

ORDINANCE NO. 10006 (NEW SERIES)

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE TO MAKE MISCELLANEOUS MINOR REVISIONS TO THE DEFINITIONS, ACCESSORY USE REGULATIONS, MISCELLANEOUS REGULATIONS AND PROCEDURES, AND MAKE MINOR CLARIFICATIONS AND CORRECTIONS TO VARIOUS OTHER REGULATIONS.

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the Zoning Ordinance should be updated by amending various sections regarding definitions, accessory structures and uses, animals, setbacks for accessory structures, temporary use regulations and procedures. In addition, the Board finds that miscellaneous sections should be amended to clarify or correct language in the sections. The Board finds that these amendments are reasonable and necessary for the public health, safety, convenience, and welfare.

Section 2. Section 1019 of the Zoning Ordinance is hereby amended to read as follows:

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.

Section 3. Section 1110 DEFINITIONS (A) of the Zoning Ordinance is hereby amended to amend the term "Animal, Large", to read as follows:

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

Section 4. Section 1110 DEFINITIONS (C) of the Zoning Ordinance is hereby amended to repeal the term "Church":

Section 5. Section 1110 DEFINITIONS (M) of the Zoning Ordinance is hereby amended to repeal the term "Mentally Retarded Facility":

Section 6. Section 1110 DEFINITIONS (P) of the Zoning Ordinance is hereby amended to add the terms "Patio Cover" and "Pot-Belly Pig", inserted into the appropriate alphabetical locations to read as follows:

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.

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.

Section 7. Section 1110 DEFINITIONS (V) of the Zoning Ordinance is hereby amended to add the term "Vermiculture" and insert into the appropriate alphabetical location to read as follows:

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.

Section 8. Section 1205 of the Zoning Ordinance is hereby amended to read as follows:

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
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
Drug Paraphernalia Establishment
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
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: Boutique Winery
Packing and Processing: Wholesale Limited Winery
Agricultural Equipment Storage
Farm Labor Camp

f. Extractive Use Types.

Mining and Processing
Site Preparation

Section 9. Section 1348 of the Zoning Ordinance is hereby amended to read as follows:

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).

Section 10. Section 1375 of the Zoning Ordinance is hereby amended to read as follows:

1375 **SMALL SCHOOLS.**

The Small Schools use type refers to the education of 7 or more (but not more than 50) children, elderly persons or handicapped persons, 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.

Section 11. Section 2105 of the Zoning Ordinance is hereby amended to read as follows:

2105 **USES SUBJECT TO MAJOR USE PERMIT.**

The following use types are permitted by the RS, RD, RM, and RV Use Regulations, upon issuance of a Major Use Permit.

a. Civic Use Types.

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

b. Commercial Use Types.

Wholesaling, Storage and Distribution: Mini-Warehouses, RM and RV only (See Section 6300 and Section 6909)

c. Extractive Use Types.

Site Preparation

Section 12. Section 2145 of the Zoning Ordinance is hereby amended to read as follows:

2145 **USES SUBJECT TO A MAJOR USE PERMIT.**

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

a. Civic Use Types.

Administrative Services
Ambulance Services (see Section 6900)
Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services

Community Recreation
Group Care
Major Impact Services and Utilities
Parking Services
Postal Services

Section 13. Section 2165 of the Zoning Ordinance is hereby amended to read as follows:

2165 USES SUBJECT TO MAJOR USE PERMIT.

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

a. Civic Use Types.

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

Section 14. Section 2185 of the Zoning Ordinance is hereby amended to read as follows:

2185 USES SUBJECT TO A MAJOR USE PERMIT.

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

a. Residential Use Types.

Group Residential

b. Civic Use Types.

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

c. Commercial Use Types.

Participant Sports and Recreation: Outdoor

Transient Habitation: Campground (see Section 6450)
Transient Habitation: Resort (see Section 6400)
Wholesaling, Storage and Distribution: Mini-Warehouses Warehouses (see Section 6300
and Section 6909)

- d. Agricultural Use Types.
Packing and Processing: Limited
Packing and Processing: Winery
- e. Extractive Use Types.
Mining and Processing (see Section 6550)

Section 15. Section 2225 of the Zoning Ordinance is hereby amended to read as follows:

2225 USES SUBJECT TO A MAJOR USE PERMIT.
The following use types are permitted by the RRO Use Regulations upon issuance of a Major Use Permit.

- a. Residential Use Types.
Group Residential
- b. Civic Use Types.
Administrative Services
Ambulance Services
Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services
Community Recreation
Cultural Exhibits and Library Services
Major Impact Services and Utilities
Parking Services
Postal Services
- c. Commercial Use Types.
Convenience Sales and Personal Services
Eating and Drinking Establishments
Food and Beverage Retail Sales
Participant Sports and Recreation: Outdoor
Transient Habitation: Campground (see Section 6450)
Transient Habitation: Resort (see Section 6400)
- d. Agricultural Use Types.
Packing and Processing: Limited
Packing and Processing: Winery
- e. Extractive Use Types.
Site Preparation

Section 16. Section 2262 of the Zoning Ordinance is hereby amended to read as follows:

2262 PERMITTED USES.

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

a. Residential Use Types.

Family Residential
Group Residential

b. Civic Use Types.

Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services
Cultural Exhibits and Library Services
Essential Services
Fire Protection Services (see Section 6905)
Group Care
Small Schools

c. Agricultural Use Types.

Horticulture: Cultivation
Tree Crops
Row and Field Crops

Section 17. Section 2305 of the Zoning Ordinance is hereby amended to read as follows:

2305 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the C30 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Civic, Fraternal or Religious Assembly
Community Recreation
Major Impact Services and Utilities
Postal Services

b. Commercial Use Types.

Research Services
Funeral and Interment Services: Undertaking

c. Extractive Use Types.

Site Preparation

Section 18. Section 2315 of the Zoning Ordinance is hereby amended to read as follows:

2315 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the C31 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Civic, Fraternal or Religious Assembly
Community Recreation
Law Enforcement Services
Major Impact Services and Utilities
Postal Services

b. Commercial Use Types.

Funeral and Internment Services: Undertaking
Research Services

c. Extractive Use Types.

Site Preparation

Section 19. Section 2325 of the Zoning Ordinance is hereby amended to read as follows:

2325 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the C32 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

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

b. Commercial Use Types.

Gasoline Sales

c. Extractive Use Types.

Site Preparation

Section 20. Section 2342 of the Zoning Ordinance is hereby amended to read as follows:

2342 PERMITTED USES.

The following use types are permitted by the C34 Use Regulations:

a. Residential Use Types.

Family Residential
Group Residential

b. Civic Use Types.

Administrative Services
Ambulance Services
Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services
Community Recreation
Cultural Exhibits and Library Services
Essential Services
Fire Protection Services (see Section 6905)
Group Care
Law Enforcement Services
Parking Services
Postal Services
Small Schools

c. Commercial Use Types.

Administrative and Professional Services
Agricultural and Horticultural Sales (all types)
Animal Sales and Services: Grooming
Automotive and Equipment: Parking
Automotive and Equipment: Sales/Rentals, Light Equipment (see Section 6800)
Business Support Services
Communications Services
Convenience Sales and Personal Services
Eating and Drinking Establishments
Financial, Insurance and Real Estate Services
Food and Beverage Retail Sales
Medical Services
Personal Services, General
Repair Services, Consumer
Retail Sales: General
Retail Sales: Specialty
Transient Habitation: Lodging

d. Industrial Use Types.

Custom Manufacturing (see Section 6300)

e. Agricultural Use Types.

Horticulture (all types)
Tree Crops
Row and Field Crops

Section 21. Section 2352 of the Zoning Ordinance is hereby amended to read as follows:

2352 PERMITTED USES.

The following use types are permitted by the C35 Use Regulations:

a. Civic Use Types.

- Administrative Services
- Ambulance Services
- Child Care Center
- Civic, Fraternal or Religious Assembly
- Clinic Services
- Community Recreation
- Cultural Exhibits and Library Services
- Essential Services
- Fire Protection Services (see Section 6905)
- Group Care
- Law Enforcement Services
- Parking Services
- Postal Services
- Small Schools

b. Commercial Use Types.

- Administrative and Professional Services
- Agricultural and Horticultural Sales (all types)
- Animal Sales and Services: Grooming
- Automotive and Equipment: Parking
- Automotive and Equipment: Sales/Rentals, Light Equipment(see Section 6800)
- Business Support Services
- Convenience Sales and Personal Services
- Communications Services
- Eating and Drinking Establishments
- Financial, Insurance and Real Estate Services
- Food and Beverage Retail Sales
- Medical Services
- Personal Services, General
- Repair Services: Consumer
- Retail Sales, General
- Retail Sales: Specialty
- Transient Habitation: Lodging

c. Industrial Use Types.

- Custom Manufacturing (see Section 6300)

d. Agricultural Use Types.

- Horticulture (all types)
- Tree Crops
- Row and Field Crops

Section 22. Section 2362 of the Zoning Ordinance is hereby amended to read as follows:

2362 PERMITTED USES.

The following use types are permitted by the C36 Use Regulations:

a. Civic Use Types.

Administrative Services
Ambulance Services
Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services
Community Recreation
Cultural Exhibits and Library Services
Essential Services
Fire Protection Services (see Section 6905)
Law Enforcement Services
Minor Impact Utilities
Parking Services
Postal Services
Small Schools

b. Commercial Use Types.

Administrative and Professional Services
Agricultural and Horticultural Sales (all types)
Animal Sales and Services: Grooming
Animal Sales and Services: Veterinary (Small Animals)
Automotive and Equipment: Parking
Automotive and Equipment: Repairs, Light Equipment
Automotive and Equipment: Sales/Rentals, Farm Equipment
Automotive and Equipment: Sales/Rentals, Light Equipment
Business Support Services
Communications Services

Convenience Sales and Personal Services
Eating and Drinking Establishments
Financial, Insurance and Real Estate Services
Food and Beverage Retail Sales
Funeral and Interment Services: Undertaking
Medical Services
Participant Sports and Recreation: Indoor
Personal Services, General
Repair Services: Consumer
Retail Sales: General
Retail Sales: Specialty
Spectator Sports and Entertainment: Limited
Transient Habitation: Lodging

c. Industrial Use Types.

Custom Manufacturing (see Section 6300)

d. Agricultural Use Types.

Horticulture (all types)
Tree Crops
Row and Field Crops

Section 23. Section 2372 of the Zoning Ordinance is hereby amended to read as follows:

2372 PERMITTED USES.

The following use types are permitted by the C37 Use Regulations:

a. Civic Use Types.

Administrative Services
Ambulance Services
Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services
Community Recreation
Cultural Exhibits and Library Services
Essential Services
Fire Protection Services (see Section 6905)
Group Care
Law Enforcement Services
Minor Impact Utilities
Parking Services
Postal Services
Small Schools

b. Commercial Use Types.

Administrative and Professional Services
Agricultural and Horticultural Sales (all types)
Agricultural Services
Animal Sales and Services: Grooming
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, Recreational Vehicles and Boats
Building Maintenance Services
Business Equipment, Sales and Service
Business Support Services
Communication Services
Construction Sales and Services (see Section 6300)
Convenience Sales and Personal Services
Eating and Drinking Establishments

Financial, Insurance and Real Estate Services
Food and Beverage, Retail Sales
Funeral and Interment Services: Undertaking
Gasoline Sales
Laundry Services
Medical Services
Participant Sports and Recreation: Indoor
Personal Services, General
Repair Services, Consumer
Research Services
Retail Sales: General
Retail Sales: Specialty
Spectator Sports and Entertainment (all types)
Transient Habitation: Lodging
Wholesaling, Storage and Distribution: Mini-Warehouses (see Section 6300 and Section 6909)

c. Industrial Use Types.

Custom Manufacturing (see Sections 1610 and 6300 for standards)

d. Agricultural Use Types.

Horticulture (All Types)
Tree Crops
Row and Field Crops

Section 24. Section 2385 of the Zoning Ordinance is hereby amended to read as follows:

2385 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the C38 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Civic, Fraternal or Religious Assembly
Clinic Services
Major Impact Services and Utilities

b. Commercial Use Types.

Automotive and Equipment: Storage, Non-operating Vehicle
Funeral and Interment Services: Cremating
Participant Sports and Recreation: Indoor
Scrap Operation (see Section 6300)
Spectator Sports and Entertainment: General
Swap Meets
Wholesaling, Storage and Distribution: Heavy (see Section 6300)

c. Extractive Use Types.

Site Preparation

Section 25. Section 2402 of the Zoning Ordinance is hereby amended to read as follows:

2402 PERMITTED USES.

The following use types are permitted by the C40 Use Regulations:

a. Civic Use Types.

- Administrative Services
- Ambulance Services
- Child Care Center
- Civic, Fraternal or Religious Assembly
- Clinic Services
- Community Recreation
- Cultural Exhibits and Library Services
- Essential Services
- Fire Protection Services (see Section 6905)
- Law Enforcement Services
- Parking Services
- Postal Services
- Small Schools

b. Commercial Use Types.

- Administrative and Professional Services
- Agricultural and Horticultural Sales (all types)
- Agricultural Services
- Animal Sales and Services: Grooming
- 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, Recreational Vehicles and Boats
- Building Maintenance Services
- Business Equipment Sales and Services
- Business Support Services
- Communications Services
- Convenience Sales and Personal Services
- Eating and Drinking Establishments
- Financial, Insurance and Real Estate Services
- Food and Beverage Retail Sales
- Funeral and Interment Services: Undertaking
- Gasoline Sales
- Laundry Services
- Medical Services
- Participant Sports and Recreation: Indoor
- Personal Services, General
- Repair Services, Consumer

Research Services
Retail Sales: General
Retail Sales: Specialty
Spectator Sports and Entertainment: Limited
Transient Habitation: Lodging
Wholesaling, Storage and Distribution: Mini-Warehouses (see Section 6300 and Section 6909)

c. Industrial Use Types.

Custom Manufacturing (see Section 6300)

d. Agricultural Use Types.

Horticulture (all types)
Tree Crops
Row and Field Crops

Section 26. Section 2445 of the Zoning Ordinance is hereby amended to read as follows:

2445 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the C44 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

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

b. Commercial Use Types.

Automotive and Equipment: Storage, Recreational Vehicles and Boats
Transient Habitation: Campground (see Section 6450)

c. Extractive Use Types.

Site Preparation

Section 27. Section 2465 of the Zoning Ordinance is hereby amended to read as follows:

2465 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the C46 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Administrative Services
Ambulance Services
Civic, Fraternal or Religious Assembly
Community Recreation
Cultural Exhibits and Library Services
Major Impact Services and Utilities
Postal Services

b. Extractive Use Types.

Site Preparation

Section 28. Section 2504 of the Zoning Ordinance is hereby amended to read as follows:

2504 USES SUBJECT TO A MINOR USE PERMIT.

The following use types are permitted by the M50 Use Regulations upon issuance of a Minor Use Permit.

a. Civic Use Types.

Minor Impact Utilities
Small Schools

b. Commercial Use Types.

Convenience Sales and Personal Services
Eating and Drinking Establishments
Food and Beverage Retail Sales

Section 29. Section 2505 of the Zoning Ordinance is hereby amended to read as follows:

2505 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the M50 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Administrative Services
Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services

Cultural Exhibits and Library Services
Major Impact Services and Utilities

b. Commercial Use Types.

Wholesaling, Storage and Distribution: Heavy (see Section 6300)

c. Extractive Use Types.

Site Preparation

Section 30. Section 2525 of the Zoning Ordinance is hereby amended to read as follows:

2525 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the M52 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Administrative Services
Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services
Cultural Exhibits and Library Services
Major Impact Services and Utilities

b. Commercial Use Types.

Funeral and Interment Services: Cremating
Participant Sports and Recreation: Outdoor
Transient Habitation: Campground (see Section 6450)
Wholesaling, Storage and Distribution: Heavy (see Section 6300)

c. Extractive Use Types.

Site Preparation

Section 31. Section 2545 of the Zoning Ordinance is hereby amended to read as follows:

2545 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the M54 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

Administrative Services
Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services
Cultural Exhibits and Library Services
Major Impact Services and Utilities

b. Commercial Use Types.

Automotive and Equipment: Storage, Recreational Vehicles and Boats
Transient Habitation: Campground (see Section 6450)

c. Extractive Use Types.

Site Preparation

Section 32. Section 2565 of the Zoning Ordinance is hereby amended to read as follows:

2565 USES SUBJECT TO A MAJOR USE PERMIT WITHIN THE INDUSTRIALLY DESIGNATED AREAS.

The following uses are permitted by the M56 Use Regulations in the industrially designated areas upon issuance of a Major Use Permit.

a. Civic Use Types.

Administrative Services
Civic, Fraternal or Religious Assembly
Clinic Services
Cultural Exhibits and Library services
Child Care Center
Major Impact Services and Utilities

Section 33. Section 2568 of the Zoning Ordinance is hereby amended to read as follows:

2568 USES SUBJECT TO A MAJOR USE PERMIT WITHIN THE AREAS DESIGNATED FOR SUPPORT COMMERCIAL.

The following uses are permitted by the M56 Use Regulations in the commercially designated areas upon issuance of a Major Use Permit.

a. Civic Use Types.

Administrative Services
Ambulance Services
Civic, Fraternal or Religious Assembly
Clinic Services
Cultural Exhibits and Library services
Major Impact Services and Utilities
Postal Services

b. Commercial Use Types

Automotive and Equipment
 i) Storage [Nonoperating Vehicles]
 j) Storage [Recreational Vehicles and Boats]
Funeral and Internment Services
 a) Cremating
Participant Sports and Recreation

- b) Outdoor
 - Scrap Operations
 - Spectator Sports and Entertainment
 - a) Limited
 - b) General
 - Swap Meets
 - Transient Habitation
 - b) Lodging
- c. Extractive Use Types.
 - Site Preparation

Section 34. Section 2585 of the Zoning Ordinance is hereby amended to read as follows:

2585 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the M58 Use Regulations upon issuance of a Major Use Permit.

- a. Civic Use Types.
 - Administrative Services
 - Child Care Center
 - Civic, Fraternal or Religious Assembly
 - Clinic Services
 - Cultural Exhibits and Library Services
 - Major Impact Services and Utilities
- b. Commercial Use Types.
 - Animal Sales and Services: Stockyard
 - Explosive Storage (see Section 6904)
 - Funeral and Interment Services: Cremating
 - Participant Sports and Recreation: Outdoor
 - Scrap Operations (see Section 6300)
 - Swap Meets
- c. Industrial Use Types.
 - Heavy Industrial (see Section 6300)
- d. Agricultural Use Types.
 - Animal Waste Processing (see Section 6902)
- e. Extractive Use Types.
 - Mining and Processing
 - Site Preparation

Section 35. Section 2705 of the Zoning Ordinance is hereby amended to read as follows:

2705 USES SUBJECT TO A MAJOR USE PERMIT.

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

a. Residential Use Types.

Group Residential

b. Civic Use Types.

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

c. Commercial Use Types.

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

d. Agricultural Use Types.

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

e. Extractive Use Types.

Mining and Processing (see Section 6550)

Section 36. Section 2723 of the Zoning Ordinance is hereby amended to read as follows:

2723 PERMITTED USES SUBJECT TO LIMITATIONS.

The following use types are permitted by the A72 Use Regulations subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Residential Use Types

Mobilehome Residential "18"

b. Commercial Use Types

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

c. Agricultural Use Types

Packing and Processing: Boutique Winery "22" (see Section 6910)

Section 37. Section 2724 of the Zoning Ordinance is hereby amended to read as follows:

2724 USES SUBJECT TO A MINOR USE PERMIT.

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

a. Civic Use Types.

Minor Impact Utilities
Small Schools

b. Agricultural Use Types

Farm Labor Camps

c. Commercial Use Types.

Cottage Industries "17" (see Section 6920)

Section 38. Section 2725 of the Zoning Ordinance is hereby amended to read as follows:

2725 USES SUBJECT TO A MAJOR USE PERMIT.

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

a. Residential Use Types.

Group Residential

b. Civic Use types.

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

Major Impact Services and Utilities
Parking Services
Postal Services

c. Commercial Use Types.

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

d. Agricultural Use Types.

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

e. Extractive Use Types.

Mining and Processing (see Section 6550)

Section 39. Section 2805 of the Zoning Ordinance is hereby amended to read as follows:

2805 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the S80 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

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

b. Commercial Use Types.

Automobile and Equipment: Parking
Explosive Storage (see Section 6904)
Participant Sports and Recreation: Outdoor

c. Extractive Use Types.

Mining and Processing (see Section 6550)

Section 40. Section 2825 of the Zoning Ordinance is hereby amended to read as follows:

2825 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the S82 Use Regulations upon issuance of a Major Use Permit.

a. Civic Use Types.

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

b. Commercial Use Types.

Automotive and Equipment: Nonoperating Vehicle Storage
Explosive Storage (see Section 6904)
Participant Sports and Recreation: Outdoor
Scrap Operation (see Section 6300)

c. Extractive Use Types.

Mining and Processing (see Section 6550)

Section 41. Section 2873 of the Zoning Ordinance is hereby amended to read as follows:

2873 PERMITTED USES SUBJECT TO LIMITATIONS.

The following use types are permitted by the S87 Use Regulations subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Commercial Use Types.

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

Section 42. Section 2874 of the Zoning Ordinance is hereby amended to read as follows:

2874 USES SUBJECT TO A MINOR USE PERMIT.

The following use types are allowed by the S87 Use Regulations upon issuance of a Minor Use Permit.

a. Civic Use Types.

Civic, Fraternal, or Religious Assembly (within existing buildings)
Law Enforcement Services
Minor Impact Utilities
Small Schools

b. Agricultural Use Types

Farm Labor Camps

c. Expansion of any existing use type located on the property.

d. Commercial Use Types

Cottage Industries "17" (see Section 6920)

Section 43. Section 2903 of the Zoning Ordinance is hereby amended to read as follows:

2903 PERMITTED USES SUBJECT TO LIMITATIONS.

The following use types are permitted by the S90 Use Regulations subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Commercial Use Types.

Recycling Collection Facility, Small or Large "2"
Recycling Processing Facility, Wood or Green Materials "3"

Section 44. Section 2904 of the Zoning Ordinance is hereby amended to read as follows:

2904 USES SUBJECT TO A MINOR USE PERMIT.

The following use types are allowed by the S90 Use Regulations upon issuance of a Minor Use Permit.

a. Civic Use Types.

Law Enforcement Services
Minor Impact Utilities
Small Schools

b. Agricultural Use Types

Farm Labor Camps

c. Commercial Use Types

Cottage Industries "17" (see Section 6920)

Section 45. Section 2905 of the Zoning Ordinance is hereby amended to read as follows:

2905 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the S90 Use Regulations upon issuance of a Major Use Permit.

a. Residential Use Types.

Group Residential

b. Civic Use Types.

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

c. Commercial Use Types.

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

d. Extractive Use Types.

Mining and Processing (see Section 6550)

Section 46. Section 2923 of the Zoning Ordinance is hereby amended to read as follows:

2923 PERMITTED USES SUBJECT TO LIMITATIONS.

The following use types are permitted by the S92 Use Regulations subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Commercial Use Types.

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

Section 47. Section 2925 of the Zoning Ordinance is hereby amended to read as follows:

2925 USES SUBJECT TO A MINOR USE PERMIT.

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

- a. Civic Use Types.
 - Minor Impact Utilities
 - Small Schools
- b. Agricultural Use Types
 - Farm Labor Camps
- c. Commercial Use Types
 - Cottage Industries "17" (see Section 6920)

Section 48. Section 2926 of the Zoning Ordinance is hereby amended to read as follows:

2926 USES SUBJECT TO A MAJOR USE PERMIT.

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

- a. Residential Use Types.
 - Group Residential
- b. Civic Use Types.
 - Administrative Services
 - Ambulance Services
 - Child Care Center
 - Civic, Fraternal or Religious Assembly
 - Clinic Services
 - Community Recreation
 - Cultural Exhibits and Library Services
 - Group Care
 - Major Impact Services and Utilities
 - Parking Services
 - Postal Services
- c. Commercial Use Types.
 - Agricultural and Horticultural Sales (all types)

Explosive Storage (see Section 6904)
Participant Sports and Recreation: Outdoor
Transient Habitation: Campground (see Section 6450)
Transient Habitation: Resort (see Section 6400)

d. Agricultural Use Types.

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

e. Extractive Use Types.

Mining and Processing (see Section 6550)

Section 49. Section 2990, USE MATRIX page 1 and page 6 of the Zoning Ordinance are hereby amended to read as follows:

ANIMAL USE TYPE (See Note 4)	Restrictions and Density Range	DESIGNATOR																							
		A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X
Least Restrictive				X			X			X															X

MUP = Major Use Permit

+ = plus

ZAP = Minor Use Permit

Notes:

1. Dogs and cats not constituting a kennel and up to two pot-belly pigs are accessory uses subject to the Accessory Use Regulations commencing at Section 6150.
2. On land subject to the "S" and "T" Animal Designators, grazing of horses, bovine animals and sheep permitted provided no buildings, structure, pen or corral shall be designated or used for housing or concentrated feeding of animals, and the number of such animals shall not exceed 1 animal per 1/2 acre of land.
3. One wild or undomesticated animal, kept or maintained in conformance with State and local requirements, is an accessory use subject to the Accessory Use Regulations commencing at Section 6150, and is not subject to the Animal Schedule. (Amended by Ordinance Number 7432 (N.S.) adopted January 6, 1988.)
4. The Animal Schedule does not apply to small animals, specialty animals, dogs or cats which are kept for sale in zones where the Retail Sales, General Use type is permitted provided that all activities are conducted entirely within an enclosed building, the building is completely soundproof, there are no outside runs or cages, no boarding of animals, no outside trash containers and no offensive odors.
5. Chinchillas are considered small animals except that a MUP may be approved for more than 25 chinchillas on property with the "L" Designator.
6. The number of animals allowed is per legal lot.
7. Beekeeping must be located at least 600 feet from any habitable dwelling unit, other than such dwelling unit owned by the person owning the apiary.

Section 52. Section 3112 of the Zoning Ordinance is hereby amended to read as follows:

3112 ANIMAL ENCLOSURE SETBACK TABLE.

Notwithstanding the provisions of an applicable setback designator, enclosures containing the animal-related use types listed in Section 3110 shall have the minimum setbacks specified in the Animal Enclosure Setback Table. The Animal Enclosure Setback Table is incorporated into this section, and all references to this section shall include references to it. Animals subject to the Animal Setback Table must be confined within the appropriate enclosure.

ANIMAL ENCLOSURE LOCATION	ANIMAL ENCLOSURE SETBACKS (a)		
	MOST RESTRICTIVE (b)	MODERATE (b)	LEAST RESTRICTIVE (b)
Distance from Street Center Line	Same as for main building(c)	Same as for main building	Zero (0) feet (from street line)
Distance from Interior Side Lot Line	15 feet	Five (5) feet	Zero (0) feet for open enclosure. Five (5) feet for roofed enclosure.
Distance from Rear Lot Line	10 feet	Zero (0) feet for open enclosure. Five (5) feet for roofed enclosure.	Zero (0) feet

NOTES:

- a. Animal enclosure includes pens, coops, aviaries, hutches, stables, barns, corrals, and similar structures used for the keeping of poultry or animals.
- b. A fenced pasture containing a minimum of 2 acres, with no building used for human habitation and having no interior cross-fencing, is exempt from the animal enclosure setback requirements.
- c. Refer to applicable setback designator and setback schedule at Section 4810.

Section 53. Section 4835 of the Zoning Ordinance is hereby amended to read as follows:

4835 EXCEPTIONS TO REQUIRED OPENNESS OF REQUIRED YARDS.
Every part of each required yard shall be open and unobstructed from finished grade to the sky except for buildings, structures and projections allowed in such yard by the following table. Any building, structure or projection not specifically allowed in a required yard by the following table is prohibited. These restrictions shall not apply to buildings, structures or projections located in yards or portions thereof which are not required by an applicable setback designator or by other provisions of these Setback Regulations. (Provisions of the County Building Code, County Fire Code, local Fire Protection District Fire Code or other applicable regulations may be more restrictive. Detached accessory buildings shall observe the most restrictive setbacks, including those prescribed by Section 4842.)

PERMITTED BUILDINGS, STRUCTURES AND PROJECTIONS IN REQUIRED YARDS
(Part of Section 4835)

Building, Structure or Projection	Front Yard	Interior Side Yard	Exterior Side Yard	Rear Yard of Interior Lot	Rear Yard of Corner Lot
a. Accessory storage buildings, work and hobby shops except: outdoor swimming pools, private garages, carports, stands, living units and other habitable space; must meet setbacks per Section 4842. The combined area of all structures projecting into the setback shall not exceed 1,000 sq. ft.	Not permitted.	Permitted in agricultural, residential, S87 and S92 use regulations.	Not permitted.	Permitted in agricultural, residential S87 and S92 use regulations but may not cover more than 50 percent of the required yard in combination with all detached accessory structures.	Permitted in agricultural, residential, S87 and S92 use regulations, but may not cover more than 50 percent of required yard in combination with all detached accessory structures.
b. Outdoor swimming pools; If indoor or the only structure on a lot or building site, it must meet main building setbacks.	Not permitted.	Permitted in agricultural, residential, S87 and S92 use regulations.	Not permitted.	Permitted in agricultural, residential, S87 and S92 use regulations but may not cover more than 50 percent of the required yard in combination with all detached accessory structures.	Permitted in agricultural, residential, S87 and S92 use regulations, but may not cover more than 50 percent of the required yard in combination with all detached accessory structures.

PERMITTED BUILDINGS, STRUCTURES AND PROJECTIONS IN REQUIRED YARDS

(Part of Section 4835)

Building, Structure or Projection	Front Yard	Interior Side Yard	Exterior Side Yard	Rear Yard of Interior Lot	Rear Yard of Corner Lot
c. Private detached garages and carports; must meet setbacks per Section 4842. The combined area of all structures projecting into the setback shall not exceed 1,000 sq. ft.	Permitted in agricultural and residential zones only if in conformance with regulations at Section 4837.	Permitted in agricultural, residential, S87 and S92 use regulations.	Not permitted.	Permitted in agricultural, residential, S87 and S92 use regulations, if detached, but may not cover more than 50 percent of the required yard in combination with all detached accessory structures.	Permitted in agricultural, residential, S87 and S92 use regulations, if detached, but may not cover more than 50 percent of the required yard in combination with all detached accessory structures.
d. Living units including guest living quarters, enclosed pool houses, art or music studios and recreation rooms.	-----Not permitted-----				
e. Stands	Permitted where stands are allowed by Section 6156.	-----Not permitted-----			
f. Solar collection devices	Permitted in all zones but not more than 30 inches above grade.	Permitted in all zones but may not exceed 12 feet in height.	Permitted in all zones but not more than 30 inches above grade.	Permitted in all zones but may not exceed 12 feet in height nor cover more than 50 percent of the required yard in combination with all detached accessory structures.	Permitted in all zones but may not exceed 12 feet in height nor cover more than 50 percent of the required yard in combination with all detached accessory structures.

PERMITTED BUILDINGS, STRUCTURES AND PROJECTIONS IN REQUIRED YARDS
 (Part of Section 4835)

Building, Structure or Projection	Front Yard	Interior Side Yard	Exterior Side Yard	Rear Yard of Interior Lot	Rear Yard of Corner Lot
g. Fences	Permitted in all zones if in conformance with Fencing and Landscaping Regulations commencing at Section 6700.				
h. Outdoor area lighting on poles.	Permitted in commercial and manufacturing/industrial zones only if in conformance with regulations at Section 6324. Tennis court lighting permitted pursuant to regulations in Sections 6324 and 6708.				
i. Roofed, open sided patios which are attached and part of main building or roofed, open sided patios which are detached, less than 12 feet in height and less than 1,000 square feet in area.	-----Not permitted.-----			Permitted in all zones but may not cover more than 50 percent of the required yard in combination with all detached accessory structures and must be set back from the rear lot line a distance equal to the required interior side yard.	
j. Sidewalk arcades and similar architectural features of buildings containing principal commercial use types.	Permitted by Minor Use Permit. -----Not permitted.-----				

PERMITTED BUILDINGS, STRUCTURES AND PROJECTIONS IN REQUIRED YARDS
 (Part of Section 4835)

Building, Structure or Projection	Front Yard	Interior Side Yard	Exterior Side Yard	Rear Yard of Interior Lot	Rear Yard of Corner Lot
k. Uncovered, unenclosed balconies, extending above the level of first floor with exterior access of building.	----- Not permitted. -----				
l. Uncovered, unenclosed porches, platforms or landing places not extending above level of first floor with exterior access of building and not more than 30 inches above grade.	----- Permitted in all zones. -----			Permitted in all zones but may not cover more than 50 percent of the required yard in combination with all detached accessory structures and must be set back from the rear lot line a distance equal to the required interior side yard.	
m. Cornices, eaves, belt courses, water tables, sills, buttresses, capital, bases, fireplaces and garden windows.	----- Permitted in all zones but may not extend more than 2 feet into yard. -----				
n. Open unenclosed stairways, and fire escapes, not covered by a roof or canopy and open beneath.	Not permitted.	Permitted in all zones but may not extend or project more than 3 feet into the required yard.			

PERMITTED BUILDINGS, STRUCTURES AND PROJECTIONS IN REQUIRED YARDS
 (Part of Section 4835)

Building, Structure or Projection	Front Yard	Interior Side Yard	Exterior Side Yard	Rear Yard of Interior Lot	Rear Yard of Corner Lot
o. Bay and architectural windows provided floor area is not increased, not exceeding 24 square feet each in wall opening area, and with a sill height not less than 18 inches above finished floor.	Permitted in all zones but may not extend more than 2 feet into required yard.	Permitted if the required side yard is not less than 10 feet and may not extend more than 2 feet into required yard.	Permitted in all zones but may not extend more than 2 feet into required yard.		
p. Uncovered, unenclosed pedestrian access deck, bridge, ramp or walkway to the level of the floor closest to the street level.	-----	Permitted on single-family lots on downhill side of street but may not project more than 3 feet into any required yard. Must be open beneath.	-----		
q. Guard railings for safety protection around depressed ramps, open-work fences, hedges, or landscape architectural features.	-----	Permitted in all zones but may not be more than 42 inches in height.	-----		

PERMITTED BUILDINGS, STRUCTURES AND PROJECTIONS IN REQUIRED YARDS

(Part of Section 4835)

Building, Structure or Projection	Front Yard	Interior Side Yard	Exterior Side Yard	Rear Yard of Interior Lot	Rear Yard of Corner Lot
r. Animal containments including pens, coops, aviaries, hutch, stables barns and corrals.	-----See Animal Regulations commencing at Section 3100-----				
s. Trees, shrubs, and flowers.	-----Permitted in all Zones -----				

Section 54. Section 4842 of the Zoning Ordinance is hereby amended to read as follows:

4842 **SETBACKS FOR DETACHED ACCESSORY BUILDINGS AND STRUCTURES.**

- a. No detached accessory building exceeding 120 square feet shall be located with walls closer than 3 feet or eaves closer than 2 feet from interior side or rear property lines except where abutting a thoroughfare or open space easement in which case they may extend to the property line.
- b. No detached accessory building authorized by Section 6156.g exceeding 1,000 square feet in area shall be located within 25 feet of any property line.
- c. The combined area of all detached accessory buildings authorized by Section 6156.g, having any portion closer than 25 feet from any property line, shall not exceed 1,000 square feet.

Section 55. Section 5468 of the Zoning Ordinance is hereby amended to read as follows:

5468 **STANDARDS FOR APPROVAL OF OTHER STRUCTURES.**

Except as provided in Section 5464, no building or structure may be placed, erected, constructed or expanded in a floodway unless the facility is not designed or used for human habitation or as a place of work or by the public and unless the Director of the Department Public Works determines such building or structure will not adversely affect or unduly hinder, restrict or alter the water- carrying capacity of the floodway and will not result in any increase in flood levels during the occurrence of a 100-year flood.

Section 56. Section 5512 of the Zoning Ordinance is hereby amended to read as follows:

5512 **FLOOD CONTROL FACILITIES.**

No drainage or flood control channel or facility shall be placed, erected, constructed, reconstructed, altered or enlarged, provided, however, existing flood control structures or facilities may be repaired and maintained; and the following facilities may be placed, erected, constructed, reconstructed, altered or enlarged if such a facility would not unduly accelerate or increase the flow of water so as to create a condition which would be detrimental to the health or safety of persons or property.

- a. Flood Control Channels and Levees. Natural grass-lined or similarly vegetated flood control channels.
- b. Dams and Reservoirs. Dams and reservoirs designed primarily for water conservation, recreation, or debris control.
- c. Erosion Control Works. Erosion control incidental to agricultural land use and natural resource extraction operations.

- d. Ground Water Replacement Works. Ground water replenishment works, such as, but not limited to diversion dams, percolation beds, spreading grounds and injection wells.
- e. Other Structures or Facilities. Any similar drainage or flood control structure or facility which the Director of the Department of Public Works determines would not unduly accelerate or increase the flow of water so as to create a condition which would be detrimental to the health or safety of persons or property.

Section 57. Section 5518 of the Zoning Ordinance is hereby amended to read as follows:

5518 STANDARDS FOR APPROVAL OF OTHER STRUCTURES.
Except as provided in Section 5514, no building or structure shall be placed, erected, constructed or expanded in a floodway unless the facility is not designed to be used by human habitation or as a place of work or by the public and unless the Director of the Department of Public Works determines such buildings or structures will not adversely affect or unduly hinder, restrict or alter the water- carrying capacity of the floodway and will not result in any increase in flood levels during the occurrence of a 100-year flood.

Section 58. Section 6102 of the Zoning Ordinance is hereby amended to read as follows:

6102 IDENTIFICATION OF PERMITTED TEMPORARY USES.
The following temporary uses shall be permitted as specified by these regulations:

[a. through b. no changes]

- c. Civic, Fraternal or Religious Assembly. The temporary gathering by an organization listed in Section 1348 on public or private property that is not the regular gathering place for that organization.

[d. through k. no changes]

Section 59. Section 6108 of the Zoning Ordinance is hereby amended to read as follows:

6108 CIVIC, FRATERNAL, OR RELIGIOUS ASSEMBLY.
The temporary gathering by an organization listed in Section 1348 on public or private property that is not the regular gathering place for that organization may be permitted in compliance with the following provisions:

- a. Location. An assembly may be permitted in any zone except zones subject to the RS, RD, RM, and RV Use Regulations.
- b. Duration. The period of operation of the assembly shall not exceed 8 consecutive days.

- c. Recurrence. Events recurring more than four times in a calendar year are not considered temporary.

Section 60. Section 6118 of the Zoning Ordinance is hereby amended to read as follows:

6118 USE OF A TRAILER COACH.

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

[a. no changes]

b. Residential Uses.

1. Dwelling to accommodate visiting relatives for a period not to exceed thirty (30) calendar days in any calendar year on land owned or leased by the host and on which there is located a permanent dwelling occupied by the host.
2. Dwelling on land owned by the applicant on which the applicant is diligently pursuing construction under a valid building permit for the first permanent dwelling provided that the trailer coach shall maintain all setbacks required for the main building except that the Director may waive meeting the rear yard setback otherwise required by this ordinance provided such waiver is necessary to prevent interference with construction activities and the trailer will be located no closer to the rear lot line than the required interior side yard setback. However, the Director may allow an ETOP (pursuant to subsection 7) converting to a temporary occupancy permit (TOP) to remain in its previously permitted location.
3. A dwelling for temporary health care on a lot where there is a permanent single family dwelling is permitted subject to the requirements set forth below. This trailer is exclusively for temporary occupancy by either: (a) providers of health services which are required by an occupant of the main dwelling, or (b) relatives of an occupant of the main dwelling who require physical care.

The following are requirements for health care trailer approval:

- a) The health care unit shall be a trailer or mobilehome not exceeding 800 square feet measured from the interior surface of the exterior walls
- b) The trailer shall meet main building setbacks.
- c) The trailer shall be connected to existing utility systems or required expansion of said systems on site whenever possible.
- d) Prior to issuance of a building permit for a health care trailer a Certificate of Need signed by a physician licensed to practice

medicine in the State of California shall be submitted to and approved by the Director. The Certificate shall be renewed annually.

- e) When the health care need no longer exists, the unit shall be removed. Failure to comply is a violation of The Zoning Ordinance and may result in any or all remedies or penalties specified in the Enforcement Procedures commencing with Section 7700, including a \$1,000 fine per day or six months jail sentence or both.
 - f) The applicant shall furnish security in the amount of \$1,000 in a form satisfactory to the Director for health care trailers exceeding 320 square feet in order to ensure removal of a health care trailer when the need no longer exists.
 - g) If the applicant complies with the terms of the temporary occupancy permit, then, upon removal of the trailer coach by the applicant, the full amount of deposit shall be refunded or security released.
4. Dwelling for security personnel on or adjacent to any site on which construction of a major residential, commercial, industrial or public works project is being diligently prosecuted and for which security personnel are employed.
 5. Dwelling for security personnel on any site on which construction of a residential, commercial, industrial or public works project has been completed and for which security personnel are employed pending construction of permanent dwelling facilities for such security personnel.
 6. Dwelling for security personnel on a site used for a borrow pit, quarry, asphalt paving plant, rock rushing plant, concrete batch plant, or mining operation for which a Major Use Permit has been granted.
 7. Dwelling for displaced residents or security personnel on a site where the principal dwelling has been rendered unoccupiable by reason of an officially declared disaster or emergency relating to fire, wind, flood, earthquake or other similar circumstance. An emergency temporary occupancy permit (ETOP) for such a temporary dwellings shall expire at such time as a building permit for the repair or replacement of the principal dwelling has been issued (at which time the ETOP shall be converted to a temporary occupancy permit (TOP) pursuant to subsection b.2 or one year after the declaration date of the event causing the damage or destruction of the principal dwelling, whichever is earlier.

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

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

Section 61. Section 6156 of the Zoning Ordinance is hereby amended to read as follows:

6156 RESIDENTIAL AND AGRICULTURAL USE TYPES.

Subject to the restrictions and limitations specified, the following accessory buildings and uses shall be permitted in zones where Residential and Agricultural Use Types are permitted:

- a. Attached Private Garages and Carports, Storage Buildings, Workshops, Hobby Shops, and other similar non-habitable uses.
 - 1. On lots of less than one acre gross, the total area shall not exceed 1,000 square feet or 25% of the living area of the principal residence, whichever is greater. On lots of one acre gross or larger but less than 2 acres, the area shall not exceed 1500 square feet or 25% of the living area of the principal residence, whichever is greater. On lots of 2 acres or larger but less than 4 acres, the area shall not exceed 2000 square feet or 25% of the living area of the principal residence, whichever is greater. On lots of 4 acres or larger, the area shall not exceed 3000 square feet or 25% of the living area of the principal residence, whichever is greater.
 - 2. If the portion of the structure in which the attached garage or carport is located is more than one story in height, that portion not used for the shelter or storage of vehicles shall be designed and used as an integral

part of the principal residence or approved habitable use such as guest living quarters.

3. Additional area may be permitted by issuance of an Administrative Permit with notice to contiguous property owners pursuant to Section 7060c. and findings pursuant to Section 7358, subsections a. 1, 3, 5, and 6.
4. For properties on which more than one detached residence is allowed per legal lot pursuant to Section 4310 (not including a Second Dwelling Unit pursuant to subsection x.), the total attached garage area, based upon lot size, per a.1 above, shall be allowed for each residence.

[b. through f. no changes]

g. Detached Private Garages and Carports, Storage Buildings, Workshops, Hobby Shops, and other similar non-habitable uses (non business or non agricultural purposes). Only one electric service drop and one electric meter to serve both the main dwelling and structure allowed by this subsection will be permitted. The combined area of all such structures, together with the structures authorized by paragraph b above, shall be limited as follows:

1. On lots of less than one acre gross, the combined area of all such structures shall not exceed 1,000 sq. ft. or 25% of the living area of the principal residence, whichever is greater. (Note that detached accessory structures which exceed 120 sq. ft. are subject to setbacks specified in Section 4842.)
2. Provided a setback pursuant to Section 4842 is maintained:
 - i. On lots of one acre gross or larger but less than 2 acres, the combined area shall not exceed 1500 square feet or 25% of the living area of the principal residence, whichever is greater.
 - ii. On lots of 2 acres or larger but less than 4 acres, the combined area shall not exceed 2000 square feet or 25% of the living area of the principal residence, whichever is greater.
 - iii. On lots of 4 acres or larger, the combined area shall not exceed 3000 square feet or 25% of the living area of the principal residence, whichever is greater.

Buildings not meeting the setback requirement of Section 4842 are limited to a combined area of 1000 square feet.

3. Limited to one story not to exceed 12 feet maximum height. May have 2 stories and a height not exceeding 24 feet if the accessory structure meets the main building setbacks. If the structure is more than one story in height, that portion not used for the shelter or storage of vehicles shall be designed and used as habitable space defined by Section 6156.b or other approved use such as a guest living quarters.

4. Additional area, height and story may be permitted by issuance of an Administrative Permit with notice to contiguous property owners pursuant to Section 7060c. and findings pursuant to Section 7358, subsections a. 1, 3, 5, and 6. The Administrative Permit shall not authorize height/stories exceeding the height/story limit specified by the applicable height/story designator. The Administrative Permit shall not authorize reductions to required setbacks. Reductions to setbacks shall be subject to Section 7100, Variances.
- h. Barns and Agricultural Storage Buildings shall be limited as follows:
1. In zones subject to a Residential Use Regulation (except RR Use Regulations requiring a 1 acre or larger lot area), and in the S88 Use Regulations where residential uses occur, a maximum floor area of 450 square feet and one story not to exceed 12 feet in height. Such buildings proposed in the S88 Use Regulations shall conform to the requirements of any applicable Specific Plan.

Buildings exceeding 12 feet in height are permitted if the structure meets the main building setbacks, provided the height does not exceed 24 feet. When on same lot as a detached private garage, workshop and/or storage building, the combined area of all such structures shall not exceed 1,000 square feet or 25% of the living area of the principal residence, whichever is greater.
 2. In zones subject to the RR Use Regulations (requiring a one acre or larger lot area), A70, A72, S87 and S92 Use Regulations, barns and agricultural storage buildings shall be limited in height to one story not to exceed 12 feet. Buildings exceeding 12 feet in height are permitted if the structure meets the main building setbacks, provided the height does not exceed that permitted by Section 4620(e). A maximum floor area of 1000 square feet is permitted where the lot is less than one acre gross. A maximum floor area of 1500 square feet is permitted where the lot is one acre but less than 2 acres gross, and 2000 square feet is permitted where the lot is 2 to 4 acres gross. An additional 200 square feet of floor area is permitted for each acre over 4 acres up to a maximum of 5000 square feet.
 3. Additional area, height and story may be permitted by issuance of an Administrative Permit, with notice to contiguous property owners pursuant to Section 7060c. and findings pursuant to Section 7358, subsections a. 1, 3, 5, and 6. The Administrative Permit shall not authorize height/stories exceeding the height/story limit specified by the applicable height/story designator or Section 4620(e).
- [i. no changes]
- j. Coops and Aviaries. Any enclosure or structure where poultry or birds are kept outside a dwelling, subject to the limitations of Section 3100. Coops and aviaries shall meet the setbacks for Animal Enclosures pursuant to Section 3112 and shall be included in the total square footage allowed pursuant to subsection h.

[k. through m. no changes]

- n. Dog, Cat and Pot-Belly Pig Keeping. The keeping of dogs and cats (but not including kennels) and the keeping of up to two pot-belly pigs, provided that the keeping of more than two pot-belly pigs shall be subject to Section 3100, Large Animal regulations.

[o. through p. no changes]

- q. Roadside Sales of Agricultural Products. Operation of an agricultural stand for the display and sale of agricultural products produced on the premises shall be permitted only as follows:
1. Agricultural stands are permitted only in the RR Use Regulations on lots one acre or larger, and in the A70, A72, S87, S90 and S92 Use Regulations.
 2. Said stand shall be located no nearer than 15 feet from the edge of any street or highway right-of-way.
 3. Said stand shall be operated by the owner or tenant of the property upon which the stand is located,
 4. Agricultural products produced on other premises owned or leased by the same property owner or tenant may be displayed and sold from said stand.
 5. The total roofed area of said stand, including all areas used for display or storage for all products, shall not exceed 300 square feet.
 6. No agricultural produce shall be sold from a motorized vehicle.
 7. Cold storage shall be allowed only when accessory to the on-site farming operation and used only for storage of crops grown by the person(s) farming the parcel.
 8. Incidental sale of items related to the sale or use of agricultural products (not to exceed 10% of the stand area), including horticultural products, may also take place provided any applicable health regulations are complied with.
 9. No commodities other than those listed above may be sold from a produce stand.
 10. A produce stand may sell only those ornamental plants that are grown on the same lot as such stand is located.

[r. no changes]

- s. Earthworms or Vermiculture. The raising of earthworms or the practice of vermiculture provided that:
1. No sales are advertised or made on the premises unless permitted by the use regulations.
 2. Odors and/or fly-breeding are not greater than customarily found at a well-maintained residence.
 3. The vermiculture area shall utilize household or garden waste or materials that are produced on the site. Importing of waste or other materials from another property shall be prohibited.
 4. The volume of raw or composted decomposable organic and bedding materials shall not exceed that which is reasonably necessary to the production of the worms raised on the site.

[t. through ii. no changes]

[zz. no changes]

Section 62. Section 6156.jj is hereby added to the Zoning Ordinance, to read as follows:

- jj. Meetings or Gatherings. The temporary gathering of individuals on private property for a non-commercial event which may involve eating, drinking, studying, or other similar activities, is allowed in compliance with the following provisions:
- a. Use of the Property. The primary use of the property must be residential.
 - b. Parking. All vehicles belonging to individuals attending the meeting or gathering shall be parked in compliance with all applicable laws and shall not impede the flow of traffic to and from the subject property or any other properties in the vicinity.
 - c. Nuisance. The gathering shall not create a public nuisance to surrounding properties, including noise, vibration, traffic or other disturbance. This section can be enforced pursuant to Section 16.205 of County Code of Regulatory Ordinances.

Section 63. Section 6158 of the Zoning Ordinance is hereby amended to read as follows:

6158 CIVIC, COMMERCIAL, INDUSTRIAL, OR EXTRACTIVE USE TYPES. Accessory structures and uses necessarily and customarily associated with, and appropriate, incidental and subordinate to the principal civic, commercial, industrial or extractive uses shall be permitted where the principal civic, commercial, industrial or extractive uses are permitted. As provided for in Section 6152, the Director shall

determine whether proposed accessory uses and structures conform to the Accessory Use Regulations, and said determinations are subject to appeal pursuant to the Administrative Appeal Procedure commencing at Section 7200.

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

[a. through h. no changes]

- i. Storage of Emergency Supplies for Disaster Preparedness. The storage of emergency supplies for disaster preparedness shall comply with the following provisions:
 1. Storage shall be allowed on properties that are owned by the County of San Diego or other public agency.
 2. Storage area shall be secure and shall be in compliance with all applicable regulations of this Zoning Ordinance, including but not limited to Site Plan requirements (if applicable), setbacks and enclosure requirements.
 3. Storage may be allowed within a cargo container which complies with the requirements of Section 6162.

Section 64. Section 6162 of the Zoning Ordinance is hereby amended to read as follows:

6162 CARGO CONTAINERS.

- a. No cargo container shall be allowed in any area designated as a Historic/Archaeological Landmark or District or an area designated as a Special Historic District, except as provided in Section d and e below.
- b. A cargo container may be allowed in areas zoned for residential and agricultural uses if it meets the following restrictions:
 1. It is located on property so as to comply with all building setbacks.
 2. It is only used for storage.
 3. There is a legal primary use on the property where it is located.
 4. There are no violations of the Zoning Ordinance or the San Diego County Code of Regulatory Ordinances on the property where it is located.
 5. The exterior is painted a solid color pursuant to a list of colors approved by the Director and the color selected matches as closely as possible with the surrounding natural environment.

6. The square footage of the cargo container when added to the square footage of accessory structures on the property does not exceed the maximum allowable square footage for accessory structures under section 6156 g.
7. On sites where the primary use of the property is residential the following additional restrictions shall apply:
 - (i) A cargo container shall only be allowed if it is not visible from any roadway that runs along the parcel.
 - (ii) On sites of less than 2 acres of net lot area: (A) the footprint of a cargo container shall not exceed 320 square feet in area, (B) only one cargo container is allowed and (C) the total time the site can have a cargo container located on it during any 5 year period is 180 days.
- c. A cargo container may be allowed in areas zoned for commercial and industrial uses for storage purposes only if there is a legal primary use on the property where it is located and required parking is not impacted.
- d. Cargo containers are allowed on private property in all zones temporarily to store building materials and/or construction tools during construction pursuant to an active building permit.
- e. Notwithstanding Section 6852, a cargo container that was lawfully on private property before April 18, 2007 may be allowed to continue as a nonconforming use for two years. This section shall not be construed to authorize any cargo container that was illegally placed, maintained or used before the effective date of this paragraph.
- f. Cargo containers are allowed on County-owned property and property owned by a public agency when used exclusively for the storage of emergency supplies for disaster preparedness, pursuant to Section 6158.i. Cargo containers must conform to the requirements of paragraph b.5, above.

Section 65. Section 6706 of the Zoning Ordinance is hereby amended to read as follows:

6706 **REQUIRED FENCES AND WALLS.**
The following fences and walls shall be required:

[a. through b. no changes]

- c. **Open Sales, Display and Storage Areas.** All open sales, display and storage areas in the commercial zones and in zones subject to the M50, M52 and M54 Use Regulations shall be enclosed by a view-obscuring fence or wall not less than 72 inches high. This requirement shall not apply to the following commercial use types:

1. Agricultural Sales (Retail nursery only)
2. Automotive and Equipment: Cleaning
3. Automotive and Equipment: Sales/Rental, Heavy Equipment
4. Automotive and Equipment: Sales/Rental, Light Equipment
5. Eating and Drinking Establishments
6. Gasoline Sales provided that the use complies with Section 2980 - Limitation 12.
7. Commercial uses in the C34, C35 or C36 Use Regulations pursuant to Section 6816.

[d. through e. no changes]

Section 66. Section 6766 of the Zoning Ordinance is hereby amended to read as follows:

6766 PARKING REQUIREMENTS: PUBLIC ASSEMBLY

Type of Occupancy, Use or Structure	Required Parking and Bicycle Spaces
Public Assembly (including, but not limited to, dance halls, mortuaries, auditoriums and such not named elsewhere)	1 Parking space for every 4 persons based on the total occupancy permitted by the Uniform Building Code. 1 Bicycle space for every 10 parking spaces.
Participant Sports and Recreation (all types), See Section 6762 Spectator Sports and Entertainment*1 (limited use type) See Section 6762	1 Parking space for every 3 persons based on the total occupancy permitted by the Uniform Building Code.
Spectator Sports and Entertainment*1 (general use type)	1 Parking space for every 3 persons permitted to occupy the premises.
Civic, Fraternal or Religious Assembly	1 Parking space for every 4 persons based on the total occupancy of the largest assembly room permitted by the Uniform Building Code.

*1 Excluding theatres and dance halls.

Section 67. Section 6772 of the Zoning Ordinance is hereby amended to read as follows:

6772 PARKING REQUIREMENTS: MEDICAL CARE FACILITIES

Type of Occupancy, Use or Structure	Required Parking and Bicycle Spaces
Hospitals (acute, general)	1.75 Parking space for each bed of authorized capacity. 1 Bicycle space for every 20 parking spaces.
Other Facilities providing overnight medical care (other than general hospitals), including, but not limited to: psychiatric hospitals, skilled nursing facilities, intermediate care homes.	1 Parking space for every 4 beds.

Section 68. Section 6904 of the Zoning Ordinance is hereby amended to read as follows:

6904 EXPLOSIVE STORAGE.

All explosive storage shall comply with the following provisions.

- a. Conformance to Federal and State Law. Explosive storage shall conform to all applicable provisions of federal and state law, including the tables of quantity and distance criteria, except where requirements of this section or conditions of the Major Use Permit are more stringent, in which case such requirements and conditions shall apply.

[b. through e. no changes]

Section 69. Section 6920 of the Zoning Ordinance is hereby amended to read as follows:

6920 COTTAGE INDUSTRIES.

- a. Purpose and Intent. The purpose and intent of this Section is to provide a means for establishing certain limited commercial and industrial uses to provide products and services to rural areas which are not currently zoned commercial or industrial but would benefit from the application of such limited commercial and industrial uses. Furthermore, it is intended that these limited commercial and industrial uses be used in conjunction with a dwelling and that said uses, although more extensive than home occupations, do not significantly alter or disturb the residential or rural nature of the premises or the surrounding community.
- b. Permit.
 - 1. Cottage Industries are permitted, upon issuance of a Minor Use Permit, only in the A70, A72, S87, S90 and S92 Use Regulations, and in the RR Use Regulations on parcels of four acres gross or larger.

2. A Minor Use Permit for a Cottage Industry shall be granted for seven years, unless the Director determines that a shorter period is more appropriate to insure conformance with the intent and standards of this section or other applicable requirements. Any person holding an unexpired Minor Use Permit for a cottage industry may apply for a modification pursuant to Section 7378 to extend its expiration date. The expiration date of any unexpired Minor Use Permit for a cottage industry which was granted prior to September 13, 1991 shall, however, be automatically extended by operation of Ordinance No. 7964 (N.S.) to September 13, 1998.
3. The Director, in acting on an unexpired Minor Use Permit for a cottage industry which was granted prior to September 13, 1991, shall not apply the 1,000 square foot maximum floor area standard specified in Section 6920d.4. below. The maximum floor area applicable to an unexpired Minor Use Permit for a cottage industry which was granted prior to September 13, 1991 shall be the square footage authorized and constructed prior to September 13, 1991.

[c. through d. no changes]

Section 70. Section 7017 is hereby added to the Zoning Ordinance, to read as follows:

7017 APPLICATIONS TO BE SIGNED BY PROPERTY OWNERS
Any application which is authorized to be filed by the property owner pursuant to these procedures shall be signed by all owner(s) of the property subject to the application, or the authorized agent(s) of the owner(s). The applicant shall provide proof satisfactory to the Director, of the ownership of the property and the authority of the agent(s) to sign on behalf of the owner(s).

Section 71. Section 7019 is hereby added to the Zoning Ordinance, to read as follows:

7019 PERMITS AND APPROVALS TO BE RECORDED AND PROVIDE CONSTRUCTIVE NOTICE
When the approval of any Administrative Permit, Variance, Site Plan, or Use Permit, or a modification to or minor deviation from any of the foregoing, has become final and effective, the Director shall cause a copy thereof to be filed with the San Diego County Recorder. The document to be recorded shall set forth the names of all owners of the property subject to the Administrative Permit, Variance, Site Plan, or Use Permit. The recorded document shall provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations created by the Administrative Permit, Variance, Site Plan, or Use Permit.

Section 72. Section 7052 of the Zoning Ordinance is hereby amended to read as follows:

7052 APPLICABILITY.

The Administrative Permit Procedure shall be followed when an application for an Administrative Permit has been filed as required by The Zoning Ordinance.

Section 73. Section 7056 of the Zoning Ordinance is hereby amended to read as follows:

7056 APPLICATION FOR AN ADMINISTRATIVE PERMIT.

An application for an Administrative Permit or modification thereof shall be made to the administering agency on such forms and containing such information as is prescribed by him or her, shall be signed by all owner(s) of the property to which it applies, or the agent(s) of such owner(s), and shall be accompanied by the fee, if any, fixed pursuant to Section 7602.

Section 74. Section 7076 of the Zoning Ordinance is hereby amended to read as follows:

7076 ADMINISTRATIVE PERMITS TO BE RECORDED AND PROVIDE
CONSTRUCTIVE NOTICE

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

Section 75. Section 7104 of the Zoning Ordinance is hereby amended to read as follows:

7104 APPLICATION FOR THE GRANTING OF A VARIANCE.

An application for the granting of a variance shall be made as follows:

- a. Persons Eligible. The following persons shall be eligible to apply for the granting of a variance:
 1. A property owner, in which case the application shall be signed by all property owner(s) or agent(s), as provided in Section 7017.
 2. A lessee, in which case the application shall be signed by all property owner(s) or agent(s), as provided in Section 7017.
 3. A person authorized to exercise the power of eminent domain.

- b. Required Documents. The application shall be accompanied by the following documents:
1. A list of names of all persons having an interest in the application as well as the names of all persons having any ownership interest in the property involved. If any person identified pursuant to this provisions is a corporation or partnership, the names of all persons owning more than 10 percent of the shares in the corporation or owning any partnership interest in the partnership shall be listed. If any person identified pursuant to this provision is a non-profit organization or trust, the names of all persons serving as directors of the non-profit organization or as beneficiaries, trustees and trustors of the trust shall be listed.
 2. Complete plans and description of the property involved and the proposed variance.
 3. Satisfactory evidence of the ability and intention of the applicant to proceed with actual construction work in accordance with requested variance within 6 months after it is granted.
 4. The appropriate Environmental Impact Review document, as provided by Section 7610.
- c. Application Form, Filing and Fee. The application shall be made on the prescribed form and shall be filed with whomever has jurisdiction as provided by Section 7102, and shall be accompanied by the fee referenced in Section 7602.

Section 76. Section 7107 of the Zoning Ordinance is hereby amended to read as follows:

7107 FINDINGS REQUIRED.

Before any variance may be granted or modified, all of the following shall be found:

- a. That there are special circumstances applicable to the property, including size, shape, topography, location or surroundings, that do not apply generally to property in the same vicinity and under identical zoning classification;
- b. That, because of those special circumstances, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification;
- c. That granting the variance or its modification is subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated;
- d. That the variance will not authorize a use or activity which is not otherwise expressly authorized by the applicable use classification;

- e. That granting the variance or its modification will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity and zone in which the property is located; and
- f. That granting the variance or its modification will not be incompatible with the San Diego County General Plan.

Section 77. Section 7116 is hereby added to the Zoning Ordinance, to read as follows:

7116 VARIANCES TO BE RECORDED AND PROVIDE CONSTRUCTIVE NOTICE

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

Section 78. Section 7152 of the Zoning Ordinance is hereby amended to read as follows:

7152 APPLICABILITY.

The Site Plan Review Procedure shall be followed when an application for a Site Plan has been filed as required by The Zoning Ordinance.

Section 79. Section 7155 is hereby added to the Zoning Ordinance, to read as follows:

7155 APPLICATION

An application for a Site Plan or modification thereof shall be signed by all property owner(s) or agent(s) as provided in Section 7017, and shall be made to the administering agency on such forms and containing such information as is prescribed by him or her, and shall be accompanied by the fee, if any, fixed pursuant to Section 7602.

Section 80. Section 7156 of the Zoning Ordinance is hereby amended to read as follows:

7156 WAIVER OF SITE PLAN.

- a. The Director may waive the requirement for a Site Plan if he finds that all of the purposes and requirements of the Site Plan have been or will be fulfilled by another discretionary permit; or
- b. Where the Director finds the proposed development or improvement is minor in nature and the public purpose for which the Site Plan would normally be required

will not be harmed by waiver of said requirement. This subsection "b" shall not apply to land falling within the coastal zone, as defined by the California Coastal Act of 1976.

- c. Waiver of a Site Plan does not constitute a waiver of any other requirement of this Zoning Ordinance or any other law, ordinance or other regulation applicable to the project.

No building permit shall be issued for a project for which the Site Plan requirement has been waived except pursuant to plans bearing the Director's stamp granting such waiver. No deviation from aspects of such plans pertinent to the purposes for which a Site Plan review would otherwise have been required shall be permitted without prior approval of the Director.

This Section shall not apply to those Site Plans required by a special area regulations designator where there are specific waiver criteria established under the special area regulations designator sections.

Section 81. Section 7169 of the Zoning Ordinance is hereby amended to read as follows:

7169 APPLICATION FOR MODIFICATION OF A SITE PLAN

- a. Any person holding an approved Site Plan may apply for a modification. The modification of a Site Plan may include modification of the physical improvements shown on the Site Plan itself or the waiver or alteration of conditions imposed pursuant to Section 7164. Sections 7000 through 7019 and 7157 through 7166, inclusive, shall apply to the application for the modification of a Site Plan.
- b. In the event the requested modification relates to a condition which was initially imposed by action of an appellate body, the authority having jurisdiction over such modification shall consider the following:
 - 1. The reason(s) why the subject condition was initially imposed.
 - 2. The reason(s) why the subject condition should be retained, modified or waived.
 - 3. The relationship of modification or waiver to the reason(s) the condition was initially imposed.
 - 4. Any related impact, direct or indirect, which the requested modification or waiver would have on the subject property or surrounding properties.
 - 5. Alternative measures proposed to mitigate deleterious impacts, if any, caused by the requested modification.

Section 82. Section 7176 is hereby added to the Zoning Ordinance, to read as follows:

7176 SITE PLANS TO BE RECORDED AND PROVIDE CONSTRUCTIVE NOTICE

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

Section 83. Section 7200 of the Zoning Ordinance is hereby amended to read as follows:

ADMINISTRATIVE APPEAL PROCEDURE.

7200 TITLE AND PURPOSE.

The provisions of Sections 7200 through 7249 shall be known as the Administrative Appeal Procedure. The purpose of these provisions is to prescribe the procedure by which an appeal may be taken from a written decision of the Director made pursuant to the administration of the Zoning Ordinance. An appeal is not authorized by this section where a decision of the Director is otherwise specified as a final decision.

Section 84. Section 7202 of the Zoning Ordinance is hereby amended to read as follows:

7202 EFFECT OF FILING THE APPEAL.

An appeal of an administrative decision or written request for permission to appeal pursuant to Section 7201.a.3, if made within the time specified in Section 7201 shall stay all proceedings in furtherance of the decision appealed and no building permit, license, or other permit that is the subject of the appeal, shall be issued until such time as the appeal has been acted on as set forth in Section 7205, or until permission to appeal has been denied. However, if the Director certifies to the Planning Commission that by reason of facts which the Director shall provide, a stay would cause imminent peril to life or property, the Planning Commission may determine that said proceedings shall not be stayed.

Section 85. Section 7351 of the Zoning Ordinance is hereby amended to read as follows:

7351 APPLICABILITY.

The use permit procedure shall be followed when an application for a Use Permit has been filed as required by The Zoning Ordinance.

Section 86. Section 7354 of the Zoning Ordinance is hereby amended to read as follows:

7354 APPLICATION FOR THE GRANTING OF A USE PERMIT.

An application for the granting of a use permit shall be made as follows:

- a. **Persons Eligible.** The following persons shall be eligible to apply for the granting of a use permit:
 1. A property owner, in which case the application shall be signed by all property owner(s) or agent(s), as provided in Section 7017.
 2. A lessee upon written approval of the property owner, in which case the application shall be signed by all property owner(s) or agent(s), as provided in Section 7017.
 3. A person authorized to exercise the power of eminent domain.
- b. **Required Documents.** The application shall be accompanied by the following documents:
 1. A list of the names of all persons having an interest in the application as well as the names of all persons having any ownership interest in the property involved. If any person identified pursuant to this provision is a corporation or partnership, the names of all persons owning more than 10 percent of the shares in the corporation or owning any partnership interest in the partnership shall be listed. If any person identified pursuant to this provision is a non-profit organization or trust, the names of all persons serving as directors of the non-profit organization or as beneficiaries, trustees and trustors of the trust shall be listed.
 2. Complete plans, a description of the property involved and a complete description of the proposed use. The complete plans shall include a plot plan drawn to scale showing all structures (existing and proposed). If the use permit will cover only a portion or portions of a lot or parcel, the plot plan shall include a measurable delineation of the area to which the use permit shall apply. That area shall include all land necessary for the proposed use, together with any open space, non-development areas, or other buffer areas which are necessary to enable making the required findings for use permit approval.
 3. Satisfactory evidence of the ability and intention of the applicant to proceed with actual construction work in accordance with the requested use permit within 6 months after it is granted.
 4. The appropriate environmental impact review document, as provided by Section 7610.
 5. In the case of an application for a Mobilehome Park to be pursuant to the Regional Land Use Element Policy 3.8, evidence satisfactory to the

Director that the authorization for filing has been obtained as required by any applicable Board Policy.

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

Section 87. Section 7366 of the Zoning Ordinance is hereby amended to read as follows:

7366 APPEAL.

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

- a. Appeals Authorized.
 - 1. A Major Use Permit decision of the Planning Commission may be appealed to the Board of Supervisors.
 - 2. A Minor Use Permit decision of the Director may be appealed to the Planning Commission, except that (a) a decision concerning a Minor Use Permit application filed concurrently with a tentative subdivision map, reclassification or Major Use Permit application may be appealed to the same appeal authority and pursuant to the same procedures as apply to such concurrent application; and (b) a decision concerning a Minor Use Permit for a mini-mobilehome park may be appealed to the Planning Commission; and (c) a decision concerning a Minor Use Permit for a nonconforming use within an adopted Redevelopment Area pursuant to Section 6878 may be appealed to the Board of Supervisors.
 - 3. A concurrent use permit decision by the Planning Commission may be appealed to the Board of Supervisors.
- b. Resubmittal of Revised Application. If upon appeal an application for a use permit is revised so as to require the submittal of a revised plot plan, all appellate proceedings shall be terminated and the application resubmitted to the authority having original jurisdiction for further consideration and decision. The decision of the revised application may thereafter be appealed as provided in this Section.
- c. Persons Authorized to Appeal. No person may appeal except the applicant for the granting or modification of a use permit; a County officer acting pursuant to paragraph "d" of this section; and those persons who protest the granting, revocation, or modification of a use permit either by written protest filed in the office of the Planning Commission or the Director, whoever has jurisdiction over the use permit, prior to the time of the hearing or consideration of the matter by said authority; or by appearing and protesting the granting, revocation or modification of the use permit at the hearing or consideration of the matter by said authority.

[d. through k. no changes]

Section 88. Section 7368 is hereby added to the Zoning Ordinance, to read as follows:

7368 USE PERMITS TO BE RECORDED AND PROVIDE CONSTRUCTIVE NOTICE

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

Section 89. Section 7378 of the Zoning Ordinance is hereby amended to read as follows:

7378 APPLICATION FOR MODIFICATION OF A USE PERMIT.

- a. Any person holding a use permit may apply for a modification by complying with Section 7354.C. For the purposes of this section, the modification of a use permit may include modification of the terms of the permit itself or the waiver or alteration of conditions imposed pursuant to Section 7362. Sections 7000 through 7019 and 7356 through 7366, inclusive, shall apply to the application for the modification of a use permit.
- b. Notwithstanding the provisions of paragraph "a" above or any other provision of The Zoning Ordinance, upon the filing of an application to modify a Major Use Permit for a planned development or lot size averaging in conjunction with an application filed pursuant to the Subdivision Ordinance (San Diego County Code, Section 81.101 et seq.) to modify a Tentative Map or Tentative Parcel Map or a resolution approving the same, the Director may modify or conditionally modify such permit pursuant to the procedure specified in the Subdivision Ordinance for acting upon such map modifications. Sections 7354, 7358, 7362 and 7602, and all other provisions of The Zoning Ordinance not in conflict with said Subdivision Ordinance procedure, shall apply to such action by the Director.
- c. In the event the requested modification or waiver relates to a condition which was initially imposed by action of an appellate body, the authority have jurisdiction over such modification or waiver shall consider the following:
 1. The reason(s) why subject condition was initially imposed.
 2. The reason(s) why subject condition should be modified or waived.
 3. The relationship of modification or waiver to the reason(s) the condition was initially imposed.
 4. Any related impact, direct or indirect, which the requested modification or waiver would have on the subject property or surrounding properties.

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

Section 90. Section 7503 of the Zoning Ordinance is hereby amended to read as follows:

7503 REQUESTS TO AMEND THE ZONING ORDINANCE.
Requests to amend the Zoning Ordinance may be initiated by:

- a. The application of a property owner or the agent of such owner seeking an amendment to the Zoning Ordinance as applied to his property. In such cases, the application shall be signed by the property owner(s) or their agent(s), pursuant to Section 7017.
- b. A person authorized to exercise the power of eminent domain.
- c. The order of the Board of Supervisors.
- d. The order of the Planning Commission.
- e. The Director of Planning and Land Use.

Section 91. Section 7580 of the Zoning Ordinance is hereby amended to read as follows:

7580 APPLICATION FOR REVOCATION OF DESIGNATION OF A
 LANDMARK OR DISTRICT.

An application for revocation of designation of a historic and/or archaeological landmark or district shall be made as follows:

- a. Persons eligible. The following persons are eligible to apply for the revocation of designation of a landmark or district:
 1. The property owner, in which case the application shall be signed by all property owner(s) or agent(s), as provided in Section 7017.
 2. A lessee upon written approval of the property owner, in which case the application shall be signed by all property owner(s) or agent(s), as provided in Section 7017.
 3. A person authorized to exercise the power of eminent domain.
- b. Required documents. An application for the revocation of a designation of a landmark or district shall be accompanied by the following documents:
 1. A list of the names of all persons having an interest in the application as well as the names of all persons having any ownership interest in the property involved. If any person identified pursuant to this provision is a

corporation or partnership, the names of all persons owning more than 10 percent of the shares of the corporation or owning any partnership interest in the partnership shall be listed. If any person identified pursuant to this provision is a non-profit organization or trust, the names of all persons serving as directors of the non-profit organization or as beneficiaries, trustees and trustors of the trust shall be listed.

2. Evidence to support the findings required by Section 7586.
 3. The appropriate environmental impact review document, as provided by Section 7610.
- c. **Application Form, Filing and Fee.** An application for the revocation of designation of a historic and/or archaeological landmark or district shall be made on the prescribed form, shall be filed with the Planning Commission, and shall be accompanied by the fee fixed pursuant to Section 7602.

Section 92. Section 7609 of the San Diego County Zoning Ordinance is hereby amended to read as follows:

7609 MINOR DEVIATION FROM PLAN.

If an Administrative Permit, Variance, Site Plan or Use Permit allows or requires land to be used or developed in accordance with a plan, or plans that are referred to in the Administrative Permit, Variance, Site Plan, or Use Permit, Minor Deviations from said plan may be authorized in accordance with the following provisions:

- a. **Intent.** This section provides for situations where it is necessary to deviate from a plan in a minor way which is consonant with the purpose and intent of the related Administrative Permit, Variance, Site Plan or Use Permit. The intent of this section is to provide for flexibility in the operation of an Administrative Permit, Variance, Site Plan or Use Permit by permitting a Minor Deviation to be administratively granted by the Director. It is not the intent of this section to permit a deviation from the plan which violate the intent and purpose of the related Administrative Permit, Variance, Site Plan or Use Permit or any of its conditions, or to allow any action for which an Administrative Permit, Variance, Site Plan or Use Permit would otherwise be required by The Zoning Ordinance.
- b. **Jurisdiction.** The Director may authorize a Minor Deviation from a plan referred to in an Administrative Permit, Variance, Site Plan or Use Permit granted by the Board of Supervisors, the Planning Commission, or the Director.
- c. **Required Findings.** A Minor Deviation from a plan shall be authorized only after findings that:
 1. The requested deviation does not constitute a substantial change in the Administrative Permit, Variance, Site Plan, or Use Permit; and
 2. The requested deviation will not adversely affect adjacent property or property owners.

- d. Prohibited Deviations. No deviation from a plan, or deviations having a cumulative effect, shall be authorized which would permit one or more of the following:
1. An increase or decrease from the original approved plan of more than 10 percent of the gross area of any yard, open space, working area or parking area, provided that no decrease may be permitted in any required yard for which an exception pursuant to Section 4813 or a Variance is required;
 2. An increase or decrease from the original approved plan of more than 10 percent of the size of any building or structure or of the total land area covered by any building or structure;
 3. An increase or decrease from the original approved plan of more than 10 percent of the height of any building or structure or of any part thereof, or of the depth or area of an excavation, slope or working area; or
 4. In the cases of Use Permits and Site Plans, an increase in the number of buildings or structures shown on the original approved plan so as to increase by more than 10 percent the total land area covered by all buildings and structures; or
 5. A sign, if signs are not regulated by the approved Administrative Permit, Variance, Site Plan or Use Permit, except that a Minor Deviation for a sign or sign program subject to a Community Design Review, Historic Landmark, Historic District or Design Review special area regulations designator may be approved upon due consideration of the recommendation of the applicable Design Review Board, Historic Site Board, Historic District Review Board, or Community or Subregional Planning Group.
- e. Application Form, Filing and Fee. An application requesting a minor deviation from a plan shall be made on the form prescribed by the Director, shall be signed by the property owner(s) or their agent(s) as required by Section 7107, shall be filed with the authority having jurisdiction as provided by paragraph "b" of this section, and shall be accompanied by the fee referenced in Section 7602.
- f. Hearing Not Required. Any action of the Director pursuant to this section may be taken without notice or public hearing.
- g. Decision is Final. Any decision by the Director pursuant to this section shall be final; provided, however, that the denial by the Director of a request for a minor deviation from a plan shall not prevent the applicant from applying for a new Administrative Permit, Variance, Site Plan, or use permit or modification thereof pursuant to the Zoning Ordinance.

Section 93. Section 7610 of the Zoning Ordinance is hereby amended to read as follows:

7610 ENVIRONMENTAL IMPACT REVIEW - REQUIRED INFORMATION.
Notwithstanding any other provision of the Zoning Ordinance, all applications for the granting of a variance, use permit, zoning ordinance amendment request, and planned development permit shall include at least one of the following:

- a. Negative Declaration. A negative declaration on proposals which are not environmentally significant;
- b. Draft EIR. A draft EIR on proposals which could have significant environmental effects;
- c. Categorical Exemption. A certification by the Director of categorical exemption; or
- d. Other Certification. A certification by the Director that the proposal is otherwise not subject to the environmental review requirements of the California Environmental Quality Act.

Section 94. Section 7703 of the Zoning Ordinance is hereby amended to read as follows:

7703 VIOLATIONS AND PENALTIES.

It shall be unlawful for any person to use any property or erect, construct, enlarge, alter, repair, move, remove, improve, convert or demolish, equip, use, occupy or maintain any building or structure, or cause the same to be done, contrary to or in violation of any of the provisions of this Ordinance. Any person violating any of the provisions of this Ordinance, including the violation of any condition of a use permit, site plan, administrative permit, variance, or other discretionary permit shall be deemed guilty of a misdemeanor unless, in the discretion of the prosecutor, it is charged as an infraction.

[a. through h. no changes]

Section 95. Section 1370 of the Zoning Ordinance is hereby repealed.

Section 96. Section 4821 of the Zoning Ordinance is hereby repealed.

Section 97. Section 4836 of the Zoning Ordinance is hereby repealed.

Section 98. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the Daily Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this 16th day of September, 2009.