



THE ZONING ORDINANCE SAN DIEGO COUNTY

IMPORTANT NOTE:

Zoning ordinances are continually undergoing additions, deletions and alterations. Up-to-date ordinance information is available at the Zoning Information Counter at Planning & Development Services. Any questions regarding possible changes in zoning ordinances should be directed to the Zoning Information Counter.

***COUNTY OF SAN DIEGO
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	"			
5	5-84	"	37	8-90	"	69	8-04	"			
6	6-84	"	38	10-90	"	70	10-04	"			
7	11-84	"	39	9-91	"	71	2-05	"			
8	12-84	"	40	3-92	"	72	3-06	"			
9	1-85	"	41	6-92	"	73	3-07	"			
10	3-85	"	42	10-92	"	74	5-07	"			
11	5-85	"	43	12-92	"	75	4-08	"			
12	8-85	"	44	1-93	"	76	9-08	"			
13	9-85	"	45	3-93	"	77	1-09	"			
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	"			
19	8-86	"	51	1-95	"	83	9-10	"			
20	10-86	"	52	3-95	"	84	10-10	"			
21	11-86	"	53	11-95	"	85	1-11	"			
22	1-87	"	54	12-95	"	86	2-11	"			
23	6-87	"	55	8-96	"	87	9-11	"			
24	7-87	"	56	1-98	"	88	4-12	"			
25	9-87	"	57	5-98	"	89	7-12	PDS			
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27	2-88	"	59	7-99	"	91	3-13	"			
28	2-88	"	60	7-00	"	92	6-13	"			
29	6-88	"	61	4-01	"	93	10-13	"			
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(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

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

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

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

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

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

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 Parks.
- 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 public lands within the County of San Diego. Such lands are defined as those parcels which are identified as federally-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)
 (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)

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 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

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)

1110 GENERAL TERMS.

- a. "Permitted" means permitted without the requirement for a use permit but subject to all other applicable regulations.
- b. "Department" means the Department of Planning and Development Services.
- c. "Board" or "Board of Supervisors" shall have the same meaning.
- d. "Commission" or "Planning Commission" shall have the same meaning.
- e. "City" means any city in the County of San Diego.
- f. "County" shall mean the County of San Diego.
- g. "Federal" shall mean the Government of the United States of America.
- h. "State" shall mean the State of California.
- i. "Used" includes "arranged for," "designed for," "occupied," or "intended to be occupied for."
- j. "General Plan" means the San Diego County General Plan.
- k. "Director" means the Director of Planning and Development Services.
- l. "Section" means a section of the Zoning Ordinance unless otherwise indicated. Sections of this Ordinance are identified by a four digit number (excluding any suffix or decimals) except that each term defined in the Definitions constitutes a separate section.

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

(Amended by Ord. No. 8555 (N.S.) adopted 7-14-95)

(Amended by Ord. No. 8962 (N.S.) adopted 9-23-98)

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

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)

Agricultural Employee: (See Farm Employee)

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

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

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

Agricultural Microbrewery: see Microbrewery, Agricultural

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

Agricultural Micro-Distillery: see Micro-Distillery, Agricultural

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

Agricultural Stand: (see Stand, Agricultural)

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

Def. A

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Anatomical Areas: (See Specified Anatomical Areas)

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

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

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

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

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

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

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

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

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

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

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

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

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

Def. A

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

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

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

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

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

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

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

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

Attached: (See Building Type; Nonresidential)

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

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

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

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

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)

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.

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)

Def. C

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)

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)

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

Def. C

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

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

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

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

Concurrent Use Permit: (See Use Permit, Concurrent)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DEFINITIONS (D)

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

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

Density: The number of dwelling units per acre.

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

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

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

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

Def. D

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

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

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

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

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

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

Designated Historic Landmark: (See Historic Landmark)

(Added by Ord. No. 5330 (N.S.) adopted 12-13-78)
(Deleted by Ord. No. 7101 (N.S.) adopted 3-12-86)

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

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

Detached: (See Building Type, Nonresidential)

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

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

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

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

Double Detached: (See Building Types, Residential)

Drive-In: (See Enclosure)

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

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

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

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

Duplex: (See Building Type Residential)

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

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

Dwelling, Multi: (See Building Type, Residential)

DEFINITIONS (E)

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

Enclosed: (See Enclosure)

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

1. Drive-In: Designed or operated so as to enable persons to receive a service or to purchase or to consume goods while remaining onsite within a parked motor vehicle.
2. Enclosed: A roofed structure contained on all sides by walls which are pierced only by windows, vents, or customary entrances and exits.
3. Open: Unroofed or not contained on all sides by walls which are pierced only by windows, vents, or customary entrances and exits.
4. Semi-Enclosed: Contained on at least 50 percent of its perimeter by walls which are pierced only by windows, vents, or customary entrances and exits. The open sides of partially open structures shall not be visible from any public right-of-way.

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

Def. E

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

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

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

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

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

Exterior Wall: (See Wall, Exterior)

DEFINITIONS (F)

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

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

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

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

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

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

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

(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)

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)

Def. F

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).

(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)

Def. F

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

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

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

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

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

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

DEFINITIONS (G)

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

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

Garage, Parking: (See Parking Garage)

Garage, Private: (See Private Garage)

Garage, Public: (See Public Garage)

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

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

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 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 prunnings 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)

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

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

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

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

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

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

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

Def. M

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Minor Use Permit: (See Use Permit, Minor)

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

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

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

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

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

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

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

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

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

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

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

Def. M

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Motion Picture Theater: (See General Motion Picture Theater)

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

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

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

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

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

DEFINITIONS (N)

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

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

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

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

Net Lot Area: (See Lot Area, Net)

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

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

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

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

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

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

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

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

Def. O

DEFINITIONS (O)

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

Open: (See Enclosure)

Open Space: (See Usable Open Space)

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

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

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

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

DEFINITIONS (P)

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

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

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

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

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

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

Parlor: (See Massage Parlor)

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

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

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

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

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

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

(Added by Ord. 8015 (N.S.) adopted 12-4-91)

(Amended by Ord. 9469 (N.S.) adopted 6-12-02)

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

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

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

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

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

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

Def. P

Planned Development: A large, integrated development located on a single building site, or on 2 or more building sites which may be separated only by a street or other right-of-way. In such development, the land and structures shall be planned and developed as a whole in a single development operation or a series of operations in accordance with a detailed, comprehensive plan encompassing such elements as the location of structures, the circulation pattern, parking facility, open space, and utilities, together with a program for provision, operation and maintenance of all areas, improvements, facilities and services provided for the common use of the persons occupying or utilizing the property.

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

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

Ponds: (See Aquaculture)

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

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

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

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

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

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

(Added by Ord. No. 6268 (N.S.) adopted 4-14-82)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

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

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

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 wilderness, ecological or natural preserves.

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

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.

Def. R

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 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.

Def. S

(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.

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

Def. S

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.

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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)

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)

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

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

DEFINITIONS (T)

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

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

Trade School: (See School, Trade)

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

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

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

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

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

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

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

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

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

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

Triplex: (See Building Type; Residential Triplex)

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

Def. U

DEFINITIONS (U)

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

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

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

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

Unit, Base: (See Base Units)

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

Unit, Density Bonus: (See Density Bonus Unit)

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

Unit, Market Rate: (See Market Rate Unit)

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

Unit, Reserved: (See Reserved Unit)

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

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

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

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

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

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

Use, Accessory: (See Accessory Use)

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.

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

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)

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)

Def. W

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.

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

Zoning Verification Permit: A ministerial permit issued by the Department of Planning and Development Services for purposes of verifying that a particular use or structure complies with all applicable Zoning Ordinance regulations.

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

USE CLASSIFICATIONS

GENERAL CLASSIFICATION RULES

1200 GENERAL INTENT OF THE USE CLASSIFICATIONS.

The provisions of Section 1200 through Section 1899, inclusive, shall be known as the Use Classifications. The purpose of these provisions is to classify uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics, thereby providing a basis for regulation of uses in accordance with criteria which are directly relevant to the public interest. These provisions shall apply throughout the Zoning Ordinance.

1205 LISTING OF USE CLASSIFICATIONS.

All uses are hereby classified into the following use types, which are described in Section 1250 through Section 1899, inclusive. See Section 1215 for classification of combinations of uses resembling different types. The names of these use types start with capital letters throughout the Zoning Ordinance.

a. Residential Use Types.

Family Residential
Group Residential
Mobilehome 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
Emergency Shelters
Essential Services
Fire Protection Services
Group Care
Law Enforcement Services
Major Impact Services and Utilities
Minor Impact Utilities
Parking Services
Postal Services
Small Schools
Wind Turbine System, Medium

c. Commercial Use Types.

Administrative and Professional Services
Adult Entertainment Establishments
Agricultural and Horticultural Sales: Agricultural
Agricultural and Horticultural Sales: Horticultural

Agricultural Services
 Animal Sales and Services: Auctioning
 Animal Sales and Services: Grooming
 Animal Sales and Services: Horse Stables
 Animal Sales and Services: Kennels
 Animal Sales and Services: Stockyards
 Animal Sales and Services: Veterinary (Large Animals)
 Animal Sales and Services: Veterinary (Small Animals)
 Automotive and Equipment: Cleaning
 Automotive and Equipment: Fleet Storage
 Automotive and Equipment: Parking
 Automotive and Equipment: Repairs, Heavy Equipment
 Automotive and Equipment: Repairs, Light Equipment
 Automotive and Equipment: Sales/Rentals, Farm Equipment
 Automotive and Equipment: Sales/Rentals, Heavy Equipment
 Automotive and Equipment: Sales/Rentals, Light Equipment
 Automotive and Equipment: Storage, Nonoperating Vehicles
 Automotive and Equipment: Storage, Recreational Vehicles and Boats
 Building Maintenance Services
 Business Equipment Sales and Services
 Business Support Services
 Communications Services
 Construction Sales and Services
 Convenience Sales and Personal Services
 Cottage Industries
 Eating and Drinking Establishments
 Explosive Storage
 Financial, Insurance and Real Estate Services
 Food and Beverage Retail Sales
 Funeral and Interment Services: Cremating
 Funeral and Interment Services: Interring
 Funeral and Interment Services: Undertaking
 Gasoline Sales
 Laundry Services
 Medical Services
 Participant Sports and Recreation: Indoor
 Participant Sports and Recreation: Outdoor
 Personal Services, General
 Recycling Collection Facility: Small
 Recycling Collection Facility: Large
 Recycling Processing Facility: Light
 Recycling Processing Facility: Heavy
 Recycling Processing Facility: Wood and Green Materials
 Repair Services, Consumer
 Research Services
 Retail Sales: General
 Retail Sales: Specialty
 Scrap Operations

Spectator Sports and Entertainment: Limited
 Spectator Sports and Entertainment: General
 Swap Meets
 Transient Habitation: Campground
 Transient Habitation: Lodging
 Transient Habitation: Resort
 Transient Habitation: Rental Units
 Wholesaling, Storage and Distribution: Mini-Warehouses
 Wholesaling, Storage and Distribution: Light
 Wholesaling, Storage and Distribution: Heavy

d. Industrial Use Types.

Custom Manufacturing
 General Industrial
 Heavy Industrial

e. Agricultural Use Types.

Horticulture: Cultivation
 Horticulture: Storage
 Tree Crops
 Row and Field Crops
 Animal Raising
 Animal Waste Processing
 Packing and Processing: Limited
 Packing and Processing: General
 Packing and Processing: Support
 Packing and Processing: Winery
 Packing and Processing: Small Winery
 Packing and Processing: Boutique Winery
 Packing and Processing: Wholesale Limited Winery
 Agricultural Equipment Storage
 Farm Labor Camp

f. Extractive Use Types.

Mining and Processing
 Site Preparation

(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. 5840 (N.S.) adopted 7-30-80)
 (Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)
 (Amended by Ord. No. 6187 (N.S.) adopted 11-18-81)
 (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. 7306 (N.S.) adopted 5-20-87)
 (Amended by Ord. No. 7649 (N.S.) adopted 7-17-89)
 (Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)

1205

(Amended by Ord. No. 8175 (N.S.) adopted 11-18-92)
(Amended by Ord. No. 9940 (N.S.) adopted 6-18-08)
(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. 10035 (N.S.) adopted 1-27-10)
(Amended by Ord. No. 10067 (N.S.) adopted 8-4-10)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

1215 CLASSIFICATION OF COMBINATIONS OF PRINCIPAL USES.

The following rules shall apply where a lot contains uses which resemble two or more different use types and which are not classified either as accessory uses (Section 6150) or as permitted secondary uses.

- a. Separate Classification of Several Establishments. The principal uses conducted on a lot by two or more individual establishments, managements, or institutions shall be classified separately into use types.
- b. Classification of Different Uses Conducted by Individual Establishment. If principal uses conducted on a lot by an individual establishment, management, or institution resemble two or more different use types, all such principal uses shall be classified in the use types whose description most closely portrays the nature of such uses. However, when the principal uses have any of the characteristics of the following list of use types, all such principal uses shall be classified in one or more of the use types on the list:

- Animal Sales and Services: Auctioning
- Animal Sales and Services: Stockyards
- Animal Waste Processing
- Explosive Storage
- General Industrial
- Heavy Industrial
- Major Impact Services and Utilities
- Mining and Processing
- Scrap Operations
- Wholesaling, Storage and Distribution: Heavy

This provision for classifying uses on the above list shall not apply to areas subject to the Fallbrook Village Regulations.

(Amended by Ord. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. 5786 (N.S.) adopted 6-4-80)
(Amended by Ord. 9620 (N.S.) adopted 12-10-03)

1220 CLASSIFYING USES.

Uses will be classified into use types based upon the description of the use types as contained in Section 1250 through Section 1899, inclusive, and upon common functional, product, or compatibility characteristics with other uses already classified within the use type, subject to the applicable provisions of Section 1215 with respect to combinations of uses. A list of common uses and the use types into which they are classified shall be maintained by the Director. The Director shall have the authority to classify common uses according to use types. The classification of a use is subject to the right of appeal pursuant to the Administrative Appeal Procedure commencing at Section 7200.

RESIDENTIAL USE TYPES

1250 GENERAL DESCRIPTION OF RESIDENTIAL USE TYPES.

Residential use types include the occupancy of living accommodations on a wholly or primarily nontransient basis; but exclude institutional living arrangements involving those providing 24-hour skilled nursing or medical care and those providing forced residence, such as asylums and prisons. They also include certain uses accessory to the above, as specified in Section 6150, Accessory Use Regulations.

1260 FAMILY RESIDENTIAL.

The Family Residential use type refers to the residential occupancy of living units by families on a weekly or longer basis. Typical uses include occupancy of dwelling or apartment.

1265 GROUP RESIDENTIAL.

The Group Residential use type refers to the residential occupancy of living units by persons who do not live together as a single housekeeping unit but have a common kitchen facility. Typical uses include occupancy of sorority houses, retirement homes or boarding houses. If in addition to the common kitchen facility, any living unit includes a separate kitchen, that living unit shall be counted as a dwelling unit in calculating density pursuant to Section 4115.

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

1280 MOBILEHOME RESIDENTIAL.

The Mobilehome Residential use type refers to the residential occupancy of mobilehomes by families on a weekly or longer basis. Typical uses include mobilehome parks or mobilehome condominiums.

1300

CIVIC USE TYPES

1300 GENERAL DESCRIPTION OF CIVIC USE TYPES.

Civic use types include the performance of utility, educational, recreational, cultural, medical, protective, government, and other uses which are strongly vested with public or social importance. They also include certain uses accessory to the above, as specified in Section 6150, Accessory Use Regulations.

1310 ADMINISTRATIVE SERVICES.

The Administrative Services use type refers to consulting, record keeping, clerical or public contact services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles.

1315 AMBULANCE SERVICES.

The Ambulance Services use type refers to the transportation of ill or injured persons to and from treatment facilities together with incidental storage and maintenance of necessary vehicles.

1320 CLINIC SERVICES.

The Clinic Services use type refers to providing non-profit medical services to persons afflicted with bodily or mental disease or injury without provision for on-site residence or confinement.

1325 COMMUNITY RECREATION.

The Community Recreation use type refers to recreational, social or multi-purpose uses within buildings with no fixed seats and occupancy limited to 500 persons.

1330 CULTURAL EXHIBITS AND LIBRARY SERVICES.

The Cultural Exhibits and Library Services use type refers to non-profit, museum-like preservation, exhibition of objects of permanent interest in one or more of the arts and sciences, gallery exhibition of works of art or library collection of books, manuscripts, etc., for study and reading.

1332 CHILD CARE CENTER.

The Child Care Center use type refers to the care of children in a state- licensed child care center, but excluding overnight care or uses classified as Group Care or Major Impact Services and Utilities. Typical uses include child care centers, preschools and day nurseries.

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

1334 EMERGENCY SHELTERS.

The Emergency Shelters use type refers to housing as defined by subdivision (e) of Section 50801 of the Health and Safety Code.

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

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).

1348

(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.

(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)

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)

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.
- 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.

1430

- 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 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

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.

1490 GASOLINE SALES.

The Gasoline Sales use type refers to establishments or places of business primarily engaged in the retail sales, from the premises, of petroleum products, alternative vehicle fuels (including but not limited to natural gas (CNG) or biodiesel) and includes the sale of tires, batteries, and replacement items, lubricating services and minor repair services. Typical uses include automobile service stations, filling stations or truck stops.

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

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

1495 LAUNDRY SERVICES.

The Laundry Services use type refers to establishments primarily engaged in the provision of laundering, dry cleaning or dyeing services other than those classified as Personal Services, General. Typical uses include laundry agencies, diaper services or linen supply services.

1500 MEDICAL SERVICES.

The Medical Services use type refers to establishments primarily engaged in the provision of personal health services ranging from prevention, diagnosis and treatment or rehabilitation services provided by physicians, dentists, nurses and other health personnel as well as the provision of medical testing and analysis services, but excludes those classified as any civic use type. Typical uses include medical offices, dental laboratories or health maintenance organizations.

1505 PARTICIPANT SPORTS AND RECREATION.

Participant Sports and Recreation refers to establishments or places primarily engaged in the provision of sports or recreation by and for participants. Any spectators would be incidental and on a nonrecurring basis. The following are participant sports and recreation use types:

- a. Participant Sports and Recreation: Indoor. Those uses conducted within an enclosed building. Typical uses include bowling alleys or billiard parlors
- b. Participant Sports and Recreation: Outdoor. Those uses conducted in open facilities. Typical uses include driving ranges or miniature golf courses, athletic facilities, carnival facilities, sports fields, health clubs and spas, swimming beaches, swimming pools and nudist facilities.

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

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

1510

1510 PERSONAL SERVICES, GENERAL.

The Personal Services, General use type refers to establishments primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature but excludes services classified a Spectator Sports and Entertainment, Participant Sports and Recreation, or Transient Habitation. Typical uses include art studios, barber shops, beauty salons, photography studios, massage parlors, vocational schools, trade schools, dance studios or reducing salons.

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

1512 RECYCLING COLLECTION FACILITY.

The Recycling Collection Facility use type refers to establishments or places primarily engaged in collecting recyclable materials for the purpose of resource recovery. Typical uses include collection centers that use portable receptacles for collecting containers made from metal, glass, paper or plastic. The following are Recycling Collection Facility use types:

- a. Recycling Collection Facility, Small: A facility for the acceptance (donation, redemption, or sale) of recyclable materials from the public which occupies an area of not more than 500 square feet. Except for reverse vending machines, such a facility does not utilize power-driven equipment. Small collection facilities may consist of the following:
 - 1. Reverse vending machines.
 - 2. Mobile recycling units.
 - 3. Bulk reverse vending machines.
 - 4. Kiosk type units.
 - 5. Free-standing containers.
- b. Recycling Collection Facility, Large: A facility for the acceptance (donation, redemption, or sale) of recyclable materials from the public which occupies an area of more than 500 square feet. Such a facility may employ the same collection methods of a small recycling facility but in addition, may aggregate and/or sort recyclable materials on site in preparation for shipment to a processing facility. A large collection facility may also utilize power-driven equipment.

(Added by Ord. No. 6134 (N.S.) adopted 7-22-81)
(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)

1513 RECYCLING PROCESSING FACILITY

The Recycling Processing Facility use type refers to establishments or places primarily engaged in processing recyclable materials for the purpose of resource recovery. Processing means the preparation of materials by one or more of the following means: baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding and cleaning. Recycling processing facilities include the following:

- 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.

(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)

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.

1525

- 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.

1545 TRANSIENT HABITATION.

Transient Habitation refers to establishments primarily engaged in the provision of lodging services on a less than weekly basis with incidental food, drink and other sales and services intended for the convenience of guests. The following are Transient Habitation use types:

- a. Transient Habitation: Campground. Campground services involving transient habitation areas for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks.
- b. Transient Habitation: Lodging. Lodging services involving the provision of room and/or board. Typical uses include hotels, motels or transient boarding houses.
- c. Transient Habitation: Resort. Resort services including the provision of extensive outdoor recreation and entertainment services especially for vacationers. Typical uses include resort and recreational facilities, dude ranches, health spas, and resort hotels, motels and nudist facilities.
- d. Transient Habitation: Rental Units. Residences, condominiums, apartments and townhomes that are rented on a daily, weekly or monthly basis. When used in this way, a rental unit is not occupied by the owner nor is the occupant using the rental unit as his or her primary or permanent residence.

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

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

1550 WHOLESALING, STORAGE AND DISTRIBUTION.

Wholesaling, Storage and Distribution refers to establishments or places of business primarily engaged in wholesaling, storage, distribution and handling of materials and equipment other than live animals and plants. The following are Wholesaling, Storage and Distribution use types:

- a. Wholesaling, Storage and Distribution: Mini-Warehouses. Storage or warehousing service within a building(s) primarily for individuals to store personal effects and by businesses to store material for operation of an industrial or commercial enterprise located elsewhere. (See Section 6909 for regulations applicable to mini-warehouses.)
- b. Wholesaling, Storage and Distribution: Light. Wholesaling, storage and warehousing services within enclosed structures. Typical uses include wholesale distributors, storage warehouses or moving and storage firms.
- c. Wholesaling, Storage and Distribution: Heavy. Open air storage, distribution and handling of materials and equipment. Typical uses include monument or stone yards, grain elevators or open storage yards.

(Amended by Ord. No. 6984 (N.S.) adopted 7-03-85)

(Amended by Ord. No. 7388 (N.S.) adopted 10-07-87)

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

INDUSTRIAL USE TYPES

1600 GENERAL DESCRIPTION OF INDUSTRIAL USE TYPES.

Industrial use types include the on-site production of goods by methods not agricultural or extractive in nature. They also include certain uses accessory to the above, as specified in Section 6150, Accessory Use Regulations.

1610 CUSTOM MANUFACTURING.

The Custom Manufacturing use type refers to the use of any structure having a floor area no greater than 2,000 square feet primarily engaged in the on-site production of goods by hand manufacturing which involves only the use of hand tools or domestic mechanical equipment not exceeding the use of five horse power at any one time, or a single kiln not exceeding 8 cubic feet in volume and the incidental direct sale to consumers of only those goods produced on-site. Additional floor area and/or horse power may be approved upon issuance of a minor use permit. Typical uses include ceramic studios, candle making shops or custom jewelry manufacturers. The 2,000 square foot limit shall include and apply to the total floor area occupied by all such uses conducted in the structure.

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

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

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

1620 GENERAL INDUSTRIAL.

The General Industrial use type refers to industrial plants primarily engaged in manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products.

1630 HEAVY INDUSTRIAL.

The Heavy Industrial use type refers to all other industrial plants or involves the compounding of radioactive materials, petroleum refining or manufacturing of explosives.

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 ANIMAL WASTE PROCESSING.

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

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

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

1735

1735 PACKING AND PROCESSING.

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

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

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

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

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

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

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

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

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

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

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

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

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 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)

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)

EXTRACTIVE USE TYPES

1800 GENERAL DESCRIPTION OF EXTRACTIVE USE TYPES.

Extractive use types include the on-site production of mineral products by extractive methods. They also include certain uses accessory to the above, as specified in Section 6150, Accessory Use Regulations.

1810 MINING AND PROCESSING.

- a. The Mining and Processing use type refers to places or plants primarily devoted to surface or subsurface mining of metallic and non-metallic minerals, water, oil or gas together with essential on-site processing and production of only non-metallic mineral products. Typical operations include, but are not limited to, mines, borrow pits, sand and gravel plants, oil and gas drilling rigs, groundwater extraction operations which may be a primary or secondary use, and associated on-site processing operations such as concrete batch plants. This use type includes recycling of salvaged concrete, asphalt and rock previously used in construction when sited in conjunction with the following non-metallic mineral processing operations: rock crushing, asphalt pavement production, and concrete batching.
- b. Rock, sand, gravel and soils including products of these materials to be recycled together with organic matter, excluding unprocessed animal waste, may be imported into a mining site for processing when so specified by the use permit conditions. Processing includes crushing, screening, mixing, blending and amending, as well as storage and sale of the final products for use off-site. The soil amendment operation, as defined in this section, shall comply with Section 6318.

(Amended by Ord. No. 6268 (N.S.) adopted 5-5-82)

(Amended by Ord. No. 8034 (N.S.) adopted 2-26-92)

(Amended by Ord. No. 8050 (N.S.) adopted 4-8-92)

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

1820 SITE PREPARATION.

The Site Preparation use type refers to places where the off-site removal of materials is secondary to the future use of the site and where the removal of materials is not completed within one year but otherwise is exempt from the definition of a "Borrow Pit".

