

ORDINANCE NO. 9935 (NEW SERIES)

AN ORDINANCE AMENDING THE ZONING ORDINANCE TO MAKE MISCELLANEOUS MINOR REVISIONS RELATING TO DEFINITIONS, CONVENIENCE SALES AND PERSONAL SERVICES, MINI-WAREHOUSES, PACKING AND PROCESSING, VETERINARY HOSPITALS, ANIMAL REGULATIONS, STORY LIMITS, STRUCTURES IN YARDS, ACCESSORY USE REGULATIONS, SPECIAL PURPOSE SIGNS, GATE ENTRY STRUCTURES, DESIGN REVIEW AND PARKING IN FALLBROOK AND TO CLARIFY AND CORRECT VARIOUS MINOR REGULATIONS

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

Section 1. The Board of Supervisors declares that the intent of this ordinance is to update the Zoning Ordinance by making the following amendments to add, clarify or correct miscellaneous minor provisions related to the above subjects. The Board finds that these amendments are reasonable and necessary for the public health, safety, convenience, and welfare and are consistent with the General Plan.

Section 2. Section 1110, DEFINITIONS (B) of the San Diego County Zoning Ordinance is hereby amended to add the definition of the term "Building, High Rise" to read as follows:

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

Section 3. Section 1110, DEFINITIONS (C) of the San Diego County Zoning Ordinance is hereby amended to add the definition of "Commercial Vehicle" to read as follows:

Commercial Vehicle: A vehicle primarily designed, maintained or used to transport, for compensation, one or more persons or property of any kind. A vehicle primarily designed to transport one or more persons or property for compensation, whether or not it is being used or has been used for that purpose, is a commercial vehicle. A commercial vehicle includes, but is not limited to, a truck, truck tractor, trailer, semi-trailer and bus.

Section 4. Section 1110, DEFINITIONS (G) of the San Diego County Zoning Ordinance is hereby amended to revise the term "Guest Living Quarters" to read as follows:

Guest Living Quarters: Living quarters attached to a primary dwelling unit without interior access or within a detached accessory building, which are for the sole use of persons employed on the premises or for temporary use by guests of the occupants of premises. Guest living quarters have neither kitchen facilities nor laundry facilities and are not rented or otherwise used as a separate dwelling. The total floor area of a guest living quarters shall not exceed 600 square feet or twenty-five percent (25%) of the square footage of the primary dwelling, whichever is greater.

Section 5. Section 1110, DEFINITIONS (J) of the San Diego County Zoning Ordinance is hereby amended to revise the definitions of the terms "Junk" and "Junkyard" to read as follows:

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

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

Section 6. Section 1110, DEFINITIONS (L) of the San Diego County Zoning Ordinance is hereby amended to revise the definitions of the terms "Lot Area, Gross" and "Lot Area, Net" to read as follows:

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

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

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

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

Section 7. Section 1110, DEFINITIONS (M) of the San Diego County Zoning Ordinance is hereby amended to revise the definition of "Massage Parlor" to read as follows:

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

Section 8. Section 1110, DEFINITIONS (P) of the San Diego County Zoning Ordinance is hereby amended to add the following reference regarding "Ponds", and to add a definition of "Porte Cochere", to read as follows:

Ponds: (See Aquaculture)

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

Section 9. Section 1425, ANIMAL SALES AND SERVICES of the San Diego County Zoning Ordinance is hereby amended to read as follows:

1425 ANIMAL SALES AND SERVICES.

Animal Sales and Services refers to establishments or places of business primarily engaged in animal related sales and services. The following are animals sales and services use types:

- a. Animal Sales and Services: Auctioning. Auctioning of livestock on a wholesale or retail basis with incidental storage of animals produced off property not exceeding 48-hour periods. The auctioning of miscellaneous related items may be conducted in conjunction with animal auctioning, if the auctioning of miscellaneous related items is conducted by the same operator as the animal auction, the number of days and hours of operation do not exceed those in which animal auctions are held, and the impacts resulting from the miscellaneous items auction activity do not exceed those of the animal auction. Typical uses include animal auctions or livestock auction yards.
- b. Animal Sales and Services: Grooming. Grooming of dogs, cats and similar small animals. Typical uses include dog bathing and clipping salons or pet grooming shops.
- c. Animal Sales and Services: Horse Stables. Boarding, breeding or raising of horses for commercial purposes. This does not include the non-commercial use of horses owned by the occupants of the premises. Typical uses include boarding stables or public stables.
- d. Animal Sales and Services: Kennels. Kennel services for dogs, cats and similar small animals. Typical uses include boarding kennels, pet motels or dog training centers.
- e. Animal Sales and Services: Stockyards. Stockyard services involving the temporary keeping of transient livestock for slaughter, market or shipping. Typical uses include stockyards or animal sales yards.
- f. Animal Sales and Services: Veterinary (Large Animals). Veterinary services for large animals. Typical uses include animal hospitals (large animals) or veterinary hospitals (large animals).
- g. Animal Sales and Services: Veterinary (Small Animals). Veterinary services for small animals. Typical uses include pet clinics, dog and cat hospitals or animal hospitals (small animals).

Section 10. Section 1460, CONVENIENCE SALES AND PERSONAL SERVICES of the San Diego County Zoning Ordinance is hereby amended to read as follows:

1460 CONVENIENCE SALES AND PERSONAL SERVICES.

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

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

Section 11. Section 1510, PERSONAL SERVICES, GENERAL of the San Diego County Zoning Ordinance is hereby amended to read as follows:

1510 PERSONAL SERVICES, GENERAL.

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

Section 12. Section 1550, WHOLESALING, STORAGE AND DISTRIBUTION of the San Diego County Zoning Ordinance is hereby amended to read as follows:

1550 WHOLESALING, STORAGE AND DISTRIBUTION.

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

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

Section 13. Section 1735, PACKING AND PROCESSING of the San Diego County Zoning Ordinance is hereby amended to read as follows:

1735 PACKING AND PROCESSING.

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

- a. Packing and Processing: Limited. The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or

specialty animals raised for human consumption, produced on the same premises as the packing and processing operation. These products shall be considered to be produced on the same premises if they are solely grown or produced on land owned or operated by the same person who owns or operates the packing and processing facility.

- b. Packing and Processing: Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of wine from fruit grown on or off the premises. A winery may also include a tasting room and retail outlet as a secondary use.
- c. Packing and Processing: General. The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or specialty animals raised for human consumption, produced on premises other than that upon which the packing and processing operation is located.
- d. Packing and Processing: Support. Fabrication, assembly, reconditioning and sale of boxes, cartons, crates and pallets for handling and transporting crops provided this use is secondary to agricultural or horticultural production on the premises.
- e. Packing and Processing: Wholesale Limited Winery. Crushing of grapes, berries and other fruits for the fermentation, storage, bottling and wholesaling of wine from fruit grown on or off the premises, subject to the following criteria.
 - 1. Retail activities, tasting rooms, and/or special events associated with the winery operation are prohibited.
 - 2. The maximum floor area of non-residential structure(s) used to crush, ferment, store and bottle fruit, wine and other products and equipment used in winemaking is limited to 1,000 square feet where the lot is less than one gross acre. A maximum floor area of 1,500 square feet is permitted where the lot is one acre or more but less than 2 acres gross, and 2,000 square feet of floor area 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 5,000 square feet.
 - 3. Up to 75 percent of the fruit used in winemaking may be imported from off the premises while the remainder shall be grown on the premises.
 - 4. Wine production shall be limited to not more than 7,500 gallons annually.

Section 14. Section 2105, USES SUBJECT TO A MAJOR USE PERMIT of the San Diego County 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
- Clinic Services
- Community Recreation
- Cultural Exhibits and Library Services
- Group Care

Lodge, Fraternal and Civic Assembly
Major Impact Services and Utilities
Parking Services
Postal Services
Religious Assembly

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 15. Section 2185, USES SUBJECT TO A MAJOR USE PERMIT of the San Diego County 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
Clinic Services
Community Recreation
Cultural Exhibits and Library Service
Group Care
Law Enforcement Services
Lodge, Fraternal and Civic Assembly
Major Impact Services and Utilities
Parking Services
Postal Services
Religious Assembly

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 (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 16. Section 2265, USES SUBJECT TO A MAJOR USE PERMIT of the San Diego County Zoning Ordinance is hereby amended to read as follows:

2265 USES SUBJECT TO A MAJOR USE PERMIT.

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

a. Civic Use Types.

Administrative Services
Ambulance Services
Community Recreation
Major Impact Services and Utilities
Parking Services
Postal Services

b. Commercial Use Types.

Wholesaling, Storage and Distribution: Mini-Warehouses (see Section 6300 and Section 6909)

c. Agricultural Use Types.

Packing and Processing: Winery

d. Extractive Use Types.

Site Preparation

Section 17. Section 2342, PERMITTED USES of the San Diego County 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
Clinic Services
Community Recreation
Cultural Exhibits and Library Services
Essential Services
Fire Protection Services (see Section 6905)
Group Care
Law Enforcement Services
Lodge, Fraternal and Civic Assembly

Parking Services
Postal Services
Religious Assembly
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 18. Section 2352, PERMITTED USES of the San Diego County 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
Clinic Services
Community Recreation
Cultural Exhibits and Library Services
Essential Services
Fire Protection Services (see Section 6905)
Group Care
Law Enforcement Services
Lodge, Fraternal and Civic Assembly

Parking Services
Postal Services
Religious Assembly
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 19. Section 2365, USES SUBJECT TO A MAJOR USE PERMIT of the San Diego County Zoning Ordinance is hereby amended to read as follows:

2365 USES SUBJECT TO A MAJOR USE PERMIT.

The following use types are permitted by the C36 Use Regulations upon issuance of a Major Use Permit.

a. Residential Use Types.

Group Residential

b. Civic Use Types.

Major Impact Services and Utilities

c. Commercial Use Types.

Automotive and Equipment: Cleaning
Automotive and Equipment: Storage, Recreational Vehicles and Boats

Funeral and Interment Services: Cremating
Funeral and Interment Services: Interring
Research Services
Spectator Sports and Entertainment: General
Transient Habitation: Campground (see Section 6450)
Wholesaling, Storage and Distribution: Mini-Warehouses (see Section 6300 and Section 6909)
Wholesaling, Storage and Distribution: Light (see Section 6300)

d. Extractive Use Types.

Site Preparation

Section 20. Section 2372, USES SUBJECT TO A MAJOR USE PERMIT of the San Diego County 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
Clinic Services
Community Recreation
Cultural Exhibits and Library Services
Essential Services
Fire Protection Services (see Section 6905)
Group Care
Law Enforcement Services
Lodge, Fraternal and Civic Assembly
Minor Impact Utilities
Parking Services
Postal Services
Religious Assembly
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 21. Section 2382, USES SUBJECT TO A MAJOR USE PERMIT of the San Diego County Zoning Ordinance is hereby amended to read as follows:

2382 PERMITTED USES.

The following use types are permitted by the C38 Use Regulations:

a. Civic Use Types.

Administrative Services

Ambulance Services

Child Care Center

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)
Agricultural Services
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, Light Equipment
Automotive and Equipment: Sales/Rentals, Light Equipment
Automotive and Equipment: Sales/Rentals, Farm Equipment
Automotive and Equipment: Sales/Rentals, Heavy Equipment
Automotive and Equipment: Storage, Recreational Vehicles and Boats
Building Maintenance Services
Business Equipment Sales and Services
Business Support Services
Communication Services
Construction Sales and Services (see Section 6300)
Gasoline Sales
Laundry Services
Repair Services, Consumer
Research Services
Wholesale, 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 22. Section 2402, PERMITTED USES of the San Diego County 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
Clinic Services
Community Recreation
Cultural Exhibits and Library Services
Essential Services
Fire Protection Services (see Section 6905)

Law Enforcement Services
Lodge, Fraternal and Civic Assembly
Parking Services
Postal Services
Religious Assembly
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 23. Section 2522, PERMITTED USES of the San Diego County Zoning Ordinance is hereby amended to read as follows:

2522 PERMITTED USES.

The following use types are permitted by the M52 Use Regulations:

a. Civic Use Types.

Ambulance Services
Community Recreation
Essential Services
Fire Protection Services (see Section 6905)
Law Enforcement Services
Parking Services
Postal Services

b. Commercial Use Types.

Administrative and Professional Services
Automotive and Equipment: Parking
Automotive and Equipment: Sales/Rental, Light Equipment (see Section 6800)
Business Equipment Sales and Services
Business Support Services
Communications Services
Laundry Services
Participant Sports and Recreation: Indoor
Recycling Processing Facility, Wood and Green Materials
Research Services
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
Packing and Processing "Limited"
Packing and Processing "Winery"
Packing and Processing "General"

Section 24. Section 2542, PERMITTED USES of the San Diego County Zoning Ordinance is hereby amended to read as follows:

2542 PERMITTED USES.

The following use types are permitted by the M54 Use Regulations:

a. Civic Use Types.

Ambulance Services
Community Recreation
Essential Services
Fire Protection Services (see Section 6905)
Law Enforcement Services
Minor Impact Utilities
Parking Services
Postal Services

b. Commercial Use Types.

Administrative and Professional Services
Agricultural and Horticultural Sales (all types)
Animal Sales and Services: Veterinary, Large 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 & Boats
Building Maintenance Services
Business Equipment Sales and Services
Business Support Services
Communications Services
Construction Sales and Services (See Section 6300)
Gasoline Sales
Laundry Services
Participant Sports and Recreation: Indoor
Recycling Processing Facility, Wood and Green Materials
Research Services
Wholesaling, Storage and Distribution: Mini-Warehouses (see Section 6300 and Section 6909)

c. Industrial Use Types.

Custom Manufacturing

d. Agricultural Use Types.

Horticulture (all types)
Tree Crops
Row and Field Crops
Packing and Processing "Limited"
Packing and Processing "Winery"
Packing and Processing "General"

Section 25. Section 2562, PERMITTED USES WITHIN THE INDUSTRIALLY DESIGNATED AREA of the San Diego County Zoning Ordinance is hereby amended to read as follows:

2562 PERMITTED USES WITHIN THE INDUSTRIALLY DESIGNATED AREA

The following use types are permitted by the M56 Use Regulations within the industrially designated areas:

a. Civic Use Types.

Ambulance Services
Essential Services
Fire Protection Services
Law Enforcement Services
Minor Impact Utilities
Parking Services
Postal Services

b. Commercial Use Types.

Automotive and Equipment
b) Fleet Storage
c) Parking
d) Repairs [Heavy Equipment]
e) Repairs [Light Equipment]
f) Sales/Rentals [Heavy Equipment]
g) Sales/Rentals [Farm Equipment]
h) Sales/Rental [Light Equipment]
Building Maintenance Services
Construction Sales and Services
Recycling Processing Facility, Wood and Green Materials
Research Services
Wholesale Storage and Distribution
a) Mini Warehouse (see Section 6300 and Section 6909)
b) Light
c) Heavy

c. Industrial Use Types.

Custom Manufacturing
General Industrial

d. Agricultural Use Types.

Packing and Processing
a) Limited
b) Winery
c) General
d) Support

Section 26. Section 2582, PERMITTED USES of the San Diego County Zoning Ordinance is hereby amended to read as follows:

2582 PERMITTED USES.

The following use types are permitted by the M58 Use Regulations:

a. Civic Use Types.

Ambulance Services

Community Recreation
Essential Services
Fire Protection Services (see Section 6905)
Law Enforcement Services
Minor Impact Utilities
Parking Services
Postal Services

b. Commercial Use Types.

Administrative and Professional Services
Agricultural and Horticultural Sales (all types)
Animal Sales and Services: Veterinary, Large Animals
Automotive and Equipment: Cleaning
Automotive and Equipment: Fleet Storage
Automotive and Equipment: Parking
Automotive and Equipment: Repairs, Heavy Equipment
Automotive and Equipment: 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
Construction Sales and Services (See Section 6300)
Gasoline Sales
Laundry Services
Participant Sports and Recreation: Indoor
Recycling Processing Facilities, Wood and Green Materials
Research Services
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
Packing and Processing (all types)

Section 27. Section 2980, LIMITATIONS ON PERMITTED USES of the San Diego County Zoning Ordinance is hereby amended to read as follows:

2980 LIMITATIONS ON PERMITTED USES.

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

"1" Dwellings as Secondary Uses. Limited to dwellings which are secondary uses of a structure, lot or parcel primarily used for business purposes.

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

Section 28. Section 2990, USE MATRIX of the San Diego County Zoning Ordinance is hereby amended to read as follows:

(changes only to page 5 [adding note regarding Mini Warehouse] and 6 [adding note regarding Animal Waste Processing])

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
(See Note 2)	4 acres+, 8 animals + 1 cow or sheep per 1 acre over 4 acres											X	X	X	X										
	2 animals										X						X	X	X				X		X
	4 acres plus by MUP											X				X									
	½ acre plus 2 animals per ½ acre by ZAP	X	X	X																					X
	Grazing Only																				X	X			
(d) Horse keeping (other than Animal Sales and Services: Horse Stables)	Permitted							X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X
	2 horses + 1 per ½ acre over 1 acre				X	X	X																		
	ZAP required				X	X	X																		
	½ acre plus by ZAP	X	X	X																					
(e) Specialty Animal Raising: Bees (See Title 6, Division 2, Chapter 9, County Code) (See Note 7)	Permitted				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	ZAP Required	X	X	X																					
(f) Specialty Animal Raising: Wild or Undomesticated (See Note 3)	ZAP Required				X	X	X	X	X	X			X	X	X	X	X			X	X	X		X	
(g) Specialty Animal Raising: Other (Excluding Birds)	25 maximum				X	X	X				X	X	X				X	X	X	X	X	X	X	X	
	25 maximum by ZAP	X	X	X																					
	25 plus by ZAP				X	X	X				X	X	X	X			X			X	X	X	X	X	
	Permitted							X	X	X						X	X							X	
(h) Specialty Animal Raising: Birds	25 maximum				X	X	X					X					X	X	X	X	X				
	100 maximum						X	X	X	X	X					X							X		
	Additional by ZAP	X	X	X			X	X	X	X	X	X				X						X	X		
	Permitted													X	X	X								X	
(i) Racing Pigeons	100 Maximum										X	X											X		
	100 Max 1/acre plus																X								
	Permitted											X	X	X	X	X								X	
ANIMAL ENCLOSURE SETBACKS (See Section 3112)																									
Most Restrictive		X		X			X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Moderate			X		X			X																	
Least Restrictive				X		X			X															X	

MUP = Major Use Permit + = plus ZAP = Minor Use Permit

Notes:

- Dogs and cats not constituting a kennel are accessory uses subject to the Accessory Use Regulations commencing at Section 6150
- 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 ½ acre of land.
- 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.)
- 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.
- Chinchillas are considered small animals except that a MUP may be approved for more than 25 chinchillas on property with the "L" Designator.
- The number of animals allowed is per legal lot.
- 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 30. Section 4011, LEGAL LOTS WITH SPLIT ZONING is hereby added to the San Diego County Zoning Ordinance to read as follows:

4011 LEGAL LOTS WITH SPLIT ZONING

Where a legal lot has split zoning, the Use Regulations for each separate zone shall apply. Where a use is bisected by a split zone line within a legal lot the more restrictive Use Regulations shall apply.

Section 31. Section 4615, ADDITIONAL STORY PERMITTED of the San Diego County Zoning Ordinance is hereby amended to read as follows:

4615 ADDITIONAL STORY PERMITTED.

- a. Where the average slope of a lot is greater than one foot rise or fall in 7 feet in the area of the lot bounded by a line drawn 5 feet outside the building perimeter or, where closer, along property lines, an additional story may be permitted in a residential building which is located on the downhill side of a street, provided that in no case shall such a building have a height measured in feet greater than that permitted by the applicable height designator. Basements or cellars within such buildings will only be permitted if the grade elevation at all points adjacent to the basement perimeter is not more than 2 feet below the finished floor elevation directly above. This subsection (a) shall not apply to through lots or corner lots.
- b. An additional story may be permitted in a main dwelling with a primary residential use upon issuance of an Administrative Permit, provided that in no case shall the main dwelling have a height measured in feet greater than that permitted by the applicable height designator. The Administrative Permit Procedure at Section 7050 through Section 7099 shall apply. Notice of the administrative permit application shall be given to all property owners within a distance of 300 feet from the applicant's property. The Director may approve said administrative permit provided the following findings are made:
 1. The additional story will be in harmony with scale and bulk of dwellings on adjacent properties in the same zone, and will be compatible with the existing neighborhood character in the vicinity of the property; and
 2. The additional story will not create a safety hazard, obstruct, interrupt or detract from existing views or be detrimental to surrounding properties in the same zone.

This subsection (b) shall not apply to basements proposed or existing within the main dwelling as basements are not considered a story.

Section 32. Section 4810, SETBACK SCHEDULE of the San Diego County Zoning Ordinance is hereby amended to read as follows:

***SCHEDULE C – SETBACK SCHEDULE (Zoning)**

DESIGNATOR	FRONT YARD (a)				SIDE YARD		REAR YARD
	Abutting public street or private thoroughfare except those subject to Note (d). (Measured from Centerline)				Interior Setback measured from the lot line	Exterior (s) Setback measured from centerline	Setback measured from lot line (e)
	Standard Setback	Setbacks for certain Major Subdivisions recorded after January 1, 1966					
		Street Width in Feet:					
		50	52	56			
A	100	100	100	100	15	35	50
B	60	60	60	60	15	35	50
C	60	60	60	60	15	35	25
D	60 (f)	60 (f)	60 (f)	60 (f)	15 (g)	35	25
E	60	60	60	60	0 (h)	35 (i)	15
F	60	60	60	60	(j)	35	25
G	50	45	46	48	10	35	40
H	50	45	46	48	10	35	25
I	50	45	46	48	7 ½	35	25
J	50	45	46	48	5	35	25
K	50	45	46	48	5 (k)	35	25
L	50	45	46	48	5 (l)	35	25
M	50	50	50	50	5 (l)	35	25
N	50 (t)	45	46	48	5	35	25
O	50	50	50	50	0 (h)	35	25 (m)
P	50	50	50	50	0 (n)	35	15 (o)
Q	50	50	50	50	0 (h)	35	15
R	(p)	(p)	(p)	(p)	0 (h)	35	15
S	30 (q)	25	26	28	(j)	35	15
T	30 (q)	25	26	28	0	35	15
U	30 (q)	25	26	28	0 (r)	35	0 (r)
V	Setbacks to be established during planned development, use permit or site plan review						
W(v)	60	60	60	60	25 (v)	35	25

Note: (b) not used

* Fire Code Setbacks may be more restrictive. Check with Fire Authority having jurisdiction. For Additional Setback Regulations see sections 4815 and 4816.

Section 33. Section 4835, PERMITTED BUILDINGS, STRUCTURES AND PROJECTIONS IN REQUIRED YARDS of the San Diego County Zoning Ordinance is hereby amended to read as follows:

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 setback per Section 4842 or Section 6156.g.2 for large structures defined by that subsection.	Not permitted.	Permitted in agricultural, residential, S87 and S92 use regulations but not in front half of lot or the front 50 feet of the required yard measured along the side lot line, whichever restriction is less. On through lots, these buildings and structures are not permitted in the front 50 feet of the required side yard measured along the side lot line.	Not permitted.	Permitted in agricultural, residential S87 and S92 use regulations but may not cover more than 50 percent of the required yard.	Permitted in agricultural, residential, S87 and S92 use regulations, but may not cover more than 50 percent of required yard. Not permitted in the exterior half or exterior 75 feet of required yard, measured along the rear lot line, whichever restriction is less.
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 but not in front half of lot or the front 50 feet of the required yard measured along the side lot line, whichever restriction is less. On through lots, these buildings and structures are not permitted in the front 50 feet of the required side yard measured along the side lot line.	Not permitted.	Permitted in agricultural, residential, S87 and S92 use regulations but may not cover more than 50 percent of the required yard.	Permitted in agricultural, residential, S87 and S92 use regulations, but may not cover more than 50 percent of the required yard but not permitted in the exterior half or exterior 75 feet of required yard, measured along the rear lot line, whichever restriction is less.

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 setback per Section 4842 or Section 6156.g.2 for large structures defined by that subsection.	Permitted in agricultural and residential zones only if in conformance with regulations at Section 4837.	Permitted in agricultural, residential, S87 and S92 use regulations but not in front half of lot or the front 50 feet of the required yard measured along the side lot line, whichever restriction is less. On through lots, these buildings and structures are not permitted in the front 50 feet of the required side yard measured along the side lot line.	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.	Permitted in agricultural, residential, S87 and S92 use regulations, if detached, but may not cover more than 50 percent of the required yard. Not permitted in exterior half or exterior 75 feet of the required yard, measured along the rear lot line, whichever restriction is less.
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 not more than 30 inches above grade in front half of lot or the front 50 feet of the required yard measured along the side lot line; permitted 12 feet in height beyond that point.	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.	Permitted in all zones but not more than 30 inches above grade in exterior half or exterior 75 feet of the required yard, measured along the rear lot line, whichever restriction is less.

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 buildings and must be set back from the rear lot line a distance equal to the required interior side yard. The sides of such patios may be enclosed with solid walls not more than 30 inches in height above the patio floor, or by insect screening.	
j. Sidewalk arcades and similar architectural features of buildings containing principal commercial use types.	Permitted by Minor Use Permit.		-----Not permitted.-----		

(k. through s.: no change)

Section 34. Section 5754, DESIGNATED AREA, of the San Diego County Zoning Ordinance, is hereby amended to read as follows:

5754 DESIGNATED AREA

An area that has been identified by the application of a community design review area designator shall be known as a designated area for the purposes of these regulations. Designated areas shall be subject to the Community Design Review Area regulations of Section 5750 through 5799 inclusive. In addition, property subject to the Village 1 (V1), Village 2 (V2), Village 3 (V3), Village 4 (V4), or Village 5 (V5) Zones in the community of Fallbrook shall be subject to these regulations and to the Fallbrook Design Guidelines.

Section 35. Section 5799, COMMUNITY DESIGN REVIEW AREAS, of the San Diego County Zoning Ordinance, is hereby amended to read as follows:

5799 COMMUNITY DESIGN REVIEW AREAS.

- a. Applicability. The requirements of Section 5750 through 5799, inclusive, apply to the areas that are designated Design Review Areas (Special Area Designator "B"), and to that property within the community of Fallbrook to which the Village 1 (V1), Village 2 (V2), Village 3 (V3), Village 4 (V4), or Village 5 (V5) Zone has been applied. (see Section 8000)
- b. Design Criteria. Site Plans and concurrent applications shall conform to criteria set forth in the applicable Design Guidelines Manual approved by the Board of Supervisors.
- c. Design Review Boards. Site Plans concerning property within designated Design Review Areas shall be referred to the Community's Design Review Board for recommendation pursuant to Section 5766, if such a board exists for the area. The Design Review Board shall advise the Director as to the site plan's conformance with the Community's Design Guidelines Manual. The Review Board's evaluation shall be limited to the design guidelines set forth in the manual, and the Review Board shall cite the specific guideline(s) in instances where a project may be inconsistent with the adopted design manual. The Director may consider the input of the applicable planning or sponsor group in areas where no design review board exists.

Section 36. Section 5955, COASTAL ACT PERMIT REQUIRED of the San Diego County Zoning Ordinance is hereby amended to read as follows:

5955 COASTAL ACT PERMIT REQUIRED.

Except as otherwise specified in Section 5953, all uses and development activities are subject to the issuance of a Coastal Act Permit pursuant to the California Coastal Act of 1976.

Section 37. Section 6156, RESIDENTIAL AND AGRICULTURAL USE TYPES of the San Diego County 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.: no change)

b. Detached Poolhouses, Art or Music Studios, and Recreation Rooms. One detached poolhouse, art or music studio, or recreation room is permitted, provided the structure meets main building setbacks and is not designed for use as a guest living quarters or commercial use, unless permitted by the applicable requirements of the Use Regulations. 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 size of detached Poolhouses, Art or Music Studios, and Recreation Rooms shall be combined with the total allowable square footage of detached private garages and carports, storage buildings, workshops, hobby shops, and other similar non-habitable structures for purposes of size limitations specified in paragraph g below.

(c. through f.: no change)

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.
2. Provided a setback of least 25 feet from property lines 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 this setback requirement are limited in size to 1000 square feet or 25 percent of the living area of the principal residence, whichever is greater.

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 or accessory 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.

(h. through j.: no change)

k. Guest Living Quarters. In the A70, A72, RR, S87, S90 and S92 Use Regulations, one guest living quarters is permitted. Only one electric service drop and one electric meter to serve both the main dwelling and guest living quarters will be permitted. In the RS, RV, RU, RRO and S88 zones, one guest living quarters is permitted on a lot or building site not less than one-half acre in area. One guest living quarters may be permitted in the RS, RV, RU, RRO and S88 zones upon issuance of an Administrative Permit on a lot or building site which has an area of at least 10,000 square feet but less than one-half of an acre. Notice of guest living quarters Administrative Permit applications shall be given as provided in Section 7060(c). Guest living quarters are not permitted in other zones.

(l.: no change)

m. Home Occupations. Home occupations, including in-home offices, shall be permitted in compliance with the following conditions:

1. There shall be no exterior evidence of the conduct of a home occupation.
2. A home occupation shall be conducted entirely within a dwelling, or an attached garage.
3. Electrical or mechanical equipment which creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling unit shall be prohibited.
4. The residents of the dwelling unit, and no more than one non-resident employee, may be engaged in the home occupation.
5. Limited indoor storage of goods or supplies (125 cubic feet maximum) may take place within no more than one room of the dwelling and/or in the attached garage (provided required parking on-site is maintained and properly located).
6. There shall be no on-premise sale of goods. Occasional transport of goods from the premises for off-site sale may occur. Internet sales are not considered on-premise sale of goods.
7. The establishment and conduct of a home occupation shall not change the principal character or use of the dwelling unit involved.
8. There shall be no signs identifying or advertising the home occupation other than those permitted by Section 6252(d) of this ordinance.
9. The required residential off-street parking shall be maintained.
10. A home occupation shall not create vehicular or pedestrian traffic in excess of that which is normal for the zone in which it is located.

(n. through v.: no change)

w. Accessory Apartments (Elderly/Handicapped/Family Member). In order to provide additional rental housing for elderly (60 years of age or older) or handicapped persons as defined by Section 50072 of the State Health and Safety Code and family members (related by blood, marriage or adoption) while still maintaining the general character of a single family residential neighborhood, an Administrative Permit for one accessory apartment in conjunction with a single detached dwelling may be issued for properties in

the RS, RV, RU, RR, A70, A72, S87, S88, S90 and S92 Use Regulations provided the following conditions are complied with:

1. Applicable building and other codes, and zoning requirements (including main building setbacks) with the exception of the density regulations of Section 4100, shall apply to accessory apartments.
2. Off-street parking shall be provided pursuant to the parking regulations in Section 6750, except that accessory apartment parking may be permitted in the front or exterior side yard. Garage conversions are prohibited unless replacement covered off-street parking is provided concurrently.
3. Dwellings modified in conjunction with an accessory apartment shall, on sides adjacent to streets, retain the appearance of a single detached dwelling.
4. Accessory apartments shall not be permitted on a lot or parcel having guest living quarters or accessory living quarters. (Conversion of such quarters into an accessory apartment is permitted provided all zoning and structural requirements are met.)
5. Notice of accessory apartment applications shall be given as provided in Section 7060(c).
6. One of the dwelling units shall be occupied by the property owner. The dwelling unit not occupied by the owner shall only be occupied by person(s) that qualify as elderly, handicapped, or immediate family members.
7. Separate sale or ownership of accessory apartment from the primary dwelling on a lot or parcel is prohibited.
8. On a form provided by the Department of Planning and Land Use the owner shall file with the application a signed affidavit agreeing to accessory apartment occupancy requirements. The affidavit shall include provisions stating that 1) the owner consents to inspection of the premises by the codes enforcement officer in order to verify occupancy and 2) that the owner shall furnish a new affidavit to said officer upon request.
9. Prior to issuance of a building permit for an accessory apartment the owner shall submit a notarized recorded copy of an agreement between the owner and the County of San Diego on a form supplied by the Department of Planning and Land Use. Said agreement shall be filed with and become a permanent part of the Administrative Permit which granted the Accessory Apartment.
10. On a form provided by the Department of Planning and Land Use, subsequent owners shall be required to file an affidavit to establish eligibility before occupying the accessory apartment on said property.

(x. through zz.: no change)

Section 38. Section 6207, SPECIAL PURPOSE OFF-PREMISE SIGNS of the San Diego County Zoning Ordinance is hereby amended to read as follows:

6207 SPECIAL PURPOSE OFF-PREMISE SIGNS.

Special purpose off-premise signs may be constructed, placed and maintained in any location in accordance with the following regulations:

a. General Standards Applicable to Special Purpose Off-Premise Signs.

1. Spacing. Signs shall be located no closer than 300 feet from any other off-premise sign; said distance to be measured on a direct line between signs on the same street and measured along right-of-way lines for signs on intersecting streets.
2. Setbacks. No portion of any sign shall extend beyond private property lines into the street right-of-way.
3. Prohibitions. Signs are prohibited in any zone subject to Scenic Area Regulations or Historic/Archaeological Landmark and District Area Regulations, except scenic or historic site directional signs or community identification signs subject to Site Plan review.
4. Building Permits. Building permits shall be obtained for sign construction pursuant to the County Building Code.

b. Special Purpose Off-Premise Sign Types.

1. Temporary Real Estate Directional Signs.

Off-premise signs providing direction to new residential, commercial or industrial development are allowed if the following requirements are met:

- i. Size. Signs located within the California Coastal Zone and all Residential Zones shall be limited to 16 square feet. The maximum size in all other areas/zones shall be 32 square feet.
- ii. Height. Signs shall not exceed the following heights:

0 to 16 square feet = 8 feet
17 to 32 square feet = 12 feet
- iii. Location. Signs shall not be permitted upon, projected over, or supported in whole or in part, by or painted onto, any portion of a building; or situated on or attached in any manner to a wall or fence.
- iv. Grouping. Not more than two temporary real estate directional signs may be permitted on a lot or parcel, each relating to a different development. Each sign shall have an area of 32 square feet or less, and shall be grouped so as to present a unified appearance (i.e., uniform height and configuration). No signs shall be less than five feet apart. No sign in such group shall be located within 300 feet of any other off-premise sign that is not part of the group, said distance to be measured in the manner specified in Section 6207(b)5.
- v. Number of Signs. The maximum number of signs shall be limited to 4 for each development.
- vi. Distance from Development. Signs shall not be located more than three air miles from the advertised development within the Coastal Zone and 5 miles

in all other unincorporated areas. Signs located within the Coastal Zone may only advertise developments within the Coastal Zone.

- vii. Construction. Double-faced signs shall be so constructed that the area and perimeter of both faces coincide and are back to back in parallel planes at a distance not to exceed 24 inches apart.
 - viii. Sign Copy. Copy shall be limited to name of the development and the developer; size, type, address, telephone number and price range of properties being offered and directional information.
 - ix. Lighting. Signs shall not be illuminated.
 - x. Appearance and Maintenance. Signs shall be maintained as required to assure a well-kept appearance free from graffiti and cracking or peeling paint. The back of single faced signs visible from adjacent property or a public road shall be solid painted or stained in subdued colors or shall be screened from view.
 - xi. Movement. No sign shall move or rotate, nor display any moving and/or rotating parts. Wind propellers and other noise creating devices shall not be permitted.
 - xii. Time Limit. Temporary Real Estate Directional Signs are allowed for a period not to exceed 2 years.
2. Community Identification Signs. Community Identification Signs are permitted to identify a community, its civic, fraternal, and religious organizations, and its community slogan or motto, if the following requirements are met:
- i. Number and Location. Not more than one sign may be located along any principal approach route to a community.
 - ii. Area and Height. Each sign may be single-faced or double-faced with no face to exceed an area of 100 square feet. No sign shall exceed a height of 20 feet.
 - iii. The applicable community or sponsor group shall review the location to ensure that it is placed at the entrance of the community.
 - iv. Site Plan. Obtain any required Site Plan or waiver of Site Plan.
- No commercial advertising messages, including business or corporate names, shall be allowed on Community Identification Signs.
3. Directional Signs. Upon issuance of an Encroachment Permit, signs may be authorized in public rights of way for traffic safety purposes to identify and provide directional information to facilities generating large numbers of vehicles or destinations for emergency vehicles in accordance with Board of Supervisors Policy J-5 and Section 4-04.13 of the CalTrans Traffic Manual
4. Temporary Open House Directional Signs. Temporary Open House Directional Signs are off-premise signs providing directions to an existing individual dwelling

that is offered for resale. Such signs are permitted if the following conditions are met:

- i. Display shall be limited to daylight hours, after which time the signs shall be removed.
 - ii. Placement shall be only on private property, not in public road rights-of-way, and shall be subject to the property owner's permission.
 - iii. Signs shall be limited to no larger than four square feet in area.
 - iv. No more than one such sign shall be placed on any parcel, except for corner lots which may have one such sign on each street frontage.
 - v. Sign copy shall state "Open House" and, in addition shall be limited to the name and phone number of the person and/or agency offering the property for sale, the address of or direction to the property, and a directional arrow.
 - vi. Signs must be related to an individual dwelling that is offered for resale only.
5. Commercial or Industrial Center Identification Signs. Upon issuance of an Administrative Permit, freestanding or monument signs may be authorized to identify a multi-tenant commercial or industrial center, and/or its tenants which are on more than one contiguous lot or parcel. If the sign is proposed in an area having zoning that requires Site Plan review of such signs, then no Administrative Permit is required. The following requirements shall be met:
- i. Location. Commercial or Industrial Center Identification Signs may be located within the boundaries of a commercial or industrial center that can visually and functionally be identified as a unified development.
 - ii. Number, Area, Height and other standards. Commercial or Industrial Center Identification Signs may be substituted for on-premise signs normally permitted by Section 6263, provided they comply with the sign standards that would apply to such on-premise signs.
 - iii. Site Plan. Obtain any required Site Plan, or waiver of Site Plan.

Section 39. Section 6708, PERMITTED FENCES, WALLS, GATES AND ENTRY STRUCTURES of the San Diego County Zoning Ordinance is hereby amended to read as follows:

6708 PERMITTED FENCES, WALLS, GATES AND ENTRY STRUCTURES.

No fence, wall, gate or entry structure shall be permitted unless it conforms to the criteria set forth below, except that the Board of Supervisors, the Planning Commission, or the Director, as a condition of approval of a matter under their jurisdiction, may require that a fence, wall or entry structure be constructed to a height greater than otherwise permitted by this section in order to mitigate against potential adverse effects.

- a. Solid Fences and Walls. Solid fences and walls are permitted at the following locations provided they conform to the height limitations shown below. An exception to the height limitations may be granted in accordance with Sections 6708h or 6708i.

1. Main Building Area. Permitted up to the maximum height applicable to the main building.
 2. Front or Exterior Side Yard. Permitted up to a maximum height of 42 inches.
 3. Rear or Interior Side Yards. Permitted up to a maximum height of 72 inches.
- b. Open Fences and Walls. Open fences and walls are permitted at the following locations provided they conform to the material specifications and height limitations shown below. An exception to the material specifications or the height limitations may be granted in accordance with Section 6708h. An exception to the height limitations may also be granted in accordance with Section 6708i.
1. Main Building Area. Permitted up to the maximum height applicable to the main building.
 2. Front or Exterior Side Yard. Permitted up to a maximum height of 42 inches, except as follows:

On lots of one (1) gross acre or larger in size in the A70, A72, RR, S82, S88, S90 and S92 Use Regulations, open fences consisting of woven or barbed wire, wrought iron, pipe corral, or rails may be 72 inches high. Posts, pilasters or other support elements for such fences or walls shall not exceed 24 inches in any horizontal measurement, shall be spaced a minimum of 8 feet apart (edge to edge), and shall not exceed a height of 72 inches. Razor wire, and barbed wire attached to supports constructed at an angle to the vertical, are permitted only as a security measure for the purpose of protecting high-value agricultural uses, or commercial or industrial uses.
 3. Rear or Interior Side Yards. Permitted up to a maximum height of 72 inches.
- c. Tennis Court Fencing and Lighting. Tennis court fencing and lighting standards exceeding the height otherwise allowed by this Section, but not greater than twenty (20) feet in height, may be permitted on lots of one (1) gross acre or larger in size upon granting an exception in accordance with Section 6708h.
- d. Gates and Gate Entry Structures on Individual Lots or Building Sites. Gates, not exceeding 12 feet in height, and gate entry structures on individual lots or building sites are permitted. Gate entry structures on individual lots or building sites shall meet the criteria shown below. An exception to these criteria may be granted in accordance with Section 6708h.
1. Main Building Area. Permitted up to the maximum height applicable to the main building.
 2. Front, Rear, Interior or Exterior Side Yard. Permitted, provided no higher than 12 feet and located a minimum of 10 feet from the nearest edge of any public road right-of-way or private road easement which intersects the access to the gate entry structure. Support elements designed as entry structures on either side of a fence opening that provides vehicular access may extend a horizontal distance of not more than 15 feet on both sides of the opening and may not exceed 12 feet in height for more than a distance of 6 feet on either side of the opening. Such entry structures may incorporate a gate house not exceeding 12 feet in height, but may not bridge the entryway unless an exception is granted in accordance with Section 6708h.

3. For Fire Protection Access, gate entry structures shall provide a minimum vertical clearance of 13 feet, 6 inches for vehicles. (Note: The County Fire Code and Local Fire District Ordinances regulate entry gates or other obstructions across fire access roadways and driveways. Gate entry structures fall under the County Fire Code and must be reviewed by the appropriate Fire Agency.)
- e. Gates and Gate Entry Structures Across Private Road Easements. Gates not exceeding 12 feet in height, and gate entry structures across private road easements are permitted. Gate entry structures on private road easements shall meet the criteria shown below. An exception to these criteria may be granted in accordance with Section 6708h.
1. Gate entry structures shall not exceed a height of 12 feet; and
 2. Gate entry structures shall be located at least 50 feet from any road right-of-way or road easement which intersects the gated access; and
 3. Gate entry structures shall not extend a horizontal distance of more than 15 feet on either side of the gate opening and may not exceed 12 feet in height for more than a distance of 6 feet on either side of the opening.
 4. For Fire Protection Access, gate entry structures shall provide a minimum vertical clearance of 13 feet, 6 inches for vehicles. (Note: The County Fire Code and Local Fire District Ordinances regulate entry gates or other obstructions across fire access roadways and driveways. Gate entry structures fall under the County Fire Code and must be reviewed by the appropriate Fire Agency.)

Section 40. Section 6814, EXCEPTIONS TO ENCLOSURE MATRIX, of the San Diego County Zoning Ordinance, is hereby amended to read as follows:

6814 EXCEPTIONS TO ENCLOSURE MATRIX.

- a. Exception for Barns and Greenhouses. Whenever the open enclosure is permitted by right for agricultural use types, enclosed and semi- enclosed barns and greenhouses necessary to carry on, and accessory to, the use in the open enclosure also are permitted.
- b. Exception for Parking. The Automotive and Equipment: Parking use type is exempt from the enclosure regulations.
- c. Other Exceptions. Notwithstanding the provisions of the Enclosure Matrix (Section 6816), semi-enclosed and open enclosures are permitted for the following uses in the zones including the following Use or Special Area Regulations.

C32: Eating and Drinking Establishments and Food and Beverage Retail Sales (only accessory outdoor cafés that comply with Section 6158 a.1.)

C34: Agricultural and Horticultural Sales (Plant Nursery Only)
 Eating and Drinking Establishments and Food and Beverage Retail Sales (only accessory outdoor cafés that comply with Section 6158 a.1.)
 Gasoline Sales (providing that the use complies with Section 2980 - Limitation 12)
 Retail Sales: Specialty (flower kiosks only)

- C35: Agricultural and Horticultural Sales (Plant Nursery Only)
Eating and Drinking Establishments and Food and Beverage Retail Sales (only accessory outdoor cafés that comply with Section 6158 a.1.)
Gasoline Sales (providing that the use complies with Section 2980 - Limitation 12)
Retail Sales: Specialty (flower kiosks only)
- C36: Agricultural and Horticultural Sales (Plant Nursery Only)
Automotive and Equipment: Sales/Rentals, Light Equipment (providing that the use complies with Sections 6787.c and 6793.a and c.)
Eating and Drinking Establishments and Food and Beverage Retail Sales (only accessory outdoor cafés that comply with Section 6158 a.1.)
Food and Beverage Retail Sales (when conducted from a food sales push cart)
Gasoline Sales (providing that the use complies with Section 2980 - Limitation 12)
Retail Sales: Specialty (flower kiosks only and all other uses when conducted in a civic plaza)
- C37: Retail Sales: Specialty (flower kiosks only)
- C40: Retail Sales: Specialty (flower kiosks only)
- C42: Retail Sales: Specialty (flower kiosks only)
- C44: Gasoline Sales (providing that the use complies with Section 2980 - Limitation 12)
- M50: Eating and Drinking Establishments and Food and Beverage Retail Sales (only accessory outdoor cafés that comply with Section 6158 a.1., provided that the Minor Use Permit required by Section 2504 b. is obtained or amended.)
- M52: Eating and Drinking Establishments (only accessory outdoor cafés that comply with Section 6158 a.1., provided that the Minor Use Permit required by Section 2524 b. is obtained or amended.)
Gasoline Sales (providing that the use complies with Section 2980 - Limitation 12)

Scenic Areas:

Agricultural and Horticultural Sales (Plant Nursery Only)
Automotive and Equipment: Sales/Rentals, Light Equipment (providing that the use complies with Section 6787.c)
Food and Beverage Retail Sales (when conducted from a food sales push cart)
Gasoline Sales (providing that the use complies with Section 2980 - Limitation 12)
Retail Sales: Specialty (flower kiosks only)

- d. Exception for Recycling Collection Facility. The Recycling Collection Facility, Small and Large use types are exempt from the enclosure regulations
- e. Exception for the Fallbrook Village Zones. The enclosure regulations and the exceptions to the enclosure regulations are specified in the Site Development Regulations for each Fallbrook Village Zone.
- f. Open storage of boats and / or recreational vehicles may be permitted as an accessory use in connection with issuance of a major use permit for a Mini-warehouse.

Section 41. Section 6909, MINI -WAREHOUSES of the San Diego County Zoning Ordinance is hereby added to read as follows:

6909 MINI-WAREHOUSES.

All Mini-Warehouses shall comply with the following provisions:

- a. Commercial Uses Not Allowed. Incidental uses in a mini-warehouse may include the repair and maintenance of stored materials by the tenant but in no case may storage spaces in a mini-warehouse facility function as an independent retail, wholesale, business or service use.
- b. Size and Uses. Individual storage spaces within a mini-warehouse shall have a maximum gross floor area of 400 square feet and shall not be used for workshops, hobbyshops, manufacturing or similar uses and human occupancy of said spaces shall be limited to that required to transport, arrange, and maintain stored materials.
- c. Driveways. Driveways between mini-warehouse buildings on the same site shall have a minimum width of 24 feet to accommodate the temporary parking of vehicles during loading and unloading operations.
- d. Mini-Warehouses in Residential Areas. In areas where mini-warehouses are permitted upon issuance of a Major Use Permit under the residential use regulations, they may only be located on relatively flat parcels of land of not less than 1 acre and not greater than 5 acres where any portion of such parcels are on the periphery of residential areas impacted by noise levels from adjacent roads in excess of 60 CNEL.
- e. Enclosure Regulations. The Enclosure Regulations to the contrary notwithstanding, open storage of boats and/or recreational vehicles, may be permitted as an accessory use in connection with a major use permit for a mini-warehouse.

Section 42. Section 7357, EFFECT OF USE PERMIT ON OTHER USE OF THE PROPERTY of the San Diego County Zoning Ordinance is hereby amended to read as follows:

7357 EFFECT OF USE PERMIT ON OTHER USE OF THE PROPERTY

The granting of a use permit does not limit or preclude the establishment or operation of any uses on the remainder of the lot(s) or parcel(s) outside the boundaries of the use permit as delineated pursuant to Section 7354.b.2. For the portion of the parcel covered by the use permit, no use shall be allowed within the use permit boundary other than those specified in the use permit. No additional uses, by right or conditionally permitted, shall be allowed within the use permit area without modification of the permit. If, subsequent to the granting of a use permit, the use(s) authorized thereby become permitted uses through a zoning amendment, the holder of the use

permit may request, and the Director may approve, termination of the use permit. Upon such termination, the terms and conditions of the use permit shall no longer be applicable to that property or to the use thereof.

Section 43. Section 7602, FEES of the San Diego County Zoning Ordinance is hereby amended to read as follows:

7602 FEES.

Fees shall be paid to the County of San Diego as provided by the Zoning Ordinance for the purpose of defraying the expense of postage, investigation, posting, advertising and other costs incidental to the proceedings prescribed herein. The following provisions shall apply to the establishment, waiver and refund of fees.

- a. Establishment. Fees for consideration of material submitted pursuant to the requirements of the Zoning Ordinance shall be recommended by the Director and approved by the Board of Supervisors.
- b. Fee Schedule. The fees established pursuant to paragraph "a" of this section shall be contained in a Fee Schedule.
- c. Waiver. The application fee for the granting of a Variance, Zone Reclassification, Administrative Permit, Site Plan, or a Use Permit may be waived in any of the following circumstances:
 1. Upon written request of an applicant, when the Director, Planning Commission, or the Board of Supervisors finds the necessity for a Variance is the result of the dedication or granting (without receipt of substantial monetary consideration) of a portion of the property for a public purpose, said Director, Commission, or Board may waive the fee for filing the application for Variance, or
 2. If, after considering a statement supplied by the applicant, it is the opinion of the Board of Supervisors that the request is due to a hardship resulting from some error or negligence on the part of the County or its employees.
 3. If the requested waiver of fee is found to conform to the Board of Supervisors Policy regarding refunds and relief from fees when permits are issued in error. The following criteria shall apply:
 - a. An applicant is owed a refund (or a credit) for any fees or deposits paid, fee waiver or other relief when the applicant can demonstrate that:
 - i. The permit issued or approval granted was rescinded due to staff error: or,
 - ii. An additional County permit or approval is required for the project due to staff oversight; and
 - iii. No misinformation was supplied nor information withheld by the applicant that resulted in the permit rescission or initial oversight.
 - b. Any approval or permit issuance done in error shall not create a liability for the County to pay for or to grant other approvals.
- d. Waived. The application fee is waived for:

1. Group Care uses with an occupancy of not more than 14 persons and Family Day Care Homes for Children.
2. Animal Raising Projects pursuant to Section 3115.
3. Modification of a Major Use Permit for an existing mobilehome park pursuant to Section 6549 a. provided the Director determines that the necessary discretionary action for said modification can occur concurrently with the related tentative subdivision map.
4. Major Use Permit for an existing mobilehome park not established pursuant to the Mobilehome Park Regulations pursuant to Section 6549 b. provided the Director determines that the necessary discretionary action for said Major Use Permit can occur concurrently with the related tentative subdivision map.
5. Any Minor Use Permit for a farm labor camp, or Administrative Permit for farm employee housing, for which a complete application was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.) or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.) or was filed between October 31, 1991 and July 15, 1992, pursuant to Ordinance No. 8086 (N.S.), or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9643 (N.S).
6. Any application for a Building Permit for farm employee housing for which: (i) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (ii) the housing is not the subject of an active code enforcement action; (iii) the applicant has entered into the contract required by Section 6156 u.9. of The Zoning Ordinance; and (iv) a complete application was filed between July 16, 1992 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.) or was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No 8271 (N.S.), or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998 pursuant to Ordinance 8574 (N.S.), or was filed between May 14, 1999 and June 30, 2004 pursuant to Ordinance No. 9012 (N.S.) or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9643 (N.S).

Said costs shall include planning and environmental review fees. Costs associated with review by staff of the Departments of Environmental Health and Public Works shall be waived in their entirety.

7. Waive up to the first \$5,000.00 of costs expended by staff within the Department of Planning and Land Use to process any single Minor Use Permit for a farm labor camp which: (i) is not the subject of an active code enforcement action; (ii) the applicant has entered into the contract required by Section 6906.c of The Zoning Ordinance; and (iii) a complete application was filed between July 16, 1992 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.) or was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No 8271 (N.S.), or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N. S.); or was filed between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.) or was filed between May 14, 1999 and June 30, 2004

pursuant to Ordinance No. 9012 (N.S.) or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9643 (N.S).

Said costs shall include planning and environmental review fees. Costs associated with review by staff of the Departments of Environmental Health and Public Works shall be waived in their entirety.

8. Appeals by any County citizen advisory body of any land use decision, provided such body is authorized to review and make recommendations pertaining to such decisions pursuant to this Ordinance. The decision to file an appeal must be approved by a majority of the group's authorized membership. If no group meeting is scheduled prior to the end of the appeal period, the Chair of the group may file the appeal or must file the appeal if so directed by petition of a majority of the group's membership. The decision to appeal shall then be confirmed by a majority of the group's authorized membership at their next meeting. Failure to achieve a majority vote in favor of appeal shall require the group to withdraw the appeal.
 9. A Site Plan filed pursuant to the Community Design Review Area regulations (Section 5750 et seq.) that is a) within the I-15 Corridor (as defined in the County General Plan), and b) for review of a single dwelling on an existing legal lot or for buildings or structures accessory to such a dwelling.
- e. Refund. At any time prior to final action on any application filed pursuant to The Zoning Ordinance, the applicant may file a written request with the authority having jurisdiction over the application, requesting that the application be withdrawn from further consideration, and that any unused portion of the application fee be refunded. The authority shall then withdraw the application and may recommend to the Board of Supervisors that the application fee or a portion of it be refunded to the applicant. The Board of Supervisors may order the refund of the application fee less any costs said Board shall determine to have been incurred by the County incidental to action on the proposed application.

Section 44. Section 8100, INTENT of the San Diego County Zoning Ordinance is hereby amended to read as follows:

8100 INTENT

The Village 1 (V1) Zone is intended to encourage the retention and attraction of businesses compatible with a primarily retail environment fronting on a pedestrian-oriented street. Residential uses are allowed as a secondary use. Property within the V1 Zone shall be subject to the Community Design Review Area Regulations in Section 5750 and the Fallbrook Design Guidelines.

Section 45. Section 8130, PARKING REGULATIONS of the San Diego County Zoning Ordinance is hereby amended to read as follows:

8130 PARKING REGULATIONS

- a. Purpose And Intent

The intent of the Fallbrook Village parking regulations is to ensure adequate off-street parking in relation to allowed uses and activities. The regulations are also intended to maintain and enhance existing zero front yard setback development patterns in the traditional downtown commercial district consistent with the Fallbrook Design Guidelines. To achieve this purpose, all of the Village 1 Zone is located in the Fallbrook Special Parking District with provision for meeting parking requirements in shared parking lots.

b. Parking Requirements

All of the V1 Zone is included in the Fallbrook Special Parking District (see Zoning Ordinance Section 5761).

In the V1 Zone, the number of spaces required by the Parking Schedules in Sections 6758 through 6780 may be reduced up to 25%.

c. Relationship of Required Parking to Building Site

Required parking and bicycle spaces may be located on the same legal parcel with the use or structure they are intended to serve. The parking requirement may and should preferably be met through participation in a shared parking lot. Parking requirements may be fulfilled on-site or on any other property within 900 feet of the site requiring the parking. Evidence must be provided to the County that parking lot ownership shares have not been previously used or counted to meet the parking requirements for any other existing business. The parking spaces shall be tied to the property receiving the permit using a method acceptable to the Director of Planning and Land Use.

d. Location of Parking on a Building Site

1. Bicycle Spaces. Bicycle spaces, if provided, shall be located:
 - a) At least as close and accessible to the use or building served as is the most convenient motor vehicle parking (other than handicapped parking).
 - b) As close to the building entrances as is practical without interfering with pedestrian traffic.
 - c) At ground level.
2. Covered Parking. Covered or enclosed parking spaces shall be outside the ultimate right-of-way of any street and shall be located in the rear half of the lot. This provision does not apply to any shared parking lot provided pursuant to Section 8130 c. that does not have a building on the same legal parcel.
3. Open Parking. Open parking spaces shall be outside the ultimate right-of-way of any street and shall be located generally behind a building. This provision does not apply to any shared parking lot provided pursuant to Section 8130 c. that does not have a building on the same legal parcel.

4. Exceptions. A Use Permit, Variance, or Administrative Permit may specify the location of parking areas and bicycle spaces in locations other than as required by Section 8130.d. 1 – 3 above.

e. Parking Space Dimensions

1. Offstreet Parking Design Manual to Specify. The Offstreet Parking Design Manual adopted pursuant to Section 6793.c shall establish the minimum dimensions for parking spaces. The Director may require larger dimensions if he determines that larger dimensions are needed to provide safe and adequate parking in specific situations.
2. Handicapped Parking. At least one space of the required parking, if any, in any parking area shall be designed for handicapped parking as specified in the Offstreet Parking Design Manual and the Uniform Building Code. Such spaces shall be located as close as possible to the entrance of the use or structure, and shall be reserved and designated for handicapped persons. The total number of required handicapped spaces shall be that specified by the Offstreet Parking Design Manual and the Uniform Building Code.

f. Design Standards for Offstreet Parking

Parking spaces and areas shall meet the following design and improvement standards:

1. Surfacing. All parking spaces or areas, loading spaces and driveways serving them shall be hard surfaced in accordance with the specifications set forth in the Offstreet Parking Design Manual. The type of surfacing for proposed parking spaces and driveways shall be indicated on all plot plans that accompany Site Plan applications and building construction plans.
2. Landscaping. An area at least equal to 5 percent of the area of any parking area shall be landscaped in conformance to the requirements of Paragraph 3) of this Section and Section 6712.
3. Offstreet Parking Design Manual. The design, dimensions, construction, landscaping, and surfacing of parking and bicycle spaces, driveways and other areas shall conform to the requirements of the Offstreet Parking Design Manual. The Director may administratively waive or modify one or more such requirements when practical difficulties make their strict application infeasible, and upon a finding that the waiver or modification is consistent with the purpose and intent of the Offstreet Parking Design Manual and this section.

Section 46. Section 8200, INTENT of the San Diego County Zoning Ordinance is hereby amended to read as follows:

8200 INTENT

The V2 Zone is intended to provide a buffer between the retail oriented V1 Zone and the heavier uses allowed in the V3 Zone. The V2 Zone allows all the uses permitted in the V1 Zone in addition to more intensive civic and automobile-service oriented uses. Unlike the V1 Zone,

residential uses are permitted as co-principal uses subject to limitations. Property within the V2 Zone shall be subject to the Community Design Review Area Regulations in Section 5750 and the Fallbrook Design Guidelines.

Section 47. Section 8230, PARKING REGULATIONS of the San Diego County Zoning Ordinance is hereby amended to read as follows:

8230 PARKING REGULATIONS

a. Purpose And Intent

The intent of the Fallbrook Village parking regulations is to ensure adequate off-street parking in relation to allowed uses and activities. The regulations are also intended to maintain and enhance existing zero front yard setback development patterns in the traditional downtown commercial district, consistent with the Fallbrook Design Guidelines. To achieve this purpose, all of the Village 2 Zone is located in the Fallbrook Special Parking District with provision for meeting parking requirements in shared parking lots.

b. Parking Requirements

All of the V2 Zone is included in the Fallbrook Special Parking District (see Zoning Ordinance Section 5761).

In the V2 Zone the number of spaces required by the Parking Schedules in Section 6758 through 6780 may be reduced up to 25%.

c. Relationship of Required Parking to Building Site

Required parking and bicycle spaces may be located on the same legal parcel with the use or structure they are intended to serve. The parking requirement may and should preferably be met through participation in a shared parking lot. Parking requirements may be fulfilled on-site or on any other property within 600 feet of the site requiring the parking. Evidence must be provided to the County that parking lot ownership shares have not been previously used or counted to meet the parking requirements for any other existing business. The parking spaces shall be tied to the property receiving the permit using a method acceptable to the Director of Planning and Land Use.

d. Location of Parking On A Building Site

1. Bicycle Spaces. Bicycle spaces, if provided, shall be located:

- a) At least as close and accessible to the use or building served as is the most convenient motor vehicle parking (other than handicapped parking).
- b) As close to the building entrances as is practical without interfering with pedestrian traffic.
- c) At ground level.

2. Covered Parking. Covered or enclosed parking spaces shall be outside the ultimate right-of-way of any street and shall be located in the rear half of the lot. This provision does not apply to any shared parking lot provided pursuant to Section 8230 c. that does not have a building on the same legal parcel.
3. Open Parking. Open parking spaces shall be outside the ultimate right-of-way of any street and shall be located generally behind a building. This provision does not apply to any shared parking lots provided pursuant to Section 8230 c. that does not have a building on the same legal parcel.
4. Exceptions. A Use Permit, Variance Or Administrative Permit may specify the location of parking areas and bicycle spaces in locations other than as required by Section 8230.d.1 – 3 above.

e. Parking Space Dimensions

1. Offstreet Parking Design Manual to Specify. The Offstreet Parking Design Manual adopted pursuant to Section 6793.c shall establish the minimum dimensions for parking spaces. The Director may require larger dimensions if he determines that larger dimensions are needed to provide safe and adequate parking in specific situations.
2. Handicapped Parking. At least one space of the required parking, if any, in any parking area shall be designed for handicapped parking as specified in the Offstreet Parking Design Manual and the Uniform Building Code. Such spaces shall be located as close as possible to the entrance of the use or structure, and shall be reserved and designated for handicapped persons. The total number of required handicapped spaces shall be that specified by the Offstreet Parking Design Manual and the Uniform Building Code.

f. Design Standards for Off-Street Parking

Parking spaces and areas shall meet the following design and improvement standards:

1. Surfacing. All parking spaces or areas, loading spaces and driveways serving them shall be hard surfaced in accordance with the specifications set forth in the Offstreet Parking Design Manual. The type of surfacing for proposed parking spaces and driveways shall be indicated on all plot plans which accompany Site Plan applications and building construction plans.
2. Landscaping. An area at least equal to 5 percent of the area of any parking area shall be landscaped in conformance to the requirements of Paragraph 3. of this Section and Section 6712.
3. Offstreet Parking Design Manual. The design, dimensions, construction, landscaping, and surfacing of parking and bicycle spaces, driveways and other areas shall conform to the requirements of the Offstreet Parking Design Manual. The Director may administratively waive or modify one or more such requirements when practical difficulties make their strict application infeasible,

and upon a finding that the waiver or modification is consistent with the purpose and intent of the Offstreet Parking Design Manual and this section.

Section 48. Section 8300, INTENT of the San Diego County Zoning Ordinance is hereby amended to read as follows:

8300 INTENT

The Village 3 (V3) Zone is intended to provide opportunities for clean industry and manufacturing, including art-making. The area is also intended to allow uses that support community businesses and provide basic goods and services that are needed by community residents. To this end, in addition to the uses allowed in the V1 and V2 Zones, the V3 Zone allows manufacturing and other general industrial uses where all materials and activities are located indoors and meet standard noise, vibration and odor limitations. In addition, many of the more intensive service-oriented civic and commercial uses that are not allowed in the retail oriented V1 and V2 Zones are allowed in the V3 Zone. Residential uses are allowed where it can be shown that the use is compatible with adjacent commercial and industrial uses. Property within the V3 Zone shall be subject to the Community Design Review Area Regulations in Section 5750 and the Fallbrook Design Guidelines.

Section 49. Section 8330, PARKING REGULATIONS of the San Diego County Zoning Ordinance is hereby amended to read as follows:

8330 PARKING REGULATIONS

a. Purpose and Intent

The intent of the Fallbrook Village parking regulations is to ensure adequate off-street parking in relation to allowed uses and activities. The regulations are also intended to maintain and enhance existing zero front yard setback development patterns in the traditional commercial district consistent with the Fallbrook Design Guidelines. To achieve this purpose, a portion of the Village 3 Zone is located in the Fallbrook Special Parking District and all of the Village 3 Zone provides for reduced parking requirements with provision for meeting parking requirements in shared parking lots.

b. Parking Requirements

The portion of the V3 Zone specified in Section 5761.b.1 is included in the Fallbrook Special Parking District (see Zoning Ordinance Section 5761).

In the V3 Zone, the number of spaces required by the Parking Schedules in Sections 6758 through 6780 may be reduced up to 25%.

c. Relationship of Required Parking to Building Site

Required parking and bicycle spaces may be located on the same legal parcel with the use or structure they are intended to serve. The parking requirement may and should preferably be met through participation in a shared parking lot. Parking requirements may be fulfilled on-site or on any other property within 600 feet of the site requiring the parking. Evidence must be provided to the County that parking lot ownership shares

have not been previously used or counted to meet the parking requirements for any other existing business. The parking spaces shall be tied to the property receiving the permit using a method acceptable to the Director of Planning and Land Use.

d. Location of Parking On A Building Site

1. Bicycle Spaces. Bicycle spaces, if provided, shall be located:
 - a) At least as close and accessible to the use or building served as is the most convenient motor vehicle parking (other than handicapped parking).
 - b) As close to the building entrance as is practical without interfering with pedestrian traffic.
 - c) At ground level.
2. Covered Parking. Covered or enclosed parking spaces shall be outside the ultimate right-of-way of any street and shall be located in the rear half of the lot. This provision does not apply to any shared parking lot provided pursuant to Section 8330 c. above that does not have a building on the same legal parcel.
3. Open Parking. Open parking spaces shall be outside the ultimate right-of-way of any street and shall be located generally behind a building. This provision does not apply to any shared parking lot provided pursuant to Section 8330 c. above that does not have a building on the same legal parcel.
4. Exceptions. A use permit, variance or administrative permit may specify the location of parking areas and bicycle spaces in locations other than a required by Section 8330 d. 1 – 3.

e. Parking Space Dimensions

1. Offstreet Parking Design Manual to Specify. The design manual adopted pursuant to Section 6793.c shall establish the minimum dimensions for parking spaces. The Director may require larger dimensions if he determines that larger dimensions are needed to provide safe and adequate parking in specific situations.
2. Handicapped Parking. At least one space of the required parking, if any, in any parking area shall be designed for handicapped parking as specified in the Offstreet Parking Design Manual and the Uniform Building Code. Such spaces shall be located as close as possible to the entrance of the use or structure, and shall be reserved and designated for handicapped persons. The total number of required handicapped spaces shall be that specified by the Offstreet Parking Design Manual.

f. Design Standards for Off-Street Parking

Parking spaces and areas shall meet the following design and improvement standards:

1. Surfacing. All parking spaces or areas, loading spaces and driveways serving them shall be hard surfaced in accordance with the specifications set forth in the design manual. The type of surfacing for proposed parking spaces and driveways shall be indicated on all plot plans which accompany site plan applications and building construction plans.
2. Landscaping. An area at least equal to 5 percent of the area of any parking area shall be landscaped in conformance to the requirements of Paragraph 3 of this Section and Section 6712.
3. Offstreet Parking Design Manual. The design, dimensions, construction, landscaping, and surfacing of parking and bicycle spaces, driveways and other areas shall conform to the requirements of the Offstreet Parking Design Manual. The Director may administratively waive or modify one or more such requirements when practical difficulties make their strict application infeasible, and upon a finding that the waiver or modification is consistent with the purpose and intent of the Offstreet Parking Design Manual and this section.

Section 50. Section 8400, INTENT of the San Diego County Zoning Ordinance is hereby amended to read as follows:

8400 INTENT

The Village 4 (V4) Zone is intended to encourage the retention and attraction of businesses compatible with a predominantly retail environment fronting on a pedestrian-oriented street. Residential uses are allowed as a secondary use. The V4 Zone is similar to the V1 Zone, but allows more automobile-oriented uses and allows a flexible front yard setback. Property within the V4 Zone shall be subject to the Community Design Review Area Regulations in Section 5750 and the Fallbrook Design Guidelines.

Section 51. Section 8430, PARKING REGULATIONS of the San Diego County Zoning Ordinance is hereby amended to read as follows:

8430 PARKING REGULATIONS

a. Purpose and Intent

The intent of the Fallbrook Village parking regulations is to ensure adequate off-street parking in relation to allowed uses and activities. The regulations are also intended to maintain and enhance existing zero front yard setback development patterns in the traditional commercial district consistent with the Fallbrook Design Guidelines. To achieve this purpose, all of the Village 4 Zone provides for reduced parking requirements with provision for meeting parking requirements in shared parking lots.

b. Parking Requirement

In the V4 Zone, the number of spaces required by the Parking Schedules in Sections 6758 through 6780 may be reduced up to 25%.

c. Relationship of Required Parking to Building Site

Required parking and bicycle spaces may be located on the same legal parcel with the use or structure they are intended to serve. For any property in the V4 Zone, the parking requirement may and should preferably be met through participation in a shared parking lot. Parking requirements may be fulfilled on-site or on any other property within 600 feet of the site requiring the parking. Evidence must be provided to the County that parking lot ownership shares have not been previously used or counted to meet the parking requirements for any other existing business. The parking spaces shall be tied to the property receiving the permit using a method acceptable to the Director of Planning and Land Use.

d. Location of Parking On A Building Site

1. Bicycle Spaces. Bicycle spaces, if provided, shall be located:
 - a) At least as close and accessible to the use or building served as is the most convenient motor vehicle parking (other than handicapped parking).
 - b) As close to the building entrance as is practical without interfering with pedestrian traffic.
 - c) At ground level.
2. Covered Parking. Covered or enclosed parking spaces shall be outside the ultimate right-of-way of any street and shall be located in the rear half of the lot. This provision does not apply to any shared parking lot provided pursuant to Section 8430 c. above that does not have a building on the same legal parcel.
3. Open Parking. Open parking spaces shall be outside the ultimate right-of-way of any street and shall be located generally behind a building. This provision does not apply to any shared parking lot provided pursuant to Section 8430 c. above that does not have a building on the same legal parcel.
4. Exceptions. A use permit, variance or administrative permit may specify the location of parking areas and bicycle spaces in locations other than a required by Section 8430 d. 1 – 3.

e. Parking Space Dimensions

1. OffStreet Parking Design Manual to Specify. The Offstreet Parking Design Manual adopted pursuant to Section 6793.c shall establish the minimum dimensions for parking spaces. The Director may require larger dimensions if he determines that larger dimensions are needed to provide safe and adequate parking in specific situations.
2. Handicapped Parking. At least one space of the required parking, if any, in any parking area shall be designed for handicapped parking as specified in the Offstreet Parking Design Manual and the Uniform Building Code. Such spaces shall be located as close as possible to the entrance of the use or structure, and shall be reserved and designated for handicapped persons. The total number of

required handicapped spaces shall be that specified by the Offstreet Parking Design Manual and the Uniform Building Code.

f. Design Standards for Offstreet Parking

Parking spaces and areas shall meet the following design and improvement standards:

1. Surfacing. All parking spaces or areas, loading spaces and driveways serving them shall be hard surfaced in accordance with the specifications set forth in the Offstreet Parking Design Manual. The type of surfacing for proposed parking spaces and driveways shall be indicated on all plot plans that accompany Site Plan applications and building construction plans.
2. Landscaping. An area at least equal to 5 percent of the area of any parking area shall be landscaped in conformance to the requirements of Paragraph 3) of this Section and Section 6712.
3. Offstreet Parking Design Manual. The design, dimensions, construction, landscaping, and surfacing of parking and bicycle spaces, driveways and other areas shall conform to the requirements of the Offstreet Parking Design Manual. The Director may administratively waive or modify one or more such requirements when practical difficulties make their strict application infeasible, and upon a finding that the waiver or modification is consistent with the purpose and intent of the Offstreet Parking Design Manual and this section.

Section 52. Section 8500, INTENT of the San Diego County Zoning Ordinance is hereby amended to read as follows:

8500 INTENT

The Village 5 (V5) Zone is intended to create and enhance areas where administrative office and professional services are the principal and dominant use. Residential uses are allowed. Development will have a scale and appearance compatible and complementary to adjacent residential uses. Uses generating high-volumes of vehicular traffic shall not be allowed in the V5 Zone. Property within the V5 Zone shall be subject to the Community Design Review Area Regulations in Section 5750 and the Fallbrook Design Guidelines.

Section 53. Section 8530, PARKING REGULATIONS of the San Diego County Zoning Ordinance is hereby amended to read as follows:

8530 PARKING REGULATIONS

a. Purpose and Intent

The intent of the Fallbrook Village parking regulations is to ensure adequate off-street parking in relation to allowed uses and activities. The regulations are also intended to maintain and enhance compatibility with the adjacent residential uses consistent with the Fallbrook Design Guidelines. To achieve this purpose, all of the Village 5 Zone provides for reduced parking requirements with provision for meeting parking requirements in shared parking lots.

b. Parking Requirements

In the V5 Zone, the number of spaces required by the Parking Schedules in Sections 6758 through 6780 may be reduced up to 25%.

c. Relationship of Required Parking to Building Site

Required parking and bicycle spaces may be located on the same legal parcel with the use or structure they are intended to serve. For any property in the V5 Zone, the parking requirement may and should preferably be met through participation in a shared parking lot. Parking requirements may be fulfilled on-site or on any other property within 600 feet of the site requiring the parking. Evidence must be provided to the County that parking lot ownership shares have not been previously used or counted to meet the parking requirements for any other existing business. The parking spaces shall be tied to the property receiving the permit using a method acceptable to the Director of Planning and Land Use.

d. Location of Parking on a Building Site

1. Bicycle Spaces. Bicycle spaces, if provided, shall be located:

- a) At least as close and accessible to the use or building served as is the most convenient motor vehicle parking (other than handicapped parking).
- b) As close to the building entrances as is practical without interfering with pedestrian traffic.
- c) At ground level.

2. Covered Parking. Covered or enclosed parking spaces shall be outside the ultimate right-of-way of any street and shall be located in the rear half of the lot. This provision does not apply to any shared parking lot provided pursuant to Section 8530.c above that does not have a building on the same legal parcel.

3. Open Parking. Open parking spaces shall be outside the ultimate right-of-way of any street and shall be located generally behind a building. This provision does not apply to any shared parking lot provided pursuant to Section 8530.c above that does not have a building on the same legal parcel.

4. Exceptions. A Use Permit, Variance, or Administrative Permit may specify the location of parking areas and bicycle spaces in locations other than as required by Section 8530.d. 1 – 3 above.

e. Space Dimensions

1. OffStreet Parking Design Manual to Specify. The Offstreet Parking Design Manual adopted pursuant to Section 6793.c shall establish the minimum dimensions for parking spaces. The Director may require larger dimensions if he

determines that larger dimensions are needed to provide safe and adequate parking in specific situations.

2. Handicapped Parking. At least one space of the required parking, if any, in any parking area shall be designed for handicapped parking as specified in the Offstreet Parking Design Manual and the Uniform Building Code. Such spaces shall be located as close as possible to the entrance of the use or structure, and shall be reserved and designated for handicapped persons. The total number of required handicapped spaces shall be that specified by the Offstreet Parking Design Manual and the Uniform Building Code.

f. Design Standards for Offstreet Parking

Parking spaces and areas shall meet the following design and improvement standards:

1. Surfacing. All parking spaces or areas, loading spaces and driveways serving them shall be hard surfaced in accordance with the specifications set forth in the Offstreet Parking Design Manual. The type of surfacing for proposed parking spaces and driveways shall be indicated on all plot plans that accompany site plan applications and building construction plans.
2. Landscaping. An area at least equal to 5 percent of the area of any parking area shall be landscaped in conformance to the requirements of Paragraph 3) of this Section and Section 6712.
3. Offstreet Parking Design Manual. The design, dimensions, construction, landscaping, and surfacing of parking and bicycle spaces, driveways and other areas shall conform to the requirements of the Offstreet Parking Design Manual. The Director may administratively waive or modify one or more such requirements when practical difficulties make their strict application infeasible, and upon a finding that the waiver or modification is consistent with the purpose and intent of the Offstreet Parking Design Manual and this section.

Section 54. 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 this 23rd day of April, 2008, by the Board of Supervisors of the County of San Diego.