



# County of San Diego

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February 10, 2022

Update No. 106  
02-22

**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. 10767 (N.S.), effective February 10, 2022.

Ordinance No. 10767 makes additions and amendments to regulations and definitions related to Emergency Shelters. These amendment pages are known as the ‘Amendment to the San Diego County Zoning Ordinance Related to Applicability of the Zoning Ordinance, Definitions, Emergency Shelter Classification, and General Regulations’ POD-20-008, adopted by the Board of Supervisors on January 26, 2022.

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

<b>REMOVE</b>	<b>ADD</b>	<b>SECTION CHANGES/DESCRIPTION</b>
1000 – 1105 (6 Pages)	1000 – 1105 (6 Pages)	Amends Section 1006 the Applicability of the Zoning Ordinance to exempt County funded or owned Emergency Shelters, and facilities for public and health services (which includes Transitional and Supportive Housing).
1110 Definitions S - W (4 Pages)	1110 Definitions S - W (4 Pages)	Adds a new definition of Permanent Supportive Housing.
1334 – 1485 (8 Pages)	1334 – 1485 (8 Pages)	Expands the definitions of Emergency Shelters to include a variety of new sheltering options.
6911 – 6911 (2 Pages)	6911 – 6911 (2 Page)	Adds reference to Section 1006 to exempt Emergency Shelters which are County funded or owned, or if they located on State or federally owned property.

Upon insertion of these pages, we suggest you fill in the space provided for Update No. 106 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 Timothy Vertino at (858) 505-6677.

A handwritten signature in blue ink, appearing to read "Dahvia Lynch". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dahvia Lynch, Director  
Department of Planning & Development Services

## PART ONE: BASIC PROVISIONS

GENERAL PROVISIONS

## 1000 TITLE AND PURPOSE OF PART ONE.

The provisions of Section 1000 through Section 1999, inclusive, shall be known as the Basic Provisions of the Zoning Ordinance. The purpose of these provisions is to specify the title, purpose, basic structure and applicability of the Zoning Ordinance and to require conformity to this Ordinance. These provisions shall apply to the entirety of the Zoning Ordinance.

## 1001 TITLE OF THE ZONING ORDINANCE.

This Ordinance shall be known and cited as The Zoning Ordinance.

## 1002 PURPOSE OF THE ZONING ORDINANCE.

The purpose of the Zoning Ordinance shall be to serve the public health, safety and general welfare and to provide the advantages resulting from the implementation of the San Diego County General Plan.

## 1003 CONSISTENCY OF ZONING ORDINANCE WITH THE SAN DIEGO COUNTY GENERAL PLAN.

In the event that the Zoning Ordinance becomes inconsistent with the San Diego County General Plan by reason of the adoption of a new Plan, or by amendment of the existing Plan or any of its elements, the Zoning Ordinance shall be amended within a reasonable time so that it is consistent with the newly adopted Plan or remain consistent with the existing Plan as amended. Additionally, all Zoning Ordinance amendments other than those previously described shall be consistent with the San Diego County General Plan. The procedure for the amendment of the Zoning Ordinance is contained in Sections 7500 through 7549, inclusive.

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

## 1004 OPEN SPACE ZONING ORDINANCE.

The Board of Supervisors hereby finds and declares that the zones containing the following Use Regulations and Special Area Regulations contained in this Zoning Ordinance constitute the Open Space Zoning Ordinance pursuant to the California Government Code: the A70 Limited Agriculture, A72 General Agriculture, S80 Open Space, S90 Holding Area, S92 General Rural, and S94 Transportation and Utility Corridor Use Regulations, and the Flood Plain, Historic/Archaeological Landmark and District, Scenic Area, Sensitive Resource Area, and Agricultural Preserve Special Area Regulations.

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

(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. 8114 (N.S.) adopted 7-29-92)

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

1006

1006           APPLICABILITY OF THE ZONING ORDINANCE.

- a.     The Zoning Ordinance shall be applicable to all of the unincorporated areas of San Diego County. The use and employment of all land and any buildings or structures located upon the land and the construction, reconstruction, alteration, expansion, or relocation of any building or structure upon the land shall conform to all regulations applicable to the zone in which the land is located. No land, building, structure or premises shall be used for any purpose or in any manner other than is permitted in the zone in which such land, building, structure or premise is located.
  
- b.     The Zoning Ordinance shall not apply to the development, use, or improvement of new or existing County-owned or operated facilities and facilities that are financed in whole or in part by the County, leased or contracted by a third party to provide a public purpose, including but not limited to County Parks (including public active or passive parks), County Libraries, or other County facilities such as Fire Stations or Sheriff Stations, or facilities for public services and health services such as Transitional and Supportive Housing.
  
- c.     The Zoning Ordinance shall not apply to Indian Reservation lands within the County of San Diego. Such lands are defined as those parcels which are identified as Indian Reservation lands by an Act of the United States Congress.
  
- d.     The Zoning Ordinance shall not apply to federally-owned or state-owned public lands within the County of San Diego. Such lands are defined as those parcels which are identified as federally-owned or state-owned public lands by the San Diego County Assessor.
  
- e.     The Zoning Ordinance shall not apply to solid waste management projects undertaken by the County on County-owned land and the Administrative Permit Procedure at Section 7050 and following, the Site Plan Review Procedure at Section 7150 and following, and the Use Permit Procedure at Section 7350 and following, shall not apply to the development of the following uses on County-owned solid waste sites and associated buffer properties which would otherwise require a discretionary permit; photovoltaic solar energy systems; resource conversion projects using landfill gases to produce energy or other products; above ground wireless telecommunication facilities; or storage of operable vehicles and equipment; provided:
  1.     Any proposed lease (and associated environmental documents) for the use of any County-owned solid waste sites and associated buffer properties to a non-County entity for a use specified in this subsection shall be reviewed by the Director prior to final lease approval by the Department of General Services. All proposed uses (including potential future uses) of the leased property shall be specifically listed in the lease. Any uses that are not specifically listed in the lease shall be subject to the Administrative Permit Procedure at Section 7050 and following, the Site Plan Review Procedure at Section 7150 and following, and the Use Permit Procedure at Section 7350 and following, unless a new or revised lease is reviewed by the Director and approved by the Department of General Services.
  
  2.     All proposed uses shall conform to all other applicable regulations, performance standards and design standards of the Zoning Ordinance.

- f. The Zoning Ordinance shall not apply to the Departments of the County of San Diego during, immediately following or throughout the recovery efforts authorized by the County, related to an emergency declared by the Governor of the State of California or the Board of Supervisors of the County of San Diego. (Amended by Ord. No. 6615 (N.S.) adopted 6-22-83)
- g. The Zoning Ordinance shall not apply to the development, use or improvement of new or existing Emergency Shelters, as classified in Section 1334, located on or to be located on properties owned or leased by the County or operated by the County directly or through a third party, or on federally-owned or state-owned public lands within the County of San Diego. Section 1006, subsection (g), applies only to Emergency Shelters located in areas to address homelessness and related public health, safety, and welfare issues.

(Amended by Ord. No. 7036 (N.S.) adopted 9-18-85)  
 (Amended by Ord. No. 8340 (N.S.) adopted 12-15-93)  
 (Amended by Ord. No. 9553 (N.S.) adopted 5-21-03)  
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)  
 (Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)  
 (Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)  
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)  
 (Amended by Ord. No. 10592 (N.S.) adopted 2-27-19)  
 (Amended by Ord. No. 10767 (N.S.) adopted 1-26-22)

#### 1007 RESPONSIBILITY FOR COMPLIANCE WITH THE ZONING ORDINANCE.

In addition to the provisions of Section 7703 VIOLATIONS AND PENALTIES, a property owner shall be considered to have allowed any use of property occupied by, or under the dominion and control of, the owner, and shall be responsible for the discontinuance and removal of any violation of The Zoning Ordinance. Said responsibility shall include property leased to other parties. A property owner shall also be responsible for the discontinuance and removal of any violation of The Zoning Ordinance that existed on the property prior to the current owners purchase of the property.

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

#### 1008 INTERPRETATION AND APPLICATION OF THE ORDINANCE.

If ambiguity arises concerning the content or application of The Zoning Ordinance, it shall be the duty of the Director to ascertain all pertinent facts, render a decision on the interpretation, set forth findings and notify concerned persons. This decision may be appealed pursuant to the Administrative Appeal Procedure commencing at Section 7200.

(Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)

#### 1010 INTERPRETATION OF CONFLICTING PROVISIONS.

In interpreting and applying the provisions of these regulations, they shall be held to be the minimum requirement for the promotion of the public health, safety, comfort, convenience and general welfare. It is not the intent of these regulations to interfere with or abrogate or annul any easement, covenant or other agreement between parties. When these regulations impose a greater restriction upon the use of buildings or land, or upon the height of buildings, or require larger open spaces than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of these regulations shall control.

1012

**1012 NO RELIEF FROM OTHER PROVISIONS.**

Except as otherwise specifically provided, no provision of this Zoning Ordinance shall be construed as relieving any party to whom a site plan, permit or variance is issued from any other provision of state or federal law or from any provision, ordinance, rule, or regulation of the County of San Diego requiring a license, franchise, or permit to accomplish, engage in, carry on or maintain a particular business, enterprise, occupation, transaction or use.

**1014 SEVERABILITY OF PROVISIONS.**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of these regulations, it being hereby expressly declared that this ordinance and each section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, adopted, approved and ratified irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**1016 ORDINANCE SUPERSEDES EXISTING ZONING ORDINANCE.**

This Zoning Ordinance supersedes Ordinance 1402, as amended, of the County of San Diego, including those provisions of Ordinance 1402 that apply specifically to the 37 zoning districts number 1, 4, 7, 8, 9, 12, 13, 15, 16, 19, 20, 23, 24, 26, 35, 37, 40, 41, 43, 44, 46, 48, 50, 51, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, and 65, referred to in Articles XXXVI to XCIX of said Ordinance, and to the extent that Ordinance 1402 is inconsistent with this Zoning Ordinance, it is hereby repealed. If any provisions of this Zoning Ordinance should be determined to be not applicable to land regulated by said Ordinance 1402, the provisions of Ordinance 1402 shall continue to apply. Nothing in this Ordinance shall be construed as validating or legalizing any land use or building or structure, conducted, constructed, erected, or maintained in violation of any County ordinance, and nothing in this ordinance shall prevent or bar the filing of a complaint or punishment of any in violation of said Ordinance 1402 or bar the bringing of any action or compel the discontinuance of any use or the removal of any building or structure conducted, constructed, erected, or maintained in violation of said Ordinance 1402. Insofar as the provisions of this ordinance impose the same regulations as imposed by said Ordinance 1402, this ordinance shall be construed as a continuation of said Ordinance 1402 and not as a new enactment.

(Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)

1017

Notwithstanding any provision of Section 1016 to the contrary, any zone reclassification adopted pursuant to Ordinance No. 1402 (New Series) and prior to the operative date of this Zoning Ordinance shall on the effective date of said reclassifications be deemed automatically converted to the comparable zones under this ordinance, as said comparable zones are specified in Ordinance No. 5312 (New Series).

(Added by Ord. 5328 (N.S.) adopted 12-13-78)

**1018 COMPLETION OF EXISTING BUILDINGS.**

Nothing herein contained shall require any change in the plans, construction or designated use of a building or structure for which a building permit has been issued prior to the effective date of any amendment of these regulations provided that actual construction of such building or structure is commenced within one calendar year after the date of issuance of the building permit and is completed within three calendar years from issuance of said building permit and provided further that such construction and proposed use of such building or structure is not on said effective date in violation of any other ordinance or law. Actual construction is hereby defined for purposes of

this section, to be the actual placing of construction materials in their permanent position, fastened in a permanent manner, except that where a basement is being excavated such excavating shall be deemed to be actual construction, or where demolition or removal of an existing structure has commenced preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction.

(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. 6983 (N.S.) adopted 7-03-85)

#### 1019 EFFECT OF AMENDMENTS UPON PENDING APPLICATIONS.

- a. Any application for a permit or other approval regulated in any manner by the provisions of this Zoning Ordinance shall only be required to meet the provisions of this Ordinance that were in effect on the date that application was deemed complete. The foregoing provision relates only to individual application(s) regulated by the Zoning Ordinance, not to the overall project (for which several applications may be required).
- b. For purposes of this section, an application is "deemed complete" 30 days following the date it was submitted, unless the applicant has been informed that the application is not complete, or at such earlier date that the County informed the applicant that the application was complete.

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

(Amended by Ord. No. 7322 (N.S.) adopted 6-10-87)

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

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

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

1100

## DEFINITIONS

### 1100 TITLE, PURPOSE AND APPLICABILITY.

The provisions of Section 1100 through Section 1199, inclusive, shall be known as the Definitions. The purpose of these provisions is to promote consistency and precision in the interpretation of The Zoning Ordinance. The meaning and construction of words and phrases as set forth shall apply throughout The Zoning Ordinance, except where the context of such words or phrases clearly indicates a different meaning or construction. Definitions contained in the Uniform Building Code shall be applicable except when in conflict with definitions contained in The Zoning Ordinance, in which case The Zoning Ordinance definition shall prevail.

### 1105 GENERAL RULES FOR CONSTRUCTION OF LANGUAGE.

The following general rules of construction shall apply to the textual provisions of The Zoning Ordinance.

- a. Headings. Section and subsection headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any provision of The Zoning Ordinance.
- b. Illustration. In case of any difference of meaning or implication between the text of any provision and any illustration, the text shall control.
- c. Shall and May. "Shall" is always mandatory and not discretionary. "May" is discretionary.
- d. Tenses and Numbers. Words used in the present tense include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- e. Conjunctions. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
  1. "And" indicates that all connected items or provisions apply.
  2. "Or" indicates that the connected items or provisions may apply single or in any combination.
  3. "Either...or" indicates that the connected items or provisions shall apply single but not in combination.
- f. All public officials, bodies, and agencies to which reference is made are those of the County of San Diego unless otherwise indicated.

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



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.

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)

Def. V

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.

## 1334 EMERGENCY SHELTERS.

The Emergency Shelters Use Type refers to housing or shelter, including non-congregate shelter, for persons experiencing homelessness. The following are non-exhaustive Emergency Shelters use types:

- a. Emergency Shelter as defined by subdivision (e) of Section 50801 of the Health and Safety Code.
- b. Emergency Shelter: Day Shelter Facilities. Facilities where food and/or social services are made available to persons experiencing homelessness and overnight sleeping is prohibited.
- c. Emergency Shelter: Emergency Bridge Housing Community. Shall have the meaning prescribed in the Government Code Section 8698(e).
- d. Emergency Shelter: Homeless Shelters as defined by subdivision (a) of Section 8698.4 of the Government Code.
- e. Emergency Shelter: Safe Camping Facilities. Shall mean a tent, or a relocatable hard-sided shelter, that is receiving direct financial assistance from the County of San Diego, State of California or the Federal Government, designed to be used within a location on or to be located on properties owned, operated by the County directly or through a third party, financed, leased, or on property owned or leased by the County of San Diego, or on federally-owned or state-owned public lands, and are within the County of San Diego. A relocatable hard-sided shelter may contain plumbing, an electrical system and electrical space conditioning equipment complying with the electrical and mechanical regulations and supplied by the lot service equipment..
- f. Emergency Shelter: Safe Parking Facilities. Shall include a location within or to be located on properties owned, operated by the County directly or through a third party, financed, leased, or on property owned or leased by the County of San Diego, or on federally-owned or state-owned public lands within the County of San Diego and specifically be identified as allowed for over-night parking by persons experiencing homelessness. Safe Parking Facilities shall include small structures including but not limited to restrooms, security posts, or offices for social service providers. Safe Parking Facilities will not be located at an RV park or a mobilehome park.
- g. Emergency Shelter: Safe Storage Facilities. Shall include containers or buildings that are located on property owned, or leased by the County, State, or Federal Government, or incidental to any other Emergency Shelter.

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

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

1335

1335 ESSENTIAL SERVICES.

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

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

1340 FIRE PROTECTION SERVICES.

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

1345 GROUP CARE.

The Group Care use type refers to services provided in facilities and authorized, certified or licensed by the State to provide board, room and personal care to 7 or more persons or dependent and neglected children or in facilities authorized to provide day care services but excluding those uses classified under Child Care Center or Major Impact Services and Utilities. Typical uses include halfway houses, intermediate care facilities, and, day care facilities serving more than 50 persons.

(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. 6654 (N.S.) adopted 9-21-83)

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

1346 LAW ENFORCEMENT SERVICES.

The Law Enforcement Services use type refers to the provision of police protection by a governmental agency, including administrative offices, storage of equipment and the open or enclosed parking of patrol vehicles.

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

1348 CIVIC, FRATERNAL OR RELIGIOUS ASSEMBLY.

The Civic, Fraternal or Religious Assembly use type refers to meetings and activities attended regularly by and conducted primarily for their members, by nonprofit organizations which are tax-exempt pursuant to Section 501 (c) of the Internal Revenue Code and which may meet during or after regular business hours. Typical uses include meeting places for civic clubs, ethnic associations, social clubs, scouting organizations (other than 1505, Participant Sports and Recreation), churches, mosques, synagogues, temples, or fraternal or veterans organizations. Excluded from this use type are uses classified as Group Residential, Group Care, or Transient Habitation (all types).

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

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

1350 MAJOR IMPACT SERVICES AND UTILITIES.

The Major Impact Services and Utilities use type refers to public or private services and utilities which have substantial impact. Such uses may be conditionally permitted in any zone when the public interest supersedes the usual limitations placed on land use and transcends the usual restraints of zoning for reasons of necessary location and community wide interest. Typical places or uses are schools, sanitary landfills, public and private airports, public park/

playground/recreational areas (other than public passive park/recreational areas), hospitals, psychiatric facilities, cemeteries, nursing homes, detention and correction institutions, trade schools (with outdoor training facilities) or security, law enforcement, military, paramilitary type training facilities, or field medical training uses. Public park/ playground/recreational areas (other than public passive park/recreational areas) shall not apply to those uses within the Coastal Zone (refer to County Park).

(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. 6855 (N.S.) adopted 10-10-84)

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

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

(Amended by Ord. No. 10095 (N.S.) adopted 12-3-10)

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

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

#### 1355 MINOR IMPACT UTILITIES.

The Minor Impact Utilities use type refers to public utilities which have a local impact on surrounding properties and are necessary to provide essential services. Typical uses are electrical and gas distribution substations.

#### 1360 PARKING SERVICES.

The Parking Services use type refers to parking services involving garages and lots which are publicly operated.

#### 1365 POSTAL SERVICES.

The Postal Service use type refers to mailing services excluding major processing, owned or operated by governmental agencies as traditionally provided by the United States Postal Service.

#### 1375 SMALL SCHOOLS.

The Small Schools use type refers to the education of 7 or more children, adults, elderly persons, or handicapped persons at one time (but not more than 50), but excluding overnight care or uses classified as Group Care or Major Impact Services and Utilities. Typical uses include day care facilities for the elderly and schools for not more than 50 children or adults.

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

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

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

1400

COMMERCIAL USE TYPES

1400 GENERAL DESCRIPTION OF COMMERCIAL USE TYPES.

Commercial use types include the distribution and sale or rental of goods; and the provision of services other than those classified as Civic Uses. They also include certain uses accessory to the above, as specified in Section 6150, Accessory Use Regulations.

1410 ADMINISTRATIVE AND PROFESSIONAL SERVICES.

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

1415 AGRICULTURAL AND HORTICULTURAL SALES.

The Agricultural and Horticultural Sales use type refers to a business establishment with retail sale of agricultural and horticultural goods not cultivated on the premises.

- a. Agricultural Sales. Sale of feed, grain, fertilizers, pesticides and similar goods. Typical items include nurseries, hay, feed and grain stores.
- b. Horticultural Sales. Retail sale only of horticultural and flori-cultural specialties and related nursery items. Typical items include flowers, shrubs, trees and garden tools and supplies.

(Amended by Ord. No. 6284 (N.S.) adopted 5-5-82)  
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

1420 AGRICULTURAL SERVICES.

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

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

1425 ANIMAL SALES AND SERVICES.

Animal Sales and Services refers to a property, establishment or place of business primarily engaged in animal related sales and services. The following are animals sales and services use types:

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



- c. Animal Sales and Services: Horse Stables. Boarding, breeding, raising, rehabilitation, riding training or performing of horses for commercial purposes. This does not include the private use of horses owned by the owners or the occupants of the premises allowed under section 1725 Animal Raising, such as Horsekeeping. Typical uses include boarding stables or public stables.
- d. Animal Sales and Services: Kennels. Kennel services for dogs, cats and similar small animals. Typical uses include boarding kennels, pet motels, dog daycare or dog training centers.
- e. Animal Sales and Services: Stockyards. Stockyard services involving the temporary keeping of transient livestock for slaughter, market or shipping. Typical uses include stockyards or animal sales yards.
- f. Animal Sales and Services: Veterinary (Large Animals). Veterinary services for large animals. Typical uses include animal hospitals (large animals) or veterinary hospitals (large animals). Boarding of animals or grooming of animals may be allowed as accessory to the veterinary use.
- g. Animal Sales and Services: Veterinary (Small Animals). Veterinary services for small animals. Typical uses include pet clinics, dog and cat hospitals or animal hospitals (small animals). Boarding of animals or grooming of animals may be allowed as accessory to the veterinary use.

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

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

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

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

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

#### 1430 AUTOMOTIVE AND EQUIPMENT.

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

- a. Automotive and Equipment: Cleaning. Washing and polishing of automobiles. Typical uses include auto laundries or car washes.
- b. Automotive and Equipment: Fleet Storage. Storage or parking of one or more vehicles used regularly in business operations. Excluded from this use type are Automotive and Equipment: Sales/Rentals, (all types); and the incidental parking of vehicles as an accessory use to a permitted use on the same premises. Typical uses include taxi fleets, mobile catering truck storage or delivery truck fleets.
- c. Automotive and Equipment: Parking. Parking of motor vehicles on a temporary basis within a privately owned off-street parking area with or without a fee. Typical uses include commercial parking lots or garages.

1430

- d. Automotive and Equipment: Repairs, Heavy Equipment. Repair of motor vehicles such as aircraft, boats, recreational vehicles, trucks, etc., as well as the sale, installation and servicing of automotive equipment and parts together with body repairs, painting and steam cleaning. Typical uses include truck transmission shops, body shops or motor freight maintenance groups.
- e. Automotive and Equipment: Repairs, Light Equipment. Repair of automobiles and the sale, installation and servicing of automobile equipment and parts but excluding body repairs and painting. Typical uses include muffler shops, auto repair garages or auto glass shops.
- f. Automotive and Equipment: Sales/Rentals, Heavy Equipment. Sale, retail or wholesale and/or rental from the premises of heavy construction equipment, trucks and aircraft together with incidental maintenance. Typical uses include aircraft dealers, boat dealers, or heavy construction equipment dealers.
- g. Automotive and Equipment: Sales/Rentals, Farm Equipment. Sale, retail or wholesale and/or rental from the premises of farm equipment together with incidental maintenance. Typical uses include farm equipment dealers.
- h. Automotive and Equipment: Sales/Rentals, Light Equipment. Sales, retail or wholesale and/or rental from the premises of autos, noncommercial trucks, motorcycles, motorhomes and trailers together with incidental maintenance. When used in this section noncommercial trucks shall mean vehicles that are not used for business purposes, e.g., trucks rented for moving household furnishings and driven by the owner of the items being moved. Typical uses include automobile dealers, car rental agencies or recreational vehicles sales and rental agencies.
- i. Automotive and Equipment: Storage, Nonoperating Vehicles. Storage of nonoperating or impounded motor vehicles, but not a junkyard or motor vehicle wrecking yard (as defined by Section 21.602 of the County Code). Typical uses include storage of private parking towaways or impound yards. (Also see Section 21.607 of the County Code for regulations). Any dismantling or wrecking of vehicles is regulated by Section 1530 Scrap Operations.
- j. Automotive and Equipment: Storage, Recreational Vehicles and Boats. Storage of Recreational Vehicles and Boats. Typical uses include the collective storage of personal recreational vehicles or boats.

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

#### 1435 BUILDING MAINTENANCE SERVICES.

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

**1440 BUSINESS EQUIPMENT SALES AND SERVICES.**

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

**1445 BUSINESS SUPPORT SERVICES.**

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

**1450 COMMUNICATIONS SERVICES.**

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

**1455 CONSTRUCTION SALES AND SERVICES.**

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

**1460 CONVENIENCE SALES AND PERSONAL SERVICES.**

The Convenience Sales and Personal Services use type refers to establishments or places of business primarily engaged in the provision of frequently or recurrently needed small personal items or services for residents within reasonable walking distance. These include various general retail sales and personal services of an appropriate size and scale. Typical uses include neighborhood grocery or drug stores. The Convenience Sales and Personal Services use type can include uses permitted by Section 1465 (Eating and Drinking Establishments), 1480 (Food and Beverage Sales), 1510 (Personal Services, General) and 1525 (Retail Sales, General) provided it is administratively determined that they meet the convenience description set forth above, except that the following uses are not allowed:

- a. Any use which includes the serving of alcoholic beverages, except beer and wine, for consumption on the premises;
- b. Any use which includes the provision of live entertainment;
- c. Any use which includes selling goods by auction; or
- d. Any use which includes selling equipment or parts for automobiles, marine craft, aircraft, motorcycles, camper or trailer purposes.

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

1463

1463 COTTAGE INDUSTRIES.

A Cottage Industry is the production of goods or the provision of services in conjunction with a single detached dwelling conducted in compliance with the requirements of Section 6920.

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

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

1465 EATING AND DRINKING ESTABLISHMENTS.

The Eating and Drinking Establishments use type refers to establishments or places of business primarily engaged in the sale of prepared food and beverages for on-premise consumption. Typical uses include restaurants, short order eating places or bars.

1470 EXPLOSIVE STORAGE.

The Explosive Storage Use Type refers to the storage of any quantity of explosives as defined by Section 12000 of the California Health and Safety Code. Excluded from the Explosive Storage Use Type is the storage of up to 200 pounds of smokeless powder and/or up to 25 pounds of black sporting powder provided such storage is for commercial retail sale. Typical uses include storage in the course of manufacturing, selling, or transporting explosives or in the course of blasting operations.

1475 FINANCIAL, INSURANCE AND REAL ESTATE SERVICES.

The Financial, Insurance and Real Estate Services use type refers to establishments primarily engaged in the provision of financial, insurance, real estate or securities brokerage services. Typical uses include banks, insurance agencies or real estate firms.

1480 FOOD AND BEVERAGE RETAIL SALES.

The Food and Beverage Retail Sales use type refers to establishments or places of business primarily engaged in the retail sale of food and beverages for home consumption. Typical uses include groceries, liquor stores or delicatessens.

1485 FUNERAL AND INTERMENT SERVICES.

Funeral and Interment Services refers to establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries. The following are Funeral and Interment Services use types.

- a. Funeral and Interment Services: Cremating. Crematory services involving the purification and reduction of the human body by fire. Typical uses include crematories or crematoriums.
- b. Funeral and Interment Services: Interring. Interring services involving the keeping of human bodies other than in cemeteries. Typical uses include columbaria, mausoleums or cineraria.
- c. Funeral and Interment Services: Undertaking. Undertaking services such as preparing the dead for burial and arranging and managing funerals. Typical uses include funeral homes or mortuaries.

- 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)

## 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.