is required unless requested by the applicant or other affected person pursuant to Section 7060.d (IP, Appendix B).

9. WHOLESALE LIMITED, BOUTIQUE, AND SMALL WINERIES. These shall be known as the Wholesale Limited, Boutique and Small Wineries Regulations. The purpose of these regulations is to promote production of wine from fruit grown in San Diego County, to support local agriculture and to prescribe reasonable standards and procedures for the operation of wineries. Commercial activities not expressly allowed pursuant to these provisions are prohibited.

i. WHOLESALE LIMITED WINERY. A Wholesale Limited Winery shall comply with the following provisions:

a). Prior to the occupancy of the winery structures and the production of wine, a Wholesale Limited Winery shall have a valid permit and bond issued by the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau, and a current 02 Winegrowers license issued by the California Department of Alcoholic Beverage Control. Licenses issued by the California Department of Alcoholic Beverage Control that allow other types of alcohol sales are prohibited.

b) On-site sales to the public of wine and other goods from the winery, tasting rooms, and/or special events, including but not limited to weddings and parties, are prohibited. Internet sales, phone sales and mail-order sales are allowed.

c) The maximum floor area of a production facility (non-residential structure(s) used to crush, ferment, store and bottle fruit, wine and other products and equipment used in winemaking, including shipping, receiving, laboratory, maintenance and

offices) is limited as follows:

Lot Size (gross)	Production Facility Size (cumulative maximum)
< 1 ac	1,000 sf
1 ac - <2 ac	1,500 sf
2 ac - 4 ac	2,000 sf
For each acre over 4 acres	200 sf additional per acre, not to exceed 5,000 sf

d) No barns, agricultural storage buildings and/or other accessory structures permitted pursuant to Section 6156 of IP, Appendix B shall be used as a production facility for the Wholesale Limited Winery Use.

e) A minimum of 25% of the winery's production shall be from fruit grown on the premises. Up to 75% of the winery's production may be from sourced fruit/juice from inside or outside San Diego County.

Source	Production Amount	Grapes (Fruit/Juice)	Wine
On-site	25% (min.)	Required	N/A
Within/Outside San Diego County	75% (max.)	Permitted	Prohibited[1]
TOTAL	100%		

[1] *No wine produced off the premises may be used in the winery's production or sold from the premises.*

1. The owner of the winery shall keep records detailing the amount of fruit grown on the premises and the amount of fruit and/or juice imported from off the premises, to demonstrate compliance with this Section.

2. The records shall indicate the dates of receipt and quantities of all imported fruit and/or juice and shall indicate the off-site growers name, address and location of the growing operation from which the fruit is imported.

3. All records shall be provided within 14 days of request by County staff.

f) Wine production shall be less than 12,000 gallons annually.

g) All operations shall comply with the provisions of Section 36.401 et seq. of the San Diego County Code relating to Noise Abatement and Control.

h) A Wholesale Limited Winery shall demonstrate compliance with the Travel Time Standards from the Closest Fire Station, specified in the Safety Element, Table S-1.

ii. BOUTIQUE WINERY. A Boutique Winery shall comply with the following provisions:

a) Prior to the occupancy of the winery structures and the production of wine, a Boutique Winery shall have a valid permit and bond issued by the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau, and a current 02 Winegrowers license issued by the California Department of Alcoholic Beverage Control. Licenses issued by the California Department of Alcoholic Beverage Control that allow other types of alcohol sales are prohibited.

b) Wine production shall be less than 12,000 gallons annually.

c) A minimum of 25% of the winery's production shall be from fruit grown on the premises. A minimum of 50% of the winery's production shall be from fruit grown in San Diego County or from sourced juice and/or wine produced in San Diego County with San Diego County grown grapes. No more than 25% of the winery's production may consist of fruit, juice or non-bottled bulk wine sourced from outside San Diego County.

Source	Production Amount	Grapes (Fruit/Juice)	Wine
On-site	25% (min.)	Required	N/A
San Diego County	50% (max.)	Permitted	Permitted
Outside San Diego County	25% (max.)	Permitted	Permitted
TOTAL	100%		

1. The owner of the winery shall maintain records detailing the total annual production amount of fruit grown on the premises and the amount of fruit, juice and/or wine imported from off the premises, to demonstrate compliance with this Section.

2. The records shall indicate the dates of receipt and quantities of all imported fruit, juice and/or wine and shall indicate the off-site growers name, address and location of the growing operation from which the fruit/juice and/or wine is imported.

3. All records shall be provided within 14 days of request by County staff.

d) The maximum floor area of the production facility (non-residential structure(s)) used to crush, ferment, store and bottle fruit, wine and other products and equipment used in winemaking, including shipping, receiving, laboratory, maintenance and offices, is limited as follows:

Lot Size (gross)	**Production Facility Size (cumulative maximum)**
< 1 ac	1,000 sf
1 ac - <2 ac	1,500 sf
2 ac - 4 ac	2,000 sf
For each acre over 4 acres	200 sf additional per acre, not to exceed 5,000 sf

e) No barns, agricultural storage buildings and/or other accessory structures permitted pursuant to Section 6156 of IP, Appendix B shall be used as a production facility or tasting/retail sales area for the Boutique Winery.

f) The Boutique Winery structures permitted in Section 9106.c.8.d may contain one designated tasting/retail sales area in addition to the Boutique Winery structures permitted in Section 9106.c.8.d. The designated tasting/retail sales area shall be accessory to wine production, shall not exceed 30% of the total square footage of all permitted Boutique Winery production facility structures, and shall comply with the following:

1. All areas accessed by the public must be permitted and constructed in compliance with the applicable commercial building code, including the requirements of the Americans with Disabilities Act;

2. Barns and agricultural storage buildings on the premises which are not permitted as part of the Boutique Winery production facility shall not be included for purposes of calculating the allowed area of the tasting/retail sales area;

3. For the purposes of this Section, a tasting/retail sales area is defined as a room, cave, trellis and/or outdoor patio area (covered or uncovered) that is dedicated for wine tasting and sales of wines produced on-site and food related items;

4. The California Retail Food Code and the food provisions of the County Code apply as provided in those codes.

5. Internet, phone and mail-order sales are allowed.

g) Events, including but not limited to weddings and parties, are prohibited except as provided in this Section. An event, for purposes of this Section, is defined as the use of the site for organized activities or gatherings (other than wine production, wine sales, wine tasting, agricultural instruction and educational tours), including any activities or gatherings that are advertised or promoted.

Pursuant to Section 6106 of the IP, Appendix B, Community Events as defined in and as limited by Chapter 2 of Division 1 of Title 2 of the San Diego County Code (Sections 21.201 – 21.208) may be allowed and subject to all applicable licenses required by the Sheriff pursuant to Chapter 1 of Division 1 of Title 2 of the San Diego County Code (Sections 21.101 – 21.117).

h) The sale and consumption of pre-packaged food is allowed on the premises. Refrigeration shall be permitted by the County of San Diego Department of Environmental Health (DEH). Catered food service is allowed by a DEH-permitted caterer, but no food preparation is allowed at a Boutique Winery, except as described below in this Section. Catered food service includes the provision of food that is ready to eat and that has been prepared off the Boutique Winery premises.

1. One mobile food facility may be allowed on the Boutique Winery premises to serve the patrons of the tasting room during the approved hours of operation, as specified in Section 9106.c.8 b.8.i.

2. The mobile food facility shall not be parked in the required parking spaces for winery patrons or employees, nor shall it interfere with the safe ingress or egress to and from the premises;

3. The mobile food facility shall have a valid Mobile Food Facility Health Permit from the Department of Environmental Health and shall conform to all requirements applicable to a mobile food facility, including access to a permitted commercial restroom.

i) A tasting/retail sales area in conjunction with a Boutique Winery may be open to the public seven days a week from 10 a.m. until legal sunset, or until 6 p.m. from November 1 through March 1.

j) A minimum of six parking spaces shall be provided for patrons using the Boutique Winery, and a minimum of three spaces

shall be provided for Boutique Winery operations and employees. No parking for a Boutique Winery is allowed off the premises.

k) The on-site driveway and parking area used to access the Boutique Winery shall not be dirt. The on-site driveway and parking area may be surfaced with Chip Seal, gravel, or an alternative surfacing material such as recycled asphalt suitable for lower traffic volumes. Any disabled access parking stalls, access aisles, and accessible routes provided for compliance with California Building Code chapter 11B shall be stable, firm, and slip-resistant.

l) Outdoor amplified sound is not allowed.

m) All operations shall comply with the provisions of Section 36.401 et seq. of the San Diego County Code relating to Noise Abatement and Control.

n) Outdoor eating areas shall be limited to a combined maximum of five tables and seating for no more than 20 people and shall be used in conjunction with allowed Boutique Winery operations only during the hours specified in subsection b.8.

o) Vehicles with a capacity in excess of 15 passengers are not allowed to serve the Boutique Winery.

p) A Boutique Winery shall demonstrate compliance with the Travel Time Standards from the Closest Fire Station, specified in the Safety Element, Table S-1.

iii. SMALL WINERY. A Small Winery shall comply with the following provisions:

a) Prior to the occupancy of the winery structures and the production of wine, a Small Winery shall have a valid permit and bond issued by the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau, and a current 02 Winegrowers license issued by the California Department of Alcoholic Beverage Control. The applicant shall disclose if any other licenses issued by the California Department of Alcoholic Beverage Control will be relied upon for operations at the Small Winery.

b) Wine production shall be less than 120,000 gallons annually.

c) A minimum of 25% of the winery's production shall be from fruit grown on the premises. An additional minimum of 25% of the winery's production shall be from fruit grown or juice/wine produced in San Diego County with San Diego County grown grapes. No more than 50% of the winery's

production may consist of sourced fruit, juice or wine from outside San Diego County.

Source	Production Amount	Grapes (Fruit/Juice)	Wine
On-site	25% (min.)	Required	N/A
San Diego County	25% (min.)	Permitted	Permitted
Outside San Diego County	50% (max.)	Permitted	Permitted
TOTAL	100%		

1. The owner of the winery shall maintain records detailing the amount of fruit grown on the premises (including properties pursuant to subsection 9106.c.8.iii.c.4) and the amount of fruit/juice and/or wine imported from off the premises, to demonstrate compliance with this Section.

2. The records shall indicate the dates of receipt and quantities of all imported fruit/juice and/or wine and shall indicate the off-site growers name, address and location of the growing operation from which the fruit/juice and/or wine is imported.

3. All records shall be provided within 14 days of request by County.

4. "Fruit grown on the premises," as that phrase is used above in subsection 9106.c.8.iii.c.1, may include fruit grown on a separate property or properties under the same ownership or lease as the Small Winery, provided all of the following criteria are met:

    aa) "Separate property" or "properties" shall mean parcels located within the County that are not contiguous to one another, are under the same ownership or lease as the Small Winery, and are part of the same Small Winery operation;

    bb) All properties shall be clearly delineated and included as part of the Small Winery Administrative Permit and shall be subject to all conditions of approval;

    cc) Only one of the parcels shall have the wine production facilities, tasting area and/or event areas. That parcel shall be a minimum of 4 acres in size;

dd) For wineries smaller than 8 acres in size, at least 50% of the “fruit grown on the premises” shall be grown on the parcel which contains the wine production facilities and tasting area. For wineries 8 acres or larger in size, at least 25% of the “fruit grown on the premises shall be grown on the parcel which contains the wine production facilities and tasting area;

ee) Events of any kind are permitted only on the parcel which contains the production facility, tasting area, and approved event areas. No events shall be permitted on any of the other properties included as part of the Small Winery.

d) The California Retail Food Code and the food provisions of the County Code apply as provided in those codes. The sale and consumption of pre-packaged food is allowed on the premises. Refrigeration shall be permitted by the County of San Diego Department of Environmental Health (DEH). Catered food service is allowed by a DEH-permitted caterer, but no food preparation is allowed at a Small Winery, except as described below in this Section. Catered food service includes the provision of food that is ready to eat and that has been prepared off the Small Winery premises.

1. One mobile food facility may be allowed on the Small Winery premises to serve the patrons during the approved hours of operation;

2. The mobile food facility shall not be parked in the required parking spaces for winery patrons or employees, nor shall it interfere with the safe ingress or egress to and from the premises;

3. The mobile food facility shall have a valid Mobile Food Facility Health Permit from the Department of Environmental Health and shall conform to all requirements applicable to a mobile food facility, including access to a permitted commercial restroom.

e) Events, including but not limited to weddings and parties, may be allowed as specified in the Administrative Permit upon the making of the findings in Section 9106.c.8.f. Events shall comply with the requirements of Section 21.201 et seq. of the County Code.

Pursuant to Section 6106 of the IP, Appendix B, Community Events as defined in and as limited by Chapter 2 of Division 1 of Title 2 of the San Diego County Code (sections 21.201 – 21.208) are allowed and subject to all applicable licenses

required by the Sheriff pursuant to Chapter 1 of Division 1 of Title 2 of the San Diego County Code (sections 21.101 – 21.117).

f) An Administrative Permit for a Small Winery is required and may be approved in accordance with the Administrative Permit Procedure commencing at Section 7050, if it is found that:

1. 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:

aa) Harmony in scale, bulk, coverage and density.

bb) The availability of public facilities, services and utilities.

cc) The harmful effect, if any, upon desirable neighborhood character.

dd) The generation of traffic and the capacity and physical character of surrounding streets.

ee) The suitability of the site for the type and intensity of use or development which is proposed.

ff) Any other relevant impact of the proposed use.

2. That the impacts, as described in paragraph "f" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.

3. That the requirements of the California Environmental Quality Act have been complied with.

4. Notice shall be provided pursuant to Section 7060.c. No hearing is required unless requested by the applicant or other affected person pursuant to Section 7060.d.

h) A Small Winery shall demonstrate compliance with the Travel Time Standards from the Closest Fire Station, specified in the Safety Element, Table S-1.

VARIANCE PROCEDURE

7100 INTENT AND PURPOSE

The provisions of Section 7100 through Section 7149, inclusive, shall be known as the Variance Procedure. A Variance may be granted when practical difficulties, unnecessary hardship or results inconsistent with the general purposes of the Zoning Ordinance would result from the literal enforcement of its requirements. A Variance may be granted to allow the following:

a. Animal Enclosure Setbacks. A modification of animal enclosure setbacks as set forth in Section 3112;

b. Development Regulations. A modification of the Development Regulations commencing with Section 4000 except for the Density Regulations commencing with Section 4100, except the Lot Area Regulations commencing with Section 4200, except for the Building Type Regulations commencing with Section 4300, and except for the Height Regulations commencing with Section 4600 on properties subject to the R and S Special Area Regulations in the Coastal Zone;

c. Coastal Development Area Regulations. Repealed.

d. Selected General Regulations. A modification of the Fencing and Screening Regulations, the Off-Street Parking and Loading Regulations and the provisions of the Nonconforming Use Regulations dealing with the expansion, extension, alteration, or relocation of nonconforming buildings; and,

e. Other Regulations. A modification of other regulations in the Zoning Ordinance provided that such regulations expressly provide for the granting of a Variance.

A Variance shall not be granted which would have the effect of granting a special privilege not shared by other property in the same vicinity and subject to the same regulations; nor shall a Variance be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the regulations governing the property.

7102 CLASSIFICATION OF VARIANCES AND ORIGINAL JURISDICTION.

Variances shall be classified according to the circumstances of their submission and original jurisdiction shall be exercised over them as follows:

a. Concurrent Variance. When an application for granting or modifying a Variance is submitted concurrently with an application for granting or modifying a use permit or subdivision map, said Variance would be incidental and necessary to said use permit or subdivision map, the Variance shall be designated as a concurrent Variance and the application shall be under the original jurisdiction of the body having authority over the use permit or subdivision map and subject to the same procedures.

b. Coastal Variance. Repealed.

c. Regular Variance. All other Variances shall be designated as regular Variances and applications for their granting or modification shall be under the jurisdiction of the Director.

7104 APPLICATION FOR THE GRANTING OF A VARIANCE.

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

a. Persons Eligible. The following persons shall be eligible to apply for the granting of a Variance:

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, 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 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 provisions 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 these provisions 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 and description of the property involved and the proposed Variance.

3. Satisfactory evidence of the ability and intention of the applicant to proceed with actual construction work in accordance with requested variance 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 7102, and shall be accompanied by the fee referenced in Section 7602.

7105 HEARING AND NOTICE.

a. All actions for the revocation or modification of a Variance for cause shall be heard at a public hearing scheduled and noticed as required by Section 7603 and 7605, respectively.

b. All applications for the granting or modification of a regular Variance, other than those subject to Section 7106, shall be acted upon as follows: Immediately upon determining that the application is complete, the Director shall provide notice of receipt of the application in the manner required by Section 7605.b; said notice shall indicate that the Director will make a decision on the application without holding a public hearing unless one is requested, and will consider any written comments interested persons desire to submit. The notice shall state that a request for hearing or written comments must be received by the Director no later than 10 days after the date the notice was given. In the event a request for public hearing is received, a public hearing shall be scheduled, conducted and noticed as required by Sections 7603 through 7607. If no request for hearing is received, the Director shall consider the application together with any written comments received and take action pursuant to Section 7108.

7106 HEARING AND NOTICE NOT REQUIRED.
The Director may, without hearing or notice, grant a regular Variance meeting all other requirements of The Zoning Ordinance and the following additional requirements:

a. Maximum Reduction. The requested Variance shall not exceed a 50 percent reduction in the applicable setback regulations, as measured from property line, or street line, and a 75 percent increase in the applicable fence height requirements.

b. Consent of Adjacent Property Owners. The application for the requested Variance shall include written consent to the granting of the requested Variance signed by the owner or owners of each lot or parcel adjoining the site of the proposed building or structure and the owner or owners of land across any street or alley from such site.

c. Reapplication. In the event the Director declines to grant a regular Variance requested pursuant to this Section, the applicant may, within 60 days after applying for such Variance, request that the Variance be scheduled for public hearing in accordance with Sections 7104 and 7105. The applicant shall pay an additional fee in an amount consisting of the difference between the fee specified in Section 7104 and that already paid.

7107 FINDINGS REQUIRED.
Before any variance may be granted or modified, all of the following shall be found:

a. That there are special circumstances applicable to the property, including size, shape, topography, location or surroundings, that do not apply generally to property in the same vicinity and under identical zoning classification;

b. That, because of those special circumstances, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification;

c. That granting the variance or its modification is subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated;

d. That the variance will not authorize a use or activity which is not otherwise expressly authorized by the applicable use classification;

e. That granting the variance or its modification will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity and zone in which the property is located; and

f. That granting the variance or its modification will not be incompatible with the San Diego County General Plan.

7108 DECISION AND NOTICE. The Board of Supervisors, the Planning Commission, or the Director shall decide and notice matters concerning Variances as follows:

a. Application for Granting or Modifying a Variance. Upon considering an application for granting or modifying a Variance, and holding any public hearing required thereon, the Board of Supervisors, the Planning Commission, or the Director, whoever has jurisdiction over the application, shall deny the Variance or the requested modification; or shall grant or modify the Variance subject to specified conditions as may be imposed pursuant to Section 7110. Notice of the decision on the application shall be filed in the

office of the authority having jurisdiction over the application and a copy of the notice shall be mailed to the applicant at the address shown on the application. Said decision shall become effective as provided in Section 7112.

b. Action to Revoke or Modify a Variance For Cause. Following the hearing in an action to revoke or modify a Variance as prescribed in Section 7130, the Board of Supervisors, the Planning Commission, or the Director, whoever conducts the hearing, may decide to revoke or to modify the Variance, or may decide to take no action. Notice of the decision on the action shall be filed in the office of the deciding authority and a copy of said notice shall be mailed to the person to whom the Variance was originally granted. Said decision shall become effective as provided in Section 7112.

7110 CONDITIONS.

Variances may be granted or modified subject to the performance of such conditions, including the provision of required improvements, and for such period of time as the Planning Commission, Board of Supervisors, or the Director whoever grants or modifies the Variance, shall deem to be reasonable and necessary or advisable under the circumstances so that the objectives of this Ordinance shall be achieved. Such conditions shall be imposed and enforced as follows:

a. Security May Be Required to Insure Performance. In order to insure the performance of conditions imposed concurrent with the granting or modification of a Variance, the applicant may be required to furnish security in the form of money or surely bond in the amount fixed by the authority granting or modifying the Variance. Such security shall be furnished as required by Section 7612.

b. Provision of Required Improvements. Whenever a Variance is granted or modified subject to the condition that specified improvements be provided by the applicant, such improvements shall be installed by the applicant and approved and accepted by the cognizant County authority, or the applicant shall execute an agreement with the cognizant County authority pursuant to Section 7613 to make such improvements, prior to the time or events specified in the Variance.

c. Conditions Declared Void. Whenever there becomes final any judgment of a court of competent jurisdiction declaring one or more of the conditions of a Variance to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions, said Variance shall cease to be valid and all rights or privileges granted thereby shall lapse, as provided in Section 7128.

d. Violation of Condition. Whenever a Variance is granted or modified subject to a condition or conditions, use or enjoyment of the Variance in violation of or without observance of any such condition shall constitute a violation of The Zoning Ordinance and said Variance shall be revoked or modified as provided by Section 7130.

7112 EFFECTIVE DATE.

Decisions of the Planning Commission, or the Director, made pursuant to Section 7108 shall become final and effective on the eleventh day following the date of decision unless an appeal of the decision is filed as provided by Section 7114. All decisions of the Board of Supervisors made pursuant to Section 7108 shall be effective immediately.

7114 APPEAL.

Variance decisions made pursuant to Sections 7108, 7124 or 7130 may be appealed as follows:

a. Appeals Authorized.

1. A concurrent Variance decision may be appealed to the same appeal authority and pursuant to the same procedures as apply to the use permit or subdivision map with which the Variance is concurrent.

2. Repealed.

3. A regular Variance decision by the Director may be appealed to the Planning Commission.

b. Persons Authorized to Appeal. No person may appeal except the applicant for the granting or modification of a Variance, a County officer or body acting pursuant to paragraph "c" of this Section, and those persons who protest the granting, revocation, or modification of a Variance either by written protest filed in the office of the Planning Commission, or the Director, whoever has jurisdiction over the Variance, prior to the time of the hearing or consideration of the matter by said authority; or by appearing and protesting the granting, revocation or modification of the Variance at the hearing or consideration of the matter by said authority.

c. County Officer May Appeal. Notwithstanding any other provision of this Ordinance, any County officer, Board, Commission or other County body, other than the authority having jurisdiction over the appeal, may appeal a decision of the Planning Commission, or the Director pursuant to Section 7108, without fee.

d. Manner and Time of Filing. An appeal shall be in writing, shall be accompanied by the fee referenced in Section 7602, and shall be filed within ten days following the decision, as provided in Section 7112, in the office of the Planning Commission, or Director, whoever rendered the decision.

e. Effect of Filing the Appeal. An appeal of a decision within the time specified in paragraph "d" of this Section shall stay the proceedings and effective date of the decision of the Planning Commission, or Director as provided by Section 7112, until such time as the appeal has been acted on as hereinafter set forth in the Ordinance.

f. Public Hearing. Following the filing of an appeal, the authority having appellate jurisdiction shall hold a public hearing on the matter scheduled and noticed as required by Sections 7603 and 7605, respectively. The public hearing shall be a hearing de novo and all interested persons may appeal and present evidence.

g. Decision and Notice. Following the hearing on an appeal, the authority having the appellate jurisdiction may sustain the decision which is being appealed; or may grant or modify the Variance subject to specified conditions it imposes pursuant to Section 7110; or may revoke or deny the Variance, as is appropriate. The authority shall adopt findings, which specify all facts relied upon by it in reaching its decision and their relation to the requirements of Section 7107, and which state the reasons for any conditions imposed by it; provided, however, findings shall be deemed waived unless expressly requested in writing by the applicant or appellant at the time of the hearing on the appeal and prior to decision by the authority. Notice of the decision of the authority together with a copy of any findings adopted by said authority shall be mailed to the appellant and applicant, or to both if they are different parties, and a copy thereof shall be attached to the Planning Commission's, or Director's file in the matter and said file returned to the Planning Commission, or Director, whoever rendered the decision which was appealed.

h. Finality and Effective Date. Subject to the provisions of Chapter 4 (commencing with Section 86.401) of Division 6 of Title 8 of the San Diego County Code, relating to

appeals of environmental determinations, the decision of the authority having jurisdiction over an appeal shall be final, conclusive, and effective immediately.

i. No Decision Reached. Whenever an authority holds a hearing on an appeal from a decision of the Planning Commission, or the Director and thereafter fails to reach a decision because a motion on the item failed to carry by the required vote, the secretary of the authority shall set the matter for a noticed public hearing de novo if such hearing is requested by the authority. Such request must be made within 30 days of the date when the motion on the item failed to carry. If no such request is made within such period, the decision of the Planning Commission, or the Director from which the appeal has been taken shall be deemed sustained.

7116 VARIANCES TO BE RECORDED AND PROVIDE CONSTRUCTIVE NOTICE
Upon the approval of a variance becoming final and effective, the Director shall cause a copy thereof to be filed with the San Diego County Recorder. The variance to be recorded shall set forth the names of all owners of the property subject to the variance. The recording of a variance shall provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named in the variance, of the rights and obligations created by the variance.

7118 NUISANCE.
The granting or modification of a Variance pursuant to these provisions shall not authorize or legalize the maintenance of any private or public nuisance.

7120 DISCONTINUANCE.
Each Variance granted pursuant to these provisions shall expire and become null and void at the expiration of one year after the purpose for which it was granted shall be been discontinued or abandoned.

7122 EXPIRATION.
Each valid unrevoked and unexpired Variance shall expire and become null and void at the time specified in such Variance, or if no time is specified, at the expiration of two years after granting except where construction and/or use of the property in reliance on such Variance has commenced prior to its expiration; provided, however, that the period within which such construction and/or use must be commenced may be extended as provided by Section 7124.

7124 APPLICATION FOR EXTENSION OF RELIANCE PERIOD OF A VARIANCE.
If prior to expiration of the Variance the applicant files a written application for extension, the period within which construction or use of the property in reliance on the Variance must be commenced may be extended by order of the Director, Planning Commission or Board of Supervisors, whichever granted the Variance, (or, in the case of a Variance granted by the Board of Planning and Zoning Appeals, by the Board of Supervisors) at any time within 90 days of the date of expiration as originally established. An application for such an extension shall be made on the prescribed form, shall be accompanied by the fee referenced in Section 7602, and shall be filed with the authority who granted the Variance. The period within which construction and/or use of the property in reliance on a Variance must be commenced may be extended subject to conditions, as provided by Section 7110. Decision of the Director, Planning Commission or Board of Supervisors pursuant to this section shall become effective as provided by Section 7112. Decisions of the Director, and Planning Commission may be appealed as provided by Section 7114. All other provisions of The Zoning Ordinance shall apply to an extension granted in accordance with this section.

7126 APPLICATION FOR MODIFICATION OF A VARIANCE.
Any person holding a Variance may apply for a modification by complying with Section 7104.c. For the purposes of this section, the modification of a Variance may include modification of the

terms of the Variance itself or the application, waiver, or alteration of conditions imposed pursuant to Section 7110. The following provisions of the Variance Procedure shall apply to the disposition of an application for the modification of a Variance: Sections 7104, 7105, 7107, 7108a. and 7110 through 7114, inclusive.

7128 AUTOMATIC REVOCATION OF A VARIANCE.

If a Variance is granted or modified subject to one or more conditions, such Variance shall cease to be valid, and all rights or privileges granted thereby shall lapse, notwithstanding any other provisions of the Zoning Ordinance to the contrary, whenever there becomes final any judgment of a court of competent jurisdiction declaring one or more of such conditions to be void or ineffective, or enjoining or otherwise prohibiting the enforcement of operation of one or more such conditions.

7130 REVOCATION OR MODIFICATION OF A VARIANCE FOR CAUSE.

A Variance may be revoked or modified for cause as provided by the provisions of this section. For purposes of this section, the modification of a Variance may include modification of the terms of the Variance itself or the waiver alteration or imposition of new conditions pursuant to Section 7110.

a. Grounds for Revocation or Modification. A Variance may be revoked or modified pursuant to the provisions of this section on any one or more of the following grounds:

    1. That such Variance was obtained or extended by fraud.

    2. That one or more of the conditions upon which such Variance was granted have been violation.

    3. That the use for which the Variance was granted is so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance.

b. Initiation of Action. An action to revoke or modify a Variance may be initiated by order of the Board of Supervisors, Planning Commission, or the Director, whichever granted or modified the Variance, on its own motion or on the request of any County Officer; provided, however, the Planning Commission may initiate an action to revoke or modify any Variance granted or modified by the Director or the Planning Environmental Review Board and the Board of Supervisors may initiate an action to revoke or modify any Variance granted or modified by either the Director, the Planning Environmental Review Board, the Board of Planning and Zoning Appeals or the Planning Commission. The order shall set forth grounds for revocation or modification.

c. Other Provisions Applicable. The following provisions of the Variance Procedure shall apply to an action for the revocation or modification of any Variance: Sections 7105, 7180.b, and 7110 through 7114, inclusive.

7132 EXTENSION OF TIME LIMITS.

The time limits prescribed for the Variance Procedure may be extended by the Board of Supervisors, the Planning Commission, or the Director, as appropriate, upon the consent of the applicant or appellant.

7134 REAPPLICATION.

No application for the granting of a Variance which has been denied shall be filed earlier than one year after the date such denial becomes effective, unless specific permission to do so has been granted as follows:

a. Denial by Director. If the Director has denied the Variance, permission to reapply may be granted by the Director, the Planning Commission or the Board of Supervisors.

b. Denial by the Planning Commission. If the Planning Commission has denied the Variance, permission to reapply may be granted by the Planning Commission or the Board of Supervisors.

c. Denial by the Board. If the Board of Supervisors has denied the Variance, permission to reapply may be granted by the Board of Supervisors.

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 Minor Use Permit procedure shall be followed when an application for a Minor Use Permit has been filed as required by the Animal Regulations.

7352 CLASSIFICATION OF MINOR USE PERMITS AND ORIGINAL JURISDICTION.

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

a. 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.

b. 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.

7354 APPLICATION FOR THE GRANTING OF A MINOR USE PERMIT.

An application for the granting of a minor use permit, for the Animal Regulations shall be made as follows:

a. Persons Eligible. The following persons shall be eligible to apply for the granting of a minor 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 minor 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 minor 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 minor 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 minor 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, and shall be accompanied by the required fee found within the County Administrative Code.

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 MINOR 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 Implementation Plan. 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.

7358 FINDINGS REQUIRED.

Before any Minor 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.

7359 FINDINGS REQUIRED FOR PARTICULAR USE PERMITS.

a. A Large Wind Turbine. The findings required for a Large Wind Turbine shall be that the location, size and design of the proposed large wind turbine project will not adversely affect or be materially detrimental to the surrounding community with consideration given to:

1. The physical suitability of the site for the type and intensity of the wind turbine project which is proposed;

2. Any harmful effect from the wind turbine project on desirable neighborhood character;

3. The availability of public facilities, services and utilities to serve the wind turbine project;

4. The generation of traffic and the capacity and physical character of surrounding streets;

5. The requirements of the California Environmental Quality Act;

6. The wind turbine project’s contribution to the renewable energy and sustainability goals of the San Diego region; and

7. The San Diego County General Plan.

7360 DECISION AND NOTICE.

The Board of Supervisors, the Planning Commission, or the Director shall decide and notice matters concerning Minor Use Permits, as follows:

a. Applications for granting or modifying a Minor Use Permit. Following the hearing on an application for granting or modifying a use permit, the Board of Supervisors, the Planning Commission, or the Director, whoever has jurisdiction over the application, shall deny the use permit or the requested modification; or shall grant or modify the use permit subject to specified conditions as may be imposed pursuant to Section 7362. Notice of the decision on the application shall be filed in the office of the authority having jurisdiction over the application and a copy of said notice shall be mailed to the applicant at the address shown on the application. Said decision shall become effective as provided in Section 7364.

b. Action to Revoke or Modify a Use Permit For Cause. Following the hearing in an action to revoke or modify a use permit, as prescribed in Section 7382, the Board of Supervisors, the Planning Commission, or the Director, whoever conducts the hearing, may decide to revoke or to modify the use permit, or may decide to take no action. Notice of the decision on the action shall be filed in the office of the deciding authority and a copy of said notice shall be mailed to the person to whom the use permit was originally granted. Said decision shall become effective as provided in Section 7364.

7362 CONDITIONS.

Use permits may be granted or modified subject to the performance of such conditions, including the provision of required improvements, and for such period of time as the Planning Commission, the Board of Supervisors, or the Director, whoever grants or modifies the use permit, shall deem to be reasonable and necessary or advisable under the circumstances so that the objectives of the Implementation Plan shall be achieved. Such conditions shall be imposed and enforced as follows:

a. Security May Be Required to Insure Performance. In order to insure the performance of conditions imposed concurrent with the granting or modification of a use permit, the applicant may be required to furnish security in the form of money or surety bond in the amount fixed by the authority granting or modifying the use permit. Such security shall be furnished as required by Section 7612.

b. Provision of Required Improvements. Whenever a use permit is granted or modified subject to the condition that specified improvements be provided by the applicant, such improvements shall be installed by the applicant and approved and accepted by the cognizant County authority, the applicant shall execute an agreement with the cognizant County authority pursuant to Section 7613 to make such improvements, prior to the time or events specified in the permit.

c. Condition Declared Void. Whenever there becomes final any judgment of a court of competent jurisdiction declaring one or more of the conditions of a use permit to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions, said use permit shall cease to be valid and all rights or privileges granted thereby shall lapse, as provided by Section 7380.

d. Violation of Condition. Whenever a use permit is granted or modified subject to a condition or conditions, use or enjoyment of the use permit in violation of or without observance of any such condition shall constitute a violation of the Implementation Plan and said use permit may be revoked or modified as provided by Section 7382.

e. Monitoring compliance. Every permittee of a use permit shall allow the Director to conduct periodic inspections of the property for which a use permit has been granted to ensure that the permittee is complying with the use permit conditions. Inspections under this section are in addition to any inspections authorized under Section 7702. As used in this section, "permittee" also means the permittee's employees, agents, tenants, heirs, assignees and successors. The frequency of the periodic inspections shall be at the discretion of the Director, but shall not occur more often than once every twelve months. The Director shall give the permittee written notice at least 24 hours before any inspection under this section. No permittee shall refuse to permit inspection of the property covered by the use permit after the requisite notice has been given. No inspector, however, shall conduct any inspection authorized by this section if permission to inspect is refused. If permission to inspect is refused, the inspector may obtain an inspection warrant pursuant to California Code of Civil Procedure sections 1822.50 et seq. to conduct any inspection authorized by this section. If an inspector determines during a periodic inspection that the permittee is not in compliance with any use permit condition, the Director may authorize follow-up inspections more frequently than once every twelve months until the Director is satisfied that the permittee is complying with all use permit conditions.

f. Notices under paragraph e. Notices shall either be served personally or by United States mail. Notices served by mail shall allow five business days for delivery.

7363 DEFENSE OF LAWSUITS.

As a condition of approval of a Major Use Permit, Minor Use Permit, use permit modification, or use permit extension for which an application was filed (as defined in Implementation Plan Section 1019 b.) before January 3, 2003, the applicant shall: (1) defend, indemnify and hold harmless the County, its agents, officers or employees from any claim, action or proceeding against the County, its agents, officers or employees to attack, set aside, void or annul the major use permit, minor use permit, use permit modification or use permit extension or any of the proceedings, acts or determinations taken, done or made prior to such decision; and (2) reimburse the County, its agents, officers or employees for any court costs and attorney's fees which the County, its agents, officers or employees may be required by a court to pay as a result of such approval. At its sole discretion, the County may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any obligation imposed by this condition. The County shall notify the applicant promptly of any claim or action and cooperate fully in the defense. Each applicant seeking approval of any Major Use Permit, Minor Use Permit, use permit modification, or use permit extension, for which an application was filed (as defined in Implementation Plan Section 1019 b.) on or after January 3, 2003, shall be subject to the defense and indemnification provisions found at Chapter 2 (commencing at section 86.201) of Division 6 of Title 8 of the San Diego County Code.

7364 EFFECTIVE DATE.

Decisions of the Planning Commission, or the Director made pursuant to Section 7360 shall become final and effective on the eleventh day following the date of decision unless an appeal of the decision is filed as provided by Section 7366. All decisions of the Board of Supervisors made pursuant to Section 7360 shall be final and effective immediately.

7366 APPEAL.

Use permit decisions pursuant to Sections 7360, 7376, 7378 or 7382 may be appealed as follows:

a. Appeals Authorized.

1. A Major Use Permit decision of the Planning Commission may be appealed to the Board of Supervisors.

2. A Minor Use Permit decision of the Director may be appealed to the Planning Commission, except that (a) a decision concerning a Minor Use Permit application filed concurrently with a tentative subdivision map, reclassification or Major Use Permit application may be appealed to the same appeal authority and pursuant to the same procedures as apply to such concurrent application; and (b) a decision concerning a Minor Use Permit for a mini-mobilehome park may be appealed to the Planning Commission; and (c) a decision concerning a Minor Use Permit for a nonconforming use within an adopted Redevelopment Area pursuant to Section 6878 may be appealed to the Board of Supervisors.

3. A concurrent use permit decision by the Planning Commission may be appealed to the Board of Supervisors.

b. Resubmittal of Revised Application. If upon appeal an application for a use permit is revised so as to require the submittal of a revised plot plan, all appellate proceedings shall be terminated and the application resubmitted to the authority having original jurisdiction for further consideration and decision. The decision of the revised application may thereafter be appealed as provided in this Section.

c. Persons Authorized to Appeal. No person may appeal except the applicant for the granting or modification of a use permit; a County officer acting pursuant to paragraph "d" of this section; and those persons who protest the granting, revocation, or modification of a use permit either by written protest filed in the office of the Planning Commission or the Director, whoever has jurisdiction over the use permit, prior to the time of the hearing or consideration of the matter by said authority; or by appearing and protesting the granting, revocation or modification of the use permit at the hearing or consideration of the matter by said authority.

d. County Officer May Appeal. Notwithstanding any other provision of this Ordinance, any County officer, Board, Commission, or other County body, other than the authority having jurisdiction over the appeal, may appeal a decision of the Planning Commission, or the Director made pursuant to Section 7360, without fee.

e. Manner and Time of Filing. An appeal shall be in writing, shall be accompanied by the fee referenced in Section 7602 and shall be filed as follows:

1. If filed personally, the appeal shall be filed in the Department of Planning and Development Services by the tenth day after the date of the decision and shall be addressed to the Secretary of the Planning Commission or the Director, depending on who rendered the decision.

2. If mailed, the appeal shall be postmarked by the tenth day after the date of the decision and shall be addressed to the Secretary of the Planning Commission or the Director, depending on who rendered the decision, Department of Planning and Development Services, 5510 Overland Avenue, Suite 310, San Diego, CA 92123.

f. Effect of Filing the Appeal. An appeal of a decision within the time specified in paragraph "e" of this Section shall stay the proceedings and effective date of the decision of the

Planning Commission, or Director, as provided by Section 7366, until such time as the appeal has been acted on as hereinafter set forth in the Ordinance.

g. Forwarding of Record. Upon the filing of an appeal, the authority having made the decision being appealed shall transmit to the appeal authority the records concerning the decision.

h. Public Hearing. Following the filing of an appeal, the authority having appellant jurisdiction shall hold a public hearing on the matter scheduled and noticed as required by Sections 7603 and 7605, respectively. The public hearing shall be a hearing de novo and all interested persons may appear and present evidence.

i. Decision and Notice. Following the hearing on an appeal, the authority having appellate jurisdiction may sustain the decision which is being appealed; or may grant or modify the use permit subject to specified conditions it imposes pursuant to Section 7362; or may revoke or deny the use permit, as is appropriate. The authority shall adopt findings, which specify all facts relied upon by it in reaching its decision and their relation to the requirements of Section 7358, and which state the reasons for any conditions imposed by it; provided, however, findings shall be deemed waived unless expressly requested in writing by the applicant or appellant at the time of the hearing on the appeal and prior to decision by the authority. Notice of the decision of the authority together with a copy of any findings adopted by said authority shall be mailed to the appellant and applicant, or to both if they are different parties, and a copy thereof shall be attached to the Planning Commission's, or the Director's file in the matter and said file returned to the Planning Commission, or Director, whoever rendered the decision which was appealed.

j. Finality and Effective Date. Subject to the provisions of Chapter 4 (commencing with Section 86.401) of Division 6 of Title 8 of the San Diego County Code, relating to appeals of environmental determinations, the decision of the authority having jurisdiction over an appeal shall be final, conclusive, and effective immediately.

k. No Decision Reached. Whenever the Board of Supervisors holds a hearing on an appeal from a decision on an application for a use permit, the proceedings shall be governed by the Board of Supervisors' Rules of Procedure and Section 375.13 of the San Diego Administrative Code. Whenever the Planning Commission holds a hearing on an appeal from a decision on an application for a use permit and thereafter fails to reach a decision because a motion on the item failed to carry by the required vote, the secretary of the Commission shall set the matter for a noticed public hearing de novo if such hearing is requested by the Commission. Such request must be made within 30 days of the date when the motion on the item failed to carry. If no such request is made within such period, the decision from which the appeal has been taken shall be deemed sustained.

7368 ALL USE PERMITS TO BE RECORDED AND PROVIDE CONSTRUCTIVE NOTICE

Upon the approval of a use permit becoming final and effective, the Director shall cause a copy thereof to be filed with the San Diego County Recorder. The use permit to be recorded shall set forth the names of all owners of the property subject to the use permit. The recording of a use permit shall provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named in the use permit, of the rights and obligations created by the use permit.

7370 NUISANCE.

The granting or modification of a use permit shall not authorize or legalize the maintenance of any private or public nuisance.

7372 DISCONTINUANCE.

Each use permit granted pursuant to these provisions shall expire and become null and void at the expiration of one year after the purpose for which it was granted shall have been discontinued or abandoned.

7374 EXPIRATION.

Each valid unrevoked and unexpired use permit shall expire and become null and void at the time specified in the permit. If no time is specified, then the use permit shall expire two years after granting unless construction and/or use of the property in reliance on the permit has commenced prior to its expiration; provided, however, that the period within which such construction and/or use must be commenced may be extended as provided by Section 7376. 7374

Notwithstanding the above, if the use permit is issued in conjunction with the approval of a subdivision map pursuant to the County Subdivision Ordinance, the use permit shall remain in full force and effect for the duration of the tentative approval for that subdivision map (including all extensions of that tentative map) and, if the subdivision map does not receive final approval, expire upon expiration of the tentative approval. If the subdivision map receives final approval, the use permit shall expire three years after recordation of the final or parcel map unless construction and/or use of the property in reliance of the permit has commenced prior to its expiration; provided, however, that the period within which such construction and/or use must be commenced may be extended as provided by Section 7376 and provided further, that construction complies with zoning regulations in effect at the time of construction.

7376 APPLICATION FOR EXTENSION OF RELIANCE PERIOD OF A USE PERMIT.

a. If prior to expiration of the use permit, the applicant files a written application for extension, the period within which construction or use of the property in reliance on the use permit must be commenced may be extended by order of the Director, or Planning Commission, whichever has original jurisdiction over said use permit, at any time within 90 days of the date of expiration. An application for such an extension shall be made on the prescribed form, shall be accompanied by the fee referenced in Section 7602, and shall be filed with the authority which has original jurisdiction. The period within which construction and/or use of the property in reliance on a use permit must be commenced may be extended subject to conditions, as provided by Section 7362. Decisions of the Director, or Planning Commission pursuant to this section shall become effective as provided by Section 7364. Decisions of the Director, and Planning Commission may be appealed as provided by Section 7366. All other provisions of the Implementation Plan shall apply to an extension granted in accordance with this section.

b. Notwithstanding the provisions of paragraph "a" above or any other provision of the Implementation Plan, upon filing of an application to extend such reliance period for a major use permit for a planned development or lot size averaging in conjunction with an application filed pursuant to the Subdivision Ordinance (San Diego County Code, Section 81.101 et seq.) to extend a tentative map or tentative parcel map, the Director may extend or conditionally extend such reliance period pursuant to the procedure specified in the Subdivision Ordinance for acting upon such map extensions. Sections 7354, 7358, 7362

and 7602, and all other provisions of the Implementation Plan not in conflict with said Subdivision Ordinance procedure, shall apply to such action by the Director.

7378 APPLICATION FOR MODIFICATION OF A USE PERMIT.

a. Any person holding a use permit may apply for a modification by complying with Section 7354.c. For the purposes of this section, the modification of a use permit may include modification of the terms of the permit itself or the waiver or alteration of conditions imposed pursuant to Section 7362. Sections 7000 through 7019 and 7356 through 7366, inclusive, shall apply to the application for the modification of a use permit.

b. Notwithstanding the provisions of paragraph "a" above or any other provision of The Implementation Plan, upon the filing of an application to modify a Major Use Permit for a planned development or lot size averaging in conjunction with an application filed pursuant to the Subdivision Ordinance (San Diego County Code, Section 81.101 et seq.) to modify a Tentative Map or Tentative Parcel Map or a resolution approving the same, the Director may modify or conditionally modify such permit pursuant to the procedure specified in the Subdivision Ordinance for acting upon such map modifications. Sections 7354, 7358, 7362 and 7602, and all other provisions of The Implementation Plan not in conflict with said Subdivision Ordinance procedure, shall apply to such action by the Director.

c. In the event the requested modification or waiver relates to a condition which was initially imposed by action of an appellate body, the authority have jurisdiction over such modification or waiver shall consider the following:

1. The reason(s) why subject condition was initially imposed.

2. The reason(s) why subject condition should be modified or waived.

3. The relationship of modification or waiver to the reason(s) the condition was initially imposed.

4. Any related impact, direct or indirect, which the requested modification or waiver would have on the subject property or surrounding properties.

5. Alternative measures proposed to mitigate deleterious impacts, if any, caused by the requested modification or waiver.

7380 AUTOMATIC REVOCATION OF A USE PERMIT.

If a use permit is granted or modified subject to one or more conditions, such use permit shall cease to be valid, and all rights or privileges granted thereby shall lapse, notwithstanding any other provisions of The Implementation Plan to the contrary, whenever there becomes final any judgement of a court of competent jurisdiction declaring one or more of such conditions to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions.

7382 REVOCATION OR MODIFICATION OF A USE PERMIT FOR CAUSE.

A use permit may be revoked or modified for cause as provided by the provisions of this section. For purposes of this section, the modification of a use permit may include the modification of the terms of the permit itself or the waiver, alteration or imposition of new conditions pursuant to Section 7362.

a. Grounds for Revocation or Modification. A use permit may be revoked or modified pursuant to the provisions of this section upon a finding of any one or more of the following grounds:

1. That such permit was obtained or extended by fraud.

2. That one or more of the conditions upon which such permit was granted have been violated.

3. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare, or safety, or as to be a nuisance.

b. Initiation of Action. An action to revoke or modify a use permit may be initiated by order of the Board of Supervisors, Planning Commission, or the Director, whichever granted, extended or modified the permit, on its own motion or on the request of any County Officer. The Planning Commission may initiate an action to revoke or modify any use permit granted or modified by the Director or the Planning Environmental Review Board, and the Board of Supervisors may initiate an action to revoke or modify any use permit granted by either the Director, Planning Environmental Review Board, Board of Planning and Zoning Appeals or Planning Commission. The order shall set forth grounds for revocation or modification.

c. Other Provisions Applicable. Sections 7356 through 7366, inclusive, shall apply to an action for the revocation or modification of any use permit.

7384 EXTENSION OF TIME LIMITS.

The time limits prescribed for the Use Permit Procedure may be extended by the Board of Supervisors; or by the Planning Commission, or the Director, as appropriate, upon the consent of the applicant or appellant.

7386 REAPPLICATION.

No application for the granting or modifying of a use permit which has been denied shall be filed earlier than one year after the date such denial becomes effective, unless specific permission to do so has been granted as follows:

a. Denial by Director. If the Director has denied the use permit, permission to reapply may be granted by the Director, Planning Commission or the Board of Supervisors.

b. Denial by the Planning Commission. If the Planning Commission has denied the use permit, permission to reapply may be granted by the Planning Commission or the Board of Supervisors.

c. Denial by the Board. If the Board of Supervisors has denied the use permit, permission to reapply may be granted by the Board of Supervisors.

7388 USE PERMITS ISSUED PURSUANT TO COUNTY CODE.

All use permits in the formerly unzoned areas of the County, granted pursuant to Title 8, Division 4 and Title 8, Division 5, Chapter 2 of the San Diego County Code of Regulatory Ordinances, shall be referred to as Major Use Permits and shall be deemed to have been issued pursuant to the provisions of The Implementation Plan. Such permits shall be treated for all purposes as if they are Major Use Permits under the jurisdiction of the Planning Commission and which had been granted by the Planning Commission pursuant to Section 7360 of The Implementation Plan

and shall be subject to all of the provisions of The Implementation Plan which apply to the administration of such Major Use Permits.

9202 Parking Requirements

a. PARKING REQUIREMENTS. The purpose of these regulations is to provide functional, safe and aesthetically pleasing off-street parking and loading facilities for vehicles and bicycles, for each type of land use. The spaces provided are required for use by the employees, tenants, customers and guests of the establishment providing the parking facilities.

b. GENERAL PARKING REQUIREMENTS.

i. New Uses and Structures. A new use and/or structure shall provide the minimum number of parking and bicycle spaces specified in the Parking Schedules of the County Parking Regulations.

ii. Existing Uses and Structures. A previously permitted existing use and/or structure shall not reduce parking or bicycle spaces unless the reduced number of parking spaces still provided for the use and/or structure meets the minimum requirements of the County Parking Regulations for that use and/or structure.

iii. Conversion, Alterations or Expansion of an Existing Use or Structure. A previously permitted existing use and/or structure that is converted, altered or expanded shall provide additional parking spaces to accommodate the increase in capacity and/or intensity. This additional parking shall be provided unless the existing parking meets the parking requirements of the County Parking Regulations for the entire use and/or structure.

iv. Availability. Parking and Loading spaces shall be marked, maintained, and permanently available for the use they are intended to serve. Owners, lessees, tenants, or persons having control of the parking or loading spaces shall not prevent, prohibit or restrict the use of parking and loading spaces.

v. Usage. Required parking and loading areas shall be used exclusively for the parking and loading of vehicles and shall not be used for the sale, lease, display, repair, or storage of vehicles, trailers, boats, campers, mobile homes, merchandise or equipment without a required County permit or approval, except where allowed by County Parking Regulations.

vi. Exceptions. Notwithstanding the general parking requirements set forth in subsections a. and c. above, parking requirements for uses conducted pursuant to a use permit, Historic District Site Plan, or community design review Site Plan in a Special Parking District, shall be determined in accordance with Section 9202.m.

vii. Community Plan Policies. The San Dieguito Community Plan Commercial Policies include policies related to off-street parking and parking lots. These policies shall be considered when determining parking counts and design.

c. ADDITIONAL PARKING REQUIREMENTS FOR ACCESSORY AND SPECIAL USES.

i. Parking standards for the following accessory and special uses shall be required as specified in the following sections of the IP:

Section 9106.c.8 (IP): Wineries

Section 6156 (IP, Appendix B): Second Dwelling Units
Family Day Care Home for Children,

Large (9-14 Children)
Bed & Breakfast Home
Host Home
Section 6157(IP, Appendix B): On-Site Agricultural and/or Horticulture Sales
Agricultural Tourism
Agricultural Homestay
Agricultural Microbrewery or Micro-Distillery
Creamery
Section 6370 (IP, Appendix B): Senior Projects and Density Bonus Projects
Section 6912(IP, Appendix B): Community Gardens

ii. Parking standards for accessory uses not listed above shall be determined pursuant to the Parking Schedule of the LCP Parking Regulations, and shall be required in addition to the parking requirements for the primary use.

d. ACCESSIBLE PARKING REQUIREMENTS. The Americans with Disabilities Act (ADA) governs the construction and alteration of public places, commercial facilities, and state and local government facilities to accommodate and provide adequate facilities for persons with disabilities. Accessible parking spaces shall adhere to the requirements of the California Building Code (Chapter 11B) for Accessible Parking standards as found in Title 24 of the California Code of Regulations.

e. COMPUTATION OF REQUIRED PARKING AND BICYCLE SPACES.

i. Separate Uses. The off-street parking spaces required for 2 or more uses on the same lot or parcel shall be the sum of the spaces required for each use or structure computed separately. A reduction in required parking may be requested in accordance with Section 9202.n.

ii. For purposes of computing required parking spaces, the following terms shall apply:

a) Bedrooms. Where the number of bedrooms is specified as the means for calculating required residential parking spaces, dens, studies, studios, libraries, recreation rooms, sewing rooms, hobby rooms, work rooms or similar rooms shall be considered as bedrooms if they contain at least 70 square feet of floor area.

b) Gross Floor Area (GFA) shall be determined by the total area expressed in square feet of all floors measured between the exterior walls of a building.

c) Employees. Where number of employees is specified as the means of calculating required parking spaces, the employees counted are those who work on the premises during the largest work shift during the peak employment season.

d) Occupancy. Where the maximum number of persons or seating capacity is specified as the means of calculating required parking spaces, the maximum occupancy shall be that permitted for the use or structure by the County Building Code.

iii. Rounding. In computing the required number of parking spaces or bicycle spaces, fractions of .5 or larger shall be rounded up to the next whole number. Fractions less than .5 shall be disregarded, except that when a use or structure requires 4 or fewer parking spaces, excluding bicycle spaces, any fraction shall be rounded up to the next whole number.

f. OFF-STREET PARKING REGULATIONS BY MAJOR LAND USE CATEGORY. The following sections provide the off-street parking regulations by the Coastal Zone's major land use categories. The land uses are classified within the following broad categories:

Section	Land Use Category	Description
9202.g	Residential	Property used by individuals and families for private residences or dwellings.
9202.h	Transient Habitation	Temporary or short-term lodging services. May include a hotel, motel, cabin, or campground.
9202.i	Commercial	Uses intended for retail, wholesale, office, or services.
9202.j	Civic	Uses that serve the community at large, including public spaces and structures that provide direct or indirect services to the public.
9202.k	Agricultural	Land used for the growing of agriculture.
9202.m	Other Occupancies and Uses	Uses not included in the land use categories within Sections 9202.g through 9202.n.
9202.l	Use Permits	Uses conducted pursuant to a use permit.

g. PARKING REQUIREMENTS: RESIDENTIAL

Type of Occupancy Use or Structure	**Off-Street Parking**
Single Family	The Sum of the Following:
Detached, Semi-Detached/Attached, Duplex	2 Parking spaces per dwelling unit
Recreation Center in Planned Developments	0.1 Parking space per dwelling unit
Bicycle Parking	None Required
Multi-Dwellings	The Sum of the Following:
(3 units or more on a single lot)	
Studio, 1 and 2 Bedroom	1.5 Parking spaces per dwelling unit
3 or More Bedrooms	2 Parking spaces per dwelling unit
Guest Parking[1]	0.2 Parking space per dwelling unit
Recreation Center (> 1,000 sq.ft.)	0.1 Parking space per dwelling unit
Bicycle Parking	0.5 space per dwelling unit

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

h. PARKING REQUIREMENTS: **TRANSIENT HABITATION**

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

i. 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
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
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	4.5 Parking spaces per KSF GFA

Type of Occupancy Use or Structure	**Off-Street Parking**
Includes Personal Services and Repair Services *Retail sales and services other than those specifically listed in this table* Bicycle Parking	*(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)* 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 *(largest work shift)* 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 *(Parking requirement does not include spaces normally provided adjacent to gas pumps for fueling vehicles or service bays)* 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 Drugstore Bicycle Parking	3.5 Parking spaces per KSF GFA 0.1 Bike space per car space but not less than 3
Swap Meet Bicycle Parking	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) Bicycle Parking	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	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

Type of Occupancy Use or Structure	**Off-Street Parking**
Swimming Pool	5 Parking spaces per KSF
Skate Park	10 Parking spaces per KSF of water surface
Boat Launch Ramp	5 Parking spaces per KSF of skating area 10 Parking spaces per ramp plus 10 Parking spaces (10' wide x 45' long) for vehicles with boat trailers
Bicycle Parking	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
Bowling Alley	6 Parking spaces per alley *(Plus requirements for accessory uses)*
Bicycle Parking	0.1 Bike space per car space but not less than 3
Driving Range	The Sum of the Following: 1 Parking space per tee plus 1 Parking space per employee but not less than 3 *(Largest work shift)* *(Plus requirements for accessory uses)*
Bicycle Parking	0.05 Bike space per car space but not less than 3
Golf Course	6 Parking spaces per hole *(Plus requirements for accessory uses)*
Bicycle Parking	0.05 Bike space per car space but not less than 3
Miniature Golf Course	3 Parking spaces per hole
Bicycle Parking	0.1 Bike space per car space but not less than 3
Tennis, Racquetball and Handball Facility	4 Parking spaces per court *(Plus requirements for accessory uses)*
Bicycle Parking	0.1 Bike space per car space but not less than 3
Live Theater and Movie Theater	0.35 Parking spaces per seat
Bicycle Parking	0.1 Bike space per car space but not less than 3
ANIMAL SERVICES	
Veterinarian Clinic or Hospital	The Sum of the Following: 2.5 Parking spaces per examination room 1 Parking space per employee/doctor but not less than 4 *(Largest work shift)*

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 Bicycle Parking	2 Parking spaces per KSF GFA 0.05 Bike space per car space but not less than 3

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

j. PARKING REQUIREMENTS: **CIVIC**

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

Type of Occupancy Use or Structure	Off-Street Parking
	(Plus additional on-site parking required for police station vehicle fleet including motorcycles)
Bicycle Parking	0.1 Bike space per car space but not less than 3
PUBLIC ASSEMBLY	
Religious Assembly Church, Synagogue, Temple, Mission	0.25 Parking space per person *(Based on total occupancy of the largest assembly room permitted by the County Building Code)*
Bicycle Parking	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	0.25 Parking space per seat
Bicycle Parking	0.1 Bike space per car space but not less than 3
Private Club Lodge Hall, Union Hall	0.35 Parking space per person if fixed seating is provided *(Based on total occupancy of the largest assembly room permitted by the County Building Code)* OR 35 Parking spaces per KSF in the largest assembly room if fixed seating is not provided *(Plus requirements for accessory uses if such uses will be active at the same time as the largest assembly room)*
Bicycle Parking	0.05 Bike space per car space but not less than 3
EDUCATIONAL INSTITUTIONS – PUBLIC AND PRIVATE	

Type of Occupancy Use or Structure	Off-Street Parking
Child Day-Care and Small Schools Primary Use Day-Care Center and Pre-School Drop-Off Area Bicycle Parking	The Sum of the Following: 1 Parking space per employee plus 0.2 Parking space per child if drop-off and pick-up area is not provided OR 0.1 Parking space per child if adequate drop-off and pick-up area is provided as determined by the Director 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. 0.05 Bike space per car space but not less than 3
Elementary School School Auditorium Drop-Off Areas Bicycle Parking	The Sum of the Following: 1 Parking space per employee 5 Parking spaces for visitors 0.2 Parking space per seat minus employee and visitor spaces provided above 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. 0.25 Bike space per student
Junior High School or Middle School School Auditorium Drop-Off Areas Bicycle Parking	The Sum of the Following: 1 Parking space per employee 10 Parking spaces for visitors 0.2 Parking space per seat minus employee and visitor spaces provided above 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. 0.2 Bike space per student

Type of Occupancy Use or Structure	Off-Street Parking
Senior High School Auditorium, Basketball Stadium, or Football Stadium *(whichever has the greatest occupancy)* Bicycle Parking	The Sum of the Following: 1 Parking space per employee 15 Parking spaces for visitors 0.25 Parking spaces per student 0.2 Parking space per seat minus employee, visitor, and student spaces provided above 0.1 Bike space per student
College and University (Educational institutions beyond the 12th grade) Auditorium, Basketball Stadium, or Football Stadium *(whichever has the greatest occupancy)* Bicycle Parking	The Sum of the Following: 0.7 Parking spaces per faculty member/staff 0.3 Parking spaces per student 25 Parking spaces for visitors 0.2 Parking space per seat minus employee, visitor, and student spaces provided above 0.05 Bike space per student
Other Educational Institutions Including Private or Charitable Institutions Offering Instruction, Training, or Learning Opportunities *When located in a commercial center consisting of 10 KSF GFA or more and this use does not comprise more than 25% of the total GFA of the commercial center, this section does not apply. See Section 6762 Retail Sales and Services.* Bicycle Parking	1 Parking space per employee plus The Greater of the Following: 0.5 Parking space per student/trainee, OR 0.3 Parking space per KSF GFA 0.1 Bike space per student
MEDICAL CARE FACILITIES	
Hospital Acute, General Bicycle Parking	2.5 Parking spaces per bed 0.05 Bike space per car space but not less than 3
Medical Office Bicycle Parking	5 Parking spaces per KSF GFA 0.1 Bike space per car space but not less than 3
Other Medical Care Facilities Other Facilities Providing Overnight Medical Care (e.g. mental/psychiatric institutions, intermediate care homes, nursing homes, etc.) Bicycle Parking	0.33 Parking spaces per bed 0.05 Bike space per car space but not less than 3

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

k. PARKING REQUIREMENTS: **AGRICULTURAL**

Type of Occupancy Use or Structure	Off-Street Parking
General Agricultural Horticulture, Crop Production, Animal Production	None Required

Bicycle Parking	None Required

l. PARKING REQUIREMENTS: **OTHER OCCUPANCIES AND USES**

Type of Occupancy Use or Structure	**Off-Street Parking**
Other occupancies, uses and buildings not specified elsewhere in the Parking Schedules.	3.3 Parking spaces per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3

m. PARKING REQUIREMENTS: **USE PERMITS AND HISTORIC DISTRICT SITE PLANS**

Type of Occupancy Use or Structure	**Off-Street Parking**
Uses conducted pursuant to a use permit.	The number of off-street parking, loading, and bicycle spaces shall be as required by the CDP/MUP ~~use permit or Historic District Site Plan~~. To the extent that the CDP/MUP ~~use permit or Historic District Site Plan~~ does not specify the number of parking, loading, or bicycle spaces, the requirements of these Parking Regulations shall apply.

n. REDUCTION OF PARKING SPACES.

i. Parking Assessment District. The number of required parking spaces for uses and structures located within an assessment district formed to provide off-street parking shall be reduced by the number of parking spaces provided by the assessment district which are attributable to the subject property. For purposes of this Section, the parking spaces shall be attributed to each lot or parcel in the same ratio that the assessed value of the subject parcel bears to the total assessed value of the assessment district, unless the Board of Supervisors determines that the parking spaces should be attributed to individual parcels in another manner.

ii. Parking Reduction for Multi-Use and/or Mixed-Use Development. A parking reduction may be approved by the Director where it can be demonstrated that two or more adjacent multi-use and/or mixed-use developments on one or more lots or parcels have distinctly different parking demand patterns that allow for the shared use of parking spaces without conflict. Shared parking is most effective when land uses have distinctly different activity periods such as day and night or weekday and weekend. Shared parking reductions may apply to either new or existing development.

iii. Requirements for approval of shared parking reductions are as follows:

a) Administrative Permit Is Required. An Administrative Permit, in accordance with Sections 7050 through 7074 of the IP Appendix B, shall be required for the sharing of parking spaces. The Administrative Permit shall apply to every property subject to the shared parking arrangement.

In addition to the findings required by Section 7060 of the IP Appendix B, the following additional findings are required:

b) The parking spaces to be provided for shared parking would be available as long as the uses requiring the spaces lawfully exist.

c) The quality and efficiency of the shared parking would be comparable to the level that is otherwise required.

iv. Shared Parking Agreement Is Required. The Administrative Permit shall include a condition requiring the applicant to submit a signed agreement between the applicant and the other property owner(s) providing the off-street parking spaces that are subject to the shared parking arrangement, with the County included as a third party beneficiary to the agreement. The agreement, titled "Shared Parking Agreement," shall be subject to the approval of the Director as to form and content and shall be recorded with the Office of the County Recorder. The Shared Parking Agreement shall meet recording requirements of state statutes and contain the Director's signature as to form and content, current contact information, the property's address, and the County Assessor's parcel number for the property.

v. Parking Study. The Director may require the applicant to submit a parking study, prepared by a qualified traffic or parking consultant, to assist the Director in determining the appropriate shared parking reduction. For existing development where new or different uses are proposed, the base parking demand may be based on either the County Parking Regulations parking ratio or on a detailed survey of actual parking demand for the active uses on the site. If a field survey approach is used, the study shall apply appropriate seasonal demand adjustments to determine the peak parking demand.

vi. Allowable Walking Distances For Shared Parking. The shared parking arrangement will be more effective the closer shared parking spaces are to the uses they serve. The Director shall review and determine that the shared parking spaces are generally within the following desired maximum walking distances for customers/visitors and employees:

a) Customers/Visitors – 600 feet

b) Employees – 1,000 feet

o. RELATIONSHIP OF REQUIRED PARKING TO BUILDING SITE. All required parking and bicycle spaces shall be located on the same legal parcel with the use or structure they are intended to serve, unless the site on which they are located is subject to the Village Parking Regulations in Section 8000, meets the provisions of Section 9202.r, or the site meets all of the following conditions:

i. There is a traversable pedestrian route, not more than 600 feet in length over and along public streets or walkways or permanently established easements between the parking or bicycle spaces and the uses or structures to be served.

ii. The site is already zoned S86 Parking Use Regulations or, all persons owning an interest in the site shall execute and record an agreement not to oppose a reclassification to the S86 Parking Use Regulations and then shall make application and pay the fees for this reclassification.

p. LOADING SPACES. Loading spaces shall be 10 feet wide by 35 feet long. All buildings containing commercial or industrial use types, hospitals, or institutions hereafter constructed, converted, established, or enlarged to increase their floor area shall be provided with loading spaces as follows:

i. Number of Loading Spaces.

Total Floor Area on Parcel (Other than floor area devoted to office uses)	Number of Loading Spaces
Less than 5,000 square feet	0
5,000 to 19,999 square feet	1
20,000 to 39,999 square feet	2
40,000 to 79,999 square feet	3
80,000 square feet and over	4 plus 1 space for each additional 50,000 square feet

ii. Access. Loading spaces shall have safe and adequate means of ingress and egress for trucks to and from a public street or alley and through the parking area.

iii. Exemptions. Notwithstanding the provisions of this section, mini-warehouses shall be exempted from the loading space requirements in Section 9206.p.

iv. Exceptions. Notwithstanding the requirements set forth in subsections a. and b. above, loading spaces for uses conducted pursuant to a use permit, or Special Parking District, shall be determined in accordance with Section 9202.m.

q. LOCATION OF PARKING AND BICYCLE SPACES ON A BUILDING SITE.

i. Open Parking. Except as provided in Paragraph d. below, open parking spaces shall be outside the ultimate right-of-way of any street. Refer to Section 6700, et seq. (IP, Appendix B) for fencing and screening requirements. Open parking spaces shall be located as follows:

ZONE/USE REGULATION	**PERMITTED LOCATION**
Residential & Agricultural Zones, S80 Use Regulation	Anywhere except in a required front or exterior side yard.
C30, Use Regulation	Anywhere except in a required front yard.
S86 Use Regulations.	Anywhere except in a required landscaped area.

ii. Covered Parking. Covered or enclosed parking spaces may be located anywhere on a building site where a structure may be located.

iii. Bicycle Spaces. Bicycle spaces shall be located:

a) No farther than 100 feet from the visitors' entrance and be readily visible. (Refer to 2010 California Green Building Standards Code Section 5.106).

iv. At least as close and accessible to the use or building served as is the most convenient motor vehicle parking (other than handicapped parking).

a) As close to building entrances as is practical without interfering with pedestrian traffic.

b) At ground level.

v. Exceptions. A Use Permit, Variance, Administrative Permit, ~~or historic district~~ CAP/STP ~~site plan~~ may specify the location of parking areas and bicycle spaces in locations other than as required by Paragraphs a. and c. above with the required finding that the exception to the bicycle spaces or open parking regulations does not create a safety hazard with site distance for access to the site.

r. COLLECTIVE PROVISION OF OFF-STREET PARKING AND ACCESS. Collective off-street parking facilities that serve two or more uses or structures sharing a common lot line in locations subject to commercial, or S86 Use Regulations are allowed subject to the following requirements:

i. The total parking spaces in such collective off-street parking facilities shall not be less than the sum of the requirements for the individual buildings or uses computed separately in accordance with the County Parking Regulations, unless a permit approved pursuant to this section specifies another amount.

ii. Collective Parking Agreement Is Required – The applicant must submit a signed agreement between the applicant and the property owner(s) providing the collective parking spaces, with the County included as a third party beneficiary to the agreement. The agreement shall grant an easement(s) for public utility purposes, ingress and egress to and from adjacent public right-of-way, access and parking necessary to provide the required collective parking spaces. The agreement shall also provide for the use and maintenance of the collective parking area. The agreement, titled "Collective Parking Agreement," shall be subject to the approval of the Director as to form and content and shall be recorded with the Office of the County Recorder. The Collective Parking Agreement shall meet recording requirements of state statutes and contain the Director's signature as to form and content, current contact information, the property's address, and the County Assessor's parcel number for the property.

iii. Parking Information. The Director may require the applicant to submit parking information on the uses and the associated number of parking spaces required, by the County Parking Regulations, a permit or another parking agreement, for each of the properties involved in the collective parking agreement.

s. PARKING PLAN REQUIREMENTS. Where required, parking plans submitted to Planning & Development Services shall demonstrate compliance with the County Parking Regulations and at a minimum, include the following:

i. The number of parking spaces required for each land use.

ii. The total number of parking spaces required and provided.

iii. The number of accessible car spaces required and provided.

iv. The number of bicycle parking spaces required and provided.

v. The percent of area devoted to landscaping.

vi. For multi-family residential projects, the distribution and proximity of parking spaces in relation to residential entrances.

vi. Additional information may be required by the Director as necessary to determine compliance with parking regulations.

t. DESIGN STANDARDS FOR OFF-STREET PARKING. The design, dimensions, construction, landscaping, and surfacing of parking and bicycle spaces, driveways and other areas shall conform to the County Parking Regulations. Practical guidance for how to comply with the County Parking Regulations is provided by the County Parking Design Manual.

i. Parking Space Dimensions. Each required parking space shall be at least 9 feet wide by 18 feet long, with adequate provisions for ingress and egress by a standard full size passenger vehicle. The width of a parking space shall be increased by 2 feet when adjacent to fences, walls, and planters. Parking spaces in parking lots shall comply with the minimum dimension requirements in Table 9202.1 and Figure 9202.1. All driveways and curb openings shall be a minimum of 3 feet from any obstruction, i.e. poles, hydrants, buildings, walls, and fences.

ii. Parking Aisles.

a) One-Way and Two-Way Traffic Aisles. One-way access driveways leading to aisles within a parking area shall be a minimum of 12 feet wide. Two-way aisles and access driveways leading to aisles within a parking area shall be a minimum of 24 feet wide. Minimum aisle widths for one-way drive aisles within a parking area are shown in Table 9202.1 and Figure 9202.2. A typical parking lot layout is illustrated in Figure 9202.3.

b) Fire Access Aisles. Designated fire access aisles must comply with the County's Consolidated Fire Code and/or the Fire Authority Having Jurisdiction. Minimum unobstructed fire access width is 24 feet. Vertical clearance minimum is 13 feet 6 inches. The Fire Authority Having Jurisdiction may require greater dimensions.

c) Truck Aisles. Access aisles for multiple-axle trucks in commercial and industrial projects shall be a minimum width of 40 feet for projects with a gross floor area of 10,000 square feet or greater or where the design of the project includes a loading dock. Truck movement templates (i.e. turning radii elements including wheel paths, which define the needed width of pavement edge that must be clear from obstructions above curb height) shall be included on the CAP/STP to indicate turning conditions.

Table 9202.1 Minimum Parking Layout Dimensions

Figures 9202.1 & 9202.3 Labels	**Design Component**		**Parking Angle**				
			0° (Parallel)	**30°**	**45°**	**60°**	**90°**
A	Stall Width		9'(8')[1]	9'	9'	9'	9'
B	Stall Length		22'	18'	18'	18'	18'
C	Stall Width Parallel to Aisle		N/A	18'-0"	12'-9"	10'-5"	9'-0"
D	Stall Depth to Curb or Wall		N/A	16'-10"	19'-1"	20'-1"	18'-0"
E	Stall Depth to Interlock		N/A	12'-11"	15'-11"	17'-10"	18'-0"
F	Aisle Width[2]	Fire Aisle	Per Fire Requirements				
		One-Way	13'	14'	16'	19'	N/A
		Two-Way	24'	22'	24'	24'	26'
G	Module Width Wall/Curb to Interlock	One-Way Aisle	N/A	43'-9"	51'-0"	46'-11"	N/A
		Two-Way Aisle	N/A	51'-9"	59'-0"	61'-11"	62'-0"
H	Module Width Interlock to Interlock	One-Way Aisle	N/A	39'-10"	47'-10"	54'-8"	N/A
		Two-Way Aisle	N/A	47'-10"	55'-10"	59'-8"	62'-0"
Not shown in Figure 9202.1	Module Width Wall/Curb to Wall/Curb	One-Way Aisle	31'-0"	47'-8"	54'-2"	59'-2"	N/A
		Two-Way Aisle	42'-0"	55'-8"	62'-2"	64'-2"	62'-0"
I	Cross Aisle Width[2]	One-Way	15'	15'	15'	15'	15'
		Two-Way	22'	22'	22'	22'	22'

[1] 8' width applies to on-street parking stalls
[2] The Director may require greater aisle width due to emergency equipment access needs. Aisles 24' or greater shall be designated as Fire Access.
N/A – Not Applicable

Figure 9202.1
Reference Drawing for Minimum Parking Dimensions

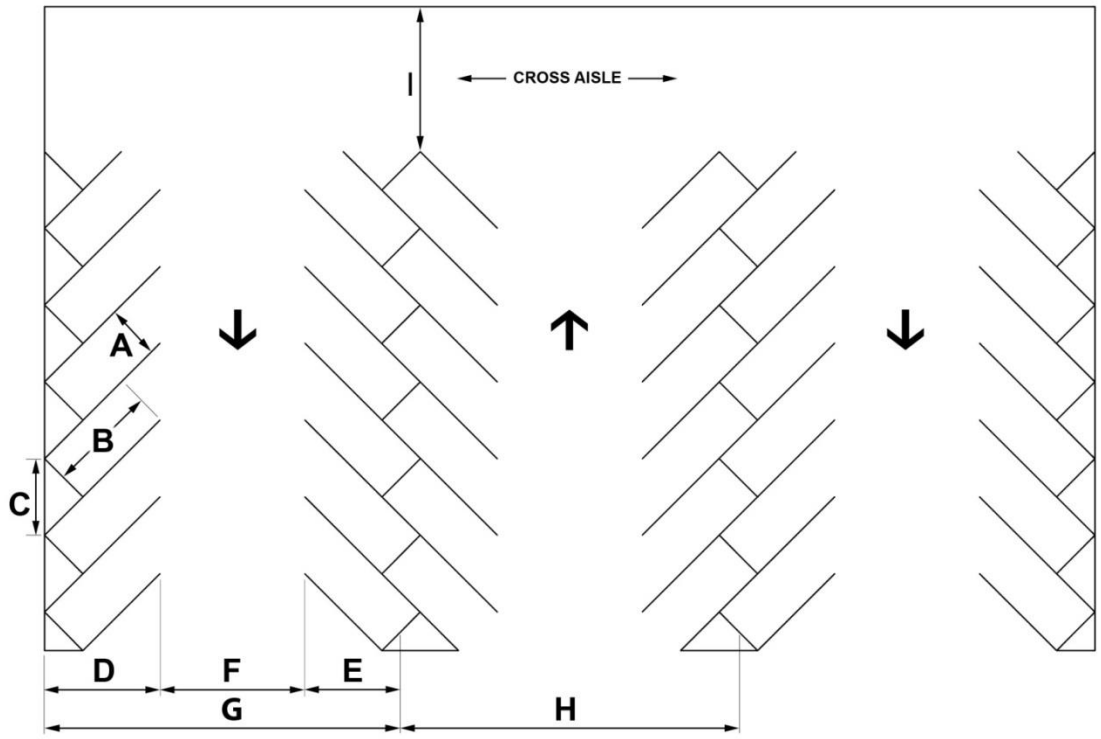
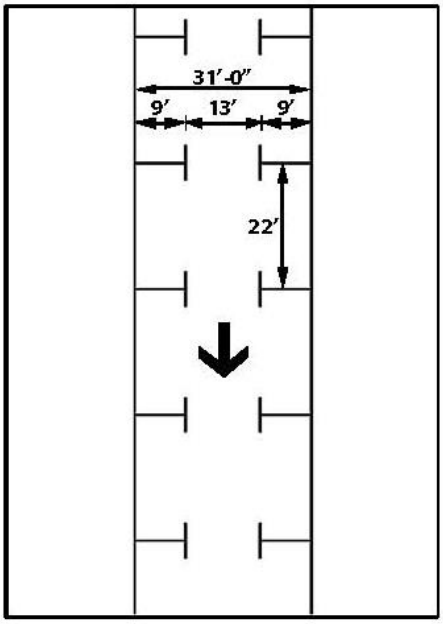
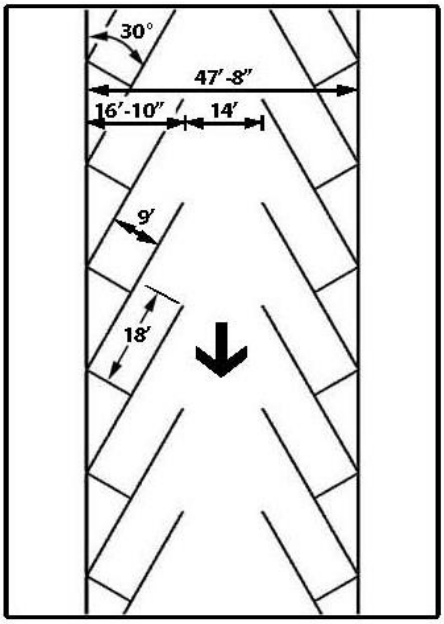

I
CROSS AISLE
A
B
C
D
F
E
G
H

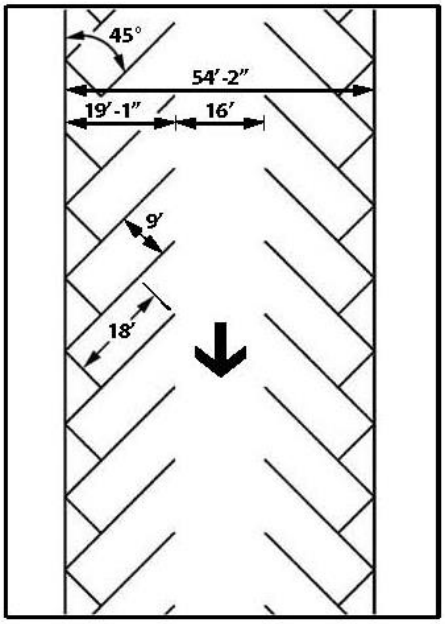
Figure 9202.2
Minimum Dimensions for Common Parking Lot Layouts



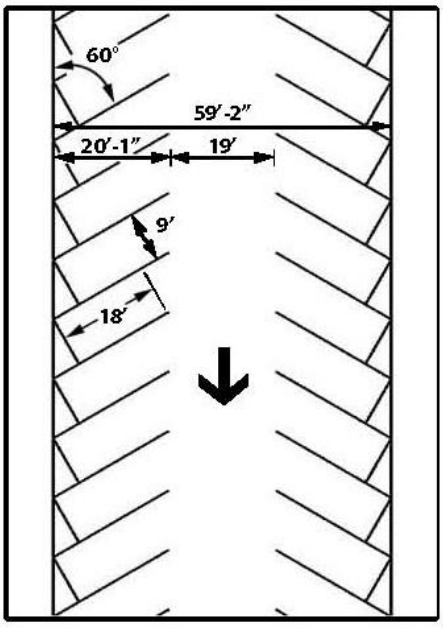
0° Parallel Parking Spaces



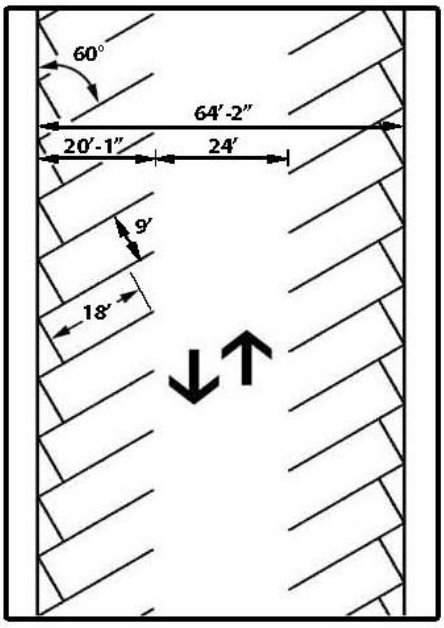
30° Parking Spaces



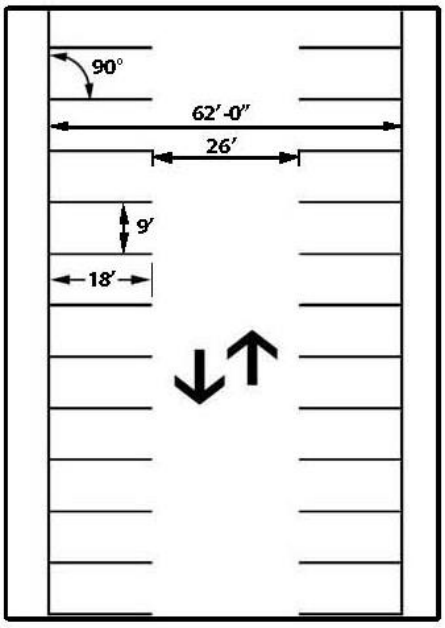
45° Parking Spaces



60° Parking Spaces
One - Way

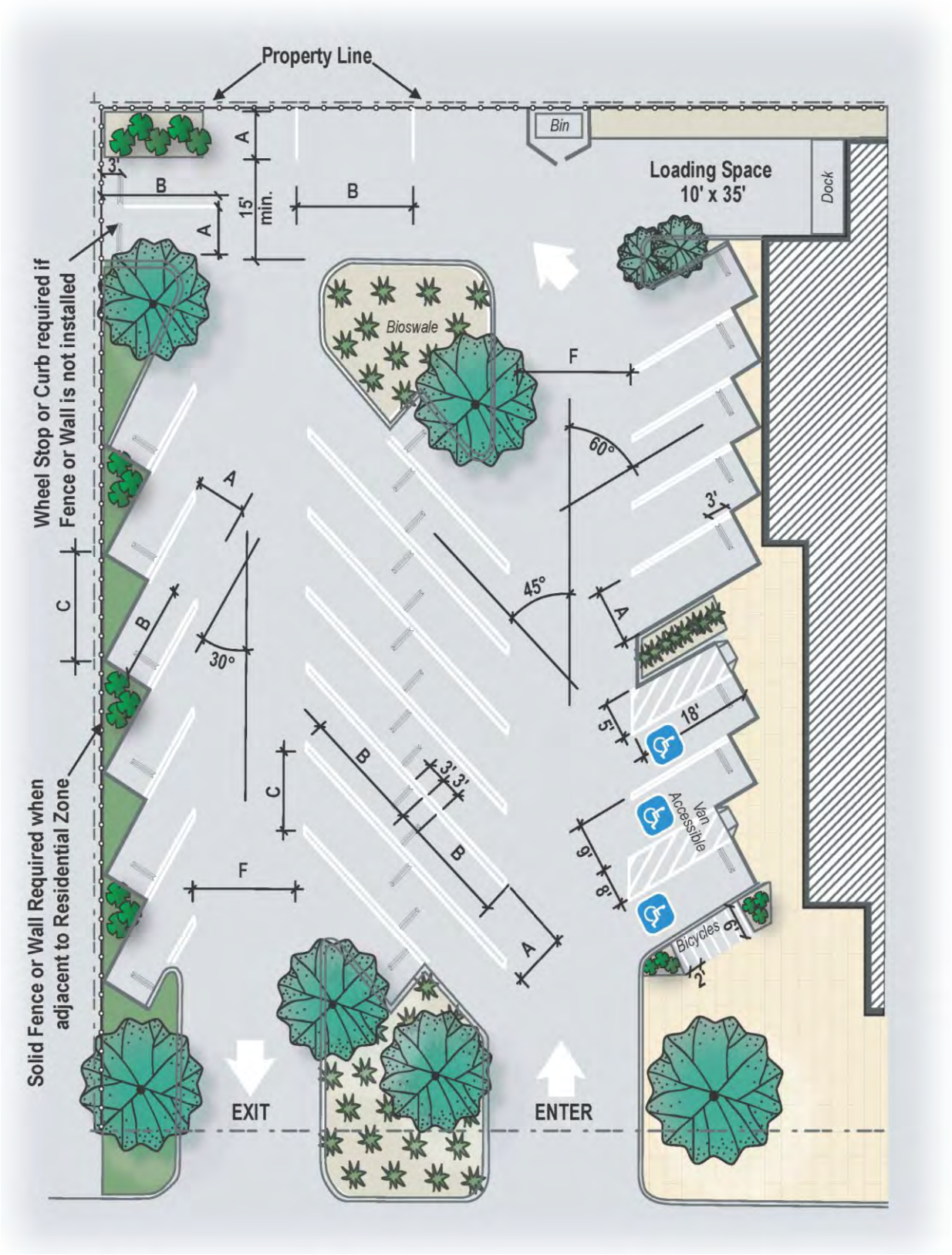


60° Parking Spaces
Two - Way



90° Parking Spaces

Figure 9202.3
Example of Parking Lot Angles and Dimension



d) Drive-Through Aisles. All projects which feature drive-through facilities (bank, fast-food, etc.) shall provide a drive-through aisle capable of a reasonable queuing of vehicles without impeding the circulation of traffic within the parking area or abutting driveway or street travel way. Drive-through aisles should not cross pedestrian pathways and be clearly designated with striping and/or signage. See the Schedule of Parking Requirements for specifications.

e) Parking Details.

1. Surfacing**.** Except for zones subject to the Agricultural Use Regulations, all parking spaces, loading spaces, and driveways shall be hard surfaced with durable asphalt concrete or Portland Cement Concrete surfacing on a suitably prepared base. Parking spaces and driveways accessory to single-family and duplex dwellings need not be surfaced with a more durable type of surfacing than that which exists on the access street. Driveways and aisles designated for "fire access" must be capable of supporting fire apparatus (minimum 50,000 pounds) unless a greater minimum is required by the Fire Authority Having Jurisdiction.

Table 9202.2 summarizes the required paving thickness of A/C and base according to soil classification, and shall be used unless a suitable alternative pavement design by a registered civil engineer is submitted and approved by the Director. Soil classifications are as established based on the R-value, or resistance value, which identifies the strength of soil from vertically applied pressure. R-value is a factor used in pavement design in the San Diego Regional Standard Drawings to determine the necessary thickness of paving required. Soil classifications identified in Table 9202.2 are established as follows:

Good to Excellent Subbase: soil with an R value of 40 or greater.

Medium Subbase: soil with an R value of 20 to 39

Poor Subbase: soil with an R value less than 20

Where permeable surfacing alternatives are desired or required to protect surface water quality and/or implement Low Impact Development practices, an alternative design which demonstrates adequate material strength, satisfaction of local and regional standards, and community character preferences may be approved pursuant to Section 9202.u. Structural equivalence should be demonstrated based upon published criteria by Caltrans or AASHTO.

Within the desert areas of the North Mountain, Mountain Empire, and Desert Subregional Plan areas, 4 inches of decomposed granite or suitable alternate material may be approved pursuant to Section 9202.u, in lieu of more durable paving on residential driveways.

Table 9202.2
Required Thickness of A/C and Subbase

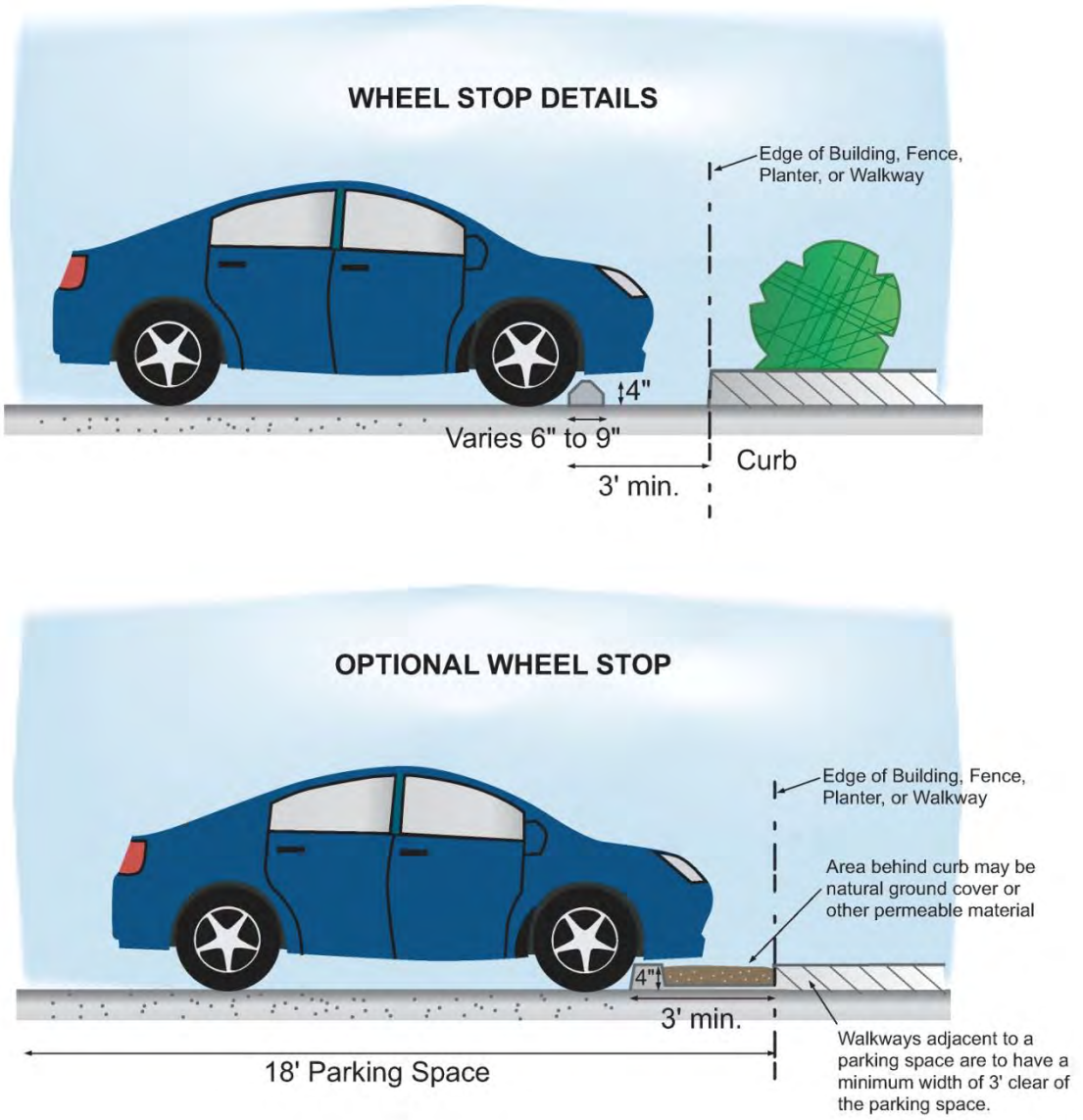
Existing Soil Classifications	Residential Parking (≤4 spaces)	Multi-Family Commercial Frontage Parking	Commercial Truck Loading and Parking
GOOD TO EXCELLENT BASE Decomposed granite, well graded sands and gravels which retain load supporting capacity when wet	2" A/C on existing soil	3" A/C on existing soil	3" A/C on 5" aggregate base or 4" A/C on aggregate base or 5" A/C on existing soil
MEDIUM BASE Silty sands and sand gravels containing moderate amounts of clay and fine silt. Retains moderate amount of firmness under adverse moisture conditions	2" A/C on 6" of decomposed granite base or 3" A/C on 3" aggregate base or 4" on existing soil	3" A/C on 5" aggregate base or 4" A/C on 3" aggregate base or 5" on existing soil	3" A/C on 7" aggregate base or 4" A/C on 5.5" aggregate base or 6" A/C on existing soil
POOR BASE Soils having appreciable amounts of clay and fine silt. Soils become quite soft and plastic when wet	3" A/C on 5.5" aggregate base or 5" A/C on existing soil	3" A/C on 8" aggregate base or 4" A/C on 5.5" aggregate base or 6" A/C on existing soil	3" A/C on 12" aggregate base or 4" A/C on 10.5" aggregate base or 8" A/C on existing soil

2. Vehicular bumper overhang is prohibited in all areas where the parking stall is adjacent to a fence, wall, building or structure, to a pedestrian walkway of less than 7 feet in width, to planter beds (unless the first 3 feet from curb is low volume or subsurface irrigation or is a non-irrigated material), or to an interlocking parking space.

3. Wheel Stops. If a wheel stop is used in the parking stall, it shall be 4 inches high and 4 to 6 feet long. The distance from the front end of the space to the rear of the wheel stop shall be 3 feet. It shall be placed so as to avoid bumper overhang beyond the designated parking space and to avoid creating a safety hazard for pedestrians. Figure 9202.4 illustrates typical wheel stop dimensions

4. Striping. All parking spaces shall be delineated by striping consisting of 4 inches wide painted white lines.

Figure 9202.4
Example of Wheel Stop Dimensions



1. Bicycle Parking. Newly constructed non-residential uses shall provide bicycle parking in accordance with the 2010 California Green Building Standards Code Sections 5.106.4.1 and 5.106.4.2. The 2010 California Green Building Standards Code provides standards for the provision of both short-term bicycle parking for visitors and long-term bicycle parking for building tenant-occupants.

   One bicycle parking space shall consist of a floor area at least 2 feet wide and 6 feet long, served by an aisle at least 5 feet wide for bicycle spaces which are not divided into individual lockers or racks. Bicycle racks should be so designed and constructed that a bicycle can be securely locked with

a user-supplied padlock. Racks shall provide a space at least 2 feet in width for each bicycle.

6. Tandem Parking. Tandem parking represents a parking configuration where one vehicle parks directly behind another and the vehicle in back must be moved in order for the front vehicle to leave. Tandem parking shall be limited to a maximum of two cars in depth and should be 9 feet wide and 36 feet long. When determining access aisle widths for tandem parking, the aisle widths for standard stalls should be used. Parking spaces for persons with disabilities shall not be used in a tandem configuration.

Tandem parking stalls are only allowed for:

aa) Residential use – single family, duplex, and townhome uses.

bb) Multi-family residential uses – subject to the following conditions:

1. The tandem spaces should be reserved for and assigned to dwelling units which are required to have two or more parking spaces.

2. Tandem spaces shall not be used for guest parking.

cc) Commercial uses – Tandem spaces should not be allowed for new commercial construction. Tandem spaces may only be allowed for pre-existing commercial buildings or pre-existing buildings that are undergoing a change of use and are subject to the following conditions:

1. The tandem spaces should be reserved for use by employees and should be designated for employee parking through the use of signage or pavement marking.

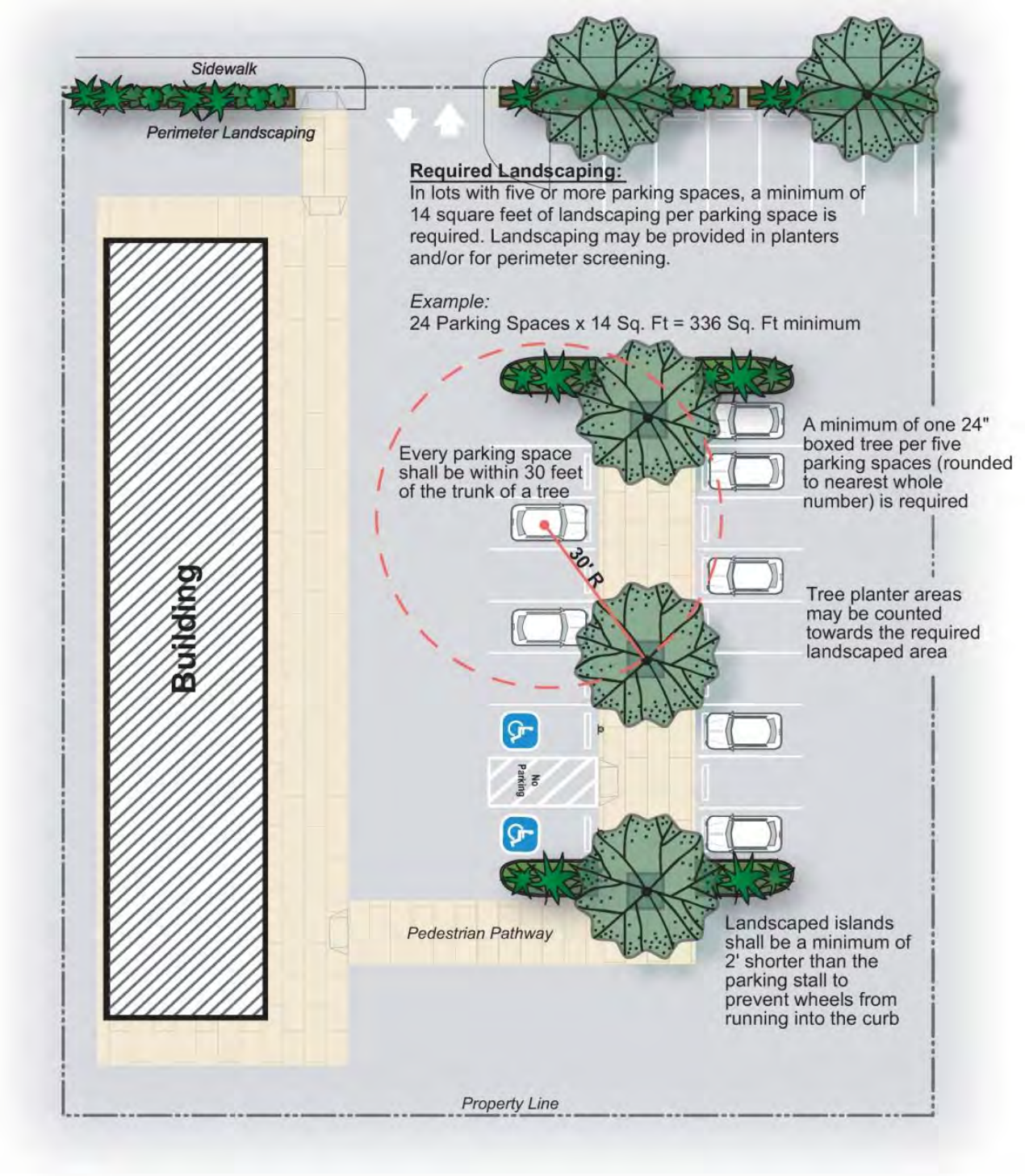
2. At least 50 percent of the require spaces should be unassigned standard (non-tandem) spaces that are available for the use of visitors.

7. Clean Air Vehicle Parking. In accordance with the 2010 California Green Building Standards Code, newly constructed non-residential uses shall provide designated parking for any combination of low-emitting, fuel efficient and carpool/van pool vehicles. Parking spaces provided for clean air vehicles will be credited towards the minimum parking requirements of the IP.

iii. Lighting. Adequate lighting shall be provided in all parking areas used by the public for safe pedestrian and vehicular movement. A Lighting Plan for parking lot sites with 5 or more parking spaces shall be provided. Lighting should clearly identify the parking lot, entrances and exits to adjacent streets, and enhance the pedestrian environment. Lighting Plans should be appropriate to the location, context and scale of the areas being lit.

iv. Landscaping. Landscaping shall comply with Figure 9202.5 and the following requirements:

Figure 9202.5
Landscaping Requirements in Parking Lots



a)In parking areas with 5 or more parking spaces, a minimum of 14 square feet of landscaping shall be provided per parking space. Landscaping may be provided in parking lot planters and/or for perimeter screening.

b) A minimum of one 24 inch boxed tree per 5 parking spaces is required for a parking area.

c) Planter strips with shrubs shall have a minimum unpaved width of 2 feet. Planter strips with trees shall have a minimum unpaved width of 5 feet. Where feasible, planter strips should be concave to help channel stormwater runoff.

d) High shrubs or small trees may be used for perimeter planting, except at driveway entrances where plant material shall be positioned to avoid obstructing motorist views and be sensitive to sight distance requirements.

e) Trees along designated fire access roads/driveways/aisles shall provide a minimum 13 feet 6 inches vertical clearance for the full fire access width.

f) Landscape islands located at the end of parking aisles shall be a minimum of 2 feet shorter than the parking stall length to prevent wheels from running into the curb when turning into or backing out of a space.

v. Residential Parking for Detached Single Family, Duplexes, and Triplexes

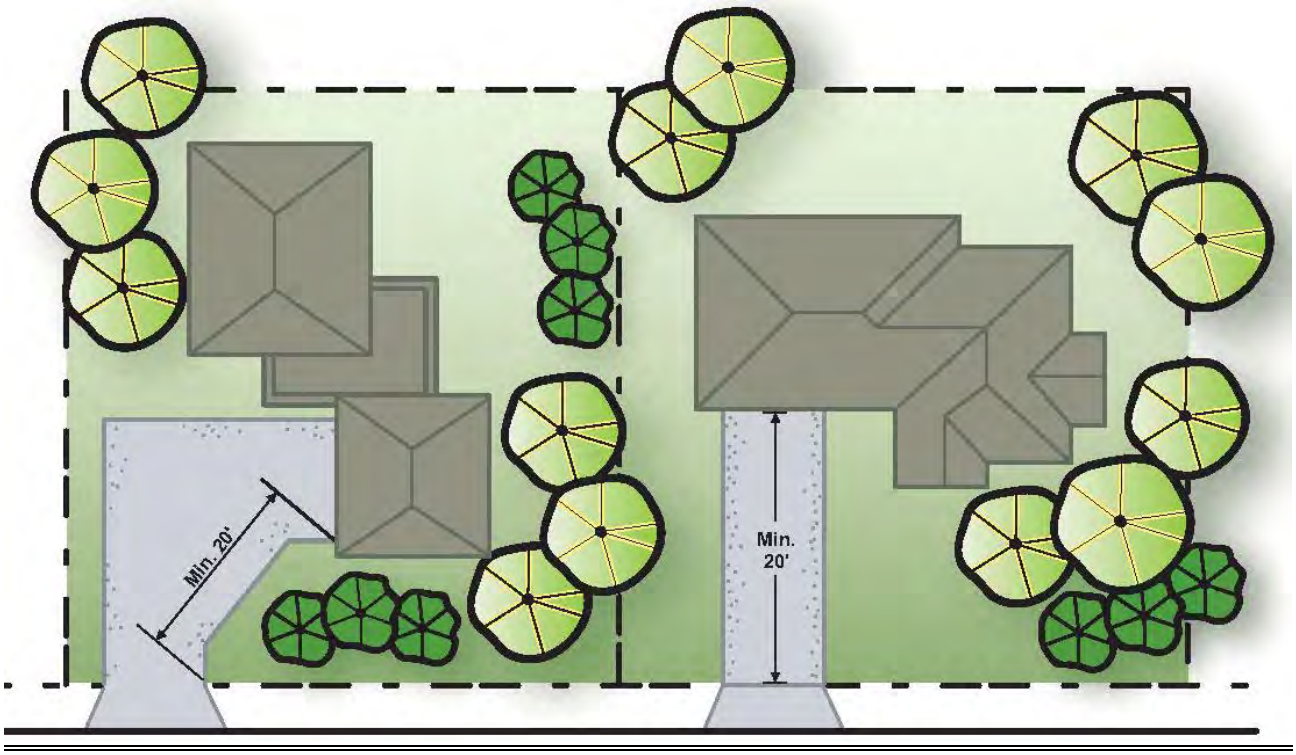
a) Driveways. A residential driveway shall have a minimum length of 20 feet between the garage door and public right-of-way. Reduced driveway lengths may be permitted for driveways on private roads pursuant to project approval provided it can be shown that the reduced driveway length does not interfere with a sidewalk or other designated pathway. Figure 9202.6 illustrates the minimum length for residential driveways.

Driveways with a grade greater than 15 percent shall be hard-surfaced and have a deep broom finish perpendicular to the direction of travel. Driveways which serve as required fire access must meet additional requirements specified in the applicable Fire Code.

Where driveways cross existing roadside ditches, a dip section providing an unobstructed waterway equivalent to the full area of the ditch may be used if grades are feasible. Where grades make use of a dip section infeasible, a culvert pipe shall be installed. The size of the culvert pipe and design of the driveway culvert shall be reviewed for adequacy by the Department of Public Works.

b) Garages. For all enclosed residential garages, a minimum parking space size 10 feet wide by 20 feet long is required for parking spaces where the length of the space is next to a wall and 9 feet wide by 20 feet long for any additional spaces. The space(s) should be designated to be free from obstruction (i.e. water heater, laundry equipment, etc.).

Figure 9202.6
Minimum Length for Residential Driveways



u. WAIVER, MODIFICATION, VARIANCE FROM PARKING REGULATIONS. The requirement for design, dimensions, construction, landscaping, and surfacing of parking and bicycle spaces, driveways and other areas may be administratively waived or modified by the Director when practical difficulties make their strict application infeasible and upon a finding that the waiver or modification is consistent with the purpose and intent of Section 9202. Any other waiver or modification of these Parking Regulations shall be allowed only in accordance with the Variance Procedure commencing at Section 7100 (IP, Appendix B), unless otherwise specified.

v. PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL, AGRICULTURAL AND CERTAIN SPECIAL PURPOSE ZONES. No person shall park any commercial vehicle in excess of one ton capacity on private property in Residential and Agricultural Use Regulations, except as follows:

i. When loading or unloading property, or

ii. When such vehicle is parked in connection with, and in aid of, the performance of a service to or on property in the block in which such vehicle is parked.

These exceptions do not authorize parking in violation of Fire Lane parking restrictions as detailed in the California Vehicle Code Section 22500.1.

Notwithstanding the above provisions, no commercial vehicle shall remain parked in excess of five consecutive hours. This Section does not apply to recreational vehicles or farm vehicles or equipment, including maintenance equipment, necessary for agricultural production on the property where the vehicles and equipment are parked. In Agricultural Zones, a maximum of two vehicles of up to two tons capacity may be parked by a person owning said vehicles and owning the property where they are

parked and who is conducting a commercial agricultural operation located on site or elsewhere.

w. The provision of parking shall be subject to review and approval through the Coastal Administrative Permit/Site Plan Permit or Coastal Development Permit/Major Use Permit processes, and shall be consistent with all required Special Area Regulations requirements in Sections 9300 through 9314 as applicable.

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