

ORDINANCE NO. 10217 (NEW SERIES)

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO THE COMPATIBILITY MATRIX AND SPECIAL CIRCUMSTANCES

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 amended to be consistent with the General Plan Update. The amendments made by this ordinance are intended to revise references and to implement the San Diego County General Plan.

Section 2. Section 2000, GENERAL INTENT OF THE USE REGULATIONS is amended to read as follows:

2000 GENERAL INTENT OF THE USE REGULATIONS.

The provisions of Sections 2000 through 2999 and Sections 8000 through 8999, inclusive, shall be known as the San Diego County Use Regulations and Village Regulations respectively. The purpose of these provisions is to specify the range and combinations of uses necessary to meet requirements for residential and non-residential development within San Diego County as set forth in the policies and principles of the San Diego County General Plan.

Section 3. Section 2005, USE DESIGNATOR REQUIRED, of the Zoning Ordinance is amended to read as follows:

2005 USE DESIGNATOR REQUIRED.

A Use Designator or Village Designator shall be required as a component of all zones within San Diego County. The Use Designator or Village Designator, together with Animal Designator (if required) as specified in Section 3000 through Section 3999, inclusive; Development Designator as specified in Section 4000 through Section 4999, inclusive; and any applicable Special Area Designator as specified in Section 5000 through 5999, inclusive, shall describe a zone which prescribes regulations of land uses within San Diego County.

Section 4. Section 2050, COMPATIBILITY MATRIX, of the Zoning Ordinance is amended to read as follows:

2050 COMPATIBILITY MATRIX.

The Director shall prepare and cause to be inserted in the Zoning Ordinance, an official Compatibility Matrix for guidance in consideration of a rezone, which expresses in graphic form the compatible Use Regulations and Village Regulations of the ordinance contained in Sections 2100 through 2999 and Section 8000 through 8999, inclusive with the appropriate Land Use Designations of the San Diego County General Plan.

COMPATIBILITY MATRIX

SUMMARY PREPARED PURSUANT TO SECTION 2050

NOTE: This matrix is a summary only. For complete regulations see appropriate sections of The Zoning Ordinance and General Plan.

USE REGULATIONS

	RS	RD	RM	RV	RU	RRO	RR	RC	RMH	C30	C31	C32	C34	C35	C36	C37	C38	C40	C42	C44	C46	M50	M52	M54	M56	M58	A70	A72	S80	S82	S86	S88	S90	S92	S94				
Land Use Designations	R S	R D	R M	R V	R U	R R O	R R	R C	R M H	C 3 0	C 3 1	C 3 2	C 3 4	C 3 5	C 3 6	C 3 7	C 3 8	C 4 0	C 4 2	C 4 4	C 4 6	M 5 0	M 5 2	M 5 4	M 5 6	M 5 8	A 7 0	A 7 2	S 8 0	S 8 2	S 8 6	S 8 8	S 9 0	S 9 2	S 9 4				
Village Residential																																							
Village Residential 30 (VR-30)	o	•	•	•	•	•		•	•		o		o	o																								•	
Village Residential 24 (VR-24)	o	•	•	•	•	•		•	•		o		o	o																								•	
Village Residential 20 (VR-20)	o	•	•	•	•	•		•	•		o		o	o																								•	
Village Residential 15 (VR-15)	o	•	•	•	•	•		•	•		o		o	o														o	o	•	o	o	•	•	•	o	•		
Village Residential 10.9 (VR-10.9)	•	•	•	•	•	•		o	•		o		o	o														o	o	•	o	o	•	•	•	o	•		
Village Residential 7.3 (VR-7.3)	•	•	•	•	•	•		o	•		o		o	o														o	o	•	o	o	•	•	•	o	•		
Village Residential 4.3 (VR-4.3)	•	•	•	•	•	•	o	o	•																			o	o	•	o	o	•	•	•	o	•		
Village Residential 2.9 (VR-2.9)	•	•	o	o	o	•	o	o	•																			o	o	•	o	o	•	•	•	o	•		
Village Residential 2 (VR-2)	•	•	o	o	o	•	•	o	•																			o	o	•	o	o	•	•	•	o	•		
Semi-Rural																																							
Semi-Rural 0.5 (SR-0.5)	•	o				•	•	o	•																			o	o	•	o	o	•	•	•	o	•		
Semi-Rural 1 (SR-1)	•					•	•	o	•																			•	•	•	o	o	•	•	•	o	•		
Semi-Rural 2 (SR-2)	o					o	•	o	o				o			o		o	o									•	•	•	o	o	•	•	•	•	•		
Semi-Rural 4 (SR-4)	o					o	•	o	o				o			o		o	o									•	•	•	o	o	•	•	•	•	•		
Semi-Rural 10 (SR-10)						o	•	o	o				o			o		o	o									•	•	•	o	o	•	•	•	•	•		
Rural Lands																																							
Rural Lands 20 (RL-20)							•	o						o				o	o									•	•	•	o	o	•	•	•	•	•		
Rural Lands 40 (RL-40)							•	o						o				o	o									•	•	•	o	o	•	•	•	•	•		
Rural Lands 80 (RL-80)							•	o						o				o	o									•	•	•	o	o	•	•	•	•	•		
Commercial																																							
General Commercial (C-1)										•	o	•	•	•	•	o	o	o	•	•	•															•			
Office Professional (C-2)										•	o	o	o	o	o	o	o	o	o	o	o	•															•		
Neighborhood Commercial (C-3)								o		•	o	•	o	o	o	o	o	o	o	o	o																•		
Rural Commercial (C-4)								o		o	o	•	o	o	o	o	o	•	•	•	o								o								•		
Village Core Mixed Use (C-5)				o				o		•	•	•	•	•	•	•	•	o	•	o	•	o	o						•								•		
Industrial																																							
Limited Impact Industrial (I-1)															o	o	o	o					•	•	o										•				
Medium Impact Industrial (I-2)														o	•	•	•					o	•	•	•	o			o	o	•	•	•	•	•				
High Impact Industrial (I-3)														o	o	o	o						o	•	•	•			o	o	•	•	•	•	•	•			
Other																																							
Public Agency Lands	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o		
Specific Plan Area (SPA)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•		
Public/Semi-Public Facilities (P/SP)	o				o	o	o		o																	o	o										•		
Open Space-Conservation (OS-C)																												o	o	•						•	•	o	•
Open Space-Recreation (OS-R)						o	o																					o	o	•						•	•	o	•

MATRIX LEGEND: • Consistent Use Regulation, o Special Circumstances

COMPATIBILITY MATRIX

SUMMARY PREPARED PURSUANT TO SECTION 2050

NOTE: This matrix is a summary only. For complete regulations see appropriate sections of The Zoning Ordinance and General Plan.

VILLAGE REGULATIONS

	Fallbrook																								
	V1	V2	V3	V4	V5																				
Land Use Designations	V1	V2	V3	V4	V5																				
Village Residential																									
Village Residential 30 (VR-30)																									
Village Residential 24 (VR-24)																									
Village Residential 20 (VR-20)																									
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Semi-Rural																									
Semi-Rural 0.5 (SR-.05)																									
Semi-Rural 1 (SR-1)																									
Semi-Rural 2 (SR-2)																									
Semi-Rural 4 (SR-4)																									
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Rural Commercial (C-4)																									
Village Core Mixed Use (C-5)	●	●	●	●	●																				
Industrial																									
Limited Impact Industrial (I-1)																									
Medium Impact Industrial (I-2)																									
High Impact Industrial (I-3)																									
Other																									
Public Agency Lands	○	○	○	○	○																				
Specific Plan Area (SPA)	●	●	●	●	●																				
Public/Semi-Public Facilities (P/SP)	○	○	○	○	○																				
Open Space-Conservation (OS-C)	○	○	○	○	○																				
Open Space-Recreation (OS-R)	○	○	○	○	○																				
MATRIX LEGEND: ● Consistent Use Regulation, ○ Special Circumstances																									

Section 5. Section 2060, CONSISTENT USE REGULATION, of the Zoning Ordinance is added to read as follows:

2060 CONSISTENT USE REGULATION.

A consistent Use Regulation as indicated by the symbol (●) is a Use Regulation which is consistent with the indicated Land Use Designation to which it is applied unless precluded by the General Plan, Community Plan or Specific Plan with consideration given to terrain, access, hazards, community character, lot configuration, lot size, drainage, adjacent land use, traffic congestion, noise, air pollution, other factors affecting health, safety or welfare or any other relevant issue.

Section 6. Section 2070, SPECIAL CIRCUMSTANCES, of the Zoning Ordinance is added to read as follows:

2070 SPECIAL CIRCUMSTANCES.

A Use Regulation as indicated by the symbol (o) is a Use Regulation which may be applied in special circumstances with a corresponding Land Use Designation and shall meet one of the following:

- a. The existing Use Regulation was in effect prior to the adoption of the current Land Use Designation; or
- b. The property or area meets the findings in Section 2072 below.

Section 7. Section 2072, SPECIAL CIRCUMSTANCES REGULATIONS, of the Zoning Ordinance is added to read as follows:

2072 SPECIAL CIRCUMSTANCES REGULATIONS.

The following findings shall be met in order to find that a Use Regulation is consistent under Special Circumstances with the compatibility matrix, Section 2050:

- a. The Use Regulation is consistent with the applicable community plan.
- b. The Use Regulation is consistent with, or applied under special circumstances in, the majority of Land Use Designations that border the subject parcel(s).
- c. The Use Regulation is compatible with the surrounding land uses, with consideration given to:
 1. Density or intensity of potential uses;
 2. Availability of public facilities, services and utilities;
 3. Harmony with the neighborhood character;
 4. Capacity and character of surrounding streets; and
 5. Any other relevant impact of the potential use.
- d. A General Plan Amendment to an appropriate Land Use Designation that would allow for the Use Regulation to be consistent and therefore not a special circumstance, is infeasible as determined by the Director after consideration of the General Plan and applicable Community Plan.
- e. Additionally, a study shall be submitted by the applicant that the proposed Use Regulation meets at least one of the following:
 1. There is a demonstrated need for the potential uses of the proposed Use Regulation and there is insufficient land suitably zoned in the Community Planning

Area to meet the demonstrated need. Additionally, the application of the proposed Use Regulation would not result in a scarcity of the existing Use Regulation within the community planning area or;

2. The site characteristics make it physically impossible to implement uses allowed with the existing Use Regulation. Such constraints may include, but are not limited to lot configuration, lot size, topography, drainage, adjacent land use, access, traffic congestion, noise, air pollution or other factors affecting health, safety or welfare.

The study submitted subject to e.1 or e.2 shall be reviewed by the Director and included as part of the rezone findings for consideration.

Section 8. Effective Date. This Ordinance shall take effect and be in force 30 days after the date of its passage, and before the expiration of 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 San Diego 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 25th day of July, 2012.