



County of San Diego

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April 14, 2017

Update No. 99
04-17

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

Attached are pages containing changes to the San Diego County Zoning Ordinance amended by adoption of Ordinance Number 10461 (N.S.) and Ordinance Number 10463 (N.S.), effective April 14, 2017. These Ordinances make additions and amendments to Medical Marijuana Facilities (Ord. No. 10461) and to agricultural use definitions and agricultural uses (Ord. No. 10463). Ordinance Number 10461 is known as the Medical Marijuana Collective Facility Regulations and Banning Medical and Non-Medical Marijuana Facilities. Ordinance Number 10463 is known as the Agriculture Promotion Program.

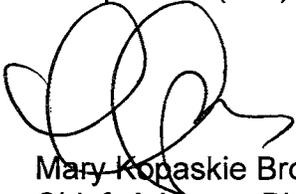
Please substitute these pages in your copy of the Zoning Ordinance by removing the obsolete pages and adding the new pages, as follows:

REMOVE	ADD	SECTION CHANGES/DESCRIPTION
1000 Table of Contents (1 page)	1000 Table of Contents (1 page)	Table of Contents Part Six amended Table of Contents Part Eight amended
Def. A – Def. A (2 pages)	Def. A – Def. A (2 pages)	Definitions of “Agricultural Microbrewery” and “Micro-Distillery” added Definition of “Agricultural Homestay” amended Definition of “Agricultural Stand” amended Definition of “Agricultural Store” added Definition of “Agricultural Tourism” amended Definition of “Animal Regulations” amended Definition of “Animal, Specialty” amended Definition of “Animal Waste Processing” amended Definition of “Aquaculture” amended Definition of “Aquaponics” added

Def. C - Def. D (3 pages)	Def. C - Def. D (3 pages)	Definition of "Commercial Agriculture" amended Definition "Creamery" added Definition of "Dairy or Dairy Farm" added
Def. F - Def. F (1 page)	Def. F - Def. F (1 page)	Definition of "Food Sales Push Cart" amended
Def. H - Def. H (1 page)	Def. H - Def. H (1 page)	Definition of "Host Home" amended Definition of "Hydroponics" amended
Def. M - Def. P (4 pages)	Def. M - Def. P (4 pages)	Definition of "Marijuana Facility - Medical and Non-Medical" amended Definitions of "Micro-brewery, Agricultural, Micro-Distillery, Agricultural, Mobile Commercial Butchering, and Mobile Custom Butchering" added Definition of "Poultry" amended
Def. S - Def. S (1 page)	Def. S - Def. S (1 page)	Definition of "Stand, Agricultural" amended
Def. U - Def. U (1 page)	Def. U - Def. U (1 page)	Definition of "U-Pick or Pick-Your-Own Operations" amended
1415 - 1425 (1 page)	1415 - 1425 (1 page)	Agricultural and Horticultural Sales amended Agricultural Services amended Animal Sales and Service amended
2703 - 2725 (3 pages)	2703 - 2725 (3 pages)	A70 Permitted Uses Subject to Limitations amended A70 Uses Subject to a Major Use Permit amended A72 Permitted Uses Subject to Limitations amended A72 Uses Subject to a Major Use Permit amended
2883 - 2885 (1 page)	2883 - 2885 (1 page)	S88 Permitted Uses Subject to Limitations amended S88 Uses Subject to a Major Use Permit amended
2923 - 2926 (2 page)	2923 - 2926 (2 pages)	S92 Permitted Uses Subject to Limitations amended S92 Uses Subject to a Major Use Permit amended
2980 - 2980 (8 pages)	2980 - 2990 (8 pages)	Supplemental Limitations on Uses amended Use Matrix and Use & Enclosure Matrix amended
3100 - 3115 (3 pages)	3100 - 3115 (3 pages)	Animal Schedule amended Animal Raising Projects amended

4620 - 4622 (2 pages)	4620 - 4622 (2 pages)	Permitted Exemptions from Height Limits amended Exceptions to Height Limits with Minor Use Permit amended
6102 - 6102 (5 pages)	6102 - 6102 (5 pages)	Identification of Permitted Temporary Uses amended ("Mobile Butchering" and "Fishermen's Market" added) Pagination changes
6126 - 6128 (1 page)	6126 - 6128 (1 page)	Mobile Butchering added Fishermen's Market added
6156 - 6156 (3 pages)	6156 - 6156 (3 pages)	Residential and Agricultural Use Types amended following: q. Roadside Sales of Agricultural Products u. Farm Employee Housing v. Horticultural Sales Pagination changes
6156 - 6156 (3 pages)	6156 - 6157 (12 pages)	Residential and Agricultural Use Types amended following: dd. Poultry Manure Management hh. Agricultural Homestay kk. Agricultural Tourism Commercial Agricultural Operations added following: a. On-Site Agricultural and/or Horticultural Sales b. Agricultural Tourism c. Agricultural Homestay d. Agricultural Microbrewery or Micro-Distillery e. Creamery f. Farm Employee Housing g. Packing and Processing, General h. Poultry Manure Management
6160 - 6160 (1 page)	6160 - 6160 (1 page)	Manufacturing and Industrial Zones amended
6754 - 6754 (1 page)	6754 - 6754 (1 page)	Additional Parking Requirements for Accessory and Special Uses amended by adding reference to new Section 6157
6814 - 6814 (1 page)	6814 - 6814 (1 page)	Exceptions to Enclosure Matrix amended
6877 - 6877 (1 page)	6877 - 6877 (1 page)	Herd Size for Specified Dairies amended
6912 - 6913 (6 pages)	6912 - 6935 (5 pages)	Community Gardens amended Aquaponics Use Type added Medical Marijuana Collective Facilities amended
6976 - 6976 (1 page)	6976 - 6976 (1 page)	Prohibition of Marijuana Facilities - Medical Or Non-Medical amended

Upon insertion of these pages, we suggest you fill in the space provided for Update No. 99 inside the front cover of your Zoning Ordinance. This will serve as a record that your copy has been updated. If you have any questions regarding this update, please contact Dennis Campbell at (858) 505-6380.

A handwritten signature in black ink, appearing to read 'Mary Kopaskie Brown', written in a cursive style.

Mary Kopaskie Brown, AICP, MCIP
Chief, Advance Planning
Department of Planning & Development Services

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(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Adult Arcade/Peep Show: Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)
(Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

Adult Motion Picture Theater: An establishment, with a capacity of fifty (50) or more persons, where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material which is distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons.

Adult Theater: A theater, concert hall, auditorium or similar establishment, either indoor or outdoor in nature, which, for any form of consideration, regularly features live performances which are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.

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

Agricultural Employee: (See Farm Employee)

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

Agricultural Homestay: A working farm or ranch on which bedrooms are made available for rent and where lodging and overnight sleeping accommodations are provided (see Section 6157.c)

(Added by Ord. No. 9470 (N.S.) adopted 6-12-02)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Agricultural Microbrewery: see Microbrewery, Agricultural

(Added by Ord. No. 10463 (N.S.) adopted 4-14-17)

Agricultural Micro-Distillery: see Micro-Distillery, Agricultural

(Added by Ord. No. 10463 (N.S.) adopted 4-14-17)

Agricultural Stand: (see Stand, Agricultural)

(Added by Ord. No. 10463 (N.S.) adopted 4-14-17)

Def. A

Agricultural Store: A structure for the display and sale of agricultural and horticultural products raised on the premises. (see Section 6157.a)

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Agricultural Tourism (also Agri-tourism or Ag-tourism): An accessory agricultural use, which includes the act of visiting a commercial agricultural enterprise for the purpose of enjoyment, education or active involvement in the activities of the farm, ranch or agricultural operation. (see Section 6157.b)

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

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Agricultural Zone: A zone including a use regulation set forth in Sections 2700 through 2799, inclusive.

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

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 raising of livestock.

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

Aircraft: Any contrivance, now known or hereafter invented, used or designed for navigation of or flight in the air. "Aircraft" does not include ultralight vehicle as defined by this ordinance.

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

(Amended by Ord. No. 7197 (N.S.) adopted 9-10-86)

Airport: Any area of land, water or a structure which is used or intended for use for the landing and taking off of aircraft and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

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

Alley: A public or private way permanently reserved as a secondary means of access to abutting property.

Amendment: Any change, modification, deletion, or addition to the wording, text or substance of the Zoning Ordinance, or any change, modification, deletion or addition to the application of the Zoning Ordinance to property within San Diego County, including any alteration in the boundaries of a zone, when adopted by ordinance passed by the Board of Supervisors in the manner prescribed by law.

Anatomical Areas: (See Specified Anatomical Areas)

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

Animal Enclosure: An area surrounded on all sides by a fence, corral, pen, pipe, post, rail, wall or other barrier (or a combination) for the keeping of animals, including but not limited, to chickens, horses and cattle. An agricultural building, stable or barn located within or adjacent to an Animal Enclosure, is not considered an Animal Enclosure. An Animal Enclosure may be covered or uncovered and may have a solid wall on more than one side. A fenced pasture of one acre or larger for use as a riding or grazing area, but not for the permanent keeping of animals, is not considered an Animal Enclosure.

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

Animal, Large: Limited to bovine animals, sheep, goats, swine, ostriches, emus, llamas and alpacas.

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

Animal Regulations: That element of a zone which indicates, by means of a letter designator, the regulations pertaining to the keeping of animals. (see Section 3000)

(Added by Ord. No. 8166 (N.S.) adopted 10-21-92)

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Animal, Small: Poultry, rabbits, chinchillas, hamsters, and other small domesticated animals other than a large animal or specialty animal.

Animal, Specialty: Including, but not limited to, fish (not related to aquaponics), furbearing animals, wild or undomesticated animals, amphibians, insects and birds, other than large or small animals.

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Animal Waste Processing: The processing of animal waste and byproducts including but not limited to animal manure, animal bedding waste, a similar byproduct of an animal raising agricultural operation, for use as a commercial fertilizer or soil amendment and including composting operations. (see Section 6902)

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Def. A

Apartment Hotel: A building or portion thereof designed for or containing both individual guest rooms or suite of rooms and dwelling units.

Approach-Departure Path: The flight track of a helicopter as it approaches or departs from the helicopter facility's designated take-off and landing area.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Aquaculture: A form of agriculture devoted to the controlled growing and harvesting of fish, shellfish, and plants in marine, brackish, and fresh water and as defined in the Food and Agriculture Code.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Aquaponics: A form of agriculture which combines aquaculture (raising of fish) with hydroponics (growing plants in water) in a symbiotic, closed-loop system. (see Section 6913)

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Attached: (See Building Type; Nonresidential)
(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

Attached, Three to Eight Dwelling Units: (See Building Type, Residential)

Attic Story: Any story situated wholly or partly in the roof, so designated, arranged or built as to be used for business, storage, or habitation. An attic story shall be counted as a story.

Automobile Wrecking: The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of 5 or more motor vehicles which for a period exceeding 30 days have not been capable of operating under their own power, and from which parts have been or are to be removed for reuse or sale shall constitute prima facie evidence of an automobile wrecking yard

Closet: Small room or recess primarily designed to store wearing apparel.

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

College: A college, junior college or university supported by public funds, or a private college, junior college or university which gives comparable general academic instruction and degrees.

Columbarium: A structure, room, or other space in a building or a sepulchral vault containing niches or recesses in the walls for the inurnment of cremated human remains.

(Added by Ord. No. 9151 (N.S.) adopted 5-10-00)

Commercial Agriculture: Shall mean a routine and ongoing enterprise associated with a farm, grove, dairy, or other agricultural business, and shall include:

1. The cultivation and tillage of soil; crop rotation; fallowing for agricultural purposes; the production, cultivation, growing, replanting and harvesting of any agricultural commodity including viticulture, vermiculture, apiculture, or horticulture;
2. The raising of livestock, bees, fur bearing animals, fish or poultry, and dairying for sale;
3. Any practices performed by a farmer on a farm as incident to or in conjunction with farming operations, including the preparation for retail sale, delivery to storage or to market, or delivery to carriers for transportation to market; or
4. Ordinary pasture maintenance and renovation and dry land farming operations consistent with rangeland management and soil disturbance activities.

All such activities must be consistent with the economics of commercial agricultural operations and other similar agricultural activities. Commercial Agriculture does not include animal raising, crops or agriculture for personal consumption.

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

(Amended by Ord. No. 10463 (N.S.) adopted 04-14-17)

Commercial Vehicle: A vehicle primarily designed, maintained or used to transport, for compensation, one or more persons or property of any kind. A vehicle primarily designed to transport one or more persons or property for compensation, whether or not it is being used or has been used for that purpose, is a commercial vehicle. A commercial vehicle includes, but is not limited to, a truck, truck tractor, trailer, semi-trailer and bus.

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

Commercial Zone: A zone including a use regulation set forth in Sections 2300 through 2499, inclusive.

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

Common Area: That area which will be maintained by a homeowners association, County service area, or other form of cooperative organization. For purposes of these regulations, "common area" does not include open space which cannot legally be disturbed.

Def. C

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

Community Garden: An area of land used to grow and harvest food crops by individuals or collectively by members of a group, and may be arranged into multiple plots.

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

Concrete Batch Plant: Mixing plants for Portland cement concrete, transit concrete mixing plants, sand, gravel and cement mixing plants and soil cement mixing plants.

Concurrent Use Permit: (See Use Permit, Concurrent)

Construction: The placement of construction materials in their permanent position fastened in a permanent manner.

Construction and/or Use of the Property In Reliance on a Permit: The establishment of a use or structure pursuant to an approved discretionary permit as used in Section 7000, et seq. A use or structure shall be considered established when any of the following apply:

- a. All required construction permits have been obtained, grading work and structural foundations are completed and substantial progress has been made on the above-grade construction without ceasing for a period greater than 12 months;
- b. Partially Completed Projects. When an approved multiple building project has been partially completed, its discretionary permit shall remain valid unless work ceases for a period greater than twelve months, and no schedule for phased construction was authorized by the discretionary permit;
- c. Significant investment has been made toward off-site improvements, infrastructure or on-site improvements in preparation for project construction;
- d. A certificate of occupancy has been issued and bonds guaranteeing site improvements have been released; or
- e. A use not requiring any building permits is operating in compliance with all conditions of approval.

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

Convenience Zone: An area within a one-half mile radius of a supermarket. A "supermarket" for purposes of this ordinance is defined as a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000) or more, and which sells a line of dry grocery, canned goods, or non-food items and some perishable items.

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

Corner Cut-Off Area: An area provided and maintained for adequate and safe visibility for vehicular and pedestrian traffic at intersections of streets, alleys, or private driveways.

County Affordable Senior Housing Program: The County's program to encourage the provision of senior rental housing that is affordable. See Section 6360 a.2.

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

County Park: Any park, community center, museum, beach park, or recreation facility, owned by, leased by, or under the control of the County.

(Added by Ord. No. 6615 (N.S.) adopted 6-22-83)

Crawl Space: Any unfinished accessible space, located below the first floor of a structure, which has non-excavated, natural grade with no slab; normally enclosed by a foundation wall which is intended to provide sufficient access to otherwise concealed ductwork, piping or wiring. Any such area that is designated, arranged or built as to be used for business, storage, or habitation shall not be considered crawl space and shall be counted as storage area and/or habitable space and shall be designed to meet all requirements of storage areas or habitable space.

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

Creamery: A milk products plant, as defined in the Food and Agricultural Code, in which a person engages in the business of handling, receiving, manufacturing, freezing, processing or packaging milk, or any product of milk. (see Section 6157.e)

(Added by Ord. No. 10463 (N.S.) adopted 04-14-17)

DEFINITIONS (D)

Dairy or Dairy Farm: An agricultural establishment raising large animals primarily for milking, including cattle, goats or sheep and as defined in the Food and Agricultural Code.

(Added by Ord. No. 10463 (N.S.) adopted 04-14-17)

Density: The number of dwelling units per acre.

Density Bonus: A density increase over the otherwise maximum allowable residential density under the Zoning Ordinance and land use element of the general plan as of the date of a complete application to the County.

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

Density Bonus Housing Agreement: A legally binding agreement between a developer and the County to ensure that the requirements of the density bonus application and the Zoning Ordinance are satisfied.

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

Def. D

Density Bonus Permit: A permit issued by the County based upon an applicant's compliance with the requirements of the Density Bonus Program at Sections 6350 through 6399 and the Density Bonus Permit Procedures at Sections 7400 through 7449.

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

Density Bonus Unit: As applied in the Density Bonus Program at Sections 6350 through 6399 and the Density Bonus Permit Procedures at Sections 7400 through 7449, density bonus unit is a residential unit that exceeds the number of units allowed under the otherwise maximum allowable residential density for the development site.

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

Density, Maximum Allowable Residential: (See Maximum Allowable Residential Density)

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

Designated Historic Landmark: (See Historic Landmark)

(Added by Ord. No. 5330 (N.S.) adopted 12-13-78)

(Deleted by Ord. No. 7101 (N.S.) adopted 3-12-86)

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.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

Detached: (See Building Type, Nonresidential)

Development Regulations: That element of the zone which is represented by 9 designators corresponding to 9 aspects of physical development. These 9 aspects are: density, lot size, building type, maximum floor area, floor area ratio, height, coverage, setback, and useable open space. The Development Regulations regulate these subjects, by using the designators, in terms of certain minimum or maximum standards or of permitted buildings types.

Development Standard: As applied to the Density Bonus Program at Sections 6350 through 6399 and the Density Bonus Permit Procedures at Sections 7400 through 7449, development standard includes a site or construction condition including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, or a parking ratio that applies to a residential development pursuant to any ordinance, general plan element, specific plan, charter, or other local condition, law, policy, resolution, or regulation.

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

Dog: A canine that has reached the age of 4 months.

Double Detached: (See Building Types, Residential)

Drive-In: (See Enclosure)

Drive-In Theater: (See Adult Drive-In Theater)

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

Drive-Through: A building, use, or facility that provides a specified “drive-through” lane or driveway where customers receive a service or purchase goods while remaining in a motor vehicle. Drive-through facilities include fast food restaurants, pharmacies, and financial institutions that provide service windows and/or automated teller machines.

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

Duplex: (See Building Type Residential)

Dwelling: A building or portion thereof used exclusively for residential purposes, including one-family, two-family and multiple dwellings, but not including hotels, boarding and lodging houses.

Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, and having only one kitchen.

Dwelling, Multi: (See Building Type, Residential)

DEFINITIONS (E)

Easement: A recorded right or interest in the land of another, which entitled the holder thereof to some use, privilege or benefit out of or over said land.

Enclosed: (See Enclosure)

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:

1. 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.
2. Enclosed: A roofed structure contained on all sides by walls which are pierced only by windows, vents, or customary entrances and exits.
3. Open: Unroofed or not contained on all sides by walls which are pierced only by windows, vents, or customary entrances and exits.
4. 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.

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

Def. E

Environmental Assessment: A formal evaluation process to determine whether a proposed project will have a significant impact on the environment.

EIR - Environmental Impact Report: A report by the appropriate San Diego County granting authority which analyzes the environmental effects of a proposed project pursuant to the Environmental Quality Act of 1970.

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

Essential Public Facility or Project: Any structure or improvement necessary for the provision of public services, which must be located in the particular location to service its purpose and for which no less environmentally damaging location, alignment, or non-structural alternative exists.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

Exterior Wall: (See Wall, Exterior)

DEFINITIONS (F)

Factory-Built Housing: A unit defined as "factory-built housing" by Section 19971 of the Health and Safety Code which has the approval of the Department of Housing and Community Development of the State of California.

Family: An individual, or 2 or more persons (related or unrelated) living together as a single housekeeping unit in a dwelling unit.

(Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)

Family Care Home: A state-authorized, certified, or licensed family care home, foster home, or group home serving six or fewer elderly, mentally disabled or otherwise handicapped persons or dependent and neglected children and providing such care and service on a 24-hour-a-day basis. No facility shall qualify as a family care home if it is operated in such manner that facilities, activities, or events thereon are shared by more than 6 elderly, mentally disabled or otherwise handicapped persons or dependent and neglected children.

(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)

Family Care Institution: A state-authorized, certified, or licensed family care home, foster home, or group home which does not qualify as a family care home.

Family Day Care Home for Children, Large: A state-licensed family day care home serving nine to fourteen children where care, protection and supervision are regularly provided in the caregiver's own home for periods of less than 24 hours per day, while the parents or guardians are away. The number of children shall include children under the age of 10 years who reside at the home.

Floodplain: The relatively flat area of low lands adjoining, and including, the channel of a river, stream, watercourse, bay, or other body of water which is subject to inundation by the flood waters of the one-hundred year frequency flood as shown on flood plain maps approved by the Board of Supervisors.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

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

(Amended by Ord. No. 7630 (N.S.) adopted 05-23-89)

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

- a. The floodway shall include all areas necessary to pass the 100-year flood without increasing the water surface elevation more than one foot, or in the case of San Luis Rey River, San Dieguito River, San Diego River, Sweetwater River, and Otay River, upon adoption by the Board of Supervisors of revised floodplain maps which so specify, the increase shall be no more than 2/10 of one foot.
- b. The floodway shall include all land necessary to convey a ten-year flood without structural improvements.
- c. 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.
- d. Floodways are determined by removing equal conveyance (capacity for passing flood flow) from each side unless another criterion controls.

(Amended by Ord. No. 7630 (N.S.) adopted 05-23-89)

Floor Area: The area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

Floor Area, Gross: The area included within the surrounding walls of a building plus any roofed, partially roofed or open area customarily used for display or business operations. Interior open court may be exempt if not used for display or business operations.

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

Def. F

Floor Area, Ground: The gross horizontal area of that floor which is located at the ground level of a building or structure.

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.

Food Sales Push Cart: A mobile food facility on/in which food is prepared, stored or displayed for the purpose of sale or given away without charge. This does not include self propelled or motorized vehicles or trailers which are designed so as to allow a person to be within such mobile food facility. This does not include agricultural stands or agricultural stores related to commercial agriculture operations.

(Added by Ord. No. 6761 (N.S.) adopted 4-25-84)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Frontage: The length of any one property line of a premises, which property line abuts a legally accessible street right-of-way.

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

DEFINITIONS (G)

Game Of Skill Or Amusement: Any mechanical, electrical, electronic, or video machine, device or apparatus, or combination thereof, the operation or use of which is permitted, controlled, allowed or made possible by the deposit or placing of any coin, plate, disk, slug or key into any slot, crevice or other opening or by the payment of any fee or fees, for the use as a game, contest or amusement of any description, or which may be used for any such game, contest or amusement, and the use or possession of which is not prohibited by any law of the State of California. This definition shall include video games which generate or display a computer or electronically created image on a screen, but shall exclude a "peep show device."

(Added by Ord. No. 8015 (N.S.) adopted 12-4-91)

Garage, Parking: (See Parking Garage)

Garage, Private: (See Private Garage)

Garage, Public: (See Public Garage)

Gate Entry Structure: A structure located over or near ways of ingress and egress designed to identify an entrance or exit point for pedestrian or vehicular access to private property. Gate entry structure includes, but is not limited to, posts, columns, pilasters or other elements whether free standing or part of a wall or fence, and any associated gate. A post or other support element which does not exceed the permitted fence height and functions only to support a gate shall not be considered a gate entry structure.

(Added by Ord. No. 8246 (N.S.) adopted 5-19-93)

Horse Stable: A stable consisting of, but not limited to, animal enclosures, riding arenas, corrals, paddocks, pens and/or other structures used for the boarding, breeding, raising, rehabilitation, riding training and/or performing of horses, by the owners, occupants or persons other than the owners or the occupants of the premises, for commercial purposes. See Animal Schedule for allowed zones and uses. For the private use of horses by the owner or occupants of a premises, see Horsekeeping.

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

Hospital: An institution which specializes in giving clinical, temporary and emergency services of a medical or surgical nature to injured persons and which maintains and operates 24-hour inpatient services for the diagnosis and treatment of patients. Any hospital shall be so licensed by the State Department of Health.

(Amended by Ord. No. 5330 (N.S.) adopted 12-13-78)

Host Home: A single-family dwelling in which no more than two bedrooms are made available for rent on a less than weekly basis to provide lodging, including overnight sleeping accommodations and breakfast. (see Section 6156.hh)

(Added by Ord. No. 7160 (N.S.) adopted 6-18-86)

(Deleted by Ord. No. 7363 (N.S.) adopted 8-19-87) (See Bed and Breakfast Home)

(Added by Ord. No. 7515 (N.S.) adopted 7-13-88)

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Household, Low or Lower Income: A household whose income does not exceed the lower income limits applicable to San Diego County as published and periodically updated by the California Department of Housing and Community Development pursuant to Section 50079.5 of the California Health and Safety Code.

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

Household, Moderate Income: A household whose income does not exceed the moderate income limits applicable to the San Diego County as published and periodically updated by the California Department of Housing and Community Development pursuant to Section 50093 of the California Health and Safety Code.

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

Def. H

Household, Very Low Income: A household whose income does not exceed the very low income limits applicable to San Diego County, as published and periodically updated by the California Department of Housing and Community Development pursuant to Section 50105 of the California Health and Safety Code.

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

Housing Assistance Plan: The Housing Assistance Plan adopted by the Board of Supervisors as part of the application for community development block grants from the federal government.

Housing Development: As applied in the Density Bonus Program at Sections 6350 through 6399 and the Density Bonus Permit Procedures at Sections 7400 through 7449, housing development shall mean a development project for five or more residential units and be as further defined in Section 65915(i) of the California Government Code.

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

Hydroponics: A form of agriculture in which plants are grown in water or an inert supportive medium and as defined in the Food and Agricultural Code.

(Added by Ord. No. 10463 (N.S.) adopted 4-14-17)

DEFINITIONS (I)

Incentive: As applied in the Density Bonus Program at Sections 6350 through 6399 and the Density Bonus Permit Procedures at Sections 7400 through 7449, incentive shall mean such regulatory incentive or concession as defined in California Government Code Subsection 65915(k).

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

Incidental Landing Area: An area of land, water or structure which is not designated as a heliport, helipad or helistop and is required for the landing of helicopters for emergencies, public service or maintenance activities and is not a permanent landing or storage area for a helicopter.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

DEFINITIONS (M)

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

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

Major Use Permit: (See Use Permit, Major)

Manufactured Home: (See Mobilehome)

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

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

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

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

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

Marijuana Facility – Medical and Non-Medical: (a) Any store, office, business, building, property or other facility in or from which marijuana is sold, given, traded, supplied, bartered, consumed, raised, processed, stored, used, cultivated indoors or outdoors, possessed, or transported; (b) This definition shall not apply to cultivation of medical marijuana; (1) by a Qualified Patient where the amount of marijuana at no time exceeds 1.5 times the amount allowed by state law for a single Qualified Patient under Health & Safety Code section 11362.77, and no exchanges of marijuana or reimbursements for marijuana occur; and, (2) by a Primary Care Giver where the amount of marijuana at no time exceeds 1.5 times the amount allowed for a single Primary Care Giver under Health & Safety Code section 11362.77, and no exchanges of marijuana or reimbursements for marijuana occur.

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

(Amended by Ord. No. 10461 (N.S.) adopted 4-14-17)

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

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

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

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

Def. M

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

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

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

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

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

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

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

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

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

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

Microbrewery, Agricultural: A Microbrewery allowed as an accessory use to active Commercial Agriculture operation producing hops, barley or grain grown on the premises for brewing on-site. (see Section 6157.d)

(Added by Ord. No. 10463 (N.S.) adopted 4-14-17)

Micro-Distillery, Agricultural: A distillery allowed as an accessory use to an active Commercial Agriculture operation producing grains or vegetables the premises for distilling on-site. (see Section 6157.d)

(Added by Ord. No. 10463 (N.S.) adopted 4-14-17)

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

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

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

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

Minor Deviation: A slight increase or decrease in size, height or scope of a proposed project from the original approved permit decision and associated plans of an Administrative Permit, Variance, Site Plan or Use Permit which is considered in substantial conformance with the original approved project or latest approved modification.

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

Minor Use Permit: (See Use Permit, Minor)

Mobile Commercial Butchering: A motor vehicle or trailer, licensed by the Department of Motor Vehicles that is a self-contained United States Department of Agriculture(USDA)-approved and inspected mobile slaughter facility that can travel to approved sites and is associated with a local USDA-certified slaughterhouse/butcher for processing and packing. Also known as Mobile Slaughtering. (see Section 6126).

(Added by Ord. 10463 (N.S.) adopted 4-14-17)

Mobile Custom Butchering: A motor vehicle or trailer, licensed by the Department of Motor Vehicles that is a self-contained United States Department of Agriculture (USDA) approved and inspected mobile slaughter facility providing a service to farmers under the CFDA custom exemption for the consumption of the animal by the owner, the owner's family, farm workers and non-paying guests. Subject to all USDA restrictions. (see Section 6126)

(Added by Ord. 10463 (N.S.) adopted 4-14-17)

Mobilehome: A structure designed and equipped to contain not more than two dwelling units to be used with or without a permanent foundation, and which is in excess of 8 feet in width or in excess of 40 feet in length. Mobilehome, as used herein, is further defined in Section 18211 of the Health and Safety Code and includes Manufactured Home as defined in Section 18007 of the Health and Safety Code.

(Amended by Ord. No. 5717 (N.S.) adopted 3-19-80)

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

(Amended by Ord. No. 6372 (N.S.) adopted 6-09-82)

Mobilehome Lot: An area or tract of land or portion of a mobilehome park or mobilehome subdivision designated or used for the occupancy of one mobilehome.

(Amended by Ord. No. 5717 (N.S.) adopted 3-19-80)

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

Def. M

Mobilehome On a Private Lot: A mobilehome which has been placed on a permanent foundation system pursuant to the Mobilehome on Private Lot Regulations.

(Amended by Ord. No. 5717 (N.S.) adopted 3-19-80)

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

Mobilehome Park: An area or tract of land where 2 or more mobilehome lots are rented or leased or held out for rent or lease to accommodate mobilehomes for human habitation; provided that mobilehome park does not include:

- a. premises on which any trailer coaches are parked for inspection and sale;
- b. premises on which there is one trailer coach occupied by the owner thereof pursuant to a valid temporary occupancy permit issued by the Department of Environmental Health; or
- c. premises on which all trailer coaches are used exclusively either to provide farm employee housing or as a farm labor camp.

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

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

Mobilehome Park, Standard: A mobilehome park subject to the regulations of Section 6510 through 6524, inclusive.

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

Mobilehome Subdivision: Any area or tract of land where two or more lots are created in accordance with applicable provisions of Division 1, Title 8 of the County Code of Regulatory Ordinances for the exclusive use of mobilehomes and their accessory uses.

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

Mobile Recycling Unit: A motor vehicle or trailer, licensed by the Department of Motor Vehicles which is used for the collection of recyclable materials. A mobile recycling unit also means the bins, boxes or containers transported by trucks, vans, or trailers, used for the collection of recyclable materials.

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

Model Home: A dwelling unit temporarily used for display purposes as an example of dwelling units available or to be available for sale or rental for the first time in a particular subdivision or other residential development which may be comprised of one-family, two-family or multiple dwellings, or a combination thereof. "Model Home" shall include examples of factory-built housing which may not necessarily be available in or related to a particular development.

Moderate-Income Family: (See Household, Moderate Income)

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

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

Moderate-Income Household: (See Household, Moderate Income)

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

Motion Picture Theater: (See General Motion Picture Theater)

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

Multiple-Residential Zone: A residential zone in which 3 or more units are allowed on a legal parcel.

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

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

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

DEFINITIONS (N)

Nacelle: Wind turbine component which typically houses internal mechanical and electrical parts, such as generators, gearboxes, drive trains, and brake assembly.

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

Negative Declaration: A notice issued by the appropriate San Diego County granting authority stating that a proposed project will not have substantial adverse effects on the environment.

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

Net Lot Area: (See Lot Area, Net)

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

Nonconforming Structure: A building, structure or facility, or portion thereof, which was lawfully erected or altered or maintained, but which, because of the application of this ordinance to it, no longer conforms to the specific regulations applicable to the zone in which it is located.

Nonconforming Use: The use of a building, structure, or site, or portion thereof, which was lawfully established and maintained, but which, because of the application of this ordinance to it, no longer conforms to the specific regulations applicable to the zone in which it is located.

Nonoperating Vehicles, Storage of: (See Storage of Nonoperating Vehicles)

Nudity: Devoid of an opaque covering which covers the genitals, vulva, pubis, pubis symphysis, pubic hair, buttocks, natal cleft, perineum, anus, anal region, or pubic hair region of any person or any portions of the breast at or below the upper edge of the areola thereof of any female.

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

Nudist Facility: Any privately operated facility where nudity is permitted in common areas excluding sexually segregated restrooms or showers.

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

Def. O

DEFINITIONS (O)

One-Hundred-Year Flood: (See Flood, One-Hundred-Year)

Open: (See Enclosure)

Open Space: (See Usable Open Space)

Open Space Easement: An easement established pursuant to Section 51050 or Section 51080 of the Government Code or an easement which ensures the permanent retention of land in open space.

Original Jurisdiction: Refers to the Director, Planning Commission or Board of Supervisors, whichever body has the authority to take action for approval or denial, regardless if that action is appealable or final.

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

(Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)

DEFINITIONS (P)

Parcel: A contiguous quantity of land in the possession of, or owned by, or recorded as the property of, the same person.

Parking Area: An open area, other than a street or alley, which contains motor vehicle parking spaces.

(Amended by Ord. No. 5976 (N.S.) adopted 1-28-81)

(Amended by Ord. No. 7432 (N.S.) adopted 01-06-88)

Parking Garage: A building other than a private or public garage used for the shelter or storage of operating motor vehicles and may, incidental thereto be used for the care, repair or equipping of such vehicles.

Parking Space: An unobstructed space or area other than a street or alley which is permanently reserved and maintained for the parking of one motor vehicle.

Parlor: (See Massage Parlor)

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

Pasture: An area of one acre or larger surrounded on all sides by a fence, corral, pen, pipe, post, rail, wall or other barrier (or a combination) for use as a riding or grazing area, but not for the permanent keeping of animals. Such areas are not considered usable acreage under Horse Stable calculations and do not have to meet Animal Enclosure setbacks.

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

Patio Cover: A one-story, open-sided shade structure consisting of a roof and structural supports, attached to or detached from the primary dwelling which is used only for recreational, outdoor living purposes and not as a carport, garage, storage room or habitable room. A patio cover may have enclosing walls in any configuration, provided the open area of the longer wall and one additional wall is equal to at least 65% of the area below a minimum of 6'-8" of each wall, measured from the floor. For the purposes of this definition, the term "open" includes the use of insect screen material.

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

Peep Show Device: Any device which displays still or moving images in a peep show booth which depict specified anatomical areas or specified sexual activities upon payment of a fee or other consideration.

(Added by Ord. 8015 (N.S.) adopted 12-4-91)
(Amended by Ord. 9469 (N.S.) adopted 6-12-02)

Peep Show Booth: Any room, booth, partial enclosure or partitioned area of any room in which a peep show device is located, with a seating capacity of five or fewer persons. It does not include an Adult Mini-Motion Picture Theater which has a seating capacity of more than five but less than fifty persons where still or motion images are regularly shown to an audience of more than five but less than fifty persons at any one time.

(Added by Ord. No. 8015 (N.S.) adopted 12-4-91)

Penthouse: A projection above the roof which when used only for the shelter of mechanical equipment or shelter of vertical shaft openings in the roof is not regarded as a story.

Person: Any individual, firm, copartnership, joint venture, association, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any group or combination acting as a unit.

Photovoltaic Solar Energy System: A type of solar energy system that converts solar energy into a usable form of electricity using Photovoltaic Solar Cells.

(Added by Ord. No. 10072 (N.S.) adopted 9-15-10)

Def. P

Planned Development: A large, integrated development located on a single building site, or on 2 or more building sites 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 as the location of structures, the circulation pattern, parking facility, 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.

Plot Plan: A document or group of documents containing sketches, text, drawings, maps, photographs, and other material intended to present and explain certain elements of a proposed development, including physical design, siting and use of buildings and structures, interior vehicular and pedestrian access, the provision of improvements, and the interrelationship of these elements. The purpose of a plot plan is to establish a clear record of the development and use of the property.

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

Ponds: (See Aquaculture)

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

Porte Cochere: A covering over a driveway, (usually circular) or drive that allows a vehicle to continue onto another portion of the site, that provides temporary shelter to persons exiting a vehicle, but not serving as the only covered or enclosed vehicle shelter on-site.

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

Pot-Belly Pig: A domesticated miniature Vietnamese, Chinese or Asian pot-bellied or pot-belly pig not exceeding one hundred twenty-five pounds in weight and not exceeding eighteen inches in height measured at the shoulder.

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

Poultry: Chicken, turkey, duck, goose, fowl, pheasant, quail, and as otherwise defined by the California Retail Food Code.

(Added by Ord. No. 6268 (N.S.) adopted 4-14-82)

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Premises: Any building, structure, place, lot or parcel of land or any number of contiguous lots or parcels of land, in the possession or control of any person or in the joint or common possession or control of more than one person.

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

Single Detached: (See Building Type, Residential)

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

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

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

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

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

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

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

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

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

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

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

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

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

Specified Anatomical Areas:

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

Def. S

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

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

Specified Sexual Activities:

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

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

Stable (See Horse Stable)

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

Stacked: (See Building Type, Residential)

Stand, Agricultural: A structure for the display and sale of farm products with no space for customers within the structure itself. (see Section 6156.q)

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

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

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

Standard Mobilehome Park: (See Mobilehome Park, Standard)

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

Swap Lot: A building, structure, enclosure lot or other area into which persons are admitted to display, exchange, barter, sell or bargain for new or used merchandise. carried on in a swap lot.

Swimming Pool: Any confined body of water exceeding 2 feet in depth and located either above or below the existing finished grade of the site, designed, used or intended to be used for swimming, bathing or therapeutic purposes.

DEFINITIONS (T)

Take-off and Landing Area: That area of any helicopter facility where the helicopter actually lands and takes off, and includes the touch down area.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Trade School: (See School, Trade)

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

Trailer Coach: Any vehicle, with or without motive power, designed or used for human occupancy for residential, recreational, industrial, professional, or commercial purposes and shall include camp car, mobilehome and travel trailer.

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

Transient Habitation Unit: Living quarters intended exclusively for occupation by transient persons. A transient habitation unit may include a hotel or motel room or suite of rooms, a cabin or a campground space.

Transitional Housing: Shall have the meaning prescribed in Health and Safety Code 50675.2(h). The design of the structures determines Family Residential or Group Residential Use Type.

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

Tree: A perennial woody plant with one or more well defined stems or trunks which, at maturity, is largely kept clear of leaves and branches at least 5 feet above grade.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

Trellis Tower: A structure made of interwoven pieces of wood, metal or synthetic material to support an object, such as a wind turbine or antenna array.

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

Triplex: (See Building Type; Residential Triplex)

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

Def. U

DEFINITIONS (U)

U-Pick or Pick-Your-Own Operations: An accessory use as part of a Commercial Agriculture operation such as a farm, orchard or grove where the customers themselves harvest the products grown on-site. (see Section 6157.b)

(Added by Ord. No. 10204 (N.S.) adopted 3-28-12)
Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Ultralight Vehicle: A powered or unpowered vehicle that is defined and described in Federal Aviation Regulations (FAR), Part 103, promulgated by the United States Government, Department of Transportation (DOT), Federal Aviation Administration (FAA), as that regulation is presently written or as it may be amended.

(Added by Ord. No. 7197 (N.S.) adopted 9-10-86)

Unit, Base: (See Base Units)

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

Unit, Density Bonus: (See Density Bonus Unit)

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

Unit, Market Rate: (See Market Rate Unit)

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

Unit, Reserved: (See Reserved Unit)

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

Unlimited: (See Building Type, Mixed Residential-Nonresidential)

Usable Open Space: One or more open areas adjacent to residential uses, the purpose of which is to provide an outdoor area designed for outdoor living and recreation, and which is located at, below, or above grade.

Usable Open Space, Group: Usable open space intended for common use by occupants of a development, either privately owned and maintained or dedicated to a public agency, normally including swimming pools, recreation courts, patios, open landscaped areas, and greenbelts with pedestrian walkways and equestrian and bicycle trails. Group usable open space does not include off-street parking and loading areas or driveways.

Usable Open Space, Private: Usable open space intended for use of occupants of one dwelling unit, normally including yards, decks, and balconies.

Use: The purpose for which land or a building is occupied, arranged, designed or intended, or for which land or a building is or may be occupied or maintained.

Use, Accessory: (See Accessory Use)

COMMERCIAL USE TYPES

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.

1410 ADMINISTRATIVE AND PROFESSIONAL SERVICES.

The Administrative Professional Services use type refers to offices of private firms or organizations which are primarily used for the provision of professional, executive, management or administrative services. Typical uses include administrative offices, legal offices, or architectural firms.

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.

(Amended by Ord. No. 6284 (N.S.) adopted 5-5-82)

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

1420 AGRICULTURAL SERVICES.

The Agricultural Services use type refers to a property, establishment or place of business engaged in the provision of agriculturally related services with incidental storage on lots other than where the service is rendered. Typical uses include crop dusting or tree service firms.

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

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: Auctioning. Auctioning of livestock on a wholesale or retail basis with incidental storage of animals produced off property not exceeding 48-hour periods. The auctioning of miscellaneous related items may be conducted in conjunction with animal auctioning, if the auctioning of miscellaneous related items is conducted by the same operator as the animal auction, the number of days and hours of operation do not exceed those in which animal auctions are held, and the impacts resulting from the miscellaneous items auction activity do not exceed those of the animal auction. Typical uses include animal auctions or livestock auction yards.
- b. Animal Sales and Services: Grooming. Grooming of dogs, cats and similar small animals. Typical uses include dog bathing and clipping salons or pet grooming shops.
- c. 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.
- d. 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.
- e. Animal Sales and Services: Stockyards. Stockyard services involving the temporary keeping of transient livestock for slaughter, market or shipping. Typical uses include stockyards or animal sales yards.
- f. 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.
- g. 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.

(Amended by Ord. No. 7981 (N.S.) adopted 10-2-91)

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

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

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

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

1430 AUTOMOTIVE AND EQUIPMENT.

Automotive and equipment refers to establishments or places of business primarily engaged in automotive related or heavy equipment sales or service. The following are automotive and equipment use types:

- a. Automotive and Equipment: Cleaning. Washing and polishing of automobiles. Typical uses include auto laundries or car washes.

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.

Essential Services

Fire Protection Services (see Section 6905)

c. Agricultural Use Types.

Horticulture (all types)

Tree Crops

Row and Field Crops

Packing and Processing: Limited

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

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

(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)

(Amended by Ord. No. 7741 (N.S.) effective 3-28-90 (Urg. Ord.))

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

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

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 "18"

2703

b. Commercial Use Types

Animal Sales and Services: Veterinary (Large Animals) "6"
Animal Sales and Services: Veterinary (Small Animals) "6"
Recycling Collection Facility, Small "2"
Recycling Processing Facility, Wood and Green Materials "3"

c. Agricultural Use Types

Packing and Processing: Small Winery "22" (see Section 6910)
Packing and Processing: Boutique Winery "22" (see Section 6910)
Packing and Processing: Wholesale Limited Winery "22" (see Section 6910)
Packing and Processing: General "23" (see Section 6157)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5652 (N.S.) adopted 11-21-79)
(Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)
(Amended by Ord. No. 6783 (N.S.) adopted 5-16-84)
(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
(Amended by Ord. No. 9940 (N.S.) adopted 6-18-08)
(Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)
(Amended by Ord. No. 10067 (N.S.) adopted 8-4-10)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

2704 USES SUBJECT TO A MINOR USE PERMIT.

The following use types are allowed by the A70 Use Regulations upon issuance of a Minor Use Permit.

a. Civic Use Types.

Law Enforcement Services
Minor Impact Utilities
Small Schools

b. Agricultural Use Types.

Farm Labor Camps

c. Commercial Use Types.

Cottage Industries "17" (see Section 6920)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)
(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)
(Amended by Ord. No. 7741 (N.S.) effective 3-28-90 (Urg. Ord.))
(Amended by Ord. No. 7768 (N.S.) adopted 6-13-90)
(Amended by Ord. No. 7964 (N.S.) adopted 8-14-91)
(Amended by Ord. No. 8175 (N.S.) adopted 11-18-92)
(Amended by Ord. No. 8271 (N.S.) adopted 6-30-93)

(Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)
 (Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)

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.

Administrative Services
 Ambulance Services
 Child Care Center
 Civic, Fraternal or Religious Assembly
 Clinic Services
 Community Recreation
 Cultural Exhibits and Library Services
 Group Care
 Major Impact Services and Utilities
 Parking Services
 Postal Services

c. Commercial Use Types.

Agricultural and Horticultural Sales (all types)
 Explosive Storage (see Section 6904)
 Participant Sports and Recreation: Outdoor
 Transient Habitation: Campground (see Section 6450)
 Transient Habitation: Resort (see Section 6400)

d. Agricultural Use Types.

Agricultural Equipment Storage
 Packing and Processing: Winery
 Packing and Processing: Support

e. Extractive Use Types.

Mining and Processing (see Section 6550)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)
 (Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)
 (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
 (Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)
 (Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
 (Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

2720

A72 GENERAL AGRICULTURAL USE REGULATIONS

2720 INTENT.

The provisions of Section 2720 through Section 2729, inclusive, shall be known as the A72 General Agricultural Use Regulations. The A72 Use Regulations are intended to create and preserve areas for the raising of crops and animals. Processing of products produced or raised on the premises would be permitted as would certain commercial activities associated with crop and animal raising. Typically, the A72 Use Regulations would be applied to areas distant from large urban centers where the dust, odor, and noise of agricultural operations would not interfere with urban uses, and where urban development would not encroach on agricultural uses.

2722 PERMITTED USES.

The following use types are permitted by the A72 Use Regulations:

a. Residential Use Types.

Family Residential

b. Civic Use Types.

Essential Services

Fire Protection Services (see Section 6905)

Law Enforcement Services (see Section 6905)

c. Agricultural Use Types.

Horticulture (all types)

Tree Crops

Row and Field Crops

Packing and Processing: Limited

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

(Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)

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

(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)

(Amended by Ord. No. 7741 (N.S.) effective 3-28-90 (Urg. Ord.))

(Amended by Ord. No. 9101 (N.S.) adopted 12-8-99)

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

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

2723 PERMITTED USES SUBJECT TO LIMITATIONS.

The following use types are permitted by the A72 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 "18"

b. Commercial Use Types

Animal Sales and Services: Veterinary (Large Animals) "6"

Animal Sales and Services: Veterinary (Small Animals) "6"
 Recycling Collection Facility, Small "2"
 Recycling Processing Facility, Wood and Green Materials "3"

c. Agricultural Use Types

Packing and Processing: Small Winery "22" (see Section 6910)
 Packing and Processing: Boutique Winery "22" (see Section 6910)
 Packing and Processing: Wholesale Limited Winery "22" (see Section 6910)
 Packing and Processing: General "23" (see Section 6157)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 5652 (N.S.) adopted 11-21-79)
 (Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)
 (Amended by Ord. No. 6783 (N.S.) adopted 5-16-84)
 (Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
 (Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
 (Amended by Ord. No. 9940 (N.S.) adopted 6-18-08)
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
 (Amended by Ord. No. 10067 (N.S.) adopted 8-4-10)
 (Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

2724 USES SUBJECT TO A MINOR USE PERMIT.

The following use types are allowed by the A72 Use Regulations upon issuance of a Minor Use Permit.

a. Civic Use Types.

Minor Impact Utilities
 Small Schools

b. Agricultural Use Types

Farm Labor Camps

c. Commercial Use Types.

Cottage Industries "17" (see Section 6920)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)
 (Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)
 (Amended by Ord. No. 7741 (N.S.) effective 3-28-90 (Urg. Ord.))
 (Amended by Ord. No. 7768 (N.S.) adopted 6-13-90)
 (Amended by Ord. No. 7964 (N.S.) adopted 8-14-91)
 (Amended by Ord. No. 8175 (N.S.) adopted 11-18-92)
 (Amended by Ord. No. 8271 (N.S.) adopted 6-30-93)
 (Amended by Ord. No. 9101 (N.S.) adopted 12-8-99)
 (Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

2725

2725 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the A72 Use Regulations upon issuance of a Major Use Permit.

a. Residential Use Types.

Group Residential

b. Civic Use types.

Administrative Services
Ambulance Services
Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services
Community Recreation
Cultural Exhibits and Library Services
Group Care
Major Impact Services and Utilities
Parking Services
Postal Services

c. Commercial Use Types.

Agricultural and Horticultural Sales (all types)
Animal Sales and Services: Auctioning
Explosive Storage (see Section 6904)
Gasoline Sales
Participant Sports and Recreation: Outdoor
Transient Habitation: Campground (see Section 6450)
Transient Habitation: Resort (see Section 6400)

d. Agricultural Use Types.

Agricultural Equipment Storage
Animal Waste Processing (see Section 6902)
Packing and Processing: Winery
Packing and Processing: Support

e. Extractive Use Types.

Mining and Processing (see Section 6550)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)
(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)
(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)
(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

S88 SPECIFIC PLANNING AREA USE REGULATIONS

2880 INTENT.

The provisions of Section 2880 through Section 2889, inclusive, shall be known as the S88 Specific Planning Area Use Regulations. The S88 Use Regulations are intended to accommodate Specific Plan areas shown on the San Diego County General Plan or on those lands for which a Specific Plan has been adopted by the Board of Supervisors pursuant to the Government Code. Application of the S88 Use Regulations can create an unlimited variety of land uses in conformance with the General Plan.

2882 PERMITTED USES.

Until a Specific Plan applicable to the property is adopted, the following use types are permitted by the S88 Use Regulations:

a. Residential Use Types.

Family Residential

b. Civic Use Types.

Essential Services

Fire Protection Services (see Section 6905)

c. Agricultural Use Types.

Horticulture (all types)

Tree Crops

Row and Field Crops

Packing and Processing: Limited

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

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

(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)

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

2883 PERMITTED USES SUBJECT TO LIMITATIONS.

Until a Specific Plan applicable to the property is adopted, the following use types are permitted by the S88 Use Regulations subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Commercial Use Types.

Recycling Collection Facility, Small or Large "2"

Recycling Processing Facility, Wood and Green Material "3"

b. Agricultural Use Types.

Packing and Processing: General "23"

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

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

2883

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
(Amended by Ord. No. 10463 (N.S.) 4-14-17)

2884 USES SUBJECT TO A MINOR USE PERMIT.

Until a Specific Plan applicable to the property is adopted, the following use types are allowed by the S88 Use Regulations upon issuance of a Minor Use Permit.

a. Civic Use Types.

Law Enforcement Services.
Minor Impact Utilities

b. Agricultural Use Types

Farm Labor Camps

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)
(Amended by Ord. No. 7768 (N.S.) adopted 6-13-90)
(Amended by Ord. No. 8175 (N.S.) adopted 11-18-92)
(Amended by Ord. No. 8271 (N.S.) adopted 6-30-93)
(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
(Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)

2885 USES SUBJECT TO A MAJOR USE PERMIT.

Until a Specific Plan applicable to the property is adopted, the following use types are permitted by the S88 Use Regulations upon issuance of a Major Use Permit.

a. Agricultural Use Types.

Packing and Processing: Winery
Packing and Processing: Support

b. Extractive Use Types.

Site Preparation

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
(Amended by Ord. No. 10463 (N.S.) adopted 4-17-17)

2887 SPECIFIC PLANS

If a Specific Plan has been adopted for property which is also subject to the S88 Specific Planning Area Use Regulations, any provisions of the Specific Plan relating to subjects contained in the Animal Regulations at Part Three (commencing at Section 3000), the Development Regulations at Part Four (commencing at Section 4000), the Special Area Regulations at Part Five (commencing at Section 5000), and/or the General Regulations at Part Six (commencing at Section 6000), of The Zoning Ordinance, shall prevail over The Zoning Ordinance regulations to the extent of any conflict between them.

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

S92 GENERAL RURAL USE REGULATIONS

2920 INTENT.

The provisions of Section 2920 through Section 2929, inclusive, shall be known as the S92 General Rural Use Regulations. The S92 Use Regulations are intended to provide appropriate controls for land which is: rugged terrain, watershed, dependent on ground water for a water supply, desert, susceptible to fires and erosion, or subject to other environmental constraints. Various applications of the S92 Use Regulations with appropriate development designators can create or protect areas suitable for low intensity recreational uses, residences on very large parcels, animal grazing, and other uses consistent with the intent of this Section.

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

2922 PERMITTED USES.

The following use types are permitted by the S92 Use Regulations:

a. Residential Use Types.

Family Residential

b. Civic Use Types.

Essential Services

Fire Protection Services (see Section 6905)

Law Enforcement Services (see Section 6905)

c. Agricultural Use Types.

Horticulture (All Types)

Tree Crops

Row and Field Crops

Packing and Processing: Limited

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

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

(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)

(Amended by Ord. No. 7741 (N.S.) effective 3-28-90 (Urg. Ord.))

(Amended by Ord. No. 9101 (N.S.) adopted 12-8-99)

2923 PERMITTED USES SUBJECT TO LIMITATIONS.

The following use types are permitted by the S92 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 and Services: Veterinary (Large Animals) "6"

Animal Sales and Services: Veterinary (Small Animals) "6"

Recycling Collection Facility, Small or Large "2"

Recycling Processing Facility, Wood and Green Materials "3"

2923

b. Agricultural Use Types.

Packing and Processing: Small Winery "22" (see Section 6910)
Packing and Processing: Boutique Winery "22" (see Section 6910)
Packing and Processing: Wholesale Limited Winery "22" (see Section 6910)
Packing and Processing: General "23" (see Section 6157)

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5652 (N.S.) adopted 11-21-79)
(Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)
(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

2925 USES SUBJECT TO A MINOR USE PERMIT.

The following use types are allowed by the S92 Use Regulations upon issuance of a Minor Use Permit.

a. Civic Use Types.

Minor Impact Utilities
Small Schools

b. Agricultural Use Types

Farm Labor Camps

c. Commercial Use Types

Cottage Industries "17" (see 6920)

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)
(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)
(Amended by Ord. No. 7741 (N.S.) effective 3-28-90 (Urg. Ord.))
(Amended by Ord. No. 7768 (N.S.) adopted 6-13-90)
(Amended by Ord. No. 7964 (N.S.) adopted 8-14-91)
(Amended by Ord. No. 8175 (N.S.) adopted 11-18-92)
(Amended by Ord. No. 8271 (N.S.) adopted 6-30-93)
(Amended by Ord. No. 9101 (N.S.) adopted 12-8-99)
(Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

2926 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the S92 Use Regulations upon issuance of a Major Use Permit.

a. Residential Use Types.

Group Residential

b. Civic Use Types.

Administrative Services
 Ambulance Services
 Child Care Center
 Civic, Fraternal or Religious Assembly
 Clinic Services
 Community Recreation
 Cultural Exhibits and Library Services
 Group Care
 Major Impact Services and Utilities
 Parking Services
 Postal Services

c. Commercial Use Types.

Agricultural and Horticultural Sales (all types)
 Explosive Storage (see Section 6904)
 Participant Sports and Recreation: Outdoor
 Transient Habitation: Campground (see Section 6450)
 Transient Habitation: Resort (see Section 6400)

d. Agricultural Use Types.

Animal Waste Processing (see Section 6902)
 Packing and Processing: Winery
 Packing and Processing: Support

e. Extractive Use Types.

Mining and Processing (see Section 6550)

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)
 (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
 (Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
 (Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

2940

S94 TRANSPORTATION AND UTILITY CORRIDOR USE REGULATIONS

2940 INTENT.

The provisions of Section 2940 through 2949, inclusive, shall be known as the S94 Transportation and Utility Corridor Use Regulations. The S94 Use Regulations are intended to create and protect corridors for existing or future highways, railways, pipelines, other modes of transportation, and facilities for transmission of electricity, gas, water and other materials and forms of energy. The S94 Use Regulations are designed in recognition of the fact that transportation and utility facilities can cause adverse impacts on surrounding residents and properties including, for example, noise, vibration, emissions, pollutants, odors, visual appearance, detracting from natural scenic values, electrical interference, and potential for hazards and disasters. Some facilities can also be adversely affected by incompatible uses nearby. It is intended that these and other regulations be applied in a manner that will create sufficient open space or buffering along corridors to mitigate any adverse impacts of the facilities. The uses permitted are those which will not detract from the corridor's primary purpose, will not involve large, permanent concentrations of people, and will not adversely affect surrounding residents and properties. Various applications of the S94 Use Regulations with appropriate development designators can preserve future corridors while allowing appropriate interim uses, and permit suitable uses of land under powerlines, over buried pipelines, or alongside railroads or highways.

2942 PERMITTED USES.

The following use types are permitted by the S94 Use Regulations:

a. Civic Use Types.

Essential Services
Fire Protection Services (see Section 6905)

b. Agricultural Use Types.

Horticulture (all types)
Tree Crops
Row and Field Crops

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

2943 PERMITTED USES SUBJECT TO LIMITATIONS.

The following use types are permitted by the S94 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.

"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.

"23" Packing and Processing: General. Allowed as an accessory use to Commercial Agriculture subject to the provisions of Section 6157.g. Allowed as a primary use of a property upon issuance of a Major Use Permit.

(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)
 (Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

USE MATRIX

2990 USE MATRIX.

The Director shall prepare and cause to be inserted in copies of the Zoning Ordinance, an official Use Matrix which expresses in graphic form the Use Regulations contained in Sections 2100 through 2989, inclusive.

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

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

USE & ENCLOSURE MATRIX

SUMMARY PREPARED PURSUANT TO SECTIONS 2990 AND 6816

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

USE TYPES	RESIDENTIAL																	Use Regulations							
	1250	1260	1265	1280	1300	See Section 6816	1310	1315	1320	1325	1330	1332	1334	1335	1340	1345	1346		1348	1350	1355	1360	1365	1375	
																									RESIDENTIAL
RS	●			18		●	●		M		M	M	M	M	●	S	M		M	M	m	M	M	m	RS Single-Family Residential
RD	●			18		●	●		M		M	M	M	M	●	S	M		M	M	m	M	M	m	RD Duplex/Two-Family Residential
RM	●			18		●	●		M		M	M	M	M	●	S	M		M	M	m	M	M	m	RM Multi-Family Residential
RV	●			18		●	●		M		M	M	M	M	●	S	M		M	M	m	M	M	m	RV Variable Family Residential
RU	●	●		18		●	●		M	M	M	M	M	●	S	M		M	M	m	M	M	M	m	RU Urban Residential
RMH	●			18		●	●		M		M	M	M	M	●	S	M		M	M	m	M	M	m	RMH Mobilehome Residential
RR	●	M		18		●	●	m	M	M	M	M	M	●	S	M	M		M	M	m	M	M	m	RR Rural Residential
RRO*	●	M		18		●	●	m	M	M	M	M	M	●	S			M	M	m	M	M	m	RRO* Recreation-Oriented Residential	
RC	●	●		18		●	●		M	M	●	M	●	●	S	●	●	●	M	M	m	M	M	●	RC Residential-Commercial
																									COMMERCIAL
C30						●	●		●	●	●	●	●	●	S		●	M	M	m	●	M	●	C30 Office-Professional	
C31	●	●				●	●		●	●	●	●	●	●	S	●	●	M	M	m	●	M	●	C31 Residential/Office Professional	
C32	1					●	●		M	M	M	M	●	●	S		●	M	M	m	M	M	●	C32 Convenience Commercial	
C34*	●	●				●	●		●	●	●	●	●	●	S	●	●	●	M	m	●	●	●	C34* Gen. Commercial/Residential	
C35	M					●	●		●	●	●	●	●	●	S	●	●	●	M	m	●	●	●	C35 Gen. Comm./Ltd. Residential	
C36	1	M				●	●		●	●	●	●	●	●	S	●	●	●	M	●	●	●	●	C36 General Commercial	
C37	1	M				●	●		●	●	●	●	●	●	S	●	●	●	M	●	●	●	●	C37 Heavy Commercial	
C38	1					●	●		●	●	●	●	●	●	S	●	●	M	M	●	●	●	●	C38 Service Commercial	
C40	1					●	●		●	●	●	●	●	●	S	●	●	●	M	m	●	●	●	C40 Rural Commercial	
C42*	20					●	●		●	●	●	●	●	●	S	●	●	●	M	m	●	●	●	C42* Visitor Serving Commercial	
C44						●	●		M	M	M	M	●	●	S	●	●	M	M	m	M	M	●	C44 Freeway Commercial	
C46*						●	●		M	M	●	M	●	●	S	●	●	M	M	m	●	M	●	C46* Medical Center	
																									INDUSTRIAL
M50						●	●		M	●	M	●	M	●	●	S	●	M	M	m	●	●	m	M50 Basic Industrial	
M52						●	●		M	●	M	●	M	●	●	S	●	M	M	m	●	●	m	M52 Limited Impact Industrial	
M54						●	●		M	●	M	●	M	●	●	S	●	M	M	●	●	●	m	M54 General Impact Industrial	
M56+						●	●		M	●	M	●	M	●	●	S	●	M	M	●	●	●	m	M56+ Mixed Industrial	
M58						●	●		M	●	M	●	M	●	●	S	●	M	M	●	●	●	m	M58 High Impact Industrial	
																									AGRICULTURAL
A70	●	M	18			●	●	m	M	M	M	M	M	●	S	M	m	M	M	m	M	M	m	A70 Limited Agriculture	
A72	●	M	18			●	●	m	M	M	M	M	M	●	S	M	S	M	M	m	M	M	m	A72 General Agriculture	
																									SPECIAL PURPOSE
S80*	●					●	●		M	M	M	M	M	●	S			M	M	m	M	M	m	S80* Open Space	
S81						●	●		M	M	M	M	M	●	S			M	M	m	M	M	m	S81 Ecological Resource Area	
S82						●	●		M	M	M	M	M	●	S		m	M	M	m	M	M	m	S82 Extractive	
S86						●	●							●	S		m			m	●			S86 Parking	
S88+	●					●	●	●						●	S		m		m					S88+ Specific Plan Area	
S90+	●	M				●	●	m	M	M	M	M	M	●	S	M	m	M	M	m	M	M	m	S90+ Holding Area	
S92	●	M				●	●	m	M	M	M	M	M	●	S	M	S	M	M	m	M	M	m	S92 General Rural	
S94+						●	●	m	M	M		M	M	●	S		m		M	m	m	M	m	S94+ Transportation & Utility Corridor	
SWF						●	●												●					SWF Solid Waste Facility	

MATRIX LEGEND

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

- 1-23 Subject to Limitations (See Section 2980)
- * May Be Subject to Site Plan Approval
- + Other Uses Not Shown on Matrix May Be Permitted (See Text of Use Regulations)
- O Subject to Limitations (See Sections 2812 and 2818)
- E Exceptions to Enclosure Matrix (See Section 6814)

USE & ENCLOSURE MATRIX

SUMMARY PREPARED PURSUANT TO SECTIONS 2990 AND 6816

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

USE TYPES	COMMERCIAL (cont.)															Use Regulations														
	Enclosed	Semi-Enclosed	Open	Drive-In	Building Maintenance Services	Business Equipment Services	Business Support Services	Communications Services	Construction Services	Convenience Sales and Services	Cottage Industries (See Sec. 6920)	Eating and Drinking Establishments	Explosive Storage (See Sec. 6904)	Financial, Insurance and Real Estate	Food and Beverage Retail Sales		Funeral and Interment Services: a) Cremating b) Interring c) Undertaking	Gasoline Sales	Laundry Services	Medical Services										
1400	See Section 6816															1435	1440	1445	1450	1455	1460	1463	1465	1470	1475	1480	1485	1490	1495	1500
RESIDENTIAL																														
RS										P			P		P	P				P	RS Single-Family Residential									
RD										P			P		P	P				P	RD Duplex/Two-Family Residential									
RM										P			P		P	P				P	RM Multi-Family Residential									
RV										P			P		P	P				P	RV Variable Family Residential									
RU										P			P		P	P				P	RU Urban Residential									
RMH										P			P		P	P				P	RMH Mobilehome Residential									
RR	●	●	●									17									RR Rural Residential									
RRO*	●	●	●							P			M		M	P	M			P	RRO* Recreation-Oriented Residential									
RC	●	m	m							P	P		m		m	11	m			P	RC Residential-Commercial									
COMMERCIAL																														
C30	●			m						●	m	10	10		●	10			M	●	C30 Office-Professional									
C31	●			m						●	m	10	10		●	10			M	●	C31 Residential/Office Professional									
C32	●			m															M		C32 Convenience Commercial									
C34*	●	m	M	m		7	●	●	8	●					●	●		M	M	M	12	13	●	C34* Gen. Commercial/Residential						
C35	●	m	M	m		7	●	●	8	●					●	●		M	M	M	12	13	●	C35 Gen. Comm./Ltd. Residential						
C36	●	m	M	●		7	●	●	8	●					●	●		M	M	M	12	13	●	C36 General Commercial						
C37	●	●	●	●	●	●	●	●	●	●					●	●		M	M	●	●	●	●	C37 Heavy Commercial						
C38	●	●	●	●	●	●	●	●	●	m		m			10			M		●	●	●	●	C38 Service Commercial						
C40	●	●	●	●	●	●	●	●	9			●	●		●	●		M	M	●	●	●	●	C40 Rural Commercial						
C42*	●	●	●	●		20				●					20					M				C42* Visitor Serving Commercial						
C44	●	●	●	●									●							12				C44 Freeway Commercial						
C46*	●									10		10			10					●				C46* Medical Center						
INDUSTRIAL																														
M50	●	m	M	m						m		m			m									M50 Basic Industrial						
M52	●	m	M	m	8	●	●	●	8	m		21		10			M			12	●			M52 Limited Impact Industrial						
M54	●	●	●	●	●	●	●	●	●	m		21	M	10			M			●	●			M54 General Impact Industrial						
M56+	●	●	●	●	●	●	●	●	●			21		10										M56+ Mixed Industrial						
M58	●	●	●	●	●	●	●	●	●	m		21	M	10			M			●	●			M58 High Impact Industrial						
AGRICULTURAL																														
A70	●	●	●									17		M										A70 Limited Agriculture						
A72	●	●	●									17		M						M				A72 General Agriculture						
SPECIAL PURPOSE																														
S80*	●	S	M											M										S80* Open Space						
S81																								S81 Ecological Resource Area						
S82	●	●	●											M										S82 Extractive						
S86	●	●	●	●																				S86 Parking						
S88+	●	●	●	●	●																			S88+ Specific Plan Area						
S90+	●	●	●	●								17		M										S90+ Holding Area						
S92	●	●	●	●								17		M										S92 General Rural						
S94+	●	●	●	●																				S94+ Transportation & Utility Corridor						
SWF																								SWF Solid Waste Facility						

Commercial continued on next page

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USE TYPES COMMERCIAL (cont.)	USE REGULATIONS																												
	1400 See Section 6816	1505	1510	1512	1513	1515	1520	1525	1530	1535	1540	1540	1540	1540	1540	1540													
	Enclosed	Semi-Enclosed	Open	Drive-In	Participant Sports and Recreation	a) Indoor	b) Outdoor	Personal Services [General]	Recycling Collection Facility	a) Small	b) Large	Recycling Processing Facility (See Sec. 6970)	a) Light	b) Heavy	c) Wood and Green Materials	Repair Services [Consumer]	Research Services	Retail Sales	a) General	b) Specialty	Scrap Operations (See Section 6300)	Spectator Sports and Entertainment	a) Limited	b) General	Swap Meets				
RESIDENTIAL																													
RS					P	P	P																					RS	Single-Family Residential
RD					P	P	P																					RD	Duplex/Two-Family Residential
RM					P	P	P																					RM	Multi-Family Residential
RV					P	P	P																					RV	Variable Family Residential
RU					P	P	P																					RU	Urban Residential
RMH					P	P	P																					RMH	Mobilehome Residential
RR	●	●	●					M																				RR	Rural Residential
RRO*	●	●	●					P	M	P																		RRO*	Recreation-Oriented Residential
RC	●	m	m					P	P	P																		RC	Residential-Commercial
COMMERCIAL																													
C30	●			m				●		2	2	3	M															C30	Office-Professional
C31	●			m				●		2	2	3	M															C31	Residential/Office Professional
C32	●			m				●		2	2	3	M															C32	Convenience Commercial
C34*	●	m	M	m				●		2	2	3	M		●	M		●	●						M	M	C34*	Gen. Commercial/Residential	
C35	●	m	M	m				●		2	2	3	M		●	M		●	●						M	M	C35	Gen. Comm./Ltd. Residential	
C36	●	m	M	●				●		2	2	3	M		●	M		●	●						●	M	C36	General Commercial	
C37	●	●	●	●				●		2	2	3	3	15	●	●		●	●						●	●	C37	Heavy Commercial	
C38	●	●	●	●				M		2	2	3	3	15	●	●									M	M	C38	Service Commercial	
C40	●	●	●	●				●		2	2	3	3	15	●	●		●	●						M	M	C40	Rural Commercial	
C42*	●	●	●	●				●	●																	M	M	C42*	Visitor Serving Commercial
C44	●	●	●	●						2		3	M															C44	Freeway Commercial
C46*	●									2		3	M															C46*	Medical Center
INDUSTRIAL																													
M50	●	m	M	m						2	2	3	M	●														M50	Basic Industrial
M52	●	m	M	m				●	M	2	2	3	M	●														M52	Limited Impact Industrial
M54	●	●	●	●				●	M	2	2	3	3	●												M	M	M54	General Impact Industrial
M56+										2	2	3	M	●														M56+	Mixed Industrial
M58	●	●	●	●				●	M	2	2	3	3	●												M	M	M58	High Impact Industrial
AGRICULTURAL																													
A70	●	●	●					M																				A70	Limited Agriculture
A72	●	●	●					M																				A72	General Agriculture
SPECIAL PURPOSE																													
S80*	●	S	M					M		2	m																	S80*	Open Space
S81																												S81	Ecological Resource Area
S82	●	●	●					M		2	m															M		S82	Extractive
S86	●	●	●	●						2	m																	S86	Parking
S88+	●	●	●	●						2	m																	S88+	Specific Plan Area
S90+	●	●	●	●						2	m																	S90+	Holding Area
S92	●	●	●					M		2	m																	S92	General Rural
S94+	●	●	●	●				M		2	m																	S94+	Transportation & Utility Corridor
SWF																												SWF	Solid Waste Facility

Commercial continued on next page

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USE TYPES	COMMERCIAL (cont.)										INDUSTRIAL					Use Regulations									
	Enclosed	Semi-Enclosed	Open	Drive-In	Transient Habitation:	a) Campground (See Section 6450)			b) Lodging (See Section 6400)		c) Resort (See Section 6400)		Wholesaling, Storage and Distribution	a) Mini Warehouse (See Section 6909)	b) Light		c) Heavy	Enclosed	Semi-Enclosed	Open	Custom Manufacturing	General Industrial	Heavy Industrial		
1400	See Section 6816			1545												1600	See Section 6816			1610	1620	1630			
RESIDENTIAL																									
RS																							RS	Single-Family Residential	
RD																								RD	Duplex/Two-Family Residential
RM																								RM	Multi-Family Residential
RV																								RV	Variable Family Residential
RU																								RU	Urban Residential
RMH																								RMH	Mobilehome Residential
RR	●	●	●		M		M		M															RR	Rural Residential
RRO*	●	●	●		M		M																	RRO*	Recreation-Oriented Residential
RC	●	m	m			m		M								●				m				RC	Residential-Commercial
COMMERCIAL																									
C30	●			m																				C30	Office-Professional
C31	●			m																				C31	Residential/Office Professional
C32	●			m																m				C32	Convenience Commercial
C34*	●	m	M	m		M	●									●								C34*	Gen. Commercial/Residential
C35	●	m	M	m		M	●									●								C35	Gen. Comm./Ltd. Residential
C36	●	m	M	●		M	●			M	M					●				●				C36	General Commercial
C37	●	●	●	●		M	●				8	M				●	●	●	●	●	15			C37	Heavy Commercial
C38	●	●	●	●						●	8	M				●	●	●	●	●	15			C38	Service Commercial
C40	●	●	●	●		M	●			●	8	M				●	●	●	●	●	15			C40	Rural Commercial
C42*	●	●	●	●		●	●	●																C42*	Visitor Serving Commercial
C44	●	●	●	●		M	●																	C44	Freeway Commercial
C46*	●																							C46*	Medical Center
INDUSTRIAL																									
M50	●	m	M	m							8	M				●	m	M	●	14				M50	Basic Industrial
M52	●	m	M	m		M				●	8	M				●	m	M	●	14				M52	Limited Impact Industrial
M54	●	●	●	●		M					●	8	14			●	●	●	●	●	14			M54	General Impact Industrial
M56+											●	●	●							●	●			M56+	Mixed Industrial
M58	●	●	●	●							●	8	14			●	●	●	●	●	14	M		M58	High Impact Industrial
AGRICULTURAL																									
A70	●	●	●		M		M									●	●	m						A70	Limited Agriculture
A72	●	●	●		M		M									●	●	m						A72	General Agriculture
SPECIAL PURPOSE																									
S80*	●	S	M																					S80*	Open Space
S81																								S81	Ecological Resource Area
S82	●	●	●																					S82	Extractive
S86	●	●	●	●																				S86	Parking
S88+	●	●	●	●												●	●	●						S88+	Specific Plan Area
S90+	●	●	●	●		M		M							●	●	●	●						S90+	Holding Area
S92	●	●	●			M		M							●	●	m							S92	General Rural
S94+	●	●	●	●		M									●	●	●							S94+	Transportation & Utility Corridor
SWF																								SWF	Solid Waste Facility

MATRIX LEGEND

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

- 1-23 Subject to Limitations (See Section 2980)
- * May Be Subject to Site Plan Approval
- + Other Uses Not Shown on Matrix May Be Permitted (See Text of Use Regulations)
- O Subject to Limitations (See Sections 2812 and 2818)
- E Exceptions to Enclosure Matrix (See Section 6814)

USE & ENCLOSURE MATRIX

SUMMARY PREPARED PURSUANT TO SECTIONS 2990 AND 6816

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

USE TYPES	AGRICULTURAL										EXTRACTIVE										Use Regulations				
	1700	See Section 6816			1710	1715		1720	1725	1730	1735					1740	1750	1800	1810	1820					
	Enclosed	Semi-Enclosed	Open	Horticulture	(a) Cultivation	(b) Storage	Tree Crops	Row & Field Crops	Animal Raising	Animal Waste Processing (see Section 6902)	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)	Agricultural Equipment Storage	Farm Labor Camp	Mining and Processing (see Section 6550)	Site Preparation				
RESIDENTIAL																									
RS	m	m	●	●	●	●	●	●	●	16											M	RS Single-Family Residential			
RD	m	m	●	●	●	●	●	●	●	16												M	RD Duplex/Two-Family Residential		
RM	m	m	●	●	●	●	●	●	●	16												M	RM Multi-Family Residential		
RV	m	m	●	●	●	●	●	●	●	16												M	RV Variable Family Residential		
RU	m	m	●	●	●	●	●	●	●	16												M	RU Urban Residential		
RMH	m	m	●	●	●	●	●	●	●	16												M	RMH Mobilehome Residential		
RR	●	●	●	●	●	●	●	●	●	16	M		M					m			M	RR Rural Residential			
RRO*	m	m	●	●	●	●	●	●	●	16	M		M									M	RRO* Recreation-Oriented Residential		
RC	m	m	●	●	●	●	●	●	●	16			M									M	RC Residential-Commercial		
COMMERCIAL																									
C30										16												M	C30 Office-Professional		
C31										16													M	C31 Residential/Office Professional	
C32	A	A	●	●	m	●	●	●	●	16												M	C32 Convenience Commercial		
C34*	A	A	●	●	●	●	●	●	●	16													M	C34* Gen. Commercial/Residential	
C35	A	A	●	●	●	●	●	●	●	16													M	C35 Gen. Comm./Ltd. Residential	
C36	A	A	●	●	●	●	●	●	●	16													M	C36 General Commercial	
C37	A	A	●	●	●	●	●	●	●	16										M			M	C37 Heavy Commercial	
C38	A	A	●	●	●	●	●	●	●	16													M	C38 Service Commercial	
C40	A	A	●	●	●	●	●	●	●	16													M	C40 Rural Commercial	
C42*	A	A	●	●	●	●	●	●	●	16													M	C42* Visitor Serving Commercial	
C44	A	A	●	●	●	●	●	●	●	16													M	C44 Freeway Commercial	
C46*	A	A	●	●	●	●	●	●	●	16													M	C46* Medical Center	
INDUSTRIAL																									
M50	A	A	●	●	●	●	●	●	●	16	●	●	●										M	M50 Basic Industrial	
M52	A	A	●	●	●	●	●	●	●	16	●	●	●										M	M52 Limited Impact Industrial	
M54	A	A	●	●	●	●	●	●	●	16	●	●	●										M	M54 General Impact Industrial	
M56+											●	●	●	●										M	M56+ Mixed Industrial
M58	A	A	●	●	●	●	●	●	●	16	M	●	●	●								M	M	M58 High Impact Industrial	
AGRICULTURAL																									
A70	●	●	●	●	●	●	●	●	●	16		●	23	M	M	22	22	22	M	m		M	A70 Limited Agriculture		
A72	●	●	●	●	●	●	●	●	●	16	M	●	23	M	M	22	22	22	M	m		M	A72 General Agriculture		
SPECIAL PURPOSE																									
S80*	A	A	●	●	●	●	●	●	●	16		●							m			M	S80* Open Space		
S81																							M	S81 Ecological Resource Area	
S82	●	●	●	●	●	●	●	●	●	16													M	S82 Extractive	
S86																							M	S86 Parking	
S88+	●	●	●	●	●	●	●	●	●	16		●	23	M	M				m				M	S88+ Specific Plan Area	
S90+	●	●	●	●	●	●	●	●	●	16		●							m				M	S90+ Holding Area	
S92	●	●	●	●	●	●	●	●	●	16	M	●	23	M	M	22	22	22	m				M	S92 General Rural	
S94+	●	●	●	●	●	●	●	●	●	16													M	S94+ Transportation & Utility Corridor	
SWF																									SWF Solid Waste Facility

MATRIX LEGEND

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

- 1-23 Subject to Limitations (See Section 2980)
- * May Be Subject to Site Plan Approval
- + Other Uses Not Shown on Matrix May be Permitted (See Text of Use Regulations)
- O Subject to Limitations (See Sections 2812 and 2818)
- E Exceptions to Enclosure Matrix (See Section 6814)

3100 ANIMAL SCHEDULE.

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

- (Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
- (Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
- (Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)
- (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
- (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
- (Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)
- (Repealed and Reenacted by Ord. No. 8166 (N.S.) adopted 10-21-92)
- (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
- (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
- (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
- (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
- (Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)
- (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)
- (Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

Animal Schedule

(Part of Section 3100)

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

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

MUP = Major Use Permit

+ = plus

ZAP = Minor Use Permit

Notes:

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

3112

3112 ANIMAL ENCLOSURE SETBACK TABLE.

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

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

NOTE:

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

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

3114 KENNELS.

In addition to the regulations contained in the Animal Enclosure Setback Table, Section 3112, all kennels shall be subject to the following regulations:

1. Restrictions On Use:
 - a. The premises shall be kept in a clean and sanitary manner by the daily removal of waste and by the use of spray and disinfectants to prevent the accumulation of flies, the spread of disease or offensive odor.
 - b. Kennels shall conform to all the regulations contained in the County Code related to kennels, including but not limited to Noise Abatement and Control, Animal Control and Permit Fees and Procedures.
 - c. Animal odors shall not be detectable beyond the lot lines of the property wherein the kennel is located.
 - d. Dust and drainage from the kennel enclosure shall not create a nuisance or a hazard to adjoining property or uses.
 - e. The kennel enclosure shall be screened by a nontransparent fence of a minimum six feet in height.
 - f. Grooming services for the animals being boarded may be allowed as an incidental use provided the grooming services are conducted indoors and the grooming area is limited to 500 square feet in area.
2. Additional Setback Requirements:
 - a. Notwithstanding the provisions of Section 3112 of this Ordinance, no kennel located on property with Animal Schedule Designators (see Section 3100) "L", "M", "N", "V", "W" shall be erected and maintained:
 1. Within 50 feet of any interior side lot line.
 2. Within 25 feet of any rear lot line; provided, however, where the rear lot line is parallel with and contiguous to an alley, such structures may be erected, placed or maintained up to such rear lot line.
 - b. A kennel located on property with the Animal Schedule Designators (see Section 3100) "O", "R", and "T" shall comply with the provisions of Section 3112; provided, however, that where a kennel in said designator abuts a residential use regulation, setbacks shall be maintained in accordance with subsection 2a.1 and 2a.2 above.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

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

3115

3115 ANIMAL RAISING PROJECTS.

In addition to the regulations imposed by Section 3112, animal raising projects shall be subject to the following regulations:

- a. Limits. Such project is limited to the keeping, raising and breeding of domesticated animals for 4-H, FFA or other similar youth organization projects. Animal raising projects are a permitted use (by-right) provided the total number and the type(s) of animals on the premises are allowed by the applicable zone animal designator.
- b. Administrative Permit. If the total number of animals on the premises would exceed the number allowed by the zone animal designator an Administrative Permit pursuant to Section 7050 shall be obtained to permit the animal raising project as provided in the Animal Schedule in Section 3100, subject to the findings below (or a waiver may be obtained pursuant to subsection e. below).
 1. That the location size and design of the animal enclosure(s) will be compatible with adjacent uses, residences, buildings or structures, with consideration given to:
 - (a) The suitability of the site for the number of animals proposed on the premises.
 - (b) The harmful effect, if any, upon desirable neighborhood character.
 - (c) Any other relevant impact of the proposed use.
- c. Under Auspices of Youth Organizations. The keeping of said animals shall be in connection with animal raising projects under auspices of 4-H, FFA or other similar youth organizations.
- d. Other Conditions. An Administrative Permit for an animal raising project may impose other conditions pertaining to the type, number, and locations of animals as are reasonable and necessary for the protection of the public health and welfare and for the protection of the health and welfare of the animals. A permit time limit may also be imposed.
- e. Waiver of Administrative Permit. The Director of Planning and Development Services may waive the requirement for an Administrative Permit for animal raising projects upon submittal of written consent to the granting of the waiver. Such consent shall be signed by all owners of each developed lot or parcel that is wholly or in part within a 300 foot radius of the perimeter of the property where the animal raising project is to be conducted. Such consent and any other material required, including plot plan and the number and types of animals, shall be on the forms or in the format required by the Department of Planning and Development Services. The waiver may be granted for a period not to exceed five years and may be revoked by the Director if the animal raising project does not comply with the requirements specified in the granting of the waiver or is in violation of any applicable County ordinances. At the end of five years an additional waiver may be applied for.

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

(Amended by Ord. No. 7466 (N.S.) adopted 4-27-88)

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

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

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

4615 ADDITIONAL STORY PERMITTED.

- a. Where the average slope of a lot is greater than one foot rise or fall in 7 feet in the area of the lot bounded by a line drawn 5 feet outside the building perimeter or, where closer, along property lines, an additional story may be permitted in a residential building which is located on the downhill side of a street, provided that in no case shall such a building have a height measured in feet greater than that permitted by the applicable height designator. Basements or cellars within such buildings will only be permitted if the grade elevation at all points adjacent to the basement perimeter is not more than 2 feet below the finished floor elevation directly above. This subsection (a) shall not apply to through lots or corner lots.
- b. An additional story may be permitted in a main dwelling with a primary residential use upon issuance of an Administrative Permit, provided that in no case shall the main dwelling have a height measured in feet greater than that permitted by the applicable height designator. The Administrative Permit Procedure at Section 7050 through Section 7099 shall apply. Notice of the administrative permit application shall be provided pursuant to Section 7060.c. The Director may approve said administrative permit provided the following findings are made:
1. The additional story will be in harmony with scale and bulk of dwellings on adjacent properties in the same zone, and will be compatible with the existing neighborhood character in the vicinity of the property; and
 2. The additional story will not create a safety hazard, obstruct, interrupt or detract from existing views or be detrimental to surrounding properties in the same zone.

This subsection (b) shall not apply to basements proposed or existing within the main dwelling as basements are not considered a story.

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)
 (Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)
 (Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)
 (Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

4620 PERMITTED EXEMPTIONS FROM HEIGHT LIMITS.

The following structures shall be exempt from the maximum height provisions of an applicable height designator:

- a. Radio and television receiving antennas no more than 200 feet in height of the type customarily used for home radio and television receivers.
- b. Transmitting antennas no more than 200 feet in height used by licensed amateur (ham) or citizens band radio operators.
- c. Flagpoles no more than 50 feet in height; provided, however, that flagpoles used as signs or attention-attracting devices shall be subject to the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.

4620

- d. Signs no more than 50 feet in height except as otherwise limited by the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- e. Grain elevators, silos and water tanks functionally used for commercial agriculture, boarding and breeding stables or public stables which are located in agricultural zones or S92 Use Regulations; provided that no such structure shall be more than 50 feet in height.
- f. Chimneys no more than 100 feet in height located in industrial zones; and all other chimneys extending no more than 3 feet above the highest point on the roof of the building to which they are attached.
- g. Any structure for which a Major Use Permit is granted pursuant to other provisions of this ordinance, when the Major Use Permit authorizes an exemption to the height regulations.
- h. Any structure used primarily to contain or support an Essential Services or Fire Protection Services use.
- i. A Photovoltaic Solar Energy System extending not more than 5 feet above the highest point of the roof.
- j. Wind turbines, windmills, wind-driven water pumps and appurtenant structures required for the function thereof.
- k. Meteorological Testing (MET) Facility of less than 200 feet in height permitted in accordance with Section 6123.
- l. Brewery and associated structures, including water tanks or silos, not more than 50 feet in height, located in industrial or commercial zones.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5574 (N.S.) adopted 8-1-79)
(Amended by Ord. No. 6091 (N.S.) adopted 7-1-81)
(Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)
(Amended by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)
(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)
(Amended by Ord. No. 9971 (N.S.) adopted 02-25-09)
(Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)
(Amended by Ord. No. 10072 (N.S.) adopted 9-15-10)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

4622 EXCEPTIONS TO HEIGHT LIMITS WITH MINOR USE PERMIT.

Except as otherwise provided by Section 4620, the following structures may be erected and maintained above the maximum height permitted by an applicable height designator upon the issuance of a minor use permit therefore; provided, however, no such structure above such height limit shall be used for sleeping or eating quarters or for any commercial purpose other than such as may be incidental to the permitted uses of the main building:

- a. Radio and television receiving antennas greater than 200 feet in height of the type customarily used for home radio and television receivers..

- b. Transmitting antennas greater than 200 feet in height used by licensed amateur (ham) radio operators; and all transmitting antennas used by other than licensed amateur (ham) or citizens band radio operators
- c. Flagpoles greater than 50 feet in height; provided, however, that flagpoles used as signs or attention-attracting devices shall be subject to the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- d. Signs greater than 50 feet in height except as otherwise limited by the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- e. Provided the principle use of the property is commercial agriculture, a boarding and breeding stable or a public stable, grain elevators, silos and water tanks greater than 50 feet in height, and barns and all other structures greater than the permitted height limit of the zone, functionally used for commercial agriculture, a boarding and breeding stable or a public stable, which are located in agricultural zones or S92 Use Regulations; grain elevators, silos, and water tanks not located in agricultural zones or S92 Use Regulations, functionally used for commercial agriculture, boarding and breeding stables or public stables.
- f. Chimneys greater than 100 feet in height located in industrial zones; and all other chimneys extending more than 3 feet above the highest point on the roof of the building to which they are attached.
- g. Towers, gables, spires, steeples, sundecks, scenery lofts, cupolas, and similar structures and necessary mechanical appurtenances; provided, however, that no such structure may extend more than 20 feet above the maximum height specified by the applicable height designator if of combustible materials.
- h. Penthouse; provided, however, that no penthouse shall exceed 28 feet in height above the roof when used as an enclosure for tanks or for elevators which run to the roof and in all other cases shall not extend more than 12 feet in height above the roof; and further provided, however, that the aggregate area of all penthouses and other roof structures shall not exceed 33-1/3 percent of the area of the supporting roof.
- i. A Photovoltaic Solar Energy System.
- j. Wireless Telecommunications Facilities.
- k. Brewery and associated structures, including water tanks and silos, greater than 50 feet in height located in industrial and commercial zones.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 5574 (N.S.) adopted 8-1-79)
 (Amended by Ord. No. 6091 (N.S.) adopted 7-1-81)
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)
 (Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)
 (Amended by Ord. No. 10072 (N.S.) adopted 9-15-10)
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
 (Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

4630

4630 HEIGHT OF FENCES.

The height of fences shall be regulated by the Fencing and Screening Regulations commencing at Section 6700.

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

4631 HEIGHT OF GUARD RAILINGS.

The height of guard railings for safety protection around depressed ramps, openwork fences, hedges or landscape architectural features shall be regulated by the Setback Regulations at Section 4835.

TEMPORARY USE REGULATIONS

6100 TITLE AND PURPOSE.

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

6102 IDENTIFICATION OF PERMITTED TEMPORARY USES.

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

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

6102

- m. Commercial Filming. Temporary use of public or private property (not including public road rights-of-way) for commercial motion picture production, television production, still photography and related activities.
- n. Mobile Butchering. Temporary use of commercial, industrial, agricultural or special purpose zoned private property for butchering of livestock on a limited basis.
- o. Fishermen's Market. Temporary use of certain public or commercial property for a Certified Fisherman's Market.

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

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

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

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

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

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

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

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

6104 TEMPORARY USES SUBJECT TO CONTROLS.

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

6106 CIRCUS, CARNIVAL, OR OTHER OUTDOOR ENTERTAINMENT EVENT.

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

- a. Location. A circus, carnival or other outdoor entertainment event may be permitted in any zone except zones subject to the RS, RD, RM, and RV Use Regulations. Notwithstanding this subsection, a circus, carnival or other public outdoor assembly event may be permitted in any zone, including the RS, RD, RM and RV Use Regulations on properties with a valid Major Use Permit subject to the requirements of this section.
- b. Duration. The period of operation of the circus, carnival or other outdoor entertainment event shall not exceed five consecutive days, no more than six events per year on the same property. There shall be a minimum of 14 consecutive days between events. Events exceeding these limitations shall be considered Participant Sport and Recreation Use type.
- c. Noticed Hearing Not Required. The Sheriff may issue a license pursuant to this section without notice or public hearing.

- d. Community Events pursuant to Title 2, Division 1, Chapter 2 of the County Code shall be under the authority of the Department of Environmental Health. Community Events may be permitted in any zone except zones subject to the RS, RD, RM, and RV Use Regulations and are permitted on properties with a valid Major Use Permit subject to the Department of Environmental Health requirements. However, a temporary event or any aspect of an event that is specifically prohibited by the Use Permit conditions shall not be allowed by this Section.

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

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

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

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

6107 ANTIQUE OR ART SHOW ON PUBLIC PROPERTY.

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

- a. Location. An antique or art show and sales event may be permitted in any zone provided such event is held on property owned by or under the control of a public agency and which is held pursuant to a permit, license, or leave approved by the governing board of said public agency, which permit, license or lease contains specific authorization for said event. As used in this section, "public agency" includes counties, cities, municipal corporations, political subdivisions, public districts and other public agencies of the State of California.
- b. Duration. The period of operation of the antique or art show and sales event shall not exceed 3 consecutive days, and there shall be no more than six events per year.

(Amended by Ord. No. 6937 (N.S.) adopted 4-10-85)

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

6108 CIVIC, FRATERNAL OR RELIGIOUS ASSEMBLY.

The temporary gathering by an organization listed in Section 1348 on public or private property that is not the regular gathering place for that organization may be permitted in compliance with the following provisions:

- a. Location. An assembly may be permitted in any zone except zones subject to the RS, RD, RM, and RV Use Regulations.
- b. Duration. The period of operation of the assembly shall not exceed 8 consecutive days. There shall be a minimum of 14 consecutive days between events.
- c. Recurrence. Events recurring more than four times in a calendar year are not considered temporary.

6108

(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

6110 CONSTRUCTION SUPPORT.

Temporary buildings for commerce or industry incidental to residential development, and temporary structures for the housing of tools, equipment, building assembly operations and supervisory offices in connection with major construction projects shall be permitted in any zone; provided such temporary buildings or structures are located within or adjacent to the development or construction site to which they are incidental.

6112 REVERSIBLE USES ON FUTURE HIGHWAY RIGHTS-OF-WAY.

Any temporary use, not involving any significant investment in buildings, structures, or other improvements may be permitted through the issuance of a Major Use Permit on a lot or parcel of land provided the Director, Department of Public Works or the District Director of the California Department of Transportation has determined that said lot or parcel will be required in its entirety at some future date for a County Highway or a State Highway. Alternatively, a Major Use Permit may be granted for any use pursuant to a bonded agreement in an amount sufficient to ensure the removal of all buildings, structures, and other improvements within a specified time and/or under specified conditions when the decision-making body finds that such agreement will carry out the intent of this Ordinance and is enforceable by the County.

(Amended by Ord. No. 8506 (N.S.) adopted 3-1-95)

6116 USES IN NEW SUBDIVISIONS.

Certain temporary uses as specified herein may be established within a subdivision for which a final map has been recorded, or in a proposed subdivision for which a tentative map has been approved and a final map thereof filed for approval by the Director of Public Works; or in conjunction with an individual multiple dwelling or multiple dwelling complex; solely for the marketing of dwellings, and/or lots, in the same residential development.

- a. Permitted Uses. The following temporary uses may be permitted in conformance with the following standards:
 1. Model homes in a number not to exceed that necessary to provide one example of each dwelling type being offered in the residential development. Reversed floor plans and exterior facade variations will not be considered as separate dwelling types. Each model home shall be erected on an individual site which conforms to a lot shown on the recorded final map or on the final map filed for approval with the Director of Public Works; meet all setback requirements of the applicable zone or, in the case of provisional reclassification, of the zone to which the property has been provisionally reclassified; and qualify in all respects for sale and residential occupancy upon termination of its use as a model home.

2. Real estate sales office facilities for the purpose of promoting the sale or rental of dwellings and/or lots, which are located only within the same residential development or proposed subdivision. The foregoing provisions of this section notwithstanding, a temporary real estate sales office facility may be located adjacent to the residential development to which it is incidental in compliance with all other provisions of this section.
3. Off-street parking facilities.
4. Children's play areas, landscaping and landscape features such as walkways, pools, benches, walls, fencing, and similar appurtenant features of a noncommercial nature.

NOTE: See Section 6268 (c.2. & e.) for related temporary on-site signage allowances and requirements, and County Code Section 86.701 et seq. for Water Conservation in Landscaping.

- b. No use authorized by this section will be located, installed or operated in a manner that will have an unnecessarily adverse effect on the use and enjoyment of any property on which an occupied dwelling is located, or may be located during the duration of such authorized use.
- c. Building Permits. Prior to the issuance of building permits for the temporary uses in "a" above, the following conditions shall be met:
 1. When the residential development for which such temporary uses are to be constructed would constitute a subdivision, a tentative subdivision map must be approved and the final map thereof recorded; or if a final map has not been recorded, a final map must be filed with the Director of Public Works for approval and approved by said Director as to conformance to the tentative subdivision map and mathematical accuracy.
 2. Appropriate zoning must be in effect for the property encompassed by the subdivision or proposed subdivision or other residential development, to accommodate the lot sizes shown on the final map and the proposed uses thereof; provided, however, that where subject property has been provisionally reclassified, lot sizes and proposed uses may conform to the zone to which such property has been provisionally reclassified.
 3. Necessary sanitary facilities must be provided as required by the Director of Environmental Health.

4. The property owners shall execute and file with the County and acknowledged agreement (notarized) assuming all risks inherent in construction prior to recordation of a final map and agreeing to abide by all conditions set forth in this Section prior to the sale of any model home; further agreeing that all temporary uses permitted by this section shall be terminated not later than 30 months after issuance of building permits therefore, unless a written request for extension of time has been submitted to and approved by the Director prior to the expiration of said 30 months, and within 30 days of the expiration of said 30 months or extension thereof, all temporary uses and related improvements other than model homes, shall be completely removed from the premises and all model homes shall be restored to a condition suitable for sale for residential occupancy, including reconversion of any garage to a condition suitable for the storage of private vehicles or the provision by other means of required off-street parking spaces. In the case where the final subdivision map has not been recorded, the property owner shall further agree that in the event of a final map which includes the property whereon uses authorized by this section are located is not recorded prior to expiration of the Tentative Map, all uses and related improvements, including model homes, shall be completely removed from the premises and the site restored to a clean and safe condition within 90 days from the date of expiration of the Tentative Map. Each agreement shall also contain a statement signed by the property owner agreeing that if all uses and related improvements are not removed as herein required, they may be removed or demolished, and the site restored by the County without further notice. Prior to the erection of any model home, the property owner shall post with the Director a bond in an amount satisfactory to the Director sufficient to defray any expense incurred by the County in either the restoration or conversion of the model homes to a condition suitable for sale for residential occupancy, or in the complete removal or demolition of said uses and improvements and site restoration. The bond shall be released to the property owner or person legally entitled thereto upon satisfactory removal or conversion of the concerned facilities.

(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. 7110 (N.S.) adopted 4-2-86)
 (Amended by Ord. No. 8157 (N.S.) adopted 10-14-92)
 (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
 (Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

6118 USE OF A TRAILER COACH.

The temporary use of a trailer coach for the following purposes may be permitted in compliance with the following conditions:

a. Business Uses.

1. Business office for a financial institution or public utility which is required, as a condition of a franchise granted by the United States, the State or a public agency, to maintain a place of business at a location at which no permanent structure suitable for the purpose is available.
2. Business office incidental to and located on a site on which a temporary carnival, circus, amusement center, Christmas tree sales or similar temporary or seasonal business is being lawfully conducted.
3. Business office or sales facility on or adjacent to a site on which construction of a permanent business office or sales facility for use of the permittee is being diligently pursued.
4. Construction office on or adjacent to any site on which a building or construction project is being diligently pursued; or for temporary offices on a site used for a borrow pit, quarry, asphalt paving plant, concrete batch plant, or mining operation for which a major use permit has been granted.
5. Political campaign office located on private property for a period not to exceed one year provided, however, such trailer shall be removed within 15 days following the next general election held after such trailer is sited.
6. Real estate sales office when the trailer coach is located on a lot or parcel of land adjacent to or within a proposed subdivision for which a Tentative Map has been approved and a final map thereof submitted to the Department of Public Works for checking to which such real estate office is incidental. Such permit may be issued to expire six months after completion of all sales but not exceed a period of three years.
7. Business office associated with the production and distribution of agricultural or horticultural products grown on the premises in zones subject to the A70, A72, S90, and S92 Use Regulations upon issuance of an Administrative Permit for a period of not to exceed five years.
8. Government service uses in accordance with the provisions of Section 6120.

b. Residential Uses.

1. Dwelling to accommodate visiting relatives for a period not to exceed thirty (30) calendar days in any calendar year on land owned or leased by the host and on which there is located a permanent dwelling occupied by the host.

2. Dwelling on land owned by the applicant on which the applicant is diligently pursuing construction under a valid building permit for the first permanent dwelling provided that the trailer coach shall maintain all setbacks required for the main building except that the Director may waive meeting the rear yard setback otherwise required by this ordinance provided such waiver is necessary to prevent interference with construction activities and the trailer will be located no closer to the rear lot line than the required interior side yard setback. However, the Director may allow an ETOP (pursuant to subsection 7) converting to a temporary occupancy permit (TOP) to remain in its previously permitted location.
3. A dwelling for temporary health care on a lot where there is a permanent single family dwelling is permitted subject to the requirements set forth below. This trailer is exclusively for temporary occupancy by either: (a) providers of health services which are required by an occupant of the main dwelling, or (b) relatives of an occupant of the main dwelling who require physical care.

The following are requirements for health care trailer approval:

- a) The health care unit shall be a trailer or mobilehome not exceeding 800 square feet measured from the interior surface of the exterior walls
 - b) The trailer shall meet main building setbacks.
 - c) The trailer shall be connected to existing utility systems or required expansion of said systems on site whenever possible.
 - d) Prior to issuance of a building permit for a health care trailer a Certificate of Need signed by a physician licensed to practice medicine in the State of California shall be submitted to and approved by the Director. The Certificate shall be renewed annually.
 - e) When the health care need no longer exists, the unit shall be removed. Failure to comply is a violation of The Zoning Ordinance and may result in any or all remedies or penalties specified in the Enforcement Procedures commencing with Section 7700, including a \$1,000 fine per day or six months jail sentence or both.
 - f) If the applicant complies with the terms of the temporary occupancy permit, then, upon removal of the trailer coach by the applicant, the full amount of any previously furnished deposit shall be refunded or security released.
4. Dwelling for security personnel on or adjacent to any site on which construction of a major residential, commercial, industrial or public works project is being diligently pursued and for which security personnel are employed.
 5. Dwelling for security personnel on any site on which construction of a residential, commercial, industrial or public works project has been completed and for which security personnel are employed pending construction of permanent dwelling facilities for such security personnel.

6. Dwelling for security personnel on a site used for a borrow pit, quarry, asphalt paving plant, rock rushing plant, concrete batch plant, or mining operation for which a Major Use Permit has been granted.
7. Dwelling for displaced residents or security personnel on a site where the principal dwelling has been rendered unoccupiable by reason of an officially declared disaster or emergency relating to fire, wind, flood, earthquake or other similar circumstance. An emergency temporary occupancy permit (ETOP) for such a temporary dwelling shall expire at such time as a building permit for the repair or replacement of the principal dwelling has been issued (at which time the ETOP shall be converted to a temporary occupancy permit (TOP) pursuant to subsection b.2), or one year after the declaration date of the event causing the damage or destruction of the principal dwelling, whichever is earlier.

Prior to the expiration of the ETOP, the Director may grant one or more extensions of up to one year each upon making all of the following findings:

- a) That the granting of the extension will not be detrimental to the public health, safety and welfare;
 - b) That there is a special circumstance or a hardship to the displaced residents;
 - c) That the special circumstance or hardship is not the result of the residents own actions.
- c. Termination of Use.
1. When use of a trailer coach is related to a use authorized by a use permit or Administrative Permit, occupancy or use of the trailer coach shall terminate with the expiration, abandonment or revocation of the related use permit and thereafter said trailer coach shall be removed from subject property.
 2. When use of a trailer coach is related to the construction of a related permanent facility, occupancy or use of the trailer coach shall terminate upon completion of construction of the permanent facility and thereafter said trailer coach shall be removed from subject property.
- d. Compliance with County Code. The use and occupancy of any trailer coach shall comply with the provisions of Chapter 2, of Division 5, Title 5, of the County Code or Regulatory Ordinances relating to trailer coaches.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 5684 (N.S.) adopted 1-16-80)
 (Amended by Ord. No. 6082 (N.S.) adopted 6-10-81)
 (Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)

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(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
(Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)
(Amended by Ord. No. 7109 (N.S.) adopted 4-02-86)
(Amended by Ord. No. 7110 (N.S.) adopted 4-02-86)
(Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)
(Amended by Ord. No. 7306 (N.S.) adopted 5-20-87)
(Amended by Ord. No. 7468 (N.S.) adopted 5-04-88)
(Amended by Ord. No. 7482 (N.S.) adopted 5-18-88)
(Amended by Ord. No. 7640 (N.S.) adopted 7-03-89)
(Amended by Ord. No. 8205 (N.S.) adopted 2-03-93)
(Amended by Ord. No. 8555 (N.S.) adopted 7-14-95)
(Amended by Ord. No. 8962 (N.S.) adopted 9-23-98)
(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

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

(Added by Ord. No. 10095 (N.S.) adopted 12-8-10)
 (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

6126 MOBILE BUTCHERING

- a. Location.
1. Mobile Commercial Butchering operations shall be located within commercial, industrial, agricultural or special purpose zones where either the Food and Beverage Retail Sales use type is allowed or where the Packing and Processing: Limited or General use types are allowed.
 2. Mobile Custom Butchering operations shall be located on a property where the livestock was raised, or another nearby property under the same ownership, where the Packing and Processing: Limited or General use types are allowed.
- b. Setback. The trailer or vehicle where the mobile butchering occurs shall be located outside the setback requirements of the zone or at least 25 feet from the nearest property line, whichever is greater.
- c. Duration. Mobile butchering shall not operate on more than 6 times per year and not more than 3 consecutive days on the same property or property within 1 mile of another property used for mobile butchering by the same owner.
- d. Hours of Operation. No activities, including setup, preparation, and slaughtering or butchering shall begin before 7 a.m. or continue later than 8:00 p.m. on Monday through Saturday. On Sunday the applicable hours shall be 9 a.m. and 6:00 p.m., respectively.

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- e. The Mobile Butchering operation shall be registered with the USDA and shall comply with all applicable federal and state laws and/or guidelines.
- f. All remains (carcasses, blood, etc.) of animals slaughtered shall be disposed of off-site in compliance with all applicable state and local laws. No accumulation of animal matter in which fly larvae exist or any accumulation of filth or source of foulness hazardous to health or comfort of people is allowed.

(Added by Ord. No. 10463 (N.S.) adopted 4-14-17)

6128 FISHERMEN'S MARKET

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

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

(Added by Ord. No. 10463 (N.S.) adopted 4-14-17)

10. A home occupation shall not create vehicular or pedestrian traffic in excess of that which is normal for the zone in which it is located.
 11. No more than six non-resident students at one time, and no more than 18 students during any one (1) day may be given tutoring in music, academics, dance, sports (such as swimming or tennis, notwithstanding subsection 1 and 2 above), or other subjects at a residence. No students may be given instruction between the hours of 9:00 p.m. and 8:00 a.m. All provisions of Noise Abatement and Control, Section 36.401 et seq. of the County Code, shall apply.
- n. Dog, Cat and Pot-Belly Pig Keeping. The keeping of dogs and cats (but not including kennels) and the keeping of up to two pot-belly pigs, provided that the keeping of more than two pot-belly pigs shall be subject to Section 3100, Large Animal regulations.
 - o. Day Care/Boarding. Day care, or boarding for 6 or fewer individuals, provided that no such day care or boarding facility may be owned, operated, managed, or leased by any person, as defined by these regulations, within one mile of any other such facility owned, operated, managed, or leased by the same person.
 - p. Family Care Homes. A family care home, provided that no family care home (other than a foster family home or a residential care facility for the elderly as referenced in Section 1520.5(f) of the California Health and Safety Code) may be operated within 300 feet of any other such home, family care institution or group care facility.
 - q. Roadside Sales of Agricultural Products. (see Section 6157.a)
 - r. Wild Animal Keeping. The keeping of not more than one wild animal kept and maintained in conformance with State and local requirements.
 - s. Earthworms or Vermiculture. The raising of earthworms or the practice of vermiculture provided that:
 1. No sales are advertised or made on the premises unless permitted by the use regulations.
 2. Odors and/or fly-breeding are not greater than customarily found at a well-maintained residence.
 3. The vermiculture area shall utilize household or garden waste or materials that are produced on the site. Importing of waste or other materials from another property shall be prohibited.
 4. The volume of raw or composted decomposable organic and bedding materials shall not exceed that which is reasonably necessary to the production of the worms raised on the site.

- t. Retail Sales of Stable Gear. The retail sale of stable gear, provided that such sales are incidental and subordinate to the use of conforming public stables or equestrian facilities on the premises, and there is no exterior advertising of the accessory use. No such accessory use shall occupy more than 10 percent (10%) or not to exceed 1,000 square feet, whichever is less, of the total floor area of enclosed buildings permitted by right and devoted to such public stable or equestrian facility. Where such public stables or equestrian facilities are permitted by use permit, the total floor area of the accessory use shall be regulated by such permit.
- u. Farm Employee Housing. (See 6157.f)
- v. Horticultural Sales. (see also 6157.a) In all residential and S88 Use Regulations, the retail sale of horticultural and floricultural products and their related gardening items in conjunction with and upon the premises of a growing nursery is permitted upon issuance of a Minor Use Permit.
- w. Accessory Apartments (Elderly/Handicapped/Family Member). Repealed.
- x. Second Dwelling Units. In zones where the Family Residential use type is allowed by right, a second dwelling unit is allowed on a legal lot containing an existing single family detached residence, or to be constructed concurrently with a primary single family detached residence, provided the following requirements are complied with:
 - 1. The second dwelling unit shall be either attached to the primary unit, wholly or partially integrated into the primary unit, or detached from the primary unit. The second unit may be attached to another permitted accessory building, except for those accessory units or other accessory buildings specified in paragraph 4, 5 or 6 below.
 - 2. Applicable requirements of the building and other codes and of The Zoning Ordinance shall apply to second dwelling units. No Variances shall be granted in order to provide for the second unit.
 - ii. If no Administrative Permit is required to establish a second dwelling unit, and an Administrative or Minor Use Permit was approved to authorize the accessory unit proposed for conversion to a second dwelling unit, a request to rescind the existing Administrative or Minor Use Permit may be submitted in addition to an application for building permit and any other applicable permits; or

3. A lot shall contain at least the minimum net area as required by the applicable zoning to qualify for a second dwelling; however, no second dwelling unit shall be permitted on a lot with a net area of less than 20,000 square feet, except pursuant to paragraph 12 below. If a legal lot is at least 1 net acre in size and does not contain at least the minimum net area as required by the applicable zoning, a second dwelling unit may be permitted pursuant to paragraph 12 below.

However, if the lot proposed for a second dwelling is groundwater dependent the minimum size must be twice that required by the residential density controls of Section 67.722 A of the County Groundwater Ordinance unless an exception is granted pursuant to Section 67.750 (c) of that Ordinance.

4. Second dwelling units shall not be allowed on a lot or parcel with a guest living quarter, accessory living quarter, or accessory apartment. Conversion of such quarters into a second dwelling unit is allowed provided all applicable zoning and other code requirements are met, and subject to the following procedures:
 - i. Application for modification of the Administrative Permit or Minor Use Permit that authorized the accessory unit proposed for conversion to a second dwelling unit (if an Administrative Permit is required to establish the Second Dwelling Unit pursuant to paragraph 12 below) and application for any other applicable permits; or
 - iii. If no Administrative or Minor Use Permit was required to authorize the accessory unit proposed for conversion (Guest Living Quarters in certain use regulations), by application for a building permit and any other applicable permits; or
 - iv. If the accessory unit proposed for conversion was established illegally, by application pursuant to this subsection "4" as if a new second dwelling unit was being proposed.
5. Second dwelling units with a living area exceeding 640 square feet shall comply with the parking requirements for Family Residential under Section 6758. Second dwelling units with a living area not exceeding 640 square feet shall provide one additional off-street parking space. Said additional parking spaces shall not be in tandem with existing spaces. If establishment of the second dwelling unit involves a garage conversion, replacement covered off-street parking shall be provided concurrently. A garage or carport attached to the second dwelling unit shall not

exceed 480 square feet of gross floor area. Additional garage area attached to the second dwelling unit may be permitted pursuant to paragraph 12 below. No other structures defined by Section 6156.b shall be attached to a second dwelling unit. No other structures defined by Section 6156.h shall be attached to a second dwelling unit unless approved pursuant to paragraph 12 below.

6. The living area of a second dwelling unit shall not exceed 30 percent of the living area of the existing unit, up to a maximum floor area of 1,200 square feet, except pursuant to paragraph 12 below. However, a second dwelling unit of up to 400 square feet is permitted (even if that figure exceeds 30 percent of the size of the primary dwelling). No other habitable space shall be attached to a detached second dwelling unit.
7. Applicants are required to provide evidence satisfactory to the Director of the following:
 - i. Adequate sewer service or approval by the Department of Environmental Health for use of a septic system;
 - ii. Adequate potable water supply; and
 - iii. That applicable school district fees have been paid.
8. The architectural design, building materials, colors and, if provided, covered parking shall be substantially the same as those of the primary dwelling. Color photographs of the street-facing sides of the existing primary dwelling shall be submitted with the second unit application.
9. No entrance to the second dwelling unit shall face an abutting street unless the entrance is shielded so as not to be apparent when viewed from the abutting street. Plant materials shall not qualify for shielding purposes.
10. Separate sale or ownership of a second dwelling unit from the primary dwelling located on a single lot is prohibited, unless a subdivision is created pursuant to the County Subdivision Ordinance.

11. Application for and issuance of a discretionary permit for a second dwelling shall be limited to the owner-occupant of the primary dwelling or his/her authorized agent. Owner-occupancy of either the primary dwelling or the second dwelling is required for the duration of the use of the second unit for residential purposes, except both units may be rented or leased for a period of up to one year upon written request to, and approval of, the Director. Said request shall state the change in life circumstances of the owner which necessitates interruption of continuous owner occupancy. Rental or leasing of both units may be extended by the Director for one additional period not exceeding six months upon further request of the owner.
12. a. A second dwelling unit may be authorized upon the issuance of an Administrative Permit with all findings per 12.b. and with notice to property owners per 12.c, below, to allow the following:
 - i. Location on a legal lot of less than 20,000 square feet in net area, but not less than the minimum net area required by the applicable zoning; or on a legal lot that is at least one net acre in size and does not meet the minimum net area required by the applicable zoning.
 - ii. A living area greater than 30 percent of the living area of the primary dwelling, not to exceed 50 percent thereof or 1,200 square feet, whichever is less.
 - iii. Conversion to a second dwelling unit of an existing legal accessory living unit, or legalization as a second dwelling unit of an illegal accessory living unit which existed on July 1, 1994, when such existing living unit does not conform to one or more of the following requirements of this subsection x:
 - minimum lot size: however, no conversion shall be permitted on a lot of less than the minimum net lot area required by the applicable zoning; except on a legal lot that is at least one net acre in size and does not meet the minimum net area required by the applicable zoning.
 - maximum living area: however, a maximum living area of greater than 1200 square feet shall not be authorized;
 - off-street parking;
 - architectural design;
 - location of entrance;

- height and/or setback: to the extent that a variance for height or setback was granted in connection with the establishment of a legal accessory living unit that existed on July 1, 1994, said variance shall be valid and applicable to the conversion of such accessory living unit to a second dwelling unit.

No other exceptions to this subsection or other provisions of this Ordinance shall be authorized by the Administrative Permit.

- b. Before any Administrative Permit may be granted or modified, it shall be found:
 - i. 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:
 - (a). Harmony in scale, bulk, and coverage;
 - (b). The availability of public facilities, services and utilities;
 - (c). The harmful effect, if any, upon desirable neighborhood character;
 - (d). The generation of traffic and the capacity and physical character of surrounding streets;
 - (e). The suitability of the site for the type and intensity of use or development which is proposed; and to
 - (f). Any other relevant impact of the proposed use; and
 - ii. That the impacts, as described in paragraph "i" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.
 - iii. That the requirements of the California Environmental Quality Act have been complied with.

3. Notice Required. Notice shall be provided pursuant to Section 7060 c.
 4. Findings Required. The Director may grant the Administrative Permit if the above criteria are complied with, and a finding is made that establishment of the host home will not adversely affect or be materially detrimental to existing neighborhood character, with consideration given to the generation of traffic and the suitability of the site for the type and intensity of the proposed use.
- cc. Family Day Care Home For Children, Small (8 or fewer children) is a permitted residential use when located in a single-family residence.
- dd. Poultry Manure Management. (see Section 6157.g)
- ee. Water Vending By Machine. In the Agricultural and Special Purpose zones, except those areas subject to the S80 Open Space and S81 Ecological Resource Area use regulations, the sale of water from coin or otherwise automatic vending machines shall be allowed, provided the volume does not exceed 5,000 gallons per any consecutive seven day period.
- ff. Recycling Collection Facility, Drop-off: Provided the total capacity of collection receptacle(s) shall not exceed 192 cubic feet per legal parcel.
- gg. Garage Sale. The sale of household articles or personal possessions incidentally accumulated during normal or conforming residential use of the property on which the sale is held is permitted, subject to the following restrictions:
1. Such sales shall not exceed three (3) consecutive days in duration;
 2. No more than four (4) such sales shall be held during any calendar year;
 3. No sale of vehicles (other than bicycles), industrial or commercial equipment, or items purchased for resale shall be permitted;
 4. The sale of personal items belonging to persons not residing on the property where the sale takes place, e.g., neighbors, is permitted.
- hh. Agricultural Homestay. (See 6157.c)

- ii. The following matrix compares Guest Living Quarters and Second Dwelling Unit provisions. Complete regulations can be found in subsections k. and x.

Accessory Use Regulations

<i>This Table is a summary only. For complete regulations see appropriate sections of the Zoning Ordinance. In case of conflict between the provisions graphically represented in this table and the provisions set forth in the text of the Zoning Ordinance, the provisions of the Zoning Ordinance text shall apply.</i>		Guest Living Quarters (6156.k.)	Second Dwelling Unit (6156.x.)
LOCATION AND SIZE			
Applicable Use Types	Residential	■	■
	Commercial	-	-
	Industrial	-	-
	Agriculture	■	■
	Special Purpose	■	■
Net Lot Size Restrictions¹	Must meet minimum required by zoning	-	■
	Must be 20,000 sf or larger	■	■
	Administrative Permit Exceptions		
	May be less than 20,000 sf	■	■
	Minimum zoning not met ² but 1 acre or larger	-	■
Unit Size Restrictions	Must be equal or greater than 400 sf ³	-	■
	May not exceed 30% of primary dwelling ³	■	■
	May not exceed 600 sf ³	■	-
	May not exceed 1,200 sf ³	-	■
	Administrative Permit Exceptions		
	Up to 50% of primary dwelling allowed	■	■
	May not exceed 1,200 sf	-	■
DESIGN AND USE			
Allowed Facilities	Kitchen	-	■
	Wetbar	-	■
	Laundry	-	■
Occupancy	Employee	■	■
	Guests up to 30 days	■	■
	Guest more than 30 days	-	■
	Rental	-	■
Attachment to Other Structures	Primary Dwelling	■	■
	Detached garage/carport 480 sf or less	■	■
	Detached garage/carport greater than 480 sf	■	-
	Other habitable space	■	-
	Barn/agricultural storage building	■	-
	Administrative Permit Exceptions		
	Detached garage/carport greater than 480 sf	■	■
Barn/agricultural storage building	-	■	
Electric Metering	Separate Meter Allowed	-	■
PARKING			
Off-Street Parking Requirements⁴	1 space for units less than 640 sf	-	■
	2 spaces for units equal or greater than 640 sf	-	■

- Applicable
- Not Applicable

Footnotes:

1. If lot is Groundwater dependent, the lot must be twice the minimum size required per Groundwater Ordinance Section 67.722 A.1.
2. Lot must have met the minimum net area required by zoning at the time the lot was legally created, pursuant to Policy G-3.
3. Ministerially approved, provided all criteria of PDS (including Zoning/Building/Fire) and other County Departments are met.
4. Required spaces may not be in tandem with required spaces for primary dwelling. May not encroach into front or exterior side setbacks.

- jj. Meetings or Gatherings. The temporary gathering of individuals on private property for a non-commercial event which may involve eating, drinking, studying, or other similar activities, is allowed in compliance with the following provisions:
- a. Use of the Property. The primary use of the property must be residential.
 - b. Parking. All vehicles belonging to individuals attending the meeting or gathering shall be parked in compliance with all applicable laws and shall not impede the flow of traffic to and from the subject property or any other properties in the vicinity.
 - c. Nuisance. The gathering shall not create a public nuisance to surrounding properties, including noise, vibration, traffic or other disturbance. This section can be enforced pursuant to Section 16.205 of County Code of Regulatory Ordinances.
- kk. Agricultural Tourism. (see Section 6157.b)
- zz. Other Necessary and Customary Uses. Accessory uses and structures, in addition to those identified above, which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to principal use, as determined by the Director.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
 (Amended by Ord. No. 5912 (N.S.) adopted 10-22-80)
 (Added by Ord. No. 5935 (N.S.) adopted 11-19-80)
 (Amended by Ord. No. 5676 (N.S.) adopted 12-19-80)
 (Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)
 (Amended by Ord. No. 6151 (N.S.) adopted & effective 8-25-81 - Urgency Ordinance)
 (Amended by Ord. No. 6188 (N.S.) adopted 11-18-81)
 (Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)
 (Amended by Ord. No. 6284 (N.S.) adopted 5-5-82)
 (Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)
 (Amended by Ord. No. 6586 (N.S.) adopted 5-18-83)
 (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. 6782 (N.S.) adopted 5-16-84)
 (Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)
 (Amended by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)
 (Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
 (Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)
 (Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)
 (Amended by Ord. No. 7110 (N.S.) adopted 4-02-86)
 (Amended by Ord. No. 7117 (N.S.) adopted 4-23-86)
 (Amended by Ord. No. 7160 (N.S.) adopted 6-18-86)

(Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)
(Amended by Ord. No. 7306 (N.S.) adopted 5-20-87)
(Amended by Ord. No. 7363 (N.S.) adopted 8-19-87)
(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
(Amended by Ord. No. 7515 (N.S.) adopted 7-13-88)
(Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)
(Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)
(Amended by Ord. No. 7743 (N.S.) adopted 3-28-90)
(Amended by Ord. No. 7768 (N.S.) adopted 6-13-90)
(Amended by Ord. No. 7790 (N.S.) adopted 08-01-90. This ordinance will expire on August 31, 1993, unless extended in connection with GPA 93-02)
(Amended by Ord. No. 7817 (N.S.) adopted 9-26-90)
(Amended by Ord. No. 8050 (N.S.) adopted 4-8-92)
(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
(Amended by Ord. No. 8086 (N.S.) adopted 6-16-92)
(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
(Amended by Ord. No. 8271 (N.S.) adopted 6-30-93)
(Amended by Ord. No. 8409 (N.S.) adopted 6-1-94)
(Amended by Ord. No. 8502 (N.S.) adopted 3-1-95)
(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
(Amended by Ord. No. 8599 (N.S.) adopted 10-11-95)
(Amended by Ord. No. 8698 (N.S.) adopted 7-17-96)
(Amended by Ord. No. 8805 (N.S.) adopted 6-4-97)
(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)
(Amended by Ord. No. 9156 (N.S.) adopted 6-14-00)
(Amended by Ord. No. 9377 (N.S.) adopted 8-8-01)
(Amended by Ord. No. 9470 (N.S.) adopted 6-12-02)
(Amended by Ord. No. 9569 (N.S.) adopted 7-9-03)
(Amended by Ord. No. 9596 (N.S.) adopted 9-17-03)
(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)
(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)
(Amended by Ord. No. 9982 (N.S.) adopted 4-22-09)
(Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10073 (N.S.) adopted 9-15-10)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
(Amended by Ord. No. 10222 (N.S.) adopted 9-25-12. Opr. 11-26-12)
(Amended by Ord. No. 10261 (N.S.) adopted 5-15-13)
(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)
(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

6157 COMMERCIAL AGRICULTURE OPERATIONS

Subject to the restrictions and limitations specified, the following accessory buildings and uses shall be permitted in zones where Commercial Agriculture operations are permitted. The Commercial Agriculture use must be the principle use of the property.

- a. On-Site Agricultural and/or Horticulture Sales. The on-site agricultural and horticultural sales use type is an accessory use on premises with a principle Commercial Agricultural operation where horticulture, tree crops, row and field crops are produced or animals raised for the production of milk, honey, wool, fleece or fur, and incidental retail or wholesale sales of the products produced on the premises or items related to the products raised are allowed, as specified herein:
 1. Roadside Sales of Agricultural Products. Operation of an agricultural stand for the display and sale of agricultural products produced on the premises shall be permitted only as follows:
 - a) Agricultural stands are permitted only in the RR Use Regulations on lots one acre or larger, and in the A70, A72, S88,S90 and S92 Use Regulations.
 - b) Said stand shall be located no nearer than 15 feet from the edge of any street or highway right-of-way.
 - c) Said stand shall be operated by the owner or tenant of the property upon which the stand is located,
 - d) Agricultural products produced on other premises owned or leased by the same property owner or tenant may be displayed and sold from said stand.
 - e) The total roofed area of said stand, including all areas used for display or storage for all products, shall not exceed 300 square feet.
 - f) No agricultural produce shall be sold from a motorized vehicle.
 - g) Cold storage shall be allowed only when accessory to the on-site farming operation and used only for storage of crops grown by the person(s) farming the parcel.
 - h) Incidental sale of items related to the sale or use of agricultural products (not to exceed 10% of the stand area), including horticultural products, may also take place provided any applicable health regulations are complied with.

- i) No commodities other than those listed above may be sold from a produce stand except as allowed by Food and Agricultural Code section 47050.
 - j). A produce stand may sell only those ornamental plants that are grown on the same lot as such stand is located.
2. Agricultural Store, Small. Operation of a Small Agricultural Store for the display and sale of horticulture or agriculture products produced on the premises shall be permitted with a Zoning Verification Permit, as follows:
- a) A Small Agricultural Store shall be permitted only in the RR Use Regulations on lots of 2 acres or larger, and in the A70, A72, S88, S90 and S92 Use Regulations. The Agricultural Store provisions shall not be used to increase the size of a production facility, tasting area and/or retail sales area of a Wholesale Limited Winery, Boutique Winery or Small Winery, as limited by Section 6910.
 - b) The store shall be incidental to primary agricultural, horticultural or animal husbandry use, as follows:
 - i. 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;
 - ii. At least 50 percent of the area in a) above (i.e., 25 percent of the total gross area of the premises) shall be in actual active agricultural, horticultural, or animal husbandry use. For operations with a total area greater than 200 acres, at least 40 acres must be actual active agricultural, horticultural, or animal husbandry use.
 - c) The store shall be operated by the owner or tenant of the property upon which the store is located. Agricultural products produced on other premises owned or leased by the same property owner or tenant may be displayed and sold.
 - d) Only one agricultural store shall be permitted per legal lot. A small store shall not be allowed on a lot with an existing Agricultural stand or Large Agricultural Store.
 - e) Building size: the floor area of the building and all open, roofed areas used for display of products for sale shall not exceed a total of 1,500 square feet. No other structures on the property shall be used for on-site sales. The structure shall conform to all setbacks pursuant to Section 4810. All areas accessed by the public shall be permitted and constructed in compliance with the applicable commercial building code and shall comply with all applicable requirements of the Department of Environmental Health.

- f) Retail sales activities including sale of products related to the agricultural products produced, cut flowers, prepackaged food, bottled or canned beverages, and sundries is allowed only in conjunction with the sale of produce, animal products and/or shell eggs raised on the property. All applicable regulations of the Department of Environmental Health and Department of Agriculture, Weights and Measures shall be met.
 - g) A retail sales area for items other than the agricultural products raised on the property shall be limited to a maximum of 200 square feet of the building area. This shall include any refrigeration cases for prepared foods,
 - h) Parking: A minimum of six parking spaces shall be provided for patrons using the Agricultural Store. The on-site parking area used for the Agricultural Store 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 shall be in compliance with California Building Code chapter 11B and shall be stable, firm and slip-resistant
 - i) Hours of operation: The store is allowed to operate to the public from 10 a.m. until legal sunset seven days a week.
 - j) Signage: One on-premise sign, not to exceed four square feet, is allowed.
 - k) Events, such as weddings or concerts, are prohibited. However, on site instruction related to the products produced or raised on the site is allowed.
3. Agricultural Store, Large. Operation of a Large Agricultural Store for the display and sale of products produced on the premises shall be permitted with an Administrative Permit, as follows:
- a). A Large Agricultural Store is permitted only in the RR Use Regulations on lots of 4 acres or larger, and in the A70, A72, S88, S90 and S92 Use Regulations. The Agricultural Store provisions shall not be used to increase the size of a production facility, tasting area and/or retail sales area of a Wholesale Limited Winery, Boutique Winery or Small Winery, as limited by Section 6910.
 - b) The store shall be incidental to primary agricultural, horticultural or animal husbandry use, as follows:

- i. 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;
 - ii. At least fifty percent of the area in a) above (i.e., 25 percent of the total gross area of the premises) shall be in actual active agricultural, horticultural, or animal husbandry use. For operations with a total area greater than 200 acres, at least 40 acres must be actual active agricultural, horticultural, or animal husbandry use.
- c) The store shall be operated by the owner or tenant of the property upon which the store is located. Agricultural products produced on other premises owned or leased by the same property owner or tenant may be displayed and sold.
- d) Only one agricultural store shall be permitted per legal lot or premises as specified in the Administrative Permit. A large store shall not allowed on a lot with an existing Agricultural Stand or Small Agricultural Store.
- e) Building size: the floor area of the building and all open, roofed areas used for display of products for sale shall not exceed a total of 3,000 square feet. The structure shall conform to all setbacks pursuant to Section 4810. All areas accessed by the public must be permitted and constructed in compliance with the applicable commercial building code and shall comply with all applicable requirements of the Department of Environmental Health. No other structures on the property shall be used for on-site sales.
- f) Retail sales activities including sale of products related to the agricultural products produced, cut flowers, sundries, prepackaged food, bottled or canned beverages and freshly prepared food and beverages is allowed only in conjunction with the sale of produce, animal products and/or shell eggs raised on the property. All applicable requirements of the Departments of Environmental Health and Agriculture, Weights and Measures shall be met.
- g) A retail sales area for items other than the agricultural products raised on the property shall be limited to a maximum of 30% of the floor area of the building area. This shall include any refrigeration cases, food service counters, and seating areas for consumption of prepared foods,

- h) On-Site Food Preparation area is allowed in addition to the retail sales area for the preparation of agricultural products or animals and preparation of those products at the farm location into food for retail sale or for onsite consumption may be allowed. Typically the use type is related to organic farming, sustainable agriculture and community supported agriculture. The use type may include limited cooking related to the on-site agriculture.
- i) Food preparation and kitchen areas are allowed within the Large Agricultural Store and shall conform to all applicable requirements of the state Health and Safety Code, Food and Agriculture Code and Department of Environmental Health for a Retail Food Facility. The kitchen and food preparation areas are in addition to the square footage for the retail area.
- j) Preparation of food grown on site which includes canning, bottling, or similar packaging and/or preservation shall be subject to all applicable state regulations and permits, including a state Processor Permit and all applicable requirements of the Department of Environmental Health.
- k) Seating area for patrons to consume products grown on the premises or the prepared foods shall be within the Large Agricultural Store area and shall not exceed 15% of the floor area of the structure.
- l) Parking: The required number of parking spaces shall comply with the requirements for Commercial Retail pursuant to Section 6762. The on-site parking area uses for the Agricultural Store 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 shall be in compliance with California Building Code chapter 11B and shall be stable, firm and slip-resistant.
- m) A store may operate seven days a week. The hours of operation shall be specified in the Administrative Permit.
- n) Signage: One on-premise sign, not to exceed four square feet, is allowed.
- o) Events, such as classes, harvest related activities, and which are related to the agricultural operations on the site, are allowed as specified in the Administrative Permit.

- p) An Administrative Permit is required and may be approved in accordance with the Administrative Permit Procedure commencing at Section 7050 if it is found:
 - i. 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:
 - (a) Harmony in scale, bulk, coverage and density.
 - (b) The availability of public facilities, services and utilities.
 - (c) The harmful effect, if any, upon desirable neighborhood character.
 - (d) The generation of traffic and the capacity and physical character of surrounding streets.
 - (e) The suitability of the site for the type and intensity of use or development which is proposed.
 - (f) Any other relevant impact of the proposed use.
 - ii. That the impacts, as described in paragraph "i" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.
 - iii. That the requirements of the California Environmental Quality Act have been complied with.
 - q) A Large Agricultural Store shall demonstrate compliance with the emergency travel times specified in Safety Element, Table S-1.
 - r) 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.
- b. Agricultural Tourism. Agricultural Tourism may be allowed as an accessory use to a Commercial Agriculture operation in the RR, A70, A72, S88, S90 and S92 Use Regulations provided the following criteria are met:
- 1. The Agricultural Tourism uses shall be incidental to primary agricultural, horticultural or animal husbandry use.

- a) 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) At least fifty percent of the area in a) above (i.e., 25 percent of the total gross area of the premises) shall be in actual active agricultural, horticultural, or animal husbandry use. For operations with a total area greater than 200 acres, at least 40 acres must be actual active agricultural, horticultural, or horticultural use.
2. Allowed activities. U-Pick operations, on-site tours, on-site agricultural instruction or demonstrations, lectures or classes about agriculture related topics and participation in agricultural operations on the premises.
 3. 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 the allowed activities specified in b.2, above), including any activities or gatherings that are advertised or promoted.

Pursuant to Section 6106 of the Zoning Ordinance, 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).
 4. Parking. Adequate off street parking shall be provided to accommodate all employee and customer parking needs on the premises, entirely outside of public rights-of-way other than designated parking spaces. No parking on private roads is allowed.
 5. One on-premise sign, not to exceed four square feet, is allowed.
 6. No outdoor amplified sound is permitted.
 7. Agricultural tourism does not include uses that are otherwise regulated by this Ordinance.
- c. Agricultural Homestay. An Agricultural Homestay is a permitted accessory use upon issuance of a Zoning Verification Permit provided all of the following criteria are met:
1. Located in a zone subject to the RR, A70, A72, S90 or S92 Use Regulations.

2. A maximum of five bedrooms in a farmer or rancher occupied residence shall be made available for rent. If a detached cabin is used in lieu of the ranch or farmhouse, it shall not exceed 500 square feet. Mobile homes and trailers are not permitted to be used for guest bedrooms. All guest rooms, detached cabins, areas used for the provision of meals or for use by the guests, shall be permitted and constructed in compliance with the applicable commercial building code and shall comply with all applicable requirements of the Department of Environmental Health.
3. The number of guests shall not exceed the maximum occupancy of the rooms as determined by the building code. However, in no case shall there be more than ten (10) adult guests, children accompanied by an adult guardian do not count as adult guests, but the total number of guests must not exceed fifteen (15) persons.
4. Lodging and overnight accommodations shall be for no more than 14 days, either with or without meals. Meals shall be provided to registered guests only, in compliance with California Retail Food Code section 113893.
5. The facility shall be on a working farm or ranch. Proof of a Commercial Agriculture operation on the property shall be provided to the satisfaction of the Department of Agriculture, Weights and Measures and the Department of Planning and Development Services.
6. The working farm or ranch shall be located on a parcel or adjoining parcels totaling at least four (4) acres in size and under the same ownership. The Agricultural Homestay activity shall cease if a subdivision or conveyance of land results in a reduction of the site to less than four (4) acres or if agricultural activity ceases.
7. No Agricultural Homestay shall be located on a site containing a Bed and Breakfast or Host Home operation.
8. The farmer or rancher shall reside on the site of the agricultural operation or on an adjoining parcel under the same ownership.
9. One off street parking space for each room rented shall be provided in addition to adequate off-street parking for the permanent residents and full-time employees.
10. Services shall be limited to the rental of rooms, activities traditionally associated with farms and ranches and the optional provision of meals for overnight guests. No food preparation or cooking for guests shall be conducted within any bedroom or cabin made available for rent. Activities that involve more than ten (10) adult guests of the homestay are prohibited. Events, including but not limited to weddings and parties are prohibited.

However, pursuant to Section 6106 of the Zoning Ordinance, 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).

11. Signs shall be limited to one on premise sign not to exceed four square feet.
 12. An adequate water well and sewage disposal system shall be available, satisfactory to the County Department of Environmental Health, for use by the proposed Agricultural Homestay or letters from the appropriate water and sewer agencies indicating there is sufficient water supply and sewage treatment capacity for the proposed use shall be submitted by the applicant.
 13. The owner of the facility shall keep records of the number of guests and lengths of stay and shall retain said records for five (5) years.
- d. Agricultural Microbrewery or Micro-Distillery
1. Microbrewery or Micro-Distillery, Agricultural, Small. A Small Agricultural Microbrewery or Micro-Distillery accessory to a Commercial Agriculture operation may be allowed with a Zoning Verification Permit and shall comply with the following provisions:
 - a) Prior to the occupancy of the Microbrewery or Micro-Distillery structures and the production of beer or spirits, the Microbrewery or Micro-Distillery shall have a valid permit and bond issued by the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau, and shall comply with all applicable County of San Diego Department of Environmental Health permit requirements. A Microbrewery shall have a current Type 23 Small Beer Manufacturer license issued by the California Department of Alcoholic Beverage Control. A Micro-Distillery shall have either a current Type 04 Distilled Spirits Manufacturer or a current Type 74 Craft Distiller's 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) Beer production or distilled spirit production shall not exceed more than 2,000 beer barrels or 62,000 gallons annually.
 - c) A minimum of one (1) acre of the premises shall be planted with hops, barley or other grain and/or shall be used for the production of honey or other ingredients used in the on-site production of beer or planted with grains or vegetables used in the on-site production of distilled spirits.

- d) Of the total ingredients used in brewing or distilling, at least 25 percent shall be grown within San Diego County, with up to 75 percent may be grown outside of San Diego County.
- e) The maximum floor area of non-residential structure(s) used to process the hops or other crops grown on the site and to produce beer or distilled spirits and store the beer or distilled spirits is limited to a maximum floor area of 2,000 square feet is allowed where the lot is up to two acres gross, and 3,000 square feet of floor area is allowed where the lot is two to four acres gross. Additional area is allowed on lots over four acres; however, the maximum floor area of structure(s) combined shall not exceed 5,000 square feet. The structure(s) shall conform to all setbacks pursuant to Section 4810.
- f) The structures permitted in Subsection e) above may contain one tasting/retail sales area in addition to the Microbrewery or Micro-Distillery structures. The tasting/retail sales area shall be accessory to beer or spirits production, and shall not exceed 30 percent of the total square footage of all permitted Microbrewery or Micro-Distillery production facility structures and shall comply with the following:
 - i. 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;
 - ii. Barns and agricultural storage buildings on the premises which are not permitted, as part of the Microbrewery or Micro-Distillery production facility shall not be included for purposes of calculating the allowed area of the tasting/retail sales area;
 - iii. 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 beer or spirits tasting and sales of beer or spirits produced on-site and food related items;
 - iv. The California Retail Food Code and the food provisions of the County Code apply as provided in those codes.
 - v. Internet, phone and mail-order sales are allowed.

- g) Parking. A minimum of six (6) parking spaces shall be provided for patrons visiting the Microbrewery or Micro-Distillery, and a minimum of three (3) spaces shall be provided for Microbrewery or Micro-Distillery operations and employees. No parking for a Microbrewery or Micro-Distillery shall be permitted off the premises.
- h) The on-site driveway and parking area 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.
- i) Signage: One on-premise sign, not to exceed four square feet, is allowed.
- j) All operations shall comply with the provisions of Section 36.401 et seq. of the San Diego County Code of Regulatory Ordinances relating to Noise Abatement and Control.
- k) For properties which are reliant on groundwater, a groundwater study shall be submitted to demonstrate that there is adequate groundwater at the site to support the agricultural and brewing operations on the site.
- l) Events, including but not limited to weddings and parties, shall be 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 beer or distilled spirits production, beer or distilled spirits sales, beer or distilled spirits tasting, agricultural instruction and educational tours), including any activities or gatherings that are advertised or promoted.

Pursuant to Section 6106 of the Zoning Ordinance, Community Events as both 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).
- m) 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 Microbrewery or Micro-Distillery, 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 Microbrewery or Micro-Distillery premises.

- i. One mobile food facility may be allowed on the Small Microbrewery or Micro-Distillery premises, to serve the patrons during the approved hours of operation;
 - ii. The mobile food facility shall not be parked in the required parking spaces for Microbrewery or Micro-Distillery patrons or employees, nor shall it interfere with the safe ingress or egress to and from the premises;
 - iii. 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.
 - n) An Agricultural Microbrewery or Micro-Distillery shall demonstrate compliance with the emergency travel times specified in Safety Element, Table S-1.
2. Microbrewery or Micro-Distillery, Agricultural, Large. A Large Agricultural Microbrewery or Micro-Distillery accessory to a Commercial Agriculture operation may be allowed with an Administrative Permit and shall comply with the following provisions:
- a) Prior to the occupancy of the Microbrewery or Micro-Distillery structures and the production of beer or spirits, a Microbrewery or Micro-Distillery shall have a valid permit and bond issued by the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau, and shall comply with all applicable County of San Diego Department of Environmental Health permit requirements. A Microbrewery shall have a current Type 23 Small Beer Manufacturer license issued by the California Department of Alcoholic Beverage Control. A Micro-Distillery shall have either a current Type 04 Distilled Spirits Manufacturer or a Type 74 Craft Distiller's 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) A minimum of two acres of the premises must be planted with hops, barley or other grain, and/or shall be used for the production of honey or other ingredients used in the on-site production of beer or planted with grains or vegetables used in the on-site production of distilled spirits.
 - c) Beer production or distilled spirit production shall not exceed 8,000 beer barrels or 248,000 gallons annually.
 - d) Of the total ingredients used in brewing or distilling, a minimum of 25% shall be grown within San Diego County and a maximum of 75% may be grown outside of San Diego County.

- e) The production facilities, tasting area/retail sales area shall operate only during the days and hours specified in the Administrative Permit. 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;
- f) Parking. For the purposes of calculating parking, the brewing areas shall be considered manufacturing and the cold and warm storage shall be considered warehousing, pursuant to Section 6750. All required parking for employees and patrons shall be accommodated on the property, no off-site parking shall be permitted.
- g) The on-site driveway and parking area 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.
- h) For properties which are reliant on groundwater, a groundwater study shall be submitted to demonstrate that there is adequate groundwater at the site to support the agricultural and brewing operations on the site.
- i) All operations shall comply with the provisions of Section 36.401 et seq. of the San Diego County Code of Regulatory Ordinances relating to Noise Abatement and Control.
- j) 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 the Zoning Ordinance, Section 6157.d.2.m. Events shall comply with the requirements of Section 21.201 et seq. of the County Code.

Pursuant to Section 6106 of the Zoning Ordinance, 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).

- k) 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 Microbrewery or Micro-Distillery, 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 Microbrewery or Micro-Distillery premises.

- i. One mobile food facility may be allowed on the Microbrewery or Micro-Distillery premises to serve the patrons of the tasting room during the approved hours of operation as specified in b.8;
 - ii. The mobile food facility shall not be parked in the required parking spaces for Microbrewery or Micro-Distillery patrons or employees, nor shall it interfere with the safe ingress or egress to and from the premises;
 - iii. 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.
- l) Signage: One on-premise sign, not to exceed four square feet, is allowed.
- m) An Administrative Permit is required and may be approved in accordance with the Administrative Permit Procedure commencing at Section 7050 if it is found:
- i. 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.
 - 6) Any other relevant impact of the proposed use.
 - ii. That the impacts, as described in paragraph "i" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.
 - iii. That the requirements of the California Environmental Quality Act have been complied with.
- n) An Agricultural Microbrewery or Micro-Distillery shall demonstrate compliance with the emergency travel times specified in Safety Element, Table S-1.

- o) 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.
- e. Creamery. The Creamery use type refers to an accessory use to a dairy on premises where cattle, goats, sheep or other animals are fed and kept for milking operations. The Creamery use may include the production of milk, butter, cream, cheese or other products made from milk or cream, for wholesale or on-site limited retail direct to consumers.

A Creamery shall comply with the following provisions:

1. A Dairy shall have a valid permit issued by the U. S. Department of Agriculture, and a current dairy license issued by the California Department of Food & Agriculture. The production and/or sale of any butter, cream, cheese or other products shall conform to all applicable requirements of the U.S. Department of Agriculture (USDA), California Food & Agriculture Code, Health & Safety Code, and shall obtain any other applicable permits.
2. A minimum of 50 percent of the milk/cream used at creamery must be produced by the animals raised and milked on the premises.
3. The maximum floor area of non-residential structure(s) used to for a creamery is limited to a maximum of 2,000 square feet where the lot is less than one gross acre. A maximum floor area of 3,000 square feet is allowed where the lot is one acre or more but less than two acres gross, and a maximum of 4,000 square feet of floor area is allowed where the lot is two to four acres gross. Additional area is allowed if the lot is over four acres. The structure shall conform to all setbacks pursuant to Section 4810. All areas accessed by the public must be permitted and constructed in compliance with the applicable commercial building code and shall comply with all applicable requirements of the Department of Environmental Health. No other structures on the property shall be used for on-site sales.
4. One retail sales room is allowed for the sale of dairy and creamery products produced on the premises subject to all applicable permits required by the Department of Environmental Health and the California Department of Food and Agriculture. The retail sales room shall be accessory to the operation and shall not exceed 30% of the total square footage of the structure used for the Creamery. All areas accessed by the public must comply with all permitting requirements and shall be constructed in compliance with the applicable commercial building code, including the requirements of the Americans with Disabilities Act.

5. The sale of pre-packaged food is allowed on the premises. Refrigeration shall be approved by the County of San Diego Department of Environmental Health. Catered food service is not allowed.
 6. A minimum of six parking spaces shall be provided for customers and a minimum of three spaces shall be provided for employees and operations. No parking for a Creamery is allowed off the premises.
 7. The on-site driveway and parking area 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.
 8. Signage: One on-premise sign, not to exceed four square feet, is allowed.
 9. Amplified sound is not allowed outside any building.
 10. All operations shall comply with the provisions of Section 36.401 et seq. of the San Diego County Code of Regulatory Ordinances relating to Noise Abatement and Control.
- f. Farm Employee Housing. In the RR, A70, A72, S80, S87, S88, S90, and S92 Use Regulations, farm employee housing is an allowed accessory use to Commercial Agriculture on the same parcel on which the housing is located or on another parcel under the same ownership, provided that:
1. The number of living units is reasonably related to the number of farm employees required for commercial agriculture on the parcel on which the farm employee housing is located and, where applicable, on other land owned or leased and farmed by the applicant.
 2. Consideration shall be given to surrounding land uses when determining the location, size and design of Farm Employee Housing.
 3. Farm employee housing shall be occupied only by farm employees (and their families) engaged in Commercial Agricultural labor and shall not be otherwise occupied or rented.
 4. If Commercial Agriculture is not in progress at the time of application for an Administrative Permit, the Permit shall be conditioned to require review to ensure that bona-fide commercial agriculture commences within a reasonable time.

5. Farm employee housing shall be removed or converted to another allowed use at such time as the commercial agriculture to which it relates ceases operation for more than twelve consecutive months-following the date of occupancy on the building permit issued for the farm employee housing.
6. Contract. For any application for farm employee housing which is subject to the waiver of fees pursuant to Section 7602.d.5, prior to the approval issuance of the Administrative Permit, the property owner shall enter into a contract with the County agreeing to specific rental terms and conditions which make low cost housing available to farm employees and will allow for periodic inspections of the housing by County employees. The form of the contract shall have been approved by the Board of Supervisors.
7. On an annual basis, the property owner must file a certificate with the Director of the Department of Planning and Development Services stating that the commercial agricultural operation is still taking place on the property and that the tenants are employed as farm employees and thereby renew the agricultural certificate for the farm employee housing. Failure to file the certificate will be interpreted as indicating the commercial agriculture has ceased operation and may be the basis for building permit revocation.
8. Contract. Prior to the issuance of a Building Permit, the property owner shall enter into a contract with the County agreeing to specific terms and conditions limiting farm employee housing to bona-fide farm employees and their families in conjunction with on-going agricultural operations. The form of the contract shall have been approved by the Board of Supervisors.
9. Evidence of Commercial Agriculture. Prior to submittal of the Building Permit application for Farm Employee Housing the property owner shall provide appropriate evidence to the satisfaction of the Director of Planning and Development Services of an active Commercial Agricultural Operation. A Horse Stable or Horsekeeping are not considered evidence of Commercial Agriculture for Farm Employee Housing.
10. In the RS, RD, RM, RV, RU, RMH, RRO, RC, C32, C34, C35, C36, C37, C38, C40, C42, C44, C46, M50, M52, M54, M58, S82, S86, and S94 Use Regulations, farm employee housing is allowed upon issuance of an Administrative Permit, provided that it complies with the provisions of 6156 u. 1 through 8, and before an Administrative Permit may be granted or modified, it shall be found:
 - a. That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:

- 1) Harmony in scale, bulk and coverage;
 - 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.
- 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.
 - d. That notice shall be pursuant to Section 7060.c. No hearing is required unless requested by the applicant or other affected person pursuant to Section 7060.d.
- g. Packing and Processing, General. In the A70, A72 and S92 Use Regulations, 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:
1. 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;
 2. The packing and processing operation or facility may be conducted within a structure or outdoors as required by the Enclosure Regulations (Section 6800 herein).
 3. For operations with a total area greater than 200 acres, at least 40 acres must be actual active agricultural, horticultural, or animal husbandry use.

4. Signage: One on-premise sign, not to exceed four square feet, is allowed.
5. Before an Administrative Permit may be granted or modified, it shall be found:
 - i. 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 and coverage;
 - 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 hours of operation and generation of noise of the proposed use;
 - 6) The suitability of the site for the type and intensity of use or development which is proposed; and to
 - 7) Any other relevant impact of the proposed use.
 - ii. 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.
 - iii. That the requirements of the California Environmental Quality Act have been complied with.
 - iv. That notice shall be pursuant to Section 7060.c. No hearing is required unless requested by the applicant or other affected person pursuant to Section 7060.d.
- h. Poultry Manure Management. Poultry manure management practices involving drying and disposal of manure produced on site or brought to a poultry ranch from another poultry ranch owned or operated by the same person(s), provided the receiving site is zoned with an animal regulations designator where the small animal raising animal use type is permitted without a limit on the number of poultry allowed.

(Added by Ord. No. 10463 (N.S.) adopted 4-14-17)

6158

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

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

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

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

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

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

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

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

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

6158

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

6160 MANUFACTURING AND INDUSTRIAL ZONES.

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

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

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

6162 CARGO CONTAINERS.

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

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
- Section 6157: On-Site Agricultural and/or Horticulture Sales
Agricultural Tourism
Agricultural Homestay
Agricultural Microbrewery or Micro-Distillery
Creamery
- 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)

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

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)

- 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 or Fishermen's Market. The Certified Farmers' Market or the Fishermen's Market Temporary Use types are exempt from the enclosure regulations.
- h. Exception for Temporary Outdoor Sales. Temporary Outdoor Sales which are in compliance with Section 6124 are exempt from the enclosure regulations.
- i. Exception for Recycling Processing Facility, Wood and Green Materials. The Recycling Processing Facility, Wood and Green Materials Use type is exempt from the enclosure regulations (providing the use complies with Section 6706) except in the M50, M52 and C40 Use Regulations.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 5549 (N.S.) adopted 6-29-79)
 (Amended by Ord. No. 5809 (N.S.) adopted 6-18-80, operative 9-1-80)
 (Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)
 (Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)
 (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
 (Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)
 (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
 (Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
 (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
 (Amended by Ord. No. 9013 (N.S.) adopted 3-17-99)
 (Amended by Ord. No. 9260 (N.S.) adopted 12-10-03)
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
 (Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)
 (Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)
 (Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)
 (Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

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6816 ENCLOSURE MATRIX.

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

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

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

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

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

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

(ENCLOSURE MATRIX)

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

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

6877 HERD SIZE FOR SPECIFIED DAIRIES

Dairies that were in operation and whose herd size exceeds current zoning limitations, as of December 15, 1986 shall be permitted to maintain the following numbers of bovine animals on site:

Owner Site Address	Assessor's Parcel Number	Site Acreage	Permitted Herd Size
Gerritt Van Ommering 15055 Willow Rd. (Lakeside)	390-040-03,23,26	125.16 acres	1,400 head

This dairy shall be required to obtain approval of a Major Use Permit prior to expansion of the herd size to a number greater than that permitted above or prior to a reduction in site area without a proportionate decrease in herd size, unless said dairy is reclassified to a zone permitting such expansion.

(Added by Ord. No. 7354 (N.S.) adopted 8-5-87)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

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6878 REDEVELOPMENT AREAS

(Added by Ord. No. 7878 (N.S.) adopted 3-6-91)
(Repealed by Ord. No. 9246 (N.S.) adopted 8-9-00)

6879 EQUINE OPERATIONS AND USABLE AREA FOR SPECIFIED HORSE STABLES

Horse Stables that were in operation prior to the adoption of the Zoning Ordinance on October 18, 1978 that have been documented by the Department, shall be permitted to maintain the following numbers of horses on the site acreage as long as the use continues without interruption pursuant to section 6865:

Owner Site Location	Specified Horse Stables		
	Assessor's Parcel Number	Site Acreage in use as a horse stable	Permitted numbers of horses
Eugene "Kip" Hering Lakeside	3921304100	27 acres	Up to a maximum of 100 horses
Judy Tieber Mount Miguel Equestrian Center Sweetwater	5851130700	2.5 acres	Up to a maximum of 50 horses
Gene Ames Lucky 7 Ranch Sweetwater	5900910200	5 acres	Up to a maximum of 50 horses
Paul Herigstad Valley Center	1850631000	4 acres	Up to a maximum of 25 horses

An expansion of use at these stables only requires the necessary permit for the expanded area(s) outside this specified site acreage and numbers of horses in addition to these specified numbers since October 18, 1978. The prior use is considered a nonconformity, is here documented and may continue in operation as such pursuant to section 6852.

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

- iv. 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.
7. A Small Winery shall demonstrate compliance with the Travel Time Standards from the Closest Fire Station, specified in the Safety Element, Table S-1.

(Added 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. 10204 (N.S.) adopted 3-28-12)
 (Amended by Ord. No. 10425 (N.S.) adopted 4-27-16)

6911 EMERGENCY SHELTERS.

Emergency Shelters (See Section 1334) shall comply with the following provisions, in addition to all other applicable County codes and any requirements imposed by the State Department of Housing and Community Development:

- a. The maximum number of clients permitted to be served (eating, showering or sleeping) nightly shall not exceed 1 per 125 sq. ft. of floor area. There shall be one bed provided for each client.
- b. Off street parking shall be provided as follows: one parking space per employee on site at the same time and one additional space for every 6 client beds or portion thereof.
- c. The client waiting and/or intake areas shall be as follows:
 - 1. The interior waiting/intake area for a facility with 14 or fewer beds shall be no less than 125 sq. ft. and for a facility with 15 or more beds shall be no less than 200 sq. ft. in area.
 - 2. The exterior waiting/intake area shall be no less than 450 sq. ft. for facilities with 14 beds or fewer. The exterior waiting/intake area shall be no less than 900 sq. ft. for facilities with 15 beds or more. Exterior waiting/intake areas shall be screened from view from surrounding properties by solid fencing of not less than 6 feet in height. Fencing shall conform to the requirements of Section 6700 et. seq.
- d. An individual or individuals who do not utilize the homeless beds and/or services and who maintain their own residence off site may be eligible as on site manager(s). Each facility shall have manager(s) present onsite 24 hours per day, 7 days per week. At a minimum, one on site manager and one supporting staff member of the same sex shall be provided in each segregated sleeping area being used.

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- e. Segregated sleeping, lavatory and bathing areas shall be provided if the Emergency Shelter accommodates both men and women in the same building. Reasonable accommodation shall be made to provide segregated sleeping, lavatory and bathing areas for families.
- f. No Emergency Shelter shall be located within 300 feet of another Emergency Shelter.
- g. No client shall be allowed to stay more than 180 consecutive days or 300 overall days within any 12 month period of time.
- h. Lighting shall be provided in all parking areas, exterior intake and/or waiting areas and outside common areas. Outdoor lighting shall conform to all provisions of Section 6324 of this Zoning Ordinance and Section 51.201 and following of the San Diego County Code.
- i. Adequate security shall be provided on site during all hours of operation.
- j. For purposes of this section, "client" is defined as a person who utilizes the Emergency Shelter facilities to eat, shower or sleep but is not a staff member.

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

6912 COMMUNITY GARDENS

Community Gardens are allowed in all zones where Tree Crops or Row and Field Crops are permitted, subject to the following regulations:

- a. Hours of Operation. Hours of operation shall be limited to the hours between sunrise and sunset.
- b. Permitted structures. Accessory structures, such as storage sheds for tools and other supplies, greenhouses and/or an Agricultural Stand, may be allowed in a community garden pursuant to Section 6156.
- c. Parking. A minimum of 2 parking spaces shall be provided on the lot when there is no on-street parking allowed adjacent to the community garden property.
- d. Water Use. Wasting water is prohibited pursuant to County Code Section 86.725. Water efficient irrigation techniques such as drip irrigation and timers to control watering times are encouraged. All hoses shall be equipped with a trigger nozzle. Mulching of planted areas is encouraged to retain plant moisture.

- e. Composting. Composting may be performed onsite within a composting container subject to all of the following:
 - 1. Composted materials shall be only those materials generated onsite or contributed by active members of the community garden.
 - 2. Composting containers shall be located a minimum of three feet from property lines.
 - 3. Odors and/or fly-breeding shall not be greater than customarily found at a well-maintained residence.
- f. Organic Gardening. Organic gardening is strongly encouraged.
- g. Trash/Recycling Receptacles. Trash and recycling receptacles shall be provided onsite for the proper disposal of refuse. The receptacles shall be screened from adjacent properties by six-foot high solid fencing. Refuse shall be removed from the site regularly so that the receptacle area and the lot are kept free from litter.
- h. Sale of Produce and Plants. Sale of produce or plants raised on the site is allowed only from a permitted Agricultural Stand, subject to all provisions of 6156.q. Otherwise, on-site sales of produce, plants or any other items are prohibited.
- i. Prohibited plants. Planting illegal or invasive plants, as defined in County Code Section 86.701 et seq., shall be prohibited.

All other applicable codes and ordinances shall apply to Community Gardens, including but not limited to Groundwater Ordinance, Grading Ordinance and Noise Ordinance. Applicable permits from other departments or agencies may be required.

(Added by Ord. No. 10204 (N.S.) adopted 3-28-12)
 (Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

6913 AQUAPONICS

The Aquaponics use type refers to a form of agriculture combining the cultivation of plants in water (Hydroponics) and raising of fish (Aquaculture) in a symbiotic, closed-loop system. Aquaponics uses shall comply with the following provisions:

- a. The limitation on the number of animals allowed on a property pursuant to Section 3100 (g) Specialty Animal Raising: Other, shall not apply to the number of fish raised as part of an Aquaponics use provided all requirements of this section are met.

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- b. The use is conducted within a permitted, enclosed greenhouse(s) and/or agricultural structure(s) and any additional required permits are obtained from the Building Division.
- c. Structures shall comply with the setback regulations of the zone in Section 4810 and with the Animal Enclosure Setback Table, Section 3112. The most restrictive setback shall apply.
- d. Odors shall not be detectable from surrounding properties.
- e. All operations, including equipment such as exhaust fans, circulating pumps and/or generators shall comply with the provisions of Section 36.401 et seq. of the San Diego County Code of Regulatory Ordinances relating to Noise Abatement and Control. Noise barriers shall be installed around any noise generating equipment if necessary to meet the required limitations.
- f. Comply with all applicable requirements of California Department of Fish and Game for fish species that are raised for human consumption, comply with all applicable requirements of California Department of Food and Agriculture and all applicable permit requirements with the Department of Environmental Health.

(Added by Ord. No. 10463 (N.S.) adopted 4-14-17)

6920 COTTAGE INDUSTRIES.

- a. 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.
- b. Permit.
 - 1. Cottage Industries are permitted, upon issuance of a Minor Use Permit, only in the A70, A72, S90 and S92 Use Regulations, and in the RR Use Regulations on parcels of four acres gross or larger.
 - 2. A Minor Use Permit 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 7378 to extend its expiration date. The expiration date of any unexpired Minor Use Permit for a cottage industry which was granted prior to September 13, 1991 shall, however, be automatically extended by operation of Ordinance No. 7964 (N.S.) to September 13, 1998.

3. 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 6920d.4. 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.
- c. 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.
- d. Specific Standards. Cottage Industries shall conform to the following requirements:
1. 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.
 2. The use shall be conducted entirely within a dwelling, garage, or accessory building which retains the appearance of buildings normally associated with dwellings.
 3. 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.
 4. The maximum floor area devoted to the use shall not exceed 1,000 square feet.
 5. Not more than 3 persons may be employed on the premises in addition to the members of a single family residing on the premises.
 6. 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).
 7. 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.
 8. The Cottage Industry shall conform to the Performance Standards for the applicable use regulations. (See Section 6300)
 9. 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.

10. 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.
- e. 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.

(Amended by Ord. No. 5652 (N.S.) adopted 11-21-79)

(Amended by Ord. No. 6195 (N.S.) adopted 12-2-81)

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

(Amended by Ord. No. 7964 (N.S.) adopted 8-14-91)

(Amended by Ord. No. 8698 (N.S.) adopted 7-17-96)

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

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

6930 ADULT ENTERTAINMENT ESTABLISHMENTS.

- a. Purpose and Intent. It is the purpose of this section to establish reasonable and uniform regulation to prevent the concentration of adult entertainment establishments, as defined herein, and to protect the public health, safety and welfare, within the unincorporated area of San Diego County. It is the intent of this section that the regulations be utilized to preserve the character of neighborhoods and property values and to deter the spread of crime and prevent problems of blight, deterioration, and public safety which often accompany and are brought about by the concentration and operation of adult entertainment establishments.

(Amended by Ord. No. 8015 (N.S.) adopted 12-04-91)

- b. Permit required; Standards for Location.
 1. No person shall cause or permit the establishment, operation, enlargement or transfer of ownership or control of any adult entertainment establishment without first obtaining an Administrative Permit pursuant to this section from the Director.
 - i. Upon receipt of an application, the Director shall send a notification to all occupants and owners of record of properties within a 1,000-foot radius of the proposed site.
 - ii. Interested persons notified under section subsection b.1.i may submit written comments to the Director solely on the issue of whether or not the proposed site complies with subsection b.2.
 - iii. The Director shall make a decision to grant or deny the Administrative Permit within 15 days of the initial filing of the application.
 - iv. The Director shall make a decision based solely upon the completeness of the application and evidence relevant to the objective zoning and distance standards specified in subsection b.2, including any written comments from interested persons.

2. The application for an Administrative Permit for an adult entertainment establishment shall be approved unless said establishment is within 500 feet of any area zoned so as to permit the family residential use type as a primary use by right, or within 600 feet of any church, school, public playground, or park or within 1,000 feet of another such adult entertainment establishment. No Variance shall be approved for an adult entertainment establishment to deviate from these distance standards. Establishment of a residential use, church, school, public playground or park located within the aforementioned distance restrictions subsequent to the filing of an application for a permit for an adult entertainment establishment shall not render the adult entertainment establishment a non-conforming use.
3. In the event that an Administrative Permit for an Adult Entertainment Establishment is appealed and the court has not decided the validity of the denial within thirty days after the petition is filed, the Director shall issue a temporary permit for an Adult Entertainment Establishment. The temporary permit shall remain in effect only until the court has rendered its opinion concerning the validity of the denial. Court challenges shall be governed by California Code of Civil Procedure § 1094.8.

(Repealed and reenacted by Ord. No. 8015 (N.S.) adopted 12-04-91)
 (Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)
 (Amended by Ord. No. 9745 (N.S.) adopted 12-14-05)

c. Measure of Distance. Distance, without regard to intervening structures, shall be:

1. A straight line measured from the closest property lines of any two adult entertainment establishments.
2. A straight line measured from the closest property lines of the adult entertainment establishment to the closest property line of a church, school, public playground, park, recreational area, or area zoned so as to permit the family residential use type as a primary use by right.
3. If any portion of a parcel falls within the distance criteria referenced in Section 6930, said parcel shall be prohibited from the development of any Adult Entertainment Establishment.

(Amended by Ord. No. 8015 (N.S.) adopted 12-04-91)
 (Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

d. Activities. For the purpose of this ordinance, the following activities as defined in Sections following Section 1110 shall be deemed adult entertainment.

1. Adult Arcade/Peep Show
2. Adult Bookstore, Adult Novelty Store, Adult Video Store
3. Adult Cabaret

4. Adult Drive-In Theater
5. Adult Mini-Motion Picture Theater
6. Adult Model Studio
7. Adult Hotel or Motel
8. Adult Motion Picture Theater
9. Adult Theater
10. Body Painting Studio
11. Sexual Encounter Establishment
12. Any other business which involves Specified Sexual Activities or display of Specified Anatomical Areas.

(Amended by Ord. No. 8015 (N.S.) adopted 12-04-91)

(Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

- e. Notwithstanding Section 6852, an adult entertainment establishment which was lawfully established before May 15, 2002 shall be allowed to continue as a nonconforming use for three (3) years. The Adult Entertainment Establishment shall have the right to apply for a six-month extension of this period upon a showing of financial hardship to the Director. In making a decision regarding an extension, the Director shall consider: 1) the availability of alternative locations; 2) the term of the lease; 3) the cost of any improvements that would only be of use to the Adult Business; and 4) the potential for other conforming uses to locate on the site.

Any nonconforming adult entertainment establishment shall not be expanded, enlarged, extended or altered except that the use may be changed to a conforming use.

- f. As used in this section, "Establishing an Adult Entertainment Establishment" shall mean:
1. The opening or commencement of any such establishment as a new establishment; or
 2. The conversion of an existing establishment, whether or not an adult entertainment establishment, to any of the adult entertainment establishments defined herein; or
 3. The addition of any of the adult entertainment establishments defined herein to any other existing adult entertainment establishments; or
 4. The relocation of any such establishment.

- g. As used in this section, "Transfer of Ownership or Control" shall mean:
1. The sale, lease or sublease of such establishment; or
 2. The transfer of securities which constitute a controlling interest in such establishment, whether by sale, exchange or similar means; or
 3. The establishment of a trust, gift or other similar legal device which transfers the ownership or control of such establishment, except for transfers by bequest or other operation of law upon the death of the person possessing such ownership or control.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)
 (Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)
 (Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

- h. Exception to Section 1019. Notwithstanding Section 1019, no application for an Administrative Permit or a building permit for an adult entertainment establishment shall be accepted or approved where the proposed use or facility would violate Section 6930 b.

(Added by Ord. No. 8015 (N.S.) adopted 12-04-91)
 (Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

6935 MEDICAL MARIJUANA COLLECTIVE FACILITIES

Amortization of Nonconforming Medical Marijuana Collective Facilities. Notwithstanding Section 6852, a nonconforming Collective Facility which was lawfully established before April 14, 2017 shall cease operations no later than April 14, 2022. In order for a Collective Facility to be "lawfully" established it must have applied for and obtained a building permit and/or a certificate of occupancy and Sheriff's Operating Certificate prior to commencing operations, or received County approval of a vested right to continue under previous regulations. The Collective Facility may apply for one six-month extension of this period. The Director may grant that extension upon determining that the operator would be subjected to unreasonable financial hardship if forced to cease operations, considering (1) the term of any applicable lease for the premises and whether it may be modified or terminated; (2) the non-recoverable costs of any improvements that would only be of use to the Collective Facility; (3) the profits which have been received during the period from April 14, 2017 to April 14, 2022, and (4) the potential for other conforming uses to locate on the site.

Any nonconforming medical marijuana collective facility shall not be expanded, enlarged, extended or altered except that the use may be changed to a conforming use.

(Added by Ord. No. 10061 (N.S.) adopted 6-30-10)
 (Amended by Ord. No. 10118 (N.S.) adopted 1-25-11)
 (Amended by Ord. No. 10461 (N.S.) adopted 4-14-17)

6940

6940 TRAILER COACHES OUTSIDE MOBILEHOME PARKS.

The use of a trailer coach outside a mobilehome park is permitted for the following purposes:

- a. Administrative office, business office, sales office, or living quarters for security personnel upon approval of a Site Plan or its Modification when such office or quarters is incidental to a business or civic use permitted by applicable use or special area regulations requiring a Site Plan. A use permit or its Modification shall be required for such office or quarters if no Site Plan is otherwise required for the use of the property.
- b. Classroom for public or private schools where the trailer coach and use thereof complies with subdivision (b) of Section 39248 of the Education Code.
- c. Dwelling for security personnel on a public or private school site.
- d. Dwelling on a private lot established pursuant to Section 6502.
- e. Housing established pursuant to the Accessory Use Regulations.
- f. Owner-occupied independent mobilehome, one-unit mobilehome park, or single-unit farm employee mobilehome legally established pursuant to the former provisions of Ordinance 1402.
- g. Temporary uses pursuant to Section 6118.
- h. Housing as an accessory use in a County Park or parks operated by a Community Services District or other public agency.

The above mentioned trailer coaches shall comply with the provisions of Chapter 2, of Division 6, Title 5, of the County Code of Regulatory Ordinances relating to trailer coaches.

(Added by Ord. No. 6082 (N.S.) adopted 6-10-81)

(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. 7048 (N.S.) adopted 10-09-85)

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

15. Air contaminants including but not limited to smoke, charred paper, dust, grime, carbon, noxious acids, fumes, gases, odors, or particulate matter, or any emissions that endanger human health, cause damage to vegetation or property or cause soiling, vibration or noise above levels allowed by the Performance Standards commencing at Section 6300, shall not be permitted.
 16. Incidental sale of products produced from recycled material is allowed on-site.
- b. Recycling Processing Facility, Heavy
1. In a C37, C38 or C40 Commercial Use Regulation or M54 or M58 Industrial Use Regulation upon meeting the criteria for a light recycling processing facility as set forth above in this section commencing at subsection a.2.;
 2. In any other Commercial or Industrial Use Regulation upon the issuance of a Major Use Permit. The conditions of said Major Use Permit shall require compliance with the criteria for a light recycling processing facility as set forth above in this section commencing at subsection a.2. as well as any others necessary in order to make the findings required for the granting of a Major Use Permit.
- c. Recycling Processing Facility, Wood and Green Materials
1. A facility devoted exclusively to the processing (not including composting) of wood and green materials is considered a General Industrial Use Type, and as such, shall be conducted in accordance with the regulations applicable to said Use Type except that a Wood and Green Materials Recycling Processing Facility may be permitted in an Agricultural or Special Purpose Use Regulation upon issuance of a Minor Use Permit. The conditions of said Minor Use Permit shall require compliance with the criteria for a light recycling processing facility as set forth above in this section commencing at subsection a.2., except for the requirement that the operations be conducted entirely within an enclosed building; except for the requirements of subsection a.4 relating to size and scope of operation; subsection a.6. relating to storage within containers; and, subsection a.10. relating to noise level limits. The conditions of the Minor Use Permit shall address the above-mentioned requirements as well as any others necessary in order to make the findings required for the granting of a Minor Use Permit. Said Minor Use Permit may include composting of wood and/or green waste provided the conditions relating to composting are satisfactory to the Director of the Department of Public Works.

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

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

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

6976

6976 PROHIBITION OF MARIJUANA FACILITIES – MEDICAL OR NON-MEDICAL

No person shall cause or permit the establishment, operation, enlargement or transfer of ownership of a facility of marijuana for medical or non-medical purposes, meeting the definition "Marijuana Facility – Medical and Non-Medical" in Section 1110. To the maximum extent allowed by state law this prohibition shall apply throughout all use regulations.

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

(Amended by Ord. No. 10461 (N.S.) adopted 4-14-17)