



County of San Diego

PLANNING & DEVELOPMENT SERVICES
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DIRECTOR

October 12, 2022

Update No. 108

09-22

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

Attached are pages containing changes to the San Diego County Zoning Ordinance amended by adoption of Ordinance No. 10807 (N.S.), effective October 12, 2022.

Ordinance No. 10807 makes additions and amendments to regulations and definitions related to Organic Materials Processing and Large Commercial Organic Materials Processing. These amendment pages are known as 'An Ordinance Amending the San Diego County Zoning Ordinance and Code of Regulatory Ordinances Relating to Organic Material Processing Standards for the Processing of Organic Materials in the Unincorporated San Diego County, adopted by the Board of Supervisors on September 14, 2022.

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

REMOVE	ADD	SECTION CHANGES/DESCRIPTION
Table of Contents Part 6 (2 Pages)	Table of Contents Part 6 (2 Pages)	Updates Table of Contents to reflect name change of Section 6902 and to include Section 6977 – Organic Materials Processing.
1110 Definitions - Beginning within "Definition A" (60 pages)	1110 Definitions - Beginning within "Definition A" (64 pages)	Amends Section 1110 – Definitions to include the addition of 19 new definitions related to the regulations established by Section 6977 – Organic Materials Processing. This update section begins with the addition of the term "Aerated Static Piles" and concludes with the addition of

		the term “Windrow.”
Sections 1513-1540 (2 pages)	Sections 1513-1540 (2 pages)	Amends Section 1513 – Recycling Processing Facility to include additional regulations established by Section 6977.
Sections 1700-1750 (4 pages)	Sections 1700-1750 (+ blank) (4 pages)	Amends Sections 1730, 1735, and 1740 to include additional regulations established by Section 6977.
Sections 2700-2725 (4 pages)	Sections 2700-2725 (6 pages)	Amends Sections 2702, 2703, 2704, and 2704 to include additional regulations established by Section 6977.
Section 2980 (4 pages)	Section 2980 (4 pages)	Amends Section 2980 to include additional regulations established by Section 6977.
Section 2990 (8 pages)	Section 2990 (8 pages)	Amends the “Use and Enclosure” matrixes included in Section 2990 to reflect the addition of Organic Materials Processing and Large Organic Materials Processing zoning use regulations.
Section 6156 (2 pages)	Section 6156 (2 pages)	Amends Section 6156 to include “Organic Materials Processing” in the list of permitted uses, as per Section 6977. The item has been listed under “aaa.” due to the term “aa.” already being in use.
Section 6157 (last 2 pages) (2 pages)	Section 6157 (last 2 pages) (2 pages)	Amends Section 6157 to include “Organic Materials Processing” in the list of permitted uses, as per Section 6977.
Sections 6900-6903 (4 pages)	Sections 6900-6903 (+ blank) (6 pages)	Amends Section 6902 to include “Organic Materials Processing” as one of the permitted uses that requires additional permit criteria, as per Section 6902.
Sections 6911-6920 (4 pages)	Sections 6911-6920 (4 pages)	Amends Section 6912 to redact approval of composting practices permitted prior to the adoption of Section 6977.

Sections 6975-6976 (4 pages)	Sections 6975-6977 (+ blank) (10 pages)	Amends Sections 6975 and 6977 to include additional regulations established by Section 6977.
Sections 7355-7366 (6 pages)	Sections 7355-7366 (8 pages)	Amends Section 7359 to include "Organic Materials Processing" as one of the permitted uses that requires additional permit criteria, as per Section 6902.

Upon insertion of these pages, we suggest you fill in the space provided for Update No. 108 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 staff at PDS.LongRangePlanning@sdcounty.ca.gov.



Dahvia Lynch, Director

Department of Planning & Development Services

THE ZONING ORDINANCE OF SAN DIEGO COUNTY
Ordinance No. 5281 (New Series)

Adopted - October 18, 1978
Effective - December 19, 1978

RECORD OF CHANGES TO THIS ORDINANCE

Note date and initial when replacement pages are inserted

UPDATE			UPDATE			UPDATE			UPDATE		
No.	Date	By	No.	Date	By	No.	Date	By	No.	Date	By
1	3-83	DPLU	33	10-89	DPLU	65	2-03	DPLU	97	11-14	PDS
2	6-83	"	34	1-90	"	66	6-03	"	98	5-16	"
3	10-83	"	35	5-90	"	67	9-03	"	99	4-17	"
4	12-83	"	36	7-90	"	68	2-04	"	100	3-19	"
5	5-84	"	37	8-90	"	69	8-04	"	101	9-19	"
6	6-84	"	38	10-90	"	70	10-04	"	102	3-20	"
7	11-84	"	39	9-91	"	71	2-05	"	103	12-20	"
8	12-84	"	40	3-92	"	72	3-06	"	104	03-21	"
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10	3-85	"	42	10-92	"	74	5-07	"	106	02-22	"
11	5-85	"	43	12-92	"	75	4-08	"	107	10-21	"
12	8-85	"	44	1-93	"	76	9-08	"	108	9-22	"
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14	11-85	"	46	6-93	"	78	3-09	"			
15	12-85	"	47	7-93	"	79	4-09	"			
16	5-86	"	48	1-94	"	80	10-09	"			
17	6-86	"	49	7-94	"	81	2-10	"			
18	7-86	"	50	10-94	"	82	7-10	"			
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24	7-87	"	56	1-98	"	88	4-12	"			
25	9-87	"	57	5-98	"	89	7-12	PDS			
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Def. A

DEFINITIONS (A)

A-Weighted Sound Level (dBA): The sound level in decibels as measured on a sound level meter using the A-weighted network. The A-weighted network is the network for measuring sound that most closely resembles what the human ear hears. Sound measured using the A-weighted network is designated dBA.

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

Abutting: Having a common boundary except that parcels having no common boundary other than a common corner shall not be considered abutting.

Accessory Apartment (Elderly/Handicapped/Family Member): A dwelling unit no greater than 640 square feet in floor area, located within or attached to a single detached dwelling, for occupancy by a maximum of two persons, one of whom shall be either 1) 60 years of age or older, 2) handicapped (as defined in the State Health and Safety Code) or 3) a member of the immediate family of the owner (related by blood, marriage or adoption) of the principal dwelling on the site. (Accessory Apartment provisions were repealed by Ord. No. 9982 (N.S.) adopted 04-22-09).

(Added by Ord. No. 6586 (N.S.) adopted 5-18-83)
(Amended by Ord. No. 9982 (N.S.) adopted 4-22-09)

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

Accessory Living Quarters: Living quarters, which may include kitchen facilities, within an accessory building or within the primary dwelling for the sole use of persons employed on the premises and not rented or otherwise used as a separate dwelling. (Accessory Living Quarters provisions were repealed by Ord. No. 9982 (N.S.), adopted 4-22-09).

(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)
(Amended by Ord. No. 9982 (N.S.) adopted 4-22-09)

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

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

Administrative Permit: A permit which may be granted by the appropriate County officer or body to provide for the accommodation of land uses or structures with special site or design requirements, operational characteristics, or potential adverse effects on surroundings, which are not permitted by right, but which may be approved upon completion of a review process, the making of findings required by ordinance, and where necessary, the imposition of conditions of approval by the permit granting authority. Administrative permits are intended to be utilized in situations where the public welfare does not require a public hearing prior to granting approval for temporary uses or structures, uses and structures having only a minor potential adverse impact on surroundings, or for uses and structures where the public welfare necessitates an expeditious review procedure.

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

Adult Bookstore, Adult Novelty Store Adult Video Store: A commercial establishment which has a significant or substantial portion of its stock-in-trade or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising, or maintains a substantial section of its sales or display space for the sale or rental, for any form of consideration, of any one or more of the following:

- a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas";
- b. Instruments, devices or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of the user or others.

As used in this definition, the term "significant or substantial portion" means 25 percent or more.

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

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

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

(Amended by Ord. No. 9827 (N.S.) adopted 1-31-07)

Adult Cabaret: A nightclub, bar, juice bar, theater, restaurant bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features: (a) persons who appear in a state of semi-nudity (nudity is prohibited per Chapter 18 of the Code of Regulatory Ordinances); or (b) films, motion pictures, videocassettes, slides, or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of "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)

Def. A

Adult Drive-In Theater: An open lot or part thereof, with appurtenant facilities, devoted primarily to the presentation of motion pictures, films, theatrical productions and other forms of visual productions, for any form of consideration, to persons in motor vehicles or on outdoor seats, and presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.

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

Adult Entertainment: Any activity which falls within the list of defined terms found at Section 6930 d.

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

Adult Motel: A motel, hotel, or similar commercial establishment which: (a) offers public accommodations for any form of consideration and which regularly provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas" and which regularly advertise the availability of such material by means of a sign visible from the public right of way or by means of any off-premises advertising, including but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television, and (b) offers a sleeping room for rent for a period of less time than ten (10) hours.

(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: A commercial establishment where films, motion pictures, videocassettes, slides, or similar photographic reproductions which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas" are regularly shown for any form of consideration.

Specified Sexual Activities:

1. Sex acts including intercourse, oral copulation, masturbation, or sodomy; or
2. Excretory functions as part of or in connection with any of the activities set forth in 1.

(Added by Ord No. 5840 (N.S.) adopted 7-30-80)
(Amended by Ord. No. 7469 (N.S.) adopted 6-12-02)

Adult Model Studio: Any establishment open to the public where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons, other than the proprietor, paying such consideration or gratuity. The provision shall not apply to any school of art which is operated by an individual, firm, association, partnership, corporation or institution which meets the requirements established in the Education Code of the State of California for the issuance or conferring of, and is in fact authorized thereunder to issue and confer, a diploma.

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

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)

Aerated Static Piles: Piles are made the same way as static piles, except these have a system to let more air in. The system can be as simple as a pallet under the bin or as elaborate as PVC tubing with forced air inserted into the pile. More air helps the system work faster.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

Aerobic Decomposition: Is the decomposition of organic materials primarily by aerobic microbes under controlled conditions.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

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 Materials: Is any waste material of plant or animal origin, which results directly from the conduct of agriculture, animal husbandry, horticulture,

Def. A

aquaculture, silviculture, vermiculture, viticulture and similar activities undertaken to produce food or fiber for human or animal consumption. Agricultural material includes, but is not limited to, manures, orchard and vineyard pruning, grape pomace, and crop residues.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

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)

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 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.

Anaerobic Decomposition: Is a biological decomposition of organic substances in the absence of oxygen.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

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

Def. A

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)

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.

DEFINITIONS (B)

Background Sound Level (L_{90}): The sound level that is exceeded for 90 percent of the total measurement period as described in the current edition of Quantities and Procedures for Description and Measurement of Environmental Sound by the American National Standard Institution. Background Sound Level may be measured relative to A-weighting or C-weighting, in which case it would be denoted as L_{A90} and L_{C90} , respectively.

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

Banner: A sign usually made of flexible material that has limited durability, such as paper, cloth or plastic.

(Added by Ord. No. 10322 (N.S.) adopted 1-29-14)

Barn: A building used for the shelter of livestock raised on the premises, the storage of agricultural products produced or consumed on the premises, or the storage and maintenance of farm equipment and agricultural supplies used for the agricultural operations on the premises. A barn may be located within or adjacent to an Animal Enclosure, but a barn is not considered an Animal Enclosure. A Barn is considered an accessory residential or agricultural use.

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

Base Units: The number of dwelling units proposed for a housing development, exclusive of the density bonus units. The number of base units cannot exceed the maximum allowable residential density.

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

Basement: Any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.

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

Bed and Breakfast Home: A single-family dwelling in which more than two bedrooms are made available for rent on a less than weekly basis to provide lodging, including overnight sleeping accommodations and breakfast.

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

(Amended by Ord. No. 7363 (N.S.) adopted 8-19-87)

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

Def. B

Bedroom: Attached room which is intended, arranged, or designed to be occupied by one or more persons primarily for sleeping purposes and shall have an area of not less than 70 square feet or be less than 7 feet in any dimension with a closet opening on it or within it.

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

Bicycle Space: An area that is permanently reserved and maintained for parking one bicycle either in an open rack or an enclosed structure or locker.

(Added by Ord. No. 5976 (N.S.) adopted 1-28-81)
(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85)

Bird: An avian species other than poultry.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)
(Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)

Block: All property fronting upon one side of a street between intersecting and intercepting streets, or between a street and a right-of-way, waterway, terminus of dead end street, or city boundary. An intercepting street shall determine only the boundary of the block on the side of the street which it intercepts.

Bluff: A scarp or steep face of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding, filling or excavation of the land mass. The bluff may be simple planar or curved surface or it may be steplike in section.

(Amended by Ord. No. 5329 (N.S.) adopted 12-13-78)

Bluff Edge: The upper termination of a bluff. When the top edge of the bluff is rounded away from the face of the bluff as a result of erosional processes related to the presence of the steep bluff face, the edge shall be defined as that point nearest the bluff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the bluff. In a case where there is a steplike feature at the top of the bluff face, the landward edge of the topmost riser shall be taken to the bluff edge. In those cases where irregularities, erosion intrusions, structures or bluff stabilizing devices exist on a subject property so that a reliable determination of the bluff edge cannot be made by visual or topographic evidence, the Director shall determine the location of the bluff edge after evaluation of a geologic and soil report.

(Added by Ord. No. 5329 (N.S.) adopted 12-13-78)

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

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

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

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

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

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

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

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

Bookstore: (See Adult Bookstore and General Bookstore)

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

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

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

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

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

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

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

Def. B

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

Building, Accessory: (See Accessory Building)

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

Building Height: (See Height, Building)

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

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

Building, Main: (See Main, Building)

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

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

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

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

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

Building Type: The development designator intended to regulate the structural types and arrangements of buildings, and the arrangement of uses within them.

Building Type, Mixed Residential-Nonresidential: That group of building types comprising the following:

1. Limited: A structure or structures containing one or more dwelling units in any vertical or horizontal arrangement and in which principal nonresidential use types are located only at the ground level, or at any level below the ground level of the building or structure.
2. Unlimited: A structure or structures containing one or more dwelling units in any vertical or horizontal arrangement and in which principal nonresidential use types may be located on any level of the building or structure.

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

Building Type, Nonresidential: That group of building types comprising the following:

1. Detached: A building, freestanding and structurally separated from other buildings, located on a lot or building site which may be occupied by other buildings.
2. Attached: Two or more main buildings placed side-by-side so that some structural parts are touching one another, located on a lot or building site or portion thereof which may be either occupied or unoccupied by other main buildings.

Building Type, Residential: That group of building types comprising the following:

1. Single Detached: One dwelling unit, freestanding and structurally separated from any other dwelling unit or building, located on a lot or building site which is unoccupied by any other dwelling unit.
2. Double Detached: (See Duplex).
3. Semi-Detached: One dwelling unit, which is placed side-by-side and touching another dwelling unit or its garage, both of which are located on separate lots or building site unoccupied by any other dwelling unit.
4. Duplex: Two dwelling units placed side-by-side, which may be attached or detached, both of which are on a lot or building site which is unoccupied by any other dwelling unit.
5. Triplex: A multiple dwelling limited to three dwelling units arranged side-by-side or vertically so that some structural parts are touching one another, but freestanding and structurally separated from any other dwelling units, all of which dwelling units are located on a lot or building site which is unoccupied by any other dwelling unit.

Def. B

6. Stacked: Dwelling units arranged vertically so that one dwelling unit is placed above or below the other. The number of dwelling units shall not exceed the number permitted by the same building designator for other types of residential buildings.
7. Attached, Three to Eight Dwelling Units: 3 to 8 dwellings placed side-by-side so that some structural parts are touching one another, located on separate lots which are unoccupied by any other dwelling units.
8. Multi-Dwelling: A structure or structures containing a total of 3 or more dwelling units in any vertical or horizontal arrangement on a single lot or building site.

(Amended by Ord. No. 5768 (N.S.) adopted 6-4-80)

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

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

Bulk Reverse Vending Machine: A grouping of reverse vending machines occupying more than 50 square feet, designed to accept more than one container at a time and paying by weight instead of by container.

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

Business or Commerce: The purchase, sale or other transaction involving the handling or disposition of any article, service, substance or commodity for livelihood or profit; the management of office buildings, offices, recreational or amusement enterprises; or the maintenance and use of offices, structures and premises by professions and trades rendering services; or the use or leasing of land for promotion, display, or sales of mobilehomes or for the limitation of consumer choice as to services or products to be used in any mobilehome park to any one seller or group of sellers.

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

DEFINITIONS (C)

C-Weighted Sound Level (L_{Ceq}): The sound level in decibels as measured on a sound level meter using the C-weighting network. The C-weighting network measures sound that contains large low-frequency components. Sound measured using the C-weighting network is designated dBC.

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

Cabana: A portable, demountable, or permanent room enclosure or other building erected or constructed for the use of the occupant of the mobilehome for human occupancy.

Cabaret: (See Adult Cabaret)

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

Cable Television (CATV) System: Any facility which, in whole or in part, receives directly or indirectly from the air and amplifies or otherwise modifies electronic or microwave signals transmitting programs broadcast by one or more television stations and/or originates or purchases programs or electronic or microwave signals and distributes such signals or any of them by wire or cable to subscribing members of the public who pay for such service.

California Coastal Zone: That portion of the Coastal Zone described in Section 30103 of the California Coastal Act of 1976 (Public Resources Code Section 20000 et seq.) which is within the unincorporated territory of the County of San Diego.

(Added by Ord. No. 6743 (N.S.) effective 1-11-85)

Cannabis Facility – Medical and Non-Medical: (a) Any store, office, business, building, property or other facility in or from which cannabis 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 personal cultivation of cannabis allowed under state law.

(Added by Ord. No. 10062 (N.S.) adopted 6-30-10)
(Amended by Ord. No. 10461 (N.S.) adopted 4-14-17)
(Amended by Ord. No. 10749 (N.S.) adopted 10-6-21)

Caretaker: A person who takes care of a parcel or building.

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

Cargo Container: Any portable, reusable container generally referred to as a sea cargo container or cargo container and primarily designed or used for transporting freight by commercial transportation. When used for any purpose other than transporting freight a Cargo Container is a structure.

(Added by Ord. No. 9844 (N.S.) adopted 4-18-07)

Carnival or circus: A use meeting the definition of these terms as set forth in Section 21.2401(a) of the San Diego County Code.

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

Carport: A type of garage which is a roofed structure, or a portion of a building, open on 2 or more sides primarily for the parking of automobiles belonging to the occupants of the property.

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

Cat: A feline that has reached the age of 4 months.

Categorical Exemption: Certain classes of projects found by the Secretary for Resources of the State of California not to have substantial adverse effects on the environment, and thus are exempt from the EIR requirement.

Cellar: That portion of a building between floor and ceiling which is wholly or partly below grade (as defined in these regulations) and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling.

Def. C

Cemetery: Land used or intended to be used for the burial of one or more dead human bodies or cremated remains thereof, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

(Amended by Ord. No. 7850 (N.S.) adopted 1-16-91)

Certified Farmers' Market: A temporary marketplace, either indoors or outdoors, for the display and sale of produce and other agricultural products such as, but not limited to, fresh fruits, vegetables, nuts, honey, shell eggs, flowers, and nursery stock, for which a Certified Farmers' Market Certificate has been issued by the County Agricultural Commissioner pursuant to California Code of Regulations, Title 3, Division 3, Chapter 1, Subchapter 4, Article 6.5.

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

Certified Recycling Facility: A recycling facility which has been certified by the California Department of Conservation as meeting the requirements of the California Beverage Container and Litter Reduction Act of 1986.

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

Chimney: A hollow shaft containing one or more passages vertical or nearly so, for conveying products of combustion.

Child Care Center: A state-licensed facility of any capacity other than a family day care home for children in which less than 24 hour per day nonmedical care and supervision is provided for children in a group setting.

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

Child Care Facility: A child day care facility other than a family day care home including, but not limited to, infant centers, preschools, extended day care facilities, and school age child care centers.

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

Chipping and Grinding: Is any activity that mechanically reduces the size of greenwaste and woodwaste to be used for a variety of applications.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

Civic Plaza: Property owned by a public or non-profit civic organization for purposes of accommodating the public in the conduct of outdoor events of general community interest including, but not limited to, assemblages of persons for: hobby shows; club meetings; the display and/or sale of art and craft objects; farmer's market, home-grown agricultural products only; and, passive recreational uses.

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

Clinic: Any place, establishment or institution which operates under the name or title of clinic, dispensary, health center, medical center, or any other work or phrase of like or similar import, either independently or in connection with any other purpose, for the purpose of furnishing at the

place, establishment, or institution, advice, diagnosis, treatment, appliances or apparatus, to persons not residing or confined in the place, establishment, or institution, and who are afflicted with bodily or mental disease or injury.

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)

Def. C

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.

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

Community Composting: Refers to the scale and geographic focus of the composting activities. This type of composting is small in scale (20 cubic yard maximum) and is meant to facilitate composting on the neighborhood level. Community composting is not commercial and can occur within residential and agricultural settings.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

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 (including Public Park/Playground/Recreational & Public Passive Park/Recreational Areas), community center, museum, beach park, or recreation facility, owned by, leased by, or under the control of the County.

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

(Amended by Ord. No. 10697 (N.S.) adopted 11-18-20, effective 03-15-21)

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.

Def. D

(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)

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)

Enclosed Containers: Is any enclosure that is a static drum, wood bins, carts, enclosures (fabricated or purchased) or other container for the purpose of producing compost, maintained under uniform conditions of temperature and moisture where air-borne emissions are controlled. This is a good method for smaller community gardens with limited space.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

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)

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 disordered 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 disordered 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.

Def. F

(Added by Ord. No. 6782 (N.S.) adopted 5-16-84)
(Amended by Ord. No. 7743 (N.S.) adopted 3-28-90)
(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)

Family Day Care Home For Children, Small: A state-licensed family day care home serving eight or fewer 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.

(Added by Ord. No. 7743 (N.S.) adopted 3-28-90)
(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)

Farm Employee: A person who derives more than half of their total livelihood in the service of another person as an employee engaged in active commercial agriculture. "Farm Employee" does not include the owner or lessee of a particular property, or a person engaged in construction, alteration, painting, or repair of a structure, logging, or land surveying. "Farm Employee" may include a person engaged in brush or timber clearing, land grading or leveling when such activity is being carried out in preparation for farming.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 7110 (N.S.) adopted 4-2-86)
(Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)

Farm Employee Housing: A living unit or units for farm employees and their families consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household. This is an accessory use to active Commercial Agriculture, subject to Section 6156.u. Farm Employee Housing is not subject to Density Regulations.

(Added 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. 10003 (N.S.) adopted 8-5-09)

Farm Labor Camp: A living unit or units used for housing by 13 or more Farm Employees and their families or with 37 or more beds in a group quarters. This is an agricultural use, as a part of active commercial agriculture, subject to Section 1750 and Section 6906. A Farm Labor Camp is not subject to Density Regulations.

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

Farmers' Market, Certified: (See Certified Farmers' Market)

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

Feedstock: Is any compostable material used in the production of compost or chipped and ground material including, but not limited to, agricultural material, green material, vegetative food material, food material, biosolids, digestate, and mixed material. Feedstocks shall not be considered as either additives or amendments.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

Fence, Non-View-Obscuring: (See Fence, Open)

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

Fence, Open: A fence (and the gates in such fence) which permits direct vision through at least 80 percent of any one square foot segment of fence surface.

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

Fence, Solid: A fence (and the gates in such fence) constructed of solid material through which no visual images or light may be seen. Openings in such fence (and its gates when closed) shall not exceed 2 percent of any one square foot segment of the fence's surface which is more than 8 inches above the ground.

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

Fence, View-Obscuring: A fence (and the gates in such fence) whose surface is covered by solid or opaque material through which no visual images may be seen. Openings in such a fence (and its gates when closed) shall not exceed 20 percent of any one square foot segment more than 8 inches above the ground, nor shall any opening exceed one-half inch in width. Woven wire or chain link fences containing slats are not view- obscuring fences.

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

Fill: Any material or substance which is deposited, pushed, dumped, pulled or otherwise transported or moved to a new location for the purpose of elevating an area above the floodplain. Examples of fill materials include but are not limited to earth, excavated or dredged materials, sand, gravel, rock, asphalt, refuse and concrete rubble.

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

Financial Pro Forma: As applied in the Density Bonus Program at Sections 6350 through 6399 and the Density Bonus Permit Procedures at Sections 7400 through 7449, a financial statement which clearly demonstrates that a requested incentive results in identifiable, financially sufficient, and actual cost reductions that contribute significantly to the economic feasibility of the reserved units in a proposed housing development.

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

Flood: A general and temporary condition of partial or complete inundation of normally dry land area lying outside normal stream channel as a result of one or more of the following occurrences or conditions - the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood, 10-Year: A flood estimated to occur at an average of once in 10 years (the flood having a 10 percent chance of being equaled or exceeded in any given year).

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

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

Def. F

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

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)

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 Materials: Is any waste material of plant or animal origin that results from the preparation or processing of food for animal or human consumption. Food material includes, but is not limited to, food waste from food facilities as defined in California Health and Safety Code, food processing establishments, grocery stores, institutional cafeterias (such as prisons, schools, and hospitals), and residential food scrap collection.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

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)

General Bookstore: An establishment engaged in the buying, selling and/or trading of new and/or used books, manuscripts and periodicals of general interest. A general bookstore does not include an establishment that is encompassed by the definition of adult bookstore.

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

General Motion Picture Theater: A building or part of a building intended to be used for the specific purposes or presenting entertainment as defined herein, or displaying motion pictures, slides, or closed circuit television pictures before an individual or assemblage of persons, whether such assemblage be of a public, restricted or private nature, except a home or private dwelling where no fee, by way of an admission charge, is charged; provided, however, that any such presentations are not distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas in that any such depiction or description is only incidental to the plot or story line. A general motion picture theater does not include any establishment that is defined by Adult Motion Picture Theater, Adult Mini-Motion Picture Theater, Adult Motion Picture Arcade, or Adult Drive-In Theater.

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

Grade: For the purpose of determining building height and calculating the number of stories, grade is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

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

Green Materials: Refers to any plant material except food material and vegetative food material. Green material includes, but is not limited to, tree and yard trimmings, untreated wood wastes, natural fiber products, wood waste from silviculture and manufacturing, and construction and demolition wood waste.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

Green Waste: Wood and excess plant material derived from the maintenance or trimming of trees, lawns, landscaped areas or areas of agricultural production and consisting of such organic waste as brush, leaves, garden wastes, orchard and vineyard prunings and crop residues.

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

Gross Floor Area: (See Floor Area, Gross)

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

Gross Lot Area: (See Lot Area, Gross)

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

Ground Floor Area: (See Floor Area, Ground)

Groundwater Extraction Operation: Any property containing a well, spring box or other device through which groundwater is collected or extracted for sale. Groundwater Extraction Operations includes all appurtenant structures and facilities associated with the collection, extraction, storage, transfer and transportation of the groundwater, whether or not such appurtenant structures and facilities are located on the same legal lot as that from which the groundwater is collected or extracted. Groundwater Extraction Operation does not include the following:

Def. G

1. Incidental and occasional sale or transport of water in amounts up to 5,000 gallons per any consecutive seven day period, except when in the residential zones and the S80 Open Space and S81 Ecological Resource Area zones.
2. Water vending by machine, as allowed by Section 6156 ee.
3. Wells serving public water supply systems, as permitted by the County Department of Environmental Health or the State Department of Health Services, which distribute water through pipelines for domestic purposes.
4. Wells providing water only to public agencies to protect the public welfare for emergency uses such as for fire suppression and during temporary drought conditions, and/or for otherwise exempt uses.
5. Wells and springs providing water only to irrigate any agricultural use, that would not require transport on any public street or highway, and/or for otherwise exempt purposes.
6. Wells providing water exclusively to four or fewer contiguous residential parcels.

(Added by Ord. No. 8050 (N.S.) adopted 4-8-92)
(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

Guest Living Quarters: Living quarters attached to a primary dwelling unit without interior access or within a detached accessory building, which are for the sole use of persons employed on the premises or for temporary use by guests of the occupants of premises. Individual guests may be accommodated for a period not to exceed thirty (30) calendar days in any calendar year. Guest living quarters have neither kitchen facilities, wetbars nor laundry facilities and are not rented or otherwise used as a separate dwelling.

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)(Formerly Guest House)
(Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)
(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)
(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
(Amended by Ord. No. 9982 (N.S.) adopted 4-22-09)

DEFINITIONS (H)

Habitable Space: A space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.

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

Hardscape: Patterned paving material (i.e., tile or mortared pavers, wood timbers, colored patterned concrete providing a tile, brick or stone appearance), or an integral continuation of patterned paving material with enhanced concrete such as exposed aggregate, colored or salt finish.

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

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

1. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade.
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in Item 1 above is more than 10 feet above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building.

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

Helicopter: A heavier than air aircraft that can take-off and land vertically or near vertically.

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

Helipad: An area located on a commercial or public structure used for the take-off and landing of helicopters for the purpose of picking up or discharging passengers or cargo, but not including fuel service, maintenance or overhaul.

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

Heliport: An area of land or water used for the take-off and landing of helicopters which area includes passenger and cargo facilities, maintenance and overhaul, fueling service, storage space, tie-down space, other accessory buildings, and open spaces.

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

Helistop: An area of land, water or structure which is not designated as either a heliport or a helipad, used for the take-off and landing of a helicopter which is owned or controlled by the owner or occupant of the premises. Helistops are limited to tie-down or hangar facilities for the accommodation of a single helicopter. A helistop shall not include facilities for fuel service, maintenance or overhaul and shall not accommodate helicopters used for common carriers.

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

Def. H

Historic/Archaeological District: For purposes of this ordinance the term "Historic/Archaeological District" shall be defined as an area which has been identified as containing multiple historic, cultural, architectural and/or archaeological resources that have been recognized by the application of a special area designator pursuant to Section 5703 of this ordinance to promote the preservation, protection and perpetuation of the historic, archaeological, architectural and/or cultural values.

(Added by Ord. No. 7101 (N.S.) adopted 3-12-86)
(Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)

Historic/Archaeological Landmark: For the purpose of this ordinance the term "Historic/Archaeological Landmark" shall mean a single site, including the associated buildings, structures and plant life, which is considered to have historic and/or prehistoric significance due to its association with past events of historical, cultural, architectural and/or archaeological value and which has been recognized by the Board of Supervisors by the application of a special area designator pursuant to Section 5703 of this ordinance.

(Added by Ord. No. 5330 (N.S.) adopted 12-13-78)
(Amended by Ord. No. 7101 (N.S.) adopted 3-12-86)
(Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)

Home Occupation: An occupation customarily conducted as an accessory use to a residential use entirely within a building containing a residential use or an attached garage.

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

Horse: A horse is an equine that has reached the age of 12 months. The definition of a horse or equine also includes donkey, mule or burro.

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

Horsekeeping: The keeping of horses in a building or in an animal enclosure on premises where the horses are owned by the owners or the occupants of the premises, and where no horses are kept for commercial purposes. Horses allowed under Horsekeeping are an agricultural use. Horses kept for hire, breeding, boarding, raising, riding or performing for commercial purposes are considered part of a Horse Stable.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

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)

Industrial 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)

Inoperative or Wrecked Motor Vehicles, Storage of: (See Storage of Inoperative or Wrecked Motor Vehicles)

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

In-vessel: These in-vessel systems can compost anywhere from a few pounds to over 60 tons a day. Is an aerobic process in which compostable material is enclosed in a static or motorized drum or other container for the purpose of producing compost, maintained under uniform conditions of temperature and moisture where air-borne emissions are controlled. This is a good method for smaller community gardens with limited space. Larger commercial facilities in-vessel systems are fully automated with sensors to monitor temperature, oxygen, and moisture.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

DEFINITIONS (J)

Junk: Means secondhand or used machinery, equipment, appliances, furniture, motor vehicle parts, tires, lumber, rope, bottles, pipe, wire, drums, scrap metal, construction material, packaging material, including items made of or containing wood, metal, paper, plastic, clay, brick, glass, porcelain, rubber, concrete, or other personal property.

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

Junkyard: Any parcel, lot, contiguous lots or portions thereof used for dismantling, salvage, outside storage, purchase, sale, or exchange of junk, or containing any activity in the Scrap Operations use type. It is not an exception to this definition that a person intends or proposes to use the junk for some purpose.

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

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

DEFINITIONS (K)

Kennel: Any lot, building, structure, enclosure or premises whereupon or wherein are kept seven or more dogs, cats or similar small animals in any combination, whether such keeping is for pleasure, profit, breeding, or exhibiting, and including places where dogs or cats or similar small animals in any combination are boarded, kept for sale, or kept for hire.

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

Kitchen: Any room used or intended or designed to be used for cooking or the preparation of food, including any room having a sink and either a 3/4 inch gas opening or provision for an electric stove.

Def. L

DEFINITIONS (L)

Legitimate or Live Theater: A theater, concert hall, auditorium or similar establishment which, for any fee or consideration, regularly features live performances which are not distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas in that any such depiction or description is only incidental to the primary purpose of the performance.

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

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

Livestock: An animal raised for food or other products. Typical examples include cattle, poultry and pigs. Animals raised for pleasure, exhibition or racing shall not be considered livestock.

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

Living Area: The floor area under the roof of a dwelling unit that is contained within the interior surface of its perimeter walls, except as follows: Living area does not include garages or attics and basements not designed, intended, and constructed for human habitation.

(Added by Ord. No. 8409 (N.S.) adopted 6-1-94)

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

Living Unit: Any building or vehicle designed or used for human habitation, including, but not limited to a dwelling, guest house, accessory living quarters, farm employee housing, farm labor camp, transient habitation unit, or mobilehome.

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

Loading Space: An area, other than a street or alley, on the same lot with a building or a group of buildings which is permanently reserved and maintained for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

Lot: Any of the following:

1. A parcel of real property shown as a delineated parcel of land with a number or other designation on a final map of subdivision recorded in the office of the County Recorder of San Diego County; or
2. A parcel of land, the dimensions or boundaries of which are defined by a Record of Survey Map recorded in the office of the County Recorder of San Diego County in accordance with the law regulating the subdivision of land; or
3. A parcel of real property not delineated in (1) or (2) above, and containing not less than the prescribed minimum area required in the zone in which it is located and which abuts at least one street and is held under one ownership.

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

Lot Area, Gross: The total area of a legally created parcel including:

1. All private streets and other easements (such as open space easements) where the underlying property is held in fee title.
2. The area to the centerline of any abutting Non-Mobility Element road right-of-way, and
3. Only the 30 foot local interest portion of any abutting Mobility Element road right-of-way shall be included.
4. The area within any trail easement dedicated pursuant to the County Trails Program.

(Added by Ord. No. 6855 adopted on 10-10-84)
(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

Lot Area, Net: The gross area of a parcel minus:

1. The area of any street right-of-way,
2. Any fenced flood control or walkway easement. The area within any trail easement dedicated pursuant to the County Trails Program shall not be subtracted from the gross area of a parcel to calculate the Net Lot Area.
3. Irrevocable offers of dedication when the property is within a Village classification of the General Plan; and
4. The area contained in the panhandle of a panhandle lot when the lot is in a zone where the minimum required lot size is 10,000 square feet or less.

(Added by Ord. No. 6855 (N.S.) adopted 10-10-84)
(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

Lot, Corner: A lot situated at the angle point of a street or the intersection of 2 or more streets, which has an angle of intersection of not more than 135 degrees. Such a lot shall comply with the required setbacks for both front and exterior side yards.

(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)

Lot Coverage: The percentage of net site area covered by the vertical projection of any structure excluding any structure not extending above grade.

Lot, Interior: A lot other than a corner lot.

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

Def. L

Lot Line, Front: The line separating the front of the lot from the street. When a lot or building site is bounded by a public street and one or more alleys or private street easements or private streets, the front lot line shall be the nearest right-of-way line of the public street.

Lot Line, Rear: The record lot line or lines most distant from and generally opposite the front lot line, except that in the case of an interior triangular or goreshaped lot, it shall mean a straight line 10 feet in length which (a) is parallel to the front line or its chord and (b) intersects the 2 other lot lines at points most distant from the front lot line.

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

Lot Line, Side: Any lot boundary line not a front lot line or a rear lot line.

Lot, Mobilehome: (See Mobilehome Lot)

Lot, Panhandle: A panhandle lot is a lot where a portion of the lot is less than 35 feet wide for a distance of 50 feet or more and which is designed or used to provide pedestrian or vehicular access to the part of the lot which is designed for use as a building site.

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

Lot Size: (See Lot Area)

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

Lot, Through: A lot fronting on 2 parallel or approximately parallel streets.

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

Low-Income Family: (See Household, Low or Lower Income)

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

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

Low-Income Household: (See Household, Low or Lower Income)

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

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

Lower-Income Family: (See Lower-Income Household; Household, Low or Lower Income)

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

Lower-Income Household: A household which cannot obtain decent, safe, and sanitary housing without assistance, as determined pursuant to standards established by the Board of Supervisors. (Also see Household, Low or Lower Income)

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

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

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: (See Cannabis Facility)

(Amended by Ord. No. 10749 (N.S.) adopted 10-6-21)

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)

Mushroom Farming: Is any activity that produces mushrooms within a substrate mix usually consisting of chopped straw, poultry and horse manure, gypsum, nitrogen-containing compounds, and water. The leftover soil (mushroom compost) can be used as an soil amendment to improve water infiltration, holding capacity, permeability, and aeration.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

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.

Def. N

(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)

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.

Organic Materials: Refers to agricultural material, food material, vegetative food material, and green material as defined by Title 14 of California Code of Regulations (14 CCR) Division 7, Chapter 3.1 (CalRecycle).

Organic Materials Processing: Refers to operations that include but are not limited to static piles, windrow, in-vessel, vermicomposting, and mushroom farming. All other organic processes are subject to additional discretionary review. New methods of Organic Materials Processing not currently considered by CalRecycle may be permitted subject to additional discretionary review as determined by the Director of Planning & Development Services or his or her designee and as guided by this section.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

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

Def. P

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)

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)

Principal Use(s): The primary use(s) for which land or a building is or may be intended, occupied, maintained, arranged or designed.

Private Garage: An accessory building or an accessory portion of the main building, designed and/or used for the shelter or storage of vehicles owned or operated by the occupants of the main building.

Psychiatric Facility: An institution in which care or treatment is given to persons suffering from mental illness, disease, disorder or ailment. Such facilities include, but are not limited to, psychiatric hospitals, day treatment hospitals, long term care facilities, resident treatment centers, family homes (mentally ill), alcoholism, hospital, and facility for admission of drug addicts all as defined in Article 2 of Subchapter 1 of the Title 9 of the California Administrative Code.

Public Active Park/Playground/Recreational Area: An outdoor area, along with its incidental buildings and structures, at least part of which is designed, developed, and intended for organized sport or athletic activities and/or other activities or events to which groups of people greater than the family unit might be attracted as participants or spectators.

(Added by Ord. No. 8340 (N.S.) adopted 12-15-93)

Public Garage: A building other than a private or parking garage in which specific spaces or stalls are rented to individual members of the public for the shelter or storage of private automobiles and other forms of private transportation or recreational vehicles, and which may include as a use incidental thereto, the storage of personal effects and personal household articles.

Public Park/Playground/Recreational Area: An outdoor area, along with its incidental buildings and structures, owned and/or operated by a public agency or a non-profit organization, which is designed, developed and intended to provide one or more recreational opportunities to the general public. Public Park/Playground/Recreational Area includes the following: Public Passive Park/Recreational Area, and Public Active Park/Playground/Recreational Area.

(Added by Ord. No. 8340 (N.S.) adopted 12-15-93)

Public Passive Park/Recreational Area: An outdoor area, along with minimal incidental buildings and structures designed, developed and intended for low intensity passive recreational use by individuals, families, or small groups. Public Passive Park/Recreational Areas may be of any size and may include, natural areas, ecological areas, landscaping, walkways paths, trail staging areas, trails, interpretive features, benches for seating, scattered picnic tables, children's play areas, scattered horseshoe pits, drinking fountains, safety/security lighting, off-street parking, restrooms, ranger residences, volunteer pads/caretaker residences, maintenance sheds, primitive camping, other park facilities/uses with activity levels consistent with the above listed uses.

(Added by Ord. No. 8340 (N.S.) adopted 12-15-93)
(Amended by Ord. No. 10592 (N.S.) adopted 2-27-19)

DEFINITIONS (R)

Rap Parlor: (See Massage Parlor)

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

Recreational Vehicles: A motorhome, travel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy, with a living area less than 200 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, bath and toilet rooms.

Recycling Collection Facility, Drop-Off: A facility consisting of bins, boxes, or other suitable receptacles for the acceptance (by donation) of recyclable materials from the public. In Residential Zones and Special Purpose Zones, the total capacity of collection receptacles shall not exceed 192 cubic feet.

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

Recycling Facility: A facility or portion of any premises used for the collection and/or processing of recyclable materials as that term is defined in this ordinance. Recycling facilities may include reverse vending machines, bulk reverse vending machines, mobile recycling units, kiosk type units and free-standing containers operated or placed in accordance with the standards established by this ordinance. Processing in a recycling facility may include baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding and cleaning. A recycling facility does not include storage containers or non-mechanical processing activity located on the premises of a residential use, or storage and processing activity located on the premises of a commercial or manufacturing use which is solely for the recycling of material generated by that residential property, business or manufacturer.

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

Recyclable Material: Reusable material including but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture, or reconstitution for sale or reuse. Recyclable material does not include refuse or hazardous materials. Recyclable material may include clean (uncontaminated) used motor oil and oil filters collected and transported in accordance with Section 25250.11 and 25143.2(b)(4) of the California Health and Safety Code.

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

Refuse Disposal Site: An area devoted to the disposal of refuse, including incineration, reduction, or dumping of ashes, garbage, combustible or noncombustible garbage or refuse, offal or dead animals.

Reserved Unit: A dwelling unit that will be reserved for sale or rent to, and affordable to, very low, low, or moderate income households or reserved for sale or rent to qualifying senior citizen residents.

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

Residential Zone: A zone including a use regulation set forth in Sections 2100 through 2299, inclusive.

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

Residual Background Sound Criterion (RBSC_{L90}) for Wind Energy Facilities: The Background Sound Level measured relative to A-weighting (L_{A90}) plus 5 dBA.

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

Rest Home: Any place or institution which makes provision for bed care or for chronic or convalescent care for one or more persons exclusive of relatives, who by reason of illness or physical infirmity are unable to care for themselves; but in which no persons suffering from contagious or communicable disease are kept and in which no surgical or other primary treatments such as are customarily provided in sanitariums or hospitals are performed. Rest homes shall include all places defined in Title 17 of the California Administrative Code and licensed as nursing or convalescent homes.

Reverse Vending Machine: An automated mechanical device which occupies less than 50 square feet; accepts at least one or more types of empty beverage containers, including but not limited to aluminum cans, glass and plastic bottles; and issues a cash refund or redeemable credit slip with a value not less than the container's redemption value, as determined by the State. A reverse vending machine may sort and process containers mechanically provided that the entire process is enclosed within the machine.

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

Ridgeline: The plateau or maximum elevation which extends along the top of Steep Slope Lands. A Ridgeline may increase or decrease in elevation as it extends along the top of Steep Slope Lands.

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

Right-of-Way: An area or strip of land, either public or private, on which an irrevocable right of passage has been recorded for the use of vehicles or pedestrians or both.

Riparian Habitat: An environment associated with the banks and other land adjacent to freshwater bodies, rivers, streams, creeks, estuaries, and surface-emergent aquifers (such as springs, seeps, and oases). Riparian habitat is characterized by plant and animal communities which require high soil moisture conditions maintained by transported freshwater in excess of that otherwise available through local precipitation.

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

DEFINITIONS (S)

Schedule: A list or table of standards pertinent to certain aspects regulated by the Animal Regulations or the Development Regulations. A particular standard or combination of standards prescribed by a schedule is referenced by a designator in the Animal Regulations or the Development Regulations.

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

School: An institution of learning for minors, whether public or private, which offers instruction in those courses of study required by the California Education Code or which is maintained

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pursuant to standards set by the State Board of Education. This definition includes a kindergarten, elementary school, junior high school, senior high school, or any special institution of learning under the jurisdiction of the State Department of Education, but does not include a trade, vocational or professional institution or an institution of higher education, including a community or junior college, college or university.

(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. 10095 (N.S.) adopted 12-8-10)

School, Trade: A facility that provides instruction and practical training in skilled trades or labor on a post-secondary level, including but not limited to construction; truck driving; mechanics; heavy equipment operation; and similar technical schools that are not subject to the standards set by the State Board of Education and not otherwise defined as a college. This use shall be considered Major Impact Service and Utilities use type when any instruction or training is conducted outside of an enclosed building, regardless of the number of students.

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

School, Vocational: An institution of learning, other than a college, which provides specific job or vocation related training to be pursued as a career, including art, barber/beauty, business, fashion design, language, nursing, or other certification or degree programs, which are conducted entirely within an enclosed building.

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

Secondhand Merchandise/Goods: Used common household items including clothing, personal effects, households furnishings, appliances, and office equipment and furnishings.

Secondary Use: A purpose for which land or a building is or may be intended, occupied, maintained, arranged, or designed, which is less visible, prominent, or important than the principal use(s) on the same lot or parcel. A secondary use may, but need not be an accessory use to the principal use(s).

Semi-Detached: (See Building Type, Residential)

Semi-Open: (See Enclosure)

Senior Citizen: A person 62 years of age or older or 55 years of age or older in a senior citizen housing development as defined in California Civil Code Section 51.3.

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

Senior Citizen Housing Development: A residential development that is reserved for senior citizens and consists of at least 35 dwelling units as defined in California Civil Code Section 51.3.

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

Sensitive Habitat Lands: Land which supports unique vegetation communities, or the habitats of rare or endangered species or subspecies of animals or plants as defined by Section 15380 of the State California Environmental Quality Act (CEQA) Guidelines (14 Cal. Admin. Code Section 15000 et seq.) (Unique Vegetation Community refers to associations of plant species which are rare or substantially depleted due to development. These may contain rare or endangered

species, but other species may be included because they are unusual or limited due to a number of factors, for example: (a) they are only found in the San Diego region; (b) they are a local representative of a species or association of species not generally found in San Diego County; (c) they are outstanding examples of the community type as identified by the California Department of Fish and Game listing of community associations.) Sensitive Habitat Lands includes the area which is necessary to support a viable population of any of the above species in perpetuity, of which is critical to the proper functioning of a balanced natural ecosystem or which serves as a functioning wildlife corridor.

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

Setback: A required, specified distance between a building or structure and a lot line or lines, measured perpendicularly in a horizontal plane extending across the complete length of said lot line or lines.

Setback, Front Yard: The setback applicable in the front yard of a building or structure. When a parcel or lot abuts a public road, the front setback shall be measured from the centerline of the public road.

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

Setback, Rear Yard: The setback applicable in the rear yard of a building or structure.

Setback, Side Yard: The setback applicable in the side yard of a building or structure.

Sexual Encounter Establishment: An establishment, other than a hotel, motel or similar establishment offering public accommodations, which, for any form of consideration, provides a place where two or more persons may congregate, associate or consort in connection with specified sexual activities or the exposure of specified anatomical areas. This definition does not include an establishment where a medical practitioner, psychologist, psychiatrist or similar professional person licensed by the State of California engages in sexual therapy. For the purposes of these regulations, sexual encounter establishment shall include massage or rap parlor and other similar establishments.

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

Sexual Activities: (See Specified Sexual Activities)

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

Shaft: A vertical opening through a building for elevators, dumbwaiters, mechanical equipment or similar purposes.

Shrub: A woody perennial plant generally with multiple basal stems.

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

Sidewalk Cafe: An area adjacent to and directly in front of a street level eating or drinking establishment located within the sidewalk area of the public right-of-way used exclusively for dining, drinking and pedestrian circulation. The encroachment area of a sidewalk cafe may be separated from the remainder of the sidewalk by railings, fencing or landscaping planter boxes or a combination thereof.

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

Sign: Any structure, device, material or substance placed, attached or applied in any manner on or above a building, structure or site so as to be visible at or beyond the property boundaries and which displays by shape, color, light or symbol any attention arrestor device, model, banner, numeral, letter, word, trademark, logo, emblem or other representation.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)
(Amended by Ord. No. 10322 (N.S.) adopted 1-29-14)

Sign, Abandoned: A sign which remains in place after expiration of the permit authorizing it or after the date, event or purpose for which it was installed has passed or terminated.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

Sign Area: The entire area within a continuous perimeter enclosing the extreme limits of sign display including any frame or border. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The copy of signs composed of individual letters, numerals or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letter or devices. The calculation of a double-faced signs shall be the area of one face only. Double-faced signs shall be so constructed that the perimeter of both faces coincide and are parallel and not more than 24 inches apart.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

Sign, Arcade/Marque: An on-premise sign painted on, attached to or suspended from an arcade, marque or similar architectural feature.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

Sign, Freestanding: Any sign supported wholly by uprights, braces, or poles in or upon the ground including poster panels, painted bulletins, signs on fences, and signs on structures other than buildings and/or canopies.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)
(Amended by Ord. No. 8015 (N.S.) adopted 12-4-91)

Sign, Freeway-Oriented: An on-premise freestanding or roof sign which is located within 350 feet of the nearest point of the through lane of the adjacent freeway and not more than 1,500 feet from the nearest point where a freeway exit providing access to the premises on which the sign is located contacts the edge of said through lane. Such signs shall be used to identify premises where food, lodging, goods or services essential to the traveling public are available.

(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)

Sign, Height: The vertical distance from the average ground elevation at the sign supports or base of a freestanding sign and the highest point of the sign/sign structure. For signs affixed to other structures the grade from which the structure height is measured.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

Sign, Illegal: A sign not legally installed pursuant to regulations in effect at the time of installation.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

Sign, Monument: A freestanding on-premise sign mounted on its own standard which does not exceed 42 inches in height or 32 square feet in area per sign face and which contains only the name of the business.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

Sign Structure: A structure or device designed or used for the support of a sign but not including fences, walls, roofs or structures having another permitted primary function. A sign structure is considered to be an integral part of a sign and is not a permitted use type independent of a permitted sign.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

Sign, Off-Premise: Any sign as herein defined other than an on-premise sign.

Sign, On-Premise: A sign which directs attention to a business, commodity, service, industry or other activity which is sold, offered, or conducted, other than incidentally, on the premises.

(Amended by Ord. No. 8028 (N.S.) adopted 1-15-92)

Sign, Portable: A parked or stationary outdoor advertising sign, or a sign that is not a structure, or a sign located upon a vehicle or trailer for the basic purpose of providing advertisement of products or directing people to a business or activity located in the same or nearby property, placed or parked so as to be visible from the public right-of-way, but not including signs on business or commercial vehicles, the primary purpose of which is the transporting of people and goods on the public right-of-way.

Sign, Projecting: Any sign other than a wall sign which is attached to and projects from the wall or face of a building or structure including an arcade/marquee sign.

(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)

Sign, Roof: Any sign erected, painted upon, against, or directly above a roof or on top of or above the parapet of a building, and which is supported wholly or in part by said building. Any sign mounted upon its own standard which is supported wholly by structural anchorage to the ground, or mounted upon any accessory structure which does not constitute a building, shall be considered a roof sign where such sign projects over the roof of a building. Any roof, the slope of which varies not more than 45 degrees from a vertical plane, shall be considered wall space for the purpose of placement of wall signs.

Def. S

Sign, Tenant Identification: Any sign integrated into the design of each individual tenant space of a multiple entrance building so as to identify the tenant of such space.

(Added by Ord. No. 6092 (N.S.) adopted 7-1-81)
(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)

Sign, Wall: Any sign affixed to or painted directly upon a building facing in such a manner that the face of the sign is substantially parallel to the plane of the building facing and does not project more than 16 inches, therefrom; provided, however, that any sign erected, painted or placed upon, against, or directly above a roof, the slope of which varies not more than 45 degrees from a vertical plane, shall be considered a wall sign. Permanent window signs shall be considered wall signs.

Sign, Window: Any sign temporarily affixed to or displayed on the interior of an establishment so as to be readable from the exterior thereof shall be considered a wall sign.

Significant Habitat Lands: Sensitive habitat lands with a combination of biological features that result in the likelihood of significant, unmitigable environmental impacts if developed.

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

Significant Investment in Buildings or Structures: When used with reference to interim or temporary uses regulated by this Ordinance, "significant investment in buildings or structures" shall mean the placement or construction of any building, structure, or other improvement in such manner or at a cost as to be inconsistent with the temporary status of the use and which would preclude its ready removal from the site at a reasonable cost upon termination of the interim or temporary use.

(Added by Ord. No. 8506 (N.S.) adopted 3-01-95)

Significant Prehistoric or Historic Sites: Location of past intense human occupation where buried deposits can provide information regarding important scientific research questions about prehistoric or historic activities that have scientific, religious, or other ethnic value of local, regional, state, or federal importance. Such locations shall include, but not be limited to: any prehistoric or historic district, site, interrelated collection of features or artifacts, building, structures, or object included in or eligible for inclusion in the National Register of Historic Places, the State Landmark Register; or included in or eligible for inclusion, but not rejected, for the San Diego County Historical Site Board List; any area of past human occupation located on public or private land where important prehistoric or historic activities and/or events occurred; and any location of past or current sacred religious or ceremonial observances protected under Public Law 95-341, the American Indian Religious Freedom Act or Public Resources Code Section 5097.9, such as burial(s), pictographs, petroglyphs, solstice observatory sites, sacred shrines, religious ground figures, and natural rocks or places which are of ritual, ceremonial, or sacred value to any prehistoric or historic ethnic group.

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

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)

Static Piles: Compostable materials are piled up, paying special attention to the mix of carbon materials, like leaves or wood chips, and nitrogen materials, like food waste or fresh grass. The pile is then turned regularly and kept moist. This method can take up to six months or a year to create compost.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

Steep Slope Lands: All lands having a slope with natural gradient of 25 percent or greater and a minimum rise of 50 feet, unless said lands have been substantially disturbed by previous legal grading.

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

Storage of Inoperative or Wrecked Motor Vehicles: Storage of inoperative or wrecked motor vehicles shall only be allowed as long as there are no more than two inoperative or wrecked motor vehicles (as those terms are defined in section 21.602 of the County Code) on a parcel or property made up of one or more contiguous parcels, the vehicles are not being stored contrary to section 78.104 of the County Code and no owner or occupant of the property is operating a motor vehicle wrecking yard, as that term is defined in section 21.602(f) of the County Code. This limitation of the number of vehicles shall not apply to the storage of vehicles pursuant to Section 1430(i).

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

Storage of Nonoperating Vehicles: A nonoperating vehicle means a vehicle that may be capable of operating under its own power but is being stored at a licensed storage yard and is not in the possession of the registered owner. Storage of nonoperating motor vehicles shall not include automobile wrecking.

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

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

Story: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above (see "Attic Story" and "Crawl Space"). The maximum height of a story between floors shall be 14 feet. If the finished floor level directly above a basement, cellar, or unused under-floor space is more than 6 feet above the adjacent elevation for more than 50 percent of the total perimeter or is more than 12 feet above the adjacent elevation at any point, such basement, cellar or unused under-floor space shall be considered as a story. The total perimeter shall be measured along the outer limits of the area of the floor level in question. The adjacent elevation shall be grade as defined herein but shall not include fill material that has been mounded or placed for landscaping, thermal insulation, sound attenuation or for any other purpose if such mounding or placement would allow additional floor levels or building heights greater than otherwise permitted.

(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. 7306 (N.S.) adopted 5-20-87)

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

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

Def. S

Story, Attic: (See Attic Story)

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

Story, First: The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than 4 feet below grade, as defined herein, for more than 50 percent of the total perimeter, or more than 8 feet below grade, as defined herein, at any point.

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

Street: A County road, State highway, public road, street or alley, or private thoroughfare or easement (or proposed private thoroughfare or easement shown on a recorded parcel map) not less than 10 feet in width connecting with a County road, State highway, public road, street or alley which affords primary access to an abutting lot.

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

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

Street, Centerline of: The centerline of a street as established in accordance with the provisions of Chapter 3 of Division 1 of Title 5 of the San Diego County Code.

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

Street Line: The boundary line between a street and the abutting property.

Street, Side: A street which is adjacent to a corner lot and which extends in the general direction of the line determining the depth of the lot.

Structure: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Structural Alterations: Any change in the supporting members of a building such as foundations, bearing walls, columns, beams, floor or roof joists, girders or rafters, or changes in roof or exterior lines.

Substantial Improvement: Any repair, reconstruction, or improvement of structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (a) before improvement is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations or (2) any alteration of a structure listed on the National Register or Historic Places or a State inventory of Historic Places.

Supportive Housing: Shall have the meaning prescribed in Health and Safety Code 50675.14(b). The design of the structures determines Family Residential or Group Residential Use Type.

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

Supportive Housing (Permanent): Shall have the meaning prescribed in Health and Safety Code 50490 (I), The design of the structures determines Family Residential or Group Residential Use Type.

(Added by Ord. No. 10767 (N.S.) adopted 1-26-22)

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, and travel trailer.

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

(Amended by Ord. No. 10592 (N.S.) adopted 2-27-19)

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)

Def. T

Triplex: (See Building Type; Residential Triplex)

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

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)

Use Classification: A system of classifying uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics. All use types are grouped into the following categories: Residential, Civic, Commercial, Industrial, Agricultural, and Extractive.

Use of the Property In Reliance on a Permit: (See "Construction and/or Use of the Property In Reliance on a Permit")

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

Use Permit: A permit which may be granted by the appropriate San Diego County authority to provide for the accommodation of land uses with special site or design requirements, operation characteristics, or potential adverse effects on surroundings, which are not permitted as of right but which may be approved upon completion of a review process and, where necessary, the imposition of special conditions of approval by the permit granting authority.

Use Permit, Concurrent: Use permits filed concurrently with an application requesting amendment of the Zoning Ordinance applicable to the land under the original jurisdiction of the Planning Commission.

Use Permit, Major: Use permit under the original jurisdiction of the Planning Commission.

(Amended by Ord. No. 6505 (N.S.) adopted 1-5-83)

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

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

Use Permit, Minor: Use permit normally under the original jurisdiction of the Director.

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

Use, Principal: (See Principal Use)

Use Type: (See Use Classification)

Use Regulations: That element of the zone which indicates, by means of a designator combining a letter and a number, the use types which are permitted in that zone.

DEFINITIONS (V)

Variance: A departure from the specific requirements of the Zoning Ordinance which may be granted by the appropriate San Diego County authority when the literal enforcement of these requirements would result in practical difficulties, unnecessary hardship, or results inconsistent with the general purposes of this ordinance.

Vegetative Food Materials: Refers to any food material that is plant based. Vegetative food material may be processed or cooked but must otherwise retain its essential natural character and no salts, preservatives, fats or oils, or adulterants have been added. Vegetative food material includes, but is not limited to, fruits and vegetables, edible flowers, and plants, outdated and spoiled produce, and coffee grounds.

Def. V

Vermicomposting: This kind of composting uses red wiggler (*eisenia foetida*) worms and microorganisms to do the work of composting. Food waste is broken down and consumed, leaving behind worm castings, a highly valued fertilizer. These systems are also available in a variety of sizes ranging from a 10-gallon (2lb/day) system up to a continuous flow system that could manage all a small home or agricultural farming food waste (over 60 tons/day).

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

Vermiculture or vermicomposting: A form of animal husbandry involving the raising of worms of the taxonomic phylum Annelida (segmented worms) and/or the use of said worms to convert organic matter into compost.

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

Very Low-Income Family: (See Household, Very Low Income)

(Added by Ord. No. 5781 (N.S.) adopted 6-4-80)
(Amended by Ord. No. 10068 (N.S.) adopted 8-4-10)

Very Low-Income Household: (See Household, Very Low Income)

(Added by Ord. No. 5781 (N.S.) adopted 6-4-80)
(Amended by Ord. No. 10068 (N.S.) adopted 8-4-10)

Vocational School: (See School, Vocational)

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

DEFINITIONS (W)

Wall, Exterior: Any wall or element of a wall or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of 60 degrees or greater with the horizontal plane.

Wall, Solid: (See Fence, Solid)

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

Wall, View-Obscuring: (See Fence, View-Obscuring)

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

Wetland: All lands which are transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or where the land is covered by water. All lands having one or more of the following attributes are "wetlands":

- a. At least periodically, the land supports predominantly hydrophytes;
- b. The substrate is predominantly undrained hydric soil; or

- c. The substrate is nonsoil and is saturated with water or covered by water at some time during the growing season of each year.

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

Wetland Buffer: Lands which provide a buffer area of an appropriate size to protect the environmental and functional habitat values of the wetland, or which are integrally important in supporting the full range of the wetland and adjacent upland biological community.

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

Windmill: A device which converts the kinetic energy of the wind into a useable form of mechanical energy.

(Added by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)

Windrow: Compostable materials are mixed and placed in long, narrow piles at least 4-ft high and can range up to 100 feet long. This method requires a lot of space and heavy machinery such as a front-end loader and/or windrow turner. Windrows can be covered or not. This method is often used for agricultural operations or municipalities.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

Wind Turbine: A device which converts the kinetic energy of wind into a usable form of electric energy. A wind turbine may consist of a tower, turbine, support structures, electrical wires, guy wires and other related equipment.

(Added by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)

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

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

Wind Turbine, Large: A wind turbine with or without a tower, which has a rated capacity of more than 50 kilowatts, that generates electricity for use on or off the same lot on which the turbine is located. Large Wind Turbine shall be classified as a Major Impact Services and Utilities use type.

(Added by Ord. No. 7117 (N.S.) adopted 4-23-86)

(Amended by Ord. No. 10073 (N.S.), adopted 9-15-10)

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

Wind Turbine, Non-operational: A wind turbine that is mechanically inoperable or otherwise no longer converting the kinetic energy of wind into a usable form of electric energy.

(Added by Ord. No. 7117 (N.S.) adopted 4-23-86)

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

Wind Turbine, Small: A wind turbine with or without a tower, which has a rated capacity of not more than 50 kilowatts that generates electricity primarily for use on the same lot on which the wind turbine is located.

(Added by Ord. No. 7117 (N.S.) adopted 4-23-86)

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

Def. W

Wind Turbine Height: The distance from existing grade at the base of the tower to the highest point of the turbine blade when in use.

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

Wind Turbine Tower Height: The distance from existing grade at the base of the wind turbine tower to the top of the tower excluding the nacelle and turbine blades.

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

Wood Waste: Lumber and wood products but excluding painted wood, wood treated with chemicals, and pressure treated wood.

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

Wood and Green Waste Composting Facility: A facility where wood and/or green waste decompose in a controlled environment into compost, soil amendment or other products. A composting facility may employ mechanical equipment to turn the piles and provide aeration. Composting may be conducted within an enclosed building or in the open such as in windrow composting. Backyard composting by homeowners and composting of material generated by an agricultural operation for the purpose of mulching or soil amendment on property in the same ownership as that where composting takes place shall not be considered a Wood and Green Waste Composting Facility. The composting of municipal sewage sludge shall also not be considered a Wood and Green Waste Composting Facility even if such composting operation utilizes wood or green waste.

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

DEFINITIONS (Y)

Yard: An open, unoccupied space, other than a court, unobstructed from the ground to the sky, except as otherwise provided by this ordinance, on the lot on which a building is situated.

Yard, Front: The yard between a front lot line or lines and the line defined by the required front yard setback.

Yard, Rear: The yard between a rear lot line or lines and the line defined by a required rear yard setback.

Yard, Side: The yard between a side lot line or lines and the line defined by a required side yard setback, extending from the front to the rear yard.

Yard, Side, Exterior: A side yard abutting a street.

Yard, Side, Interior: A side yard other than an exterior side yard.

DEFINITIONS (Z)

Zone: A mapped area to which a uniform set of regulations applies, or a uniform set of regulations described by a use designator, an animal designator, a development designator, and an optional special area designator.

- a. Recycling Processing Facility, Light: A light processing facility is limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source separated recyclable materials and repairing of reusable products sufficient to qualify as a certified recycling facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.
- b. Recycling Processing Facility, Heavy: Any facility, other than a light recycling processing facility or scrap operation for processing of recyclable materials.
- c. Recycling Processing Facility, Wood and Green Materials: A facility devoted exclusively to grinding, shredding, splitting or chopping, (including sawing) of wood and/or green waste.
- d. The processing of organic materials in accordance with Section 6977 of the Zoning Ordinance.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)
 (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. 10807 (N.S.) adopted 9-14-22)

1515 REPAIR SERVICES, CONSUMER.

The Repair Services, Consumer use type refers to establishments primarily engaged in the provision of repair services to individuals and households rather than firms, but excluding Automotive and Equipment use types. Typical uses include appliance repair shops, apparel repair firms or musical instrument repair firms.

1520 RESEARCH SERVICES.

The Research Services use type refers to establishments primarily engaged in research of an industrial or scientific nature which is provided as a service or which is conducted by and for a private firm, but excludes medical testing and analysis and product testing. Typical uses include electronics research laboratories, space research and development firms or pharmaceutical research labs.

1525 RETAIL SALES.

Retail Sales refers to establishments or places primarily engaged in the sale or rental of goods or merchandise for personal or household use, but excludes those classified as Agricultural Sales, Animal Sales and Services, Automotive and Equipment, Business Equipment Sales and Services, Construction Sales and Services, Food and Beverage Retail Sales, Gasoline Sales, and Swap Meets. The following are Retail Sales use types:

- a. Retail Sales: General. Goods offered are generally those meeting regular or recurring personal or household needs. Establishment may have a relatively large floor area and offer a wide variety of merchandise types. Typical uses would include department stores, variety stores, super drug stores, apparel stores, and furniture stores.

- b. **Retail Sales: Specialty.** Establishments offering a single type, or closely related types, of merchandise oriented toward impulse or discretionary purchase rather than satisfaction of regular or recurring needs. Included in this use type is accessory custom manufacturing which involves the production for on-site sale only of crafts, jewelry or related specialty items. Individual establishments will have relatively small floor areas (generally not more than 2,000 square feet). Typical uses would include sale of art or craft objects; sales conducted in civic plazas; flower or plant shops; shops offering gifts, novelties, or souvenirs; beachwear stores; and antique shops.

(Amended by Ord. No. 6187 (N.S.) adopted 11-18-81)

(Amended by Ord. No. 6743 (N.S.) effective 1-11-85)

(Amended by Ord. No. 8581 (N.S.) adopted 9-2-95)

1530 SCRAP OPERATIONS.

The Scrap Operations use type refers to places of business primarily engaged in the storage, dismantling, sorting, baling and crushing for sale of used and discarded products. The Scrap Operations use type does not include a Recycling Processing Facility. Typical Scrap Operations uses include automotive wrecking yards, junk yards or salvage yards. (Also see Section 21.601 et seq. of the County Code for regulations.)

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

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

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

1535 SPECTATOR SPORTS AND ENTERTAINMENT.

Spectator Sports and Entertainment refers to establishments or places primarily engaged in the provision of cultural, entertainment, athletic and other events to spectators as well as those involving social or fraternal gatherings. The following are Spectator Sports and Entertainment use types:

- a. **Spectator Sports and Entertainment: Limited.** Those uses conducted within an enclosed building with a capacity of 500 or less people. Typical uses include small theaters or meeting halls.
- b. **Spectator Sports and Entertainment: General.** Those uses conducted in open facilities or those uses conducted within an enclosed building with a capacity of more than 500 people. Typical uses include large exhibition halls or sports stadiums.

1540 SWAP MEETS.

The Swap Meet use type refers to the display, exchange, barter or sale of new or used common household items or office equipment and furnishings, provided that such activity is carried on in a swap lot. Typical uses include flea markets where clothing, personal effects, household furnishings and household appliances are sold or otherwise exchanged.

AGRICULTURAL USE TYPES

1700 GENERAL DESCRIPTION OF AGRICULTURAL USE TYPES.

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

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

1710 HORTICULTURE

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

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

1715 TREE CROPS.

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

1720 ROW AND FIELD CROPS.

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

1725 ANIMAL RAISING.

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

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

1730 LARGE COMMERCIAL ORGANIC PROCESSING.

The Large Commercial Organic Processing use type refers to the organic material processing as a primary use for commercial scale operations to divert organic materials from landfills.

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

(Amended by Ord. No. 10807 (N.S.) adopted 9-14-2022)

1735 PACKING AND PROCESSING.

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

- a. Packing and Processing: Limited. The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or specialty animals raised for human consumption, produced on the same premises as the packing and processing operation. These products shall be considered to be produced on the same premises if they are solely grown or produced on land owned or operated by the same person who owns or operates the packing and processing facility.
- b. Packing and Processing: General. The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or specialty animals raised for human consumption, produced on premises other than that upon which the packing and processing operation is located.
- c. Packing and Processing: Support. Fabrication, assembly, reconditioning and sale of boxes, cartons, crates and pallets for handling and transporting crops provided this use is secondary to agricultural or horticultural production on the premises.
- d. Packing and Processing: Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of wine from fruit grown on or off the premises. A Winery may also include a tasting room and retail outlet as secondary uses.
- e. Packing and Processing: Small Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of less than or equal to 120,000 gallon of wine per year. A Small Winery may also include a tasting room and retail outlet as secondary uses.
- f. Packing and Processing: Boutique Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of up to 12,000 gallons of wine per year. A Boutique Winery may also include a tasting room and retail outlet as secondary uses.
- g. Packing and Processing: Wholesale Limited Winery. Crushing of grapes, berries and other fruits for the fermentation, storage, bottling and wholesaling of up to 12,000 gallons of wine per year.
- h. Packing and Processing: Organic Materials. Organic Materials Processing as defined by Section 6977 of the Zoning Ordinance may only occur in accordance with that section.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
 (Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)
 (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
 (Amended by Ord. No. 7818 (N.S.) adopted 9-26-90)
 (Amended by Ord. No. 7982 (N.S.) adopted 10-02-91)
 (Amended by Ord. No. 9422 (N.S.) adopted 1-9-02)
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
 (Amended by Ord. No. 9940 (N.S.) adopted 6-18-08)
 (Amended by Ord. No. 10067 (N.S.) adopted 8-4-10)
 (Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

1740 AGRICULTURAL EQUIPMENT STORAGE.

The Agricultural Equipment Storage use type refers to the storage and minor repair of farm implements and equipment including but not limited to vehicles, tractors, wagons, bailers, combines, fencing materials and irrigation pipe which are customarily used in tilling, harvesting, processing, and transporting plant or animal products when such storage is not accessory to agricultural use of the property and the property would otherwise be considered vacant, unproductive or only partly productive. The Agricultural Equipment Storage use type does not include the storage of pesticides or herbicides or the underground storage of fuel. Any use permit granted for Agricultural Equipment Storage shall include a finding that said equipment is necessary for agricultural operations located a reasonable distance from the storage site on land owned or leased by the same person owning or leasing the storage site.

(Added by Ord. No. 6855 adopted 10-10-84)

(Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

1750 FARM LABOR CAMP.

The Farm Labor Camp use type refers to the occupancy by 13 or more Farm Employees and their families of a living unit or units or 37 or more beds in a group quarters, without regard to duration. A Farm Labor Camp is allowed exclusively in association with the performance of commercial agricultural labor.

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

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

Organic Materials Processing (see Section 6977)

(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)

(Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

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)
Organic Materials Processing (see Section 6977)

(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)
(Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

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
Organic Materials Processing (see Section 6977)

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)
 (Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

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)
 Organic Materials Processing (see Section 6977)

d. Agricultural Use Types.

Agricultural Equipment Storage
 Packing and Processing: Winery
 Packing and Processing: Support
 Organic Materials Processing (see Section 6977)

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)

2705

(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)
(Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

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)

SUPPLEMENTAL LIMITATIONS ON USES.

2980 LIMITATIONS ON PERMITTED USES.

The following limitations apply to the uses indicated by the corresponding number in quotes in the previous sections entitled "Permitted Uses Subject to Limitations."

- "1" Dwellings as Secondary Uses. Limited to dwellings which are secondary uses of a structure, lot or parcel primarily used for business purposes.
- "2" Recycling Collection Facilities shall comply with the applicable provisions of Section 6970.
- "3" Recycling Processing Facilities shall comply with the applicable provisions of Section 6975.
- "4" Secondary Use. Permitted only as a secondary use within a dwelling. No such use shall have a floor area greater than the floor area devoted to residential purposes.
- "5" Same Lot. Permitted only if located on the same lot as the industrial use it serves.
- "6" Veterinary Hospitals. Hospital must be located on a parcel of land not less than 2 acres in size. Indoor treatment areas must be located at least 100 feet from the nearest property line, and out door treatment or confinement areas must be located at least 200 feet from the nearest property line. If a proposed Hospital does not meet any of these requirements it may be allowed upon issuance of a Minor Use Permit.
- "7" Limitation on Enclosed Storage. All operations, including the storage of materials and equipment, shall be entirely within an enclosed building, and the area devoted to storage shall not be greater than the area devoted to sales and administrative offices.
- "8" Enclosed Building. All operations, including the storage of materials and equipment, shall be entirely within an enclosed building.
- "9" Enclosed Building or Walls. All operations, including the storage of materials and equipment, shall be entirely within an enclosed building or inside walls or solid fences less than 6 feet in height.

- "10" Retail Establishments. Limited to retail establishments intended for the convenience of permitted establishments and/or clients thereof, provided no such retail establishment occupies more than 15 percent of the total floor area of the building in which it is located and has no entrance except from the lobby or interior of said building, or from a patio entirely surrounded by said building.
- "11" Insurance and Real Estate Offices. Limited to insurance and real estate offices as a secondary use within a dwelling. No such office shall have a floor area greater than the floor area devoted to residential purposes.
- "12" Gasoline Sales. There shall be no open storage of goods or materials, and all repair and lubrication services shall take place in an enclosed building.
- "13" Drycleaning Plants and Laundries. Limited to drycleaning plants and laundries which provide retail services only, use only non-flammable solvents, and employ not more than 10 people.
- "14" Performance Standards. Subject to meeting the applicable provisions of the performance standards specified in Section 6300.
- "15" Performance Standards and Power. Subject to meeting the applicable provisions of the performance standards specified in Section 6300. Prior to the installation or operation of electric or other power sources in excess of 20 horsepower, the proposed use shall be reviewed pursuant to Section 6304 and the Director shall certify that the use complies with the applicable performance standards.
- "16" Animal Related Activities. Animal related activities may be permitted subject to the Animal Regulations commencing at Section 3000.
- "17" Cottage Industries. Permitted subject to the provisions of Section 6920.
- "18" Mobilehome Residential. Subject to the Mobilehome Park Regulations commencing at Section 6500 or the Planned Development Standards commencing at Section 6600.
- "19" Adult Entertainment Establishments. Subject to meeting the applicable provisions of the regulations and performance standards specified in Section 6930 and upon issuance of an Administrative Permit as specified in Section 6930.

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

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

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

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

"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.

"24" Organic Materials Processing. Allowed subject to the provisions of Section 6977.

(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)
 (Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

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)

(Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

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												CIVIC																																																							
Family Residential				Mobilehome Residential				Enclosed Open Drive-in				Administrative Services				Ambulance Services				Clinic Services (see Sec. 6900)				Community Recreation				Cultural Exhibits and Library Services				Emergency Shelters (see Sec. 6911)				Fire Protection Services				Law Enforcement Services				Civic, Fraternal or Religious Assembly				Major Impact Services and Utilities				Minor Impact Services				Parking Services				Postal Services				Small Schools			
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	Use Regulations																																									
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	M		•	S	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	M		•	S	M	M		M	m	M	M	m	RR	Rural Residential																																							
RRO	•	M	18		•	•	m		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	•	RC	Residential-Commercial																																							
COMMERCIAL																																																																			
C30					•	•			•	•		•	•	M	•	•	•	S		•	M	M	m	•	M	•	C30	Office-Professional																																							
C31	•	•			•	•			•	•	•	M	•	•	•	•	•	S	•	M	M	M	m	•	M	•	C31	Residential/Office Professional																																							
C32	1				•	•			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	•	•	•	•	•	C38	Service Commercial																																							
C40	1				•	•			•	•	•	•	•	•	•	•	•	S	•	•	•	M	m	•	•	•	C40	Rural Commercial																																							
C42*	20				•	•			•	•	•	•	•	•	•	•	•	S	•	•	•		m	•			C42*	Visitor Serving Commercial																																							
C44					•	•	•		M	M		M	M	M	•	•	•	S	•	•	M	M	m	M	M	•	C44	Freeway Commercial																																							
C46*					•	•			M	M	•	M	M	•	•	•	•	S	•	•	M	M	m	•	M	•	C46*	Medical Center																																							
INDUSTRIAL																																																																			
M50					•	•			M	•		M	•	M	M	•	•	S		•	M	M	m	•	•	m	M50	Basic Industrial																																							
M52					•	•			M	•		M	•	M	M	•	•	S		•	M	M	m	•	•	m	M52	Limited Impact Industrial																																							
M54					•	•			M	•		M	•	M	M	•	•	S		•	M	M	•	•	•	m	M54	General Impact Industrial																																							
M56+					•	•			M	•		M	•	M	M	•	•	S		•	M	M	•	•	•	m	M56+	Mixed Industrial																																							
M58					•	•			M	•		M	•	M	M	•	•	S		•	M	M	•	•	•	m	M58	High Impact Industrial																																							
AGRICULTURAL																																																																			
A70	•	M	18		•	•	m		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	M		•	S	M	S	M	M	m	M	M	m	A72	General Agriculture																																							
SPECIAL PURPOSE																																																																			
S80*	•				•	•			M	M		M	M	M	M		•	S			M	M	m	M	M	m	S80*	Open Space																																							
S81					•	•								O			O										S81	Ecological Resource Area																																							
S82					•	•			M	M		M	M	M			•	S		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	M		•	S	M	m	M	M	m	M	M	m	S90+	Holding Area																																							
S92	•	M			•	•	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		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		1400		1410		1420		1430		1440		1450		1460		1470		1480		1490		1500		1510		1520		1530		1540		1550		1560		1570		1580		1590		1600		1610		1620		1630		1640		1650		1660		1670		1680		1690		1700		1710		1720		1730		1740		1750		1760		1770		1780		1790		1800		1810		1820		1830		1840		1850		1860		1870		1880		1890		1900		1910		1920		1930		1940		1950		1960		1970		1980		1990		2000		2010		2020		2030		2040		2050		2060		2070		2080		2090		2100		2110		2120		2130		2140		2150		2160		2170		2180		2190		2200		2210		2220		2230		2240		2250		2260		2270		2280		2290		2300		2310		2320		2330		2340		2350		2360		2370		2380		2390		2400		2410		2420		2430		2440		2450		2460		2470		2480		2490		2500		2510		2520		2530		2540		2550		2560		2570		2580		2590		2600		2610		2620		2630		2640		2650		2660		2670		2680		2690		2700		2710		2720		2730		2740		2750		2760		2770		2780		2790		2800		2810		2820		2830		2840		2850		2860		2870		2880		2890		2900		2910		2920		2930		2940		2950		2960		2970		2980		2990		3000		3010		3020		3030		3040		3050		3060		3070		3080		3090		3100		3110		3120		3130		3140		3150		3160		3170		3180		3190		3200		3210		3220		3230		3240		3250		3260		3270		3280		3290		3300		3310		3320		3330		3340		3350		3360		3370		3380		3390		3400		3410		3420		3430		3440		3450		3460		3470		3480		3490		3500		3510		3520		3530		3540		3550		3560		3570		3580		3590		3600		3610		3620		3630		3640		3650		3660		3670		3680		3690		3700		3710		3720		3730		3740		3750		3760		3770		3780		3790		3800		3810		3820		3830		3840		3850		3860		3870		3880		3890		3900		3910		3920		3930		3940		3950		3960		3970		3980		3990		4000		4010		4020		4030		4040		4050		4060		4070		4080		4090		4100		4110		4120		4130		4140		4150		4160		4170		4180		4190		4200		4210		4220		4230		4240		4250		4260		4270		4280		4290		4300		4310		4320		4330		4340		4350		4360		4370		4380		4390		4400		4410		4420		4430		4440		4450		4460		4470		4480		4490		4500		4510		4520		4530		4540		4550		4560		4570		4580		4590		4600		4610		4620		4630		4640		4650		4660		4670		4680		4690		4700		4710		4720		4730		4740		4750		4760		4770		4780		4790		4800		4810		4820		4830		4840		4850		4860		4870		4880		4890		4900		4910		4920		4930		4940		4950		4960		4970		4980		4990		5000		5010		5020		5030		5040		5050		5060		5070		5080		5090		5100		5110		5120		5130		5140		5150		5160		5170		5180		5190		5200		5210		5220		5230		5240		5250		5260		5270		5280		5290		5300		5310		5320		5330		5340		5350		5360		5370		5380		5390		5400		5410		5420		5430		5440		5450		5460		5470		5480		5490		5500		5510		5520		5530		5540		5550		5560		5570		5580		5590		5600		5610		5620		5630		5640		5650		5660		5670		5680		5690		5700		5710		5720		5730		5740		5750		5760		5770		5780		5790		5800		5810		5820		5830		5840		5850		5860		5870		5880		5890		5900		5910		5920		5930		5940		5950		5960		5970		5980		5990		6000		6010		6020		6030		6040		6050		6060		6070		6080		6090		6100		6110		6120		6130		6140		6150		6160		6170		6180		6190		6200		6210		6220		6230		6240		6250		6260		6270		6280		6290		6300		6310		6320		6330		6340		6350		6360		6370		6380		6390		6400		6410		6420		6430		6440		6450		6460		6470		6480		6490		6500		6510		6520		6530		6540		6550		6560		6570		6580		6590		6600		6610		6620		6630		6640		6650		6660		6670		6680		6690		6700		6710		6720		6730		6740		6750		6760		6770		6780		6790		6800		6810		6820		6830		6840		6850		6860		6870		6880		6890		6900		6910		6920		6930		6940		6950		6960		6970		6980		6990		7000		7010		7020		7030		7040		7050		7060		7070		7080		7090		7100		7110		7120		7130		7140		7150		7160		7170		7180		7190		7200		7210		7220		7230		7240		7250		7260		7270		7280		7290		7300		7310		7320		7330		7340		7350		7360		7370		7380		7390		7400		7410		7420		7430		7440		7450		7460		7470		7480		7490		7500		7510		7520		7530		7540		7550		7560		7570		7580		7590		7600		7610		7620		7630		7640		7650		7660		7670		7680		7690		7700		7710		7720		7730		7740		7750		7760		7770		7780		7790		7800		7810		7820		7830		7840		7850		7860		7870		7880		7890		7900		7910		7920		7930		7940		7950		7960		7970		7980		7990		8000		8010		8020		8030		8040		8050		8060		8070		8080		8090		8100		8110		8120		8130		8140		8150		8160		8170		8180		8190		8200		8210		8220		8230		8240		8250		8260		8270		8280		8290		8300		8310		8320		8330		8340		8350		8360		8370		8380		8390		8400		8410		8420		8430		8440		8450		8460		8470		8480		8490		8500		8510		8520		8530		8540		8550		8560		8570		8580		8590		8600		8610		8620		8630		8640		8650		8660		8670		8680		8690		8700		8710		8720		8730		8740		8750		8760		8770		8780		8790		8800		8810		8820		8830		8840		8850		8860		8870		8880		8890		8900		8910		8920		8930		8940		8950		8960		8970		8980		8990		9000		9010		9020		9030		9040		9050		9060		9070		9080		9090		9100		9110	
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SUMMARY PREPARED PURSUANT TO SECTIONS 2990 AND 6816

USE TYPES
COMMERCIAL (cont.)

**Commercial continued on
next page**

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					
		1400	See Section 6816	1505			1510	1512		1513			1515	1520	1525		1530			1535			1540
		Enclosed Semi-Enclosed	Open	Drive-In	Participant Sports and Recreation	a) Indoor	b) Outdoor	Personal Services [General]	Recycling Collection Facility (See Sec. 6970)	a) Small E	b) Large E	Recycling Processing Facility (See Sec. 6975)	a) Light	b) Heavy	c) Wood and Green Materials	Repair Services [Consumer]	Retail Sales	a) General	b) Specialty	Scrap Operations (See Section 6300)	a) Limited	b) General	Swap Meets
							</																

Commercial
continued on
next page

**MATRIX
LEGEND**

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

- 1-23 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															USE REGULATIONS														
COMMERCIAL (cont.)															INDUSTRIAL														
Enclosed Semi-Enclosed Open Drive-In Transient Habitation: a) Campground (See Section 6450) b) Lodging c) Resort (See Section 6400) Wholesaling, Storage and Distribution a) Mini Warehouse (See Section 6809) b) Light c) Heavy															Organic Mat Processing (See Section 6809) Enclosed Semi-Enclosed Open Custom Manufacturing General Industrial Heavy Industrial														
1400	See Section 6816	1545	1550	6977	1600	See Section 6816	1610	1620	1630	Use Regulations																			
										RESIDENTIAL																			
RS										RS	Single-Family Residential																		
RD										RD	Duplex/Two-Family Residential																		
RM						M				RM	Multi-Family Residential																		
RV						M				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		RC	Residential-Commercial																		
										COMMERCIAL																			
C30	•			m						C30	Office-Professional																		
C31	•			m						C31	Residential/Office Professional																		
C32	•			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	•			C36	General Commercial																		
C37	•	•	•	•		M	•			C37	Heavy Commercial																		
C38	•	•	•	•		•	8	M	24	C38	Service Commercial																		
C40	•	•	•	•		•	8	M	24	C40	Rural Commercial																		
C42*	•	•	•	•		M	•	•		C42*	Visitor Serving Commercial																		
C44	•	•	•	•		M	•			C44	Freeway Commercial																		
C46*	•									C46*	Medical Center																		
										INDUSTRIAL																			
M50	•	m	M	m			8	M	24	M50	Basic Industrial																		
M52	•	m	M	m		M	•	8	M	24	M52	Limited Impact Industrial																	
M54	•	•	•	•		M	•	8	14	24	M54	General Impact Industrial																	
M56+	•	•	•	•			•	•	•	24	M56+	Mixed Industrial																	
M58	•	•	•	•			•	8	14	24	M58	High Impact Industrial																	
										AGRICULTURAL																			
A70	•	•	•	•		M	M		24	A70	Limited Agriculture																		
A72	•	•	•	•		M	M		24	A72	General Agriculture																		
										SPECIAL PURPOSE																			
S80*	•	S	M						23	S80*	Open Space																		
S81										S81	Ecological Resource Area																		
S82	•	•	•	•					24	S82	Extractive																		
S86	•	•	•	•	•				24	S86	Parking																		
S88+	•	•	•	•	•				24	S88+	Specific Plan Area																		
S90+	•	•	•	•	•	M	M		24	S90+	Holding Area																		
S92	•	•	•	•	•	M	M		24	S92	General Rural																		
S94+	•	•	•	•	•	M			24	S94+	Transportation & Utility Corridor																		
SWF										SWF	Solid Waste Facility																		

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	Enclosed	Semi-Enclosed	Open	Horticulture	(a) Cultivation	(b) Storage	Tree Crops	Row & Field Crops	Animal Raising	Large Commercial Organic Processing (see Section 6816)	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 Section 6910)	Agricultural Equipment Storage		Farm Labor Camp	Organic Materials Processing (see Section 971)	1800	1810	1820																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														

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

- 1-24 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)

- 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)
- ll. Junior Accessory Dwelling Units (JADU) means a unit that is no more than 500 square feet in size and contained entirely within an existing single-family dwelling.
 - T. Junior accessory dwelling units shall comply with the following standards:
 - W. A JADU must be created within the existing walls of an existing single-family dwelling and must include conversion of an existing bedroom.
 - X. The total area of a JADU shall not exceed 500 square feet.
 - Y. Only one ADU or, JADU, may be located on any residentially zoned lot that permits a single-family dwelling. A junior accessory dwelling unit may only be located on a lot which already contains one existing single-family dwelling.
 - Z. The owner of a parcel proposed for a JADU unit shall occupy as a principal residence either the primary dwelling or the JADU.
 - AA. A separate exterior entry shall be provided to serve a junior accessory dwelling unit.
 - BB. The interior connection to the main living area must be maintained.
 - CC. The junior accessory dwelling unit shall include an efficiency kitchen, requiring and limited to the following components:
 - A sink with a maximum waste line diameter of one-and-a-half (1.5) inches,
 - A cooking facility with appliance which do not require electrical service greater than one-hundred-and-twenty (120) volts or natural or propane gas, and
 - A food preparation counter and storage cabinets that are reasonable to size of the unit.

DD. No additional parking is required beyond that required when the existing primary dwelling was constructed.

EE.A JADU shall not be rented for less than 30 days.

U. Prior to obtaining a building permit for a junior accessory dwelling unit, a deed restriction, approved by the Director of PDS, shall be recorded with the County Recorder's office, which shall include the pertinent restrictions and limitations of a junior accessory dwelling unit identified in this Section. A copy of the recorded deed restriction shall be filed with the Department stating that:

- The junior accessory dwelling unit shall not be sold separately from the single-family dwelling unit;
- The junior accessory dwelling unit is restricted to the maximum size allowed per the development standards;
- The junior accessory dwelling unit shall be considered legal only so long as either the primary residence, or the accessory dwelling unit, is occupied by the owner of record of the property, except when the home is owned by an agency such as a land trust or housing organization in an effort to create affordable housing;
- The restrictions shall be binding upon any successor in ownership of the property and lack of compliance with this provision may result in legal action against the property owner, including revocation of any right to maintain a junior accessory dwelling unit on the property.

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.

aaa. Organic Materials Processing. Organic materials processing shall be allowed in accordance with Section 6977 of the Zoning Ordinance.

(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) 6516
 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)
 (Amended by Ord. No. 10592 (N.S.) adopted 2-27-19)
 (Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

4. 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.
- 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.
- i. Organic Materials Processing. Organic materials processing shall be allowed as accessory to a Commercial Agriculture operation in accordance with Section 6977 of the Zoning Ordinance.

(Added by Ord. No. 10463 (N.S.) adopted 4-14-17)
(Amended by Ord. No. 10592 (N.S.) adopted 2-27-19)
(Amended by Ord. No. 10652 (N.S.) adopted 1-29-20)
(Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

MISCELLANEOUS GENERAL REGULATIONS

6900 AMBULANCE SERVICE.

Ambulance services in zones subject to the RU Use Regulations shall comply with the following provisions.

- a. Exclusive Use. No business, other than emergency ambulance service, shall be conducted on the premises nor shall any office equipment or signs be located on the premises.
- b. Setback. The ambulance service shall be located no farther than 1,500 feet from an improved road which is designated as no less than a Minor Collector by the Mobility Element of the San Diego County General Plan.
- c. Use of Warning Equipment. No siren or flashing lights or any other emergency warning equipment shall be used prior to reaching such Collector Highway as described in subsection "b" above.
- d. Storage. Ambulance shall be parked or stored entirely within an enclosed building.

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

6901 CEMETERIES

- a. Continued Operation of Previously Existing Cemeteries. By Ordinance No. 7854 (N.S.), Division 6, entitled "CEMETERIES", of Title 8 of the San Diego County Code, was repealed, in recognition that the requirement of this Zoning Ordinance that a major use permit be obtained for the establishment or expansion of a cemetery, substantially satisfied the objectives of said Division 6. Said Division 6 required a cemetery permit for the establishment or maintenance of a cemetery, except for their continued maintenance, development and operation within the boundaries of cemeteries as established on February 24, 1942. Therefore, for purposes of this Zoning Ordinance, cemeteries which were legally established on or before February 24, 1942 and have not discontinued operation pursuant to Section 6865, shall be deemed to be nonconforming uses.
- b. Additional Standards for Cemeteries. Before any Major Use Permit for a cemetery may be granted or modified, in addition to the findings required by Section 7358, it shall be found, based upon a financial statement of the applicant and such measures or programs as the applicant may propose, that the cemetery will be established, cared for and maintained in such a manner as to prevent the same from becoming a public nuisance.

(Added by Ord. No. 7850 (N.S.) adopted 1-16-91)

6902

6902 LARGE COMMERCIAL ORGANIC MATERIALS PROCESSING.

The provisions of this Section and purpose of these regulations is to allow organic material processing as a primary use for commercial scale operations to divert organic materials from landfills.

Organic Materials and Organic Materials Processing refers to the processing of agricultural material, food material, vegetative food material, and green material as defined in Section 6977, subsection b.1 and 2. Standards and requirements for commercial operations are defined below and referenced within the Organic Materials Ordinance in Section 6977.

Processing operations shall comply with the following provision:

- a. Location. No processing operation shall be located closer than 1/2 mile from property in a zone which does not permit large commercial organic processing operations; provided that this requirement need not be met if the Director of Planning & Development Services, Planning Commission, or Board of Supervisors finds that a closer location will not adversely affect property in a zone which does not permit large commercial organic processing because of one or more of the following circumstances:
 - 1. The effect of natural topography will largely negate any adverse influences of the processing operations on property in such zone; or
 - 2. The property in such zone is vacant or essentially vacant due to its topography, location, access, or other factors, and is not reasonably expected to be developed within the time period for which the administrative permit or use permit is granted.
- b. Minimum Site Area. No processing operation shall be established or maintained on a lot or parcel unless such lot or parcel is 5 acres or more in area, except operations qualifying for an administrative permit may occur on parcels smaller than 5 acres if the County finds that the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures.
- c. Setback. No building, machinery or stockpile in connection with the operation subject to this section shall be maintained closer than 1,000 feet from the nearest pool, tennis court, public playground or dwelling located outside the boundary of the parcel or contiguous parcels associated with the processing operation at the time the applicable permit is granted. This requirement need not be met if the Director of Planning & Development Services, Planning Commission or Board of Supervisors finds that the processing operations will not create significant adverse impacts to residences or other facilities listed above within said 1,000 feet and that of the applicable permit findings at Section 7060 and 7358 can be made.
- d. Operation Plan. The applicant shall submit with their application plans, specifications and a description of the operation in sufficient detail so that the

proposed operation can be fully evaluated as to any potential adverse effects

on surrounding territory. Such plans shall include but not necessarily be limited to the following:

1. Site Plan showing the location of all structures and functions of the operation.
 2. A description of machinery, process, products, and organic materials to be processed with associated volumes, and organic processing practice.
 3. Specifications for the mechanisms and techniques to be used in the suppression of odors, air contaminants and flies at all times before, during and after the processing operation.
 4. A Best Management Practices Plan (BMP Plan) and Odor Impact Minimization Plan (OIMP) is required for commercial organic operations. Requirements are defined in Section 6977, subsection i. and j.
- e. Director of Environmental Health and Quality Review. The Director of Environmental Health and Quality shall review all applications and make recommendations thereon, including recommendations as to conditions deemed necessary to assure adequate minimization of odors, air contaminants, flies and other hazards of the public health.
- f. Water Quality Control Board Review. The Director of Planning & Development Services shall send a copy of each application to the appropriate California Regional Water Quality Control Board for information and, if said Board so elects, for recommendation to the Approving Authority.
- g. Permitting Requirements. County of San Diego Commercial Organic Materials Processing volume limits and associated permits are described as follows:

Commercial Operations⁽¹⁾⁽²⁾

- Agricultural + Green Feedstock can be processed up to 12,500 cubic yards at any given time with an Administrative Permit. Anything over 12,500 cubic yards at a given time will require a Major Use Permit.
- Agricultural + Green + Vegetative Food Feedstock can be processed up to 12,500 cubic yards at a given time with an Administrative Permit. Anything over 12,500 cubic yards at a given time will require a Major Use Permit.
- Agricultural + Green + Vegetative Food + Food Feedstock in any amount requires a Major Use Permit.

Large In-vessel Operations/Facilities

- In-vessel organic processing with anything over 15 tons per day will require an Administrative Permit. Anything over 100 tons per day or 700 tons per week will require a Major Use Permit.

Note 1: If a commercial organic materials operation is less than 100 cubic yards at a given time, refer to Section 6977 for permitting requirements.

6902

Note 2: Anaerobic digestion systems for commercial processing of organic materials are permitted under this section.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
 (Amended by Ord. No. 8292 (N.S.) adopted 8-4-93)
 (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
 (Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)
 (Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

6903 LOT LINE LOCATIONS

Lot lines shall not be relocated so as to do any of the following:

- a. Impair any legal access or create a need for new access to any adjacent lots or parcels.
- b. Impair any existing easements, create a need for any new easements serving any adjacent lots or parcels or cause any of the lots or parcels involved to be without safe and adequate access.
- c. Require substantial alteration of any existing public improvement or create a need for any new public improvements, unless approval is given by the Director, Department of Public Works.
- d. Adjust the boundary between lots or parcels for which a Covenant of Improvement Requirements has been recorded and all required improvements stated therein have not been completed unless the Director determines the proposed boundary adjustment will not significantly affect said Covenant of Improvement Requirements.
- e. Include any lots or parcels, which in the Director's judgment, based on design, size, or specification of the original document creating the parcel, were not intended as a building site.
- f. Negate any condition imposed or finding made in the original action or actions that created any or all of the lots involved in any such relocation of a lot line.
- g. Negate any action or measure imposed to mitigate environmental impacts at the time any or all of the lots involved in any such relocation of a lot line were created.

- h. Result in any lot or lots which utilize or propose to utilize an individual sewage disposal system, unless said lot or lots have been certified by the Director of Environmental Health as being approved for the installation of a sewage disposal system in accordance with the Septic Tank Ordinance, said certification to be dated no earlier than one year prior to the filing of said request for relocation of lot line(s). The Director of Environmental Health may exempt a boundary adjustment lot(s) from certification when the lot line changes will not impact the ability of the lot(s) to utilize an individual sewage disposal system.
- i. Result in any increase in noncompliance to the lot design requirements specified in Section 81.401 of the County Subdivision Ordinance.
- j. Result in any lot or lots which do not comply with all applicable zoning regulations, except that in the case of a lot or lots which did not conform to zoning regulations prior to the lot line relocation, the relocation may be approved if it does not result in any greater degree of nonconformity.
- k. Include any area determined by the Director of Public Works to be subject to flooding or inundation unless the limits of said area are delineated by a distinctive boundary line, clearly labeled, with an appropriate note stating said area is subject to flooding or inundation.
- l. Where the Director has made the determination referred to in Section 67.711 of the San Diego County Code, lot lines may not be relocated so as to result in lots zoned for residential use that are smaller than the minimum parcel sizes set forth in San Diego County Code Section 67.722.A (within the San Diego County Groundwater Ordinance), except that an existing parcel smaller than the applicable minimum parcel size set forth in said Section 67.722.A need not be made to conform to the minimum, so long as it is not further reduced in size by the Adjustment Plat.
- m. Include all or any portion of a lot that was created without a parcel map under Government Code Section 66428(a)(2).
- n. Result is a property with split commercial and residential zoning, whereby the purpose of the Adjustment Plat is to allow commercial parking in a residential zone as allowed by Section 4011 of the Zoning Ordinance.

(Amended by Ord. No. 9826 (N.S.) adopted 01-31-07)

(Added by Ord. No. 7178 (N.S.) adopted 8-6-86)

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

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

(Amended by Ord. No. 10592 (N.S.) adopted 2-27-19)

- 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 adopted standards of the applicable fire service provider.

(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)
 (Amended by Ord. No. 10592 (N.S.) adopted 2-27-19)
 (Amended by Ord. No. 10653 (N.S.) adopted 1-29-20)

6911 EMERGENCY SHELTERS.

Emergency Shelters (See Section 1334) shall comply with the following provisions, in addition to all other applicable County codes, except when subsection (g) Section 1006 applies, 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.

6911

- 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)
(Amended by Ord. No. 10767 (N.S.) adopted 1-26-22)

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 and other organic materials processing may be performed onsite in accordance with Section 6977 of the Zoning Ordinance.
- 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)
 (Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

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.

13. Containers for the 24-hour donation of materials shall be at least 30 feet from any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between the containers and the residential use;
14. Containers shall be clearly marked to identify the type of material which may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material shall be left outside the recycling enclosure or containers;
15. Signs shall comply with Section 6252aa. of the On-Premise Sign Regulations.
16. The facility shall not impair the landscaping required by this ordinance for any concurrent use or any permit issued pursuant thereto;

(Added 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. 10035 (N.S.) adopted 1-27-10)

6975 RECYCLING PROCESSING FACILITY.

The Recycling Processing Facility Use Type (as defined at Section 1513) is a permitted use in the specified Use Regulations when conducted in accordance with the following:

a. Recycling Processing Facility, Light

1. In a Commercial or Industrial Use Regulation upon meeting the criteria set forth in this section commencing at subsection a.2. below;
2. All operations shall be conducted entirely within an enclosed building except as follows:
 - i. In the C37, C38 and C40 Commercial Use Regulations and the M54 and M58 Industrial Use Regulations, a light recycling processing facility may be conducted outside of buildings if the property on which the facility is located does not abut a property zoned or planned for residential use.
 - ii. Notwithstanding the Enclosure Regulations, in any other Commercial or Industrial Use Regulation, a Minor Use Permit may be granted for an alternative type of enclosure such as a wall or view-obscuring fence not less than 8 feet in height and landscaped on all street frontages;
3. Power-driven processing shall be permitted, provided all requirements of the Performance Standards commencing at Section 6300 are met;
4. A light processing facility shall be no larger than 45,000 square feet and shall have no more than an average of 2 outbound truck shipments of material per day;

5. Setbacks and landscaping requirements shall be those required by the zone in which the facility is located;
6. All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition, or shall be baled or palletized. Storage containers for flammable material shall be constructed of non-flammable material. Oil storage must be in containers approved by the Local fire and/or Health Official. No storage, excluding truck trailers and overseas containers, shall be visible above the height of the fencing;
7. Site shall be maintained free of litter and any other undesirable materials, and shall be cleaned of loose debris on a daily basis and shall be secured from unauthorized entry and removal of materials when attendants are not present;
8. Space shall be provided on the site for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, space shall be provided for a minimum of 10 customers or the peak load, whichever is higher, except where the Director determines that allowing overflow traffic is compatible with surrounding businesses and public safety;
9. One parking space shall be provided for each commercial vehicle operated by the processing center.
10. Noise levels shall not exceed 60 dBA as measured at the property line of residentially zoned or occupied property, or otherwise shall not exceed the following:
 - 70 dBA in any Commercial Use Regulation (Except C31)
 - 55 dBA in the C31 Use Regulation
 - 75 dBA in the M54 and M58 Use Regulations;
11. If the facility is located within 500 feet of property zoned or planned for residential use, it shall not be in operation between 7:00 p.m. and 7:00 a.m. The facility shall be attended by on-site personnel during the hours the facility is open;
12. Any containers provided for after-hours donation of recyclable materials shall be at least 50 feet from any property zoned or occupied for residential use; shall be of sturdy, rustproof construction; shall have sufficient capacity to accommodate materials collected; and shall be secure from unauthorized entry or removal of materials;
13. Donation areas shall be kept free of litter and any other undesirable material. The containers shall be clearly marked to identify the type of material that may be deposited. Facility shall display a notice stating that no material shall be left outside the recycling containers;
14. Signs shall comply with the On-Premise Sign Regulations. In addition, facility shall be clearly marked with the name and phone number of the facility operator and the hours of operation;

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.
- d. Organic Materials Processing
1. A facility engaged in the processing (including composting) of wood and green materials in accordance with Section 6977 of the Zoning Code is governed by the requirements of that section.

(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)
 (Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

6976 PROHIBITION OF CANNABIS FACILITIES – MEDICAL OR NON-MEDICAL

No person shall cause or permit the establishment of a Cannabis Facility for medical or non-medical purposes, meeting the definition "Cannabis Facility – Medical and Non-Medical" in Section 1110, which was not lawfully established before April 14, 2017. 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)

(Amended by Ord. No. 10749 (N.S.) adopted 10-6-21)

6977 ORGANIC MATERIALS PROCESSING

- a. Purpose and Intent. The purpose of these regulations is to provide a uniform and comprehensive set of Organic Material Processing standards for the processing of organic materials in the unincorporated San Diego County. The regulations contained herein are intended to divert organic materials from landfills, increase the reuse of organic materials and the efficiency of organic materials processing, promote healthy soils, and support the environmental health of San Diego County. Unless otherwise stated, all referenced permits relate to land use and zoning. Permits by other agencies may be required.
- b. Definitions.
 1. "Organic Materials" refers to agricultural material, food material, vegetative food material, and green material as defined by Title 14 of California Code of Regulations (14 CCR) Division 7, Chapter 3.1 (CalRecycle).
 2. "Organic Materials Processing" refers to operations that include but are not limited to static piles, windrow, in-vessel, vermicomposting, and mushroom farming. All other organic processes are subject to additional discretionary review. New methods of Organic Materials Processing not currently considered by CalRecycle may be permitted subject to additional discretionary review as determined by the Director of Planning & Development Services or his or her designee and as guided by this section.
- c. Agricultural Operations. Organic Materials Processing may occur as an accessory use on any site where an active agricultural operation is present as follows:
 1. In all Use Regulations where agricultural operations allowed:
 - i. All materials to be processed must be derived onsite or as otherwise permitted under c.6 below.
 - ii. A maximum of 1,000 cubic yards of finished compost may be donated annually, unless or as otherwise prohibited.
 2. In the A70, A72, C37, C38, C40, S88, S90, S92, M50, M52, M54, M56, and M58 Use Regulations, except village residential and village commercial land use designations:
 - i. Organic materials from any source may be processed onsite.
 - ii. Finished product may be sold or donated in any amount or as otherwise permitted or restricted under c.6 below, providers of organic materials may share in the finished product.

3. Finished product will be considered an agricultural product. Sales will be limited to the Use Regulations indicated within 6157(a), or as otherwise permitted in the administrative or use permit.
4. Chipping and Grinding can only occur as an accessory use to support agricultural operations and cannot be the primary organic materials processing use. If chipping and grinding is intended to be the primary organic material processing use, then the operation would be classified as a Recycling Processing Facility, Wood, and Green Materials pursuant to Section 1513(c) and be subject to all permitting requirements for such a facility.
5. Subject to operational, siting, and permitting requirements set forth in Sections (f), (g), and (h) herein.
6. For the purposes of this Section, the following may be treated as a single agricultural operation and share organic materials and finished product between sites:
 - i. Various parcels under the same ownership or leased by the same owner; or
 - ii. Groups of independent agricultural operations at the discretion of the Director of Planning & Development Services based on the proximity of operations and a determination of no adverse impact to the health, safety, and welfare of surrounding properties. Notice must be submitted to the County's Planning & Development Services to confirm independent agricultural operations are acting as a group. Notice shall identify the participating properties, provide contacts for each, and indicate which site(s) will be sending and receiving materials. Sales of product is prohibited, as defined in 2ii above.
7. Agricultural Permitting Requirements per County of San Diego Organic Materials Processing volume limits and associated permits described as follows:
Agricultural Operations or Organic Materials Processing (as indicated above in subsection c.1.)
 - i. Agricultural Feedstock can be processed with unlimited volumes and no permit is required.
 - ii. Agricultural + Green Feedstock can be processed with unlimited volumes and no permit is required.
 - iii. Agricultural + Green + Vegetative Food Feedstock can be processed with unlimited volumes and no permit is required.
 - iv. Agricultural + Green + Vegetative Food + Food Feedstock can be processed with unlimited volumes and no permit is required.
 - v. In-vessel Agricultural materials can be processed with unlimited volumes and no permit is required.
 - vi. In-vessel Agricultural + Dairy + Food materials can be processed with unlimited volumes and no permit is required.
 Agricultural Operations (as indicated above in subsection c.2.)
 - vii. Agricultural Feedstock (used onsite) any volume of materials requires a Zoning Verification Permit.
 - viii. Agricultural + Green Feedstock can be processed up to 100 cubic yards or 750 square feet at a given time and will require a Zoning Verification

Permit. Anything over 100 cubic yards up to 12,500 cubic yards at a given time will require an Administrative Permit and anything over 12,500 cubic yards will require a Minor Use Permit.

- ix. Agricultural + Green + Vegetative Food Feedstock can be processed up to 100 cubic yards or 750 square feet at a given time and will require a Zoning Verification Permit. Anything over 100 cubic yards up to 12,500 cubic yards at a given time will require an Administrative Permit and anything over 12,500 cubic yards will require a Minor Use Permit.
- x. Agricultural + Green + Vegetative Food + Food Feedstock can be processed up to 100 cubic yards or 750 square feet at a given time and will require a Zoning Verification Permit. Anything over 100 cubic yards at a given time will require a Minor Use Permit.
- xi. In-vessel Agricultural + Dairy + Food (used onsite) any amount requires a Zoning Verification Permit.

In-vessel Operations/Facilities (defined by tons per day or tons per week)

- xii. In-vessel processing anything up to 15 tons per day and not to exceed 105 tons per week will require a Zoning Verification Permit.
- xiii. In-vessel processing anything over 15 tons per day and does not exceed 100 tons per day will require an Administrative Permit.
- xiv. In-vessel organic processing anything over 100 tons per day or 700 tons per week will require a Minor Use Permit.

- d. Community Gardens. Organic Materials Processing may occur as an accessory use to a community garden as permitted by Section 6912 Community Gardens with the following additional regulations and allowances:

- 1. No permits are required if the total organic material volume onsite at any one time does not exceed 100 cubic yards or 750 square feet at a given time used for organic material processing.
- 2. Offsite organic materials from any source may be received for processing onsite.
- 3. Finished compost may be donated in any amount. All sales are prohibited.
- 4. Chipping and Grinding can only occur as an accessory use to support community garden operations and cannot be the primary organic materials processing use.
- 5. Subject to operational, siting, and permitting requirements set forth in Sections (f), (g), and (h) herein.

- e. Community Composting. Organic Materials Processing may occur as an accessory use as follows:

- 1. On any site where an active agricultural operation is present and/or in the RS, RD, RM, RV, RU, RMH, RR, RRO, and RC Use Regulations:
 - i. The total organic material volume onsite at any one time shall not exceed 20 cubic yards for organic material processing. No permit is required.
 - ii. Processing of organic materials must occur within an enclosed container.
 - iii. Organic materials processed shall be limited to vegetative food material, and green material only. Except if the organic materials processing activity is occurring on land with active agriculture, then

agricultural materials may be included.

- iv. Offsite organic materials from any source per e.1.iii may be received for processing
- v. onsite.
- vi. Finished compost may be donated in any amount. All sales are prohibited.
- vii. Chipping and grinding is prohibited.

f. Commercial Operations. Organic Materials Processing may occur as a primary commercial use as follows:

- 1. In the A70, A72, C37, C38, C40, M50, M52, M54, M56, M58, S80, S82, S86, S88, S90, S92, and

S94 Use Regulations:

- i. The total organic material volume onsite at any one time shall not exceed 100 cubic yards or 750 square feet. Should organic material processing exceed 100 cubic yards or 15 tons per day of material as indicated in subsection f.2 then the provisions pursuant to Section 6902 would apply.
- ii. Offsite organic materials from any source may be received for processing onsite.
- iii. Finished product may be sold or donated in any amount, unless limited by the administrative or use permit.
- iv. Chipping and Grinding can only occur as an accessory use to support commercial operations and cannot be the primary organic materials processing use. If chipping and grinding is intended to be the primary use, then it must comply with Sections 1513 and 6975.
- v. Subject to operational, siting, and permitting requirements set forth in Sections (f), (g), and (h) herein.
- vi. Any property constrained by an easement for the protection of sensitive resources, including but not limited to biological or agricultural resources, or is located within or immediately adjacent to an existing or proposed Multiple Species Conservation Program (MSCP) planned preserve (e.g., Pre-Approved Mitigation Area, Priority Conservation Area, Focused Conservation Area) will require, at minimum, an Administrative Permit regardless of volume or material processed.
- vii. Management of Organic Materials Processing shall align with the current General Waste Discharge Requirements for Commercial Composting Operations of the State Water Resources Control Board.

Commercial Operations (as indicated in subsection f.1)

- xv. Agricultural + Green Feedstock⁽¹⁾ can be processed up to 100 cubic yards or 750 square feet at any given time with a Zoning Verification Permit.
- xvi. Agricultural + Green + Vegetative Food Feedstock⁽¹⁾ can be processed up to 100 cubic yards or 750 square feet at any given time with a Zoning Verification Permit.
- xvii. Agricultural + Green + Vegetative Food + Food Feedstock⁽¹⁾ can be processed up to 100 cubic yards or 750 square feet at any given time with a Zoning Verification Permit.

In-vessel Operations/Facilities

- xviii. In-vessel organic processing with anything up to 15 tons per day or up to 105 tons per week will require an Administrative Permit.

Note 1: Materials may be processed within an enclosed container as described for these volumes and permits.

- g. Operational Requirements. Unless otherwise provided, all Organic Materials Processing must comply with the following operational requirements:
 - 1. Organic Materials Processing operations are subject to the volume and material limitations set forth in Title 14 of California Code of Regulations (14 CCR) Division 7, Chapter 3.1 (CalRecycle).
 - 2. Processing of meat and dairy products must occur within an enclosed container, in-vessel, or as otherwise described in the administrative or use permit.
 - 3. Stormwater runoff from processing site(s) and leachate shall be managed to meet the standards of all federal, state, and local water permits.
 - 4. Application of water for organic materials processing on site shall be managed to reduce the generation of wastewater.
 - 5. During a weather event, organic materials shall be completely covered, or equivalent measures implemented, to reduce the generation of wastewater runoff.
 - 6. Operations and compost width and height shall comply with the current provisions or future amendments adopted by the County of San Diego for the San Diego County Consolidated Fire Code – Section 96.1.2808.
 - 7. Chipping and grinding operations, including setup, preparation, or close up, as indicated by c, d, e, and f shall not occur before 8:00 a.m. or after 5:00 p.m.
 - 8. On-site sales shall not occur before 7:00 a.m. or after 6:00 p.m. unless otherwise provided as a condition of an Administrative or Use permit.
 - 9. Organic Materials Processing shall be conducted in a manner so as not to become a nuisance to surrounding properties and shall be managed to:
 - i. Prevent the migration of agricultural pests identified by the horticultural pest and disease control boards (Department of Environmental Health and Quality and Agriculture, Weights, and Measures guidelines) as applicable.
 - ii. Minimize odors, litter, vectors, and dust per CCR Title 14, Division 7, Chapter 3.1 Article 6 Composting Operating Standards and Chapter 3.2 Article 3 Operating Standards for In-Vessel Digestion Operations and Facilities as applicable. The Local Enforcement Agency (LEA) is authorized on behalf of the State to enforce CCR Title 14 Division 7, Chapters 3.1 Compostable Materials Handling Operations and Facilities Regulatory Requirements and Chapter 3.2 In-Vessel Digestion Operations and Facilities Regulatory Requirements.
 - iii. Control air contaminants such as dust and odors to prevent migration beyond the property boundary.
 - iv. Minimize operational noise, hazards, or litter beyond the property boundaries; and
 - v. Control noise levels so as not to exceed limits set by the San Diego

County Noise Ordinance, Section 36.404 as measured at the property line of the property on which the noise is produced or at any location on a property that is receiving the noise.

10. Organic Materials Processing operations shall be conducted to minimize impact to sensitive habitats or species, such as but not limited to breeding seasons, riparian habitats, wildlife corridors, etc. including compliance with all Federal, State, and Local regulations.
 11. The Organic Materials Operator shall prepare, implement, and maintain site operations to ensure that any type of composting operations implement best practicable treatment and control that meets pathogen reduction requirements as specified in CCR Title 14, Division 7, Chapter 3.1, Section 17868.3 – Process to Further Reduce Pathogens.
- h. Siting Requirements. Unless otherwise provided, Organic Materials Processing operations must comply with the following siting requirements:
1. All operations must be sited a minimum of 100 feet from any existing groundwater well and/or nearest surface water body.
 2. All operations must be sited a minimum of 50 feet from any local, state or federally protected wetlands and sensitive habitat.
 3. Operations sited within a known Floodplain or Special Flood Hazard Areas as identified by the County of San Diego, Dept. Public Works – Flood Control Division maps and/or the Federal Emergency Management Agency (FEMA) maps shall be in compliance with County of San Diego's Flood Damage Prevention Ordinance – Division 11, Section 811.
 4. Composting in an enclosed container can occur up to three feet from property lines as long as the enclosure is no taller than 42". All other composting practices shall meet main building setbacks established by the applicable designators, indicated in Section 4810 Setback Schedule.
 5. Organic material processing is excluded from the enclosure matrix as indicated in Section 6816.
 6. Screening shall comply with Section 6700 Screening and Fencing Requirements for the applicable zone in which the use is located.
 7. The composting area shall be sited to prevent, to the greatest extent possible, ponding, inundation, and erosion impacts.
- i. An Odor Impact Minimization Plan (OIMP) shall be submitted to the County Planning & Development Services when required by CCR Title 14, Division 7, Chapters 3.1 and 3.2.
- j. A Best Management Practice Plan (BMP Plan) is required for all Organic Material Processing. The BMP Plan shall demonstrate compliance with sections (g) and (h) contained herein and shall include, but not be limited to, the type(s) of materials to be processed, siting, access, drainage, management of pests, minimization of odors, noise, dust, and description of the general operations.
- k. The County reserves the right to inspect the organic composting site annually, or as otherwise provided in the applicable permit, upon provision of reasonable notice, to ensure compliance with the requirements of this section.

(Added by Ord. No. 10807 (N.S.) adopted 9-14-22)

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

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

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

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

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

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

7356 HEARING AND NOTICE.

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

7357 EFFECT OF USE PERMIT ON OTHER USE OF THE PROPERTY

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

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

7358

7358 FINDINGS REQUIRED.

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

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

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

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

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

(Amended by Ord. No. 8457 (N.S.) adopted 10-5-94)

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

7359 FINDINGS REQUIRED FOR PARTICULAR USE PERMITS.

Before a use permit may be granted or modified for a "Specific Hazardous Waste Facility Project" as defined in Health and Safety Code Section 25199.1, a "Large Wind Turbine" as defined in Section 1110, "Organic Materials Processing" as defined by Section 6977, or "Large Commercial Organic Processing" as defined in Section 6902, the following provisions shall be met:

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

2. Appendix IX-A, entitled "Siting Criteria For Evaluating Hazardous Waste Management Facility Siting Proposals in San Diego County", and
 3. Appendix IX-B, entitled "'General Areas' For Siting Hazardous Waste Management Facilities."
- b. Large Wind Turbine. In lieu of the findings required by Section 7358, it shall be found that the location, size and design of the proposed large wind turbine project will not adversely affect or be materially detrimental to the surrounding community with consideration given to:
1. The physical suitability of the site for the type and intensity of the wind turbine project which is proposed;
 2. Any harmful effect from the wind turbine project on desirable neighborhood character;
 3. The availability of public facilities, services and utilities to serve the wind turbine project;
 4. The generation of traffic and the capacity and physical character of surrounding streets;
 5. The requirements of the California Environmental Quality Act;
 6. The wind turbine project's contribution to the renewable energy and sustainability goals of the San Diego region; and
 7. The San Diego County General Plan.
- c. Organic Materials Processing. In addition to the findings required by Section 7358, it shall be found that proposed facility complies with siting, operational, and other criteria as specified in 6977.
- d. Large Commercial Organic Processing. In addition to the findings required by Section 7358, it shall be found that proposed facility complies with siting, operational, and other criteria as specified in 6902.

(Added by Ord. No. 6924 (N.S.) adopted 2-20-85)
 (Amended by Ord. No. 8093 (N.S.) adopted 6-17-92)
 (Amended by Ord. No. 10068 (N.S.) adopted 8-4-10)
 (Amended by Ord. No. 10262 (N.S.) adopted 5-15-13)
 (Amended by Ord. No. 10807 (N.S.) adopted 9-14-22)

7360

7360 DECISION AND NOTICE.

The Board of Supervisors, the Planning Commission, or the Director shall decide and notice matters concerning use permits as follows:

- a. Applications for granting or modifying a use permit. Following the hearing on an application for granting or modifying a use permit, the Board of Supervisors, the Planning Commission, or the Director, whoever has jurisdiction over the application, shall deny the use permit or the requested modification; or shall grant or modify the use permit subject to specified conditions as may be imposed pursuant to Section 7362. Notice of the decision on the application shall be filed in the office of the authority having jurisdiction over the application and a copy of said notice shall be mailed to the applicant at the address shown on the application. Said decision shall become effective as provided in Section 7364
- b. Action to Revoke or Modify a Use Permit For Cause. Following the hearing in an action to revoke or modify a use permit, as prescribed in Section 7382, the Board of Supervisors, the Planning Commission, or the Director, whoever conducts the hearing, may decide to revoke or to modify the use permit, or may decide to take no action. Notice of the decision on the action shall be filed in the office of the deciding authority and a copy of said notice shall be mailed to the person to whom the use permit was originally granted. Said decision shall become effective as provided in Section 7364.

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

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

7362 CONDITIONS.

Use permits may be granted or modified subject to the performance of such conditions, including the provision of required improvements, and for such period of time as the Planning Commission, the Board of Supervisors, or the Director, whoever grants or modifies the use permit, shall deem to be reasonable and necessary or advisable under the circumstances so that the objectives of the Zoning Ordinance shall be achieved. Such conditions shall be imposed and enforced as follows:

- a. Security May Be Required to Insure Performance. In order to insure the performance of conditions imposed concurrent with the granting or modification of a use permit, the applicant may be required to furnish security in the form of money or surety bond in the amount fixed by the authority granting or modifying the use permit. Such security shall be furnished as required by Section 7612.
- b. Provision of Required Improvements. Whenever a use permit is granted or modified subject to the condition that specified improvements be provided by the applicant, such improvements shall be installed by the applicant and approved and accepted by the cognizant County authority, the applicant shall execute an agreement with the cognizant County authority pursuant to Section 7613 to make such improvements, prior to the time or events specified in the permit.
- c. Condition Declared Void. Whenever there becomes final any judgment of a court of competent jurisdiction declaring one or more of the conditions of a use permit to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions, said use permit shall cease to be valid and all rights or privileges granted thereby shall lapse, as provided by Section 7380.

- d. Violation of Condition. Whenever a use permit is granted or modified subject to a condition or conditions, use or enjoyment of the use permit in violation of or without observance of any such condition shall constitute a violation of the Zoning Ordinance and said use permit may be revoked or modified as provided by Section 7382.
- e. Monitoring compliance. Every permittee of a use permit shall allow the Director to conduct periodic inspections of the property for which a use permit has been granted to ensure that the permittee is complying with the use permit conditions. Inspections under this section are in addition to any inspections authorized under Section 7702. As used in this section, "permittee" also means the permittee's employees, agents, tenants, heirs, assignees and successors. The frequency of the periodic inspections shall be at the discretion of the Director, but shall not occur more often than once every twelve months. The Director shall give the permittee written notice at least 24 hours before any inspection under this section. No permittee shall refuse to permit inspection of the property covered by the use permit after the requisite notice has been given. No inspector, however, shall conduct any inspection authorized by this section if permission to inspect is refused. If permission to inspect is refused, the inspector may obtain an inspection warrant pursuant to California Code of Civil Procedure sections 1822.50 et seq. to conduct any inspection authorized by this section. If an inspector determines during a periodic inspection that the permittee is not in compliance with any use permit condition, the Director may authorize follow-up inspections more frequently than once every twelve months until the Director is satisfied that the permittee is complying with all use permit conditions.
- f. Notices under paragraph e. Notices shall either be served personally or by United States mail. Notices served by mail shall allow five business days for delivery.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
 (Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)
 (Amended by Ord. No. 9756 (N.S.) adopted 2-1-06)

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7363 DEFENSE OF LAWSUITS.

As a condition of approval of a Major Use Permit, Minor Use Permit, use permit modification, or use permit extension for which an application was filed (as defined in Zoning Ordinance Section 1019 b.) before January 3, 2003, the applicant shall: (1) defend, indemnify and hold harmless the County, its agents, officers or employees from any claim, action or proceeding against the County, its agents, officers or employees to attack, set aside, void or annul the major use permit, minor use permit, use permit modification or use permit extension or any of the proceedings, acts or determinations taken, done or made prior to such decision; and (2) reimburse the County, its agents, officers or employees for any court costs and attorney's fees which the County, its agents, officers or employees may be required by a court to pay as a result of such approval. At its sole discretion, the County may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any obligation imposed by this condition. The County shall notify the applicant promptly of any claim or action and cooperate fully in the defense. Each applicant seeking approval of any Major Use Permit, Minor Use Permit, use permit modification, or use permit extension, for which an application was filed (as defined in Zoning Ordinance Section 1019 b.) on or after January 3, 2003, shall be subject to the defense and indemnification provisions found at Chapter 2 (commencing at section 86.201) of Division 6 of Title 8 of the San Diego County Code.

(Added by Ord. No. 7782 (N.S.) adopted 07-25-90)
(Amended by Ord. No. 9517 (N.S.) adopted 12-04-02)

7364 EFFECTIVE DATE.

Decisions of the Planning Commission, or the Director made pursuant to Section 7360 shall become final and effective on the eleventh day following the date of decision unless an appeal of the decision is filed as provided by Section 7366. All decisions of the Board of Supervisors made pursuant to Section 7360 shall be final and effective immediately.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
(Amended by Ord. No. 9674 (N.S.) adopted 9-22-04)

7366 APPEAL.

Use permit decisions pursuant to Sections 7360, 7376, 7378 or 7382 may be appealed as follows:

- a. Appeals Authorized.
 1. A Major Use Permit decision of the Planning Commission may be appealed to the Board of Supervisors.
 2. A Minor Use Permit decision of the Director may be appealed to the Planning Commission, except that (a) a decision concerning a Minor Use Permit application filed concurrently with a tentative subdivision map, reclassification or Major Use Permit application may be appealed to the same appeal authority and pursuant to the same procedures as apply to such concurrent application; and (b) a decision concerning a Minor Use Permit for a mini-mobilehome park may be appealed to the Planning Commission; and (c) a decision concerning a Minor Use Permit for a nonconforming use within an adopted Redevelopment Area pursuant to Section 6878 may be appealed to the Board of Supervisors.
 3. A concurrent use permit decision by the Planning Commission may be appealed to the Board of Supervisors.
- b. Resubmittal of Revised Application. If upon appeal an application for a use permit is revised so as to require the submittal of a revised plot plan, all appellate proceedings shall be terminated and the application resubmitted to the authority having original jurisdiction for further consideration and decision. The decision of the revised application may thereafter be appealed as provided in this Section.
- c. Persons Authorized to Appeal. No person may appeal except the applicant for the granting or modification of a use permit; a County officer acting pursuant to paragraph "d" of this section; and those persons who protest the granting, revocation, or modification of a use permit either by written protest filed in the office of the Planning Commission or the Director, whoever has jurisdiction over the use permit, prior to the time of the hearing or consideration of the matter by said authority; or by appearing and protesting the granting, revocation or modification of the use permit at the hearing or consideration of the matter by said authority.
- d. County Officer May Appeal. Notwithstanding any other provision of this Ordinance, any County officer, Board, Commission, or other County body, other than the authority having jurisdiction over the appeal, may appeal a decision of the Planning Commission, or the Director made pursuant to Section 7360, without fee.
- e. Manner and Time of Filing. An appeal shall be in writing, shall be accompanied by the fee referenced in Section 7602 and shall be filed as follows:
 1. If filed personally, the appeal shall be filed in the Department of Planning and Development Services by the tenth day after the date of the decision and shall be addressed to the Secretary of the Planning Commission or the Director, depending on who rendered the decision.