

CHAPTER III SPECIAL PROVISIONS

1. ACCESSORY BUILDING OR STRUCTURES

1. Where a rear yard is required by this ordinance, a detached accessory building or structure may occupy not more than fifty percent of the required rear yard
2. In areas at altitudes below four thousand feet and where the slope of the front twenty feet of the lot is greater than one foot rise or fall in a seven foot run from the established street elevation, or where the frontage of the lot is more than four feet above or below such established street elevation, a private garage may be built to the front and/or side lot lines if the placement of the building or structure or the design of the building or structure prevents vehicles directly exiting or entering onto the adjacent roadway; however, however, in areas at altitudes above four thousand feet and where the slope of the front twenty feet of a lot is greater than one foot rise or fall in a seven foot run from the established street elevation, or where the frontage of the lot is more than four feet above or below such established street elevation, a private garage or carport may be built to the front and/or side lot lines.
3. In the case of an interior lot, no detached accessory building or structure shall be erected so as to encroach upon the front half of the lot, provided, however, such building or structure need not be more than seventy-five feet from the street line.
4. In the case of a corner lot abutting upon two or more streets, no detached accessory building shall be nearer any street line than twenty percent of the width or length of the lot; provided, however, such building or structure need not be more than seventyfive feet from the street line.
5. In the case of through lots, no detached accessory building or structure shall be erected so as to encroach upon the front half of the lot; provided, however, such building or structure need not be more than seventy-feet from the street line from which the one family dwelling takes access and maintains a minimum rear yard setback of twenty feet as measured from the rear yard street line.
6. In areas at altitudes above four thousand feet, a detached accessory building or structure may be constructed in accordance with the same building setback line as is required for a one family dwelling on the same lot.
7. No detached accessory building shall be nearer to the one family dwelling, or other building or structure than that permitted by the current California Building Code, California Residential Code and Ordinance No. 787.
8. For lots one acre or smaller, the minimum setback from a side property line shall be five feet and the minimum setback from a rear property line shall be ten feet; provided, however, that where the applicable zone provides for a greater side or rear yard setback, such greater setback shall apply. For lots greater than one acre, the minimum setback from a side property line and from a rear property line shall be ten feet;

provided, however, that where the applicable zone provides for a greater side or rear yard setback, the greater setback shall apply.

9. Notwithstanding the height limitations of any zone, the height limit on any lot shall be twenty feet for lots one acre or less and thirty feet for lots larger than one acre.
10. Bare metal buildings and structures (metal buildings and structures without paint or exterior architectural coatings or treatments), shall not be located on a lot one acre or smaller.
11. No final inspection shall be performed for the detached accessory building or structure until a final inspection has been performed for the one family dwelling on the same lot.
12. No detached accessory building or structure shall be rented or leased, or offered for rent or lease, unless the one family dwelling on the lot is also being rented or leased, or offered for rent or lease, to the same renter or lessee.
13. No detached accessory building or structure shall be used for overnight accommodations.
14. No detached accessory building or structure shall contain a kitchen.
15. Any detached accessory building or structure must have the same lot access as the one family dwelling on the lot. No additional curb cuts, rear access or any other type of access is allowed to the detached accessory building or structure except as may be authorized by the Transportation Department through the issuance of an encroachment permit.
16. A detached accessory building or structure shall be compatible with the architecture of the one family dwelling and consistent with the character of the surrounding neighborhood.
17. PERMIT REQUIREMENT. The Planning Director may, based on a determination of potential environmental concerns, require the submittal of a Use Permit including the preparation of an environmental assessment pursuant to Section I.10.C of this ordinance if either:
 - A. A detached accessory building or structure on a lot equals or exceeds five thousand square feet in size; or,
 - B. The total square footage of all detached accessory buildings or structures on a lot equal or exceed five thousand square feet. Said determination of potential environmental concerns shall be made by the Planning Director and is within his or her sole discretion. Upon completion of the review of the Use Permit and the environmental assessment, a public hearing shall be held. Said Use Permit shall only be approved if it complies with the requirements of this Section and the requirements of Section I.10.C of this ordinance.
 - C. This section shall not apply in the A-P, A-2 or A-D zones.

2. **ACCESSORY DWELLING UNIT**

To be drafted later

3. **ACCESSORY USE**

The express enumeration of permitted uses in all zoning classifications shall be construed to include accessory uses. Detached accessory buildings and structures, where the principal use of a lot includes a one family dwelling, shall be subject to the requirements of *Section determination of the Zoning Administrator*.

4. **ADVERTISING, TYPE 1**

- A. Unlighted
- B. Not more than two square feet in area.
- C. Only one sign is allowed on the property.

5. **ADVERTISING, TYPE 2**

No person shall erect an on-site advertising structure or sign in the unincorporated area of the County that is in violation of the provisions contained within any specific zoning classification in this ordinance or that is in violation of the following provisions.

A. **FREE-STANDING SIGNS.**

- 1. Located within 660 feet of the nearest edge of a freeway right of way line.
 - a. The maximum height of a sign shall not exceed 45 feet.
 - b. The maximum surface area of a sign shall not exceed 150 square feet.
- 2. Shopping Centers - All Locations.

Notwithstanding the provisions of sub-paragraphs 1 and 2, an alternate standard for free standing on-site advertising signs for shopping centers is established as follows:

- a. The maximum surface area of a sign shall not exceed 50 square feet or 0.25 percent ($\frac{1}{4}$ of 1 percent) of the total existing building floor area in a shopping center, whichever is greater, except that in any event, no sign shall exceed 200 square feet in surface area.
- b. The maximum height of a sign shall not exceed 20 feet.
- 3. All Other Locations.
 - a. The maximum height of a sign shall not exceed 20 feet.
 - b. The maximum surface area of a sign shall not exceed 50 square feet.
- 4. Number of Free-standing Signs - All Locations.

Not more than one free-standing sign shall be permitted on a parcel of land, except that if a shopping center has frontage on two or more streets, the shopping center shall be permitted two free-standing signs, provided that the two signs are not located on the same street; are at least 100 feet apart and the second sign does not exceed 100 square feet in surface area and 20 feet in height.

B. SIGNS AFFIXED TO BUILDINGS - ALL AREAS.

1. No on-site advertising sign shall be affixed on, above or over the roof of any building, and no on-site advertising sign shall be affixed to the wall of a building so that it projects above the parapet of the building. For the purposes of this Section, a mansard style roof shall be considered a parapet.
2. The maximum surface area of signs affixed to a building shall be as follows:
 - a. Front wall of building - The surface area of the sign shall not exceed ten percent of the surface area of the front face of the building.
 - b. Side walls of a building - The surface area of the sign shall not exceed ten percent of the surface area of the side face of the building.
 - c. Rear wall of a building - The surface area of the sign shall not exceed five percent of the surface area of the rear face of the building.

C. ON-SITE SUBDIVISION SIGNS

Shall be subject to the following minimum standards:

1. No sign shall exceed 100 feet in surface area.
2. No sign shall be within 100 feet of any existing residence that is outside of the subdivision boundaries.
3. No more than two such signs shall be permitted for each subdivision.
4. No sign shall be artificially lighted.

D. ON-SITE IDENTIFICATION SIGNS.

On-site identification signs affixed to the surface of walls, windows, and doors of permanent structures, which do not exceed four inches in letter height and do not exceed four square feet in area are permitted in addition to any other sign permitted in this ordinance.

E. ON-SITE SIGNAGE ALONG SCENIC CORRIDORS DESIGNATED WITHIN THE EASTERN COACHELLA VALLEY AND WESTERN COACHELLA VALLEY AREA PLANS.

1. The provisions of Subsections A., B., C., and D. of Section **XXX** of this ordinance shall apply to areas within the boundaries of the adopted Eastern Coachella Valley Area Plan (ECVAP) and Western Coachella Valley Area Plan (WCVAP), with the following exceptions:

- a. In areas adjacent to scenic corridors as designated by the ECVAP or WCVAP, if a business chooses to advertise with a sign affixed to its primary building in lieu of a free-standing sign, then the maximum surface area of the sign affixed to the building shall not exceed the following:
 - 1) Front wall of building - ten percent of the surface area of the front face of the building.
 - 2) Side walls of building - ten percent of the surface area of the side face of the building.
 - 3) Rear wall of building - ten percent of the surface area of the rear face of the building.
- b. MONUMENT SIGNS - For monument signs as defined within the policies of the ECVAP or WCVAP, along highway or freeway scenic corridors:
 - 1) For a single business or tenant advertised, maximum surface area shall not exceed 150 square feet, and overall height shall not exceed 10 feet.
 - 2) For multiple businesses or tenants advertised, maximum surface area shall not exceed 200 square feet, and overall height shall not exceed 12 feet.
- c. SHEATHED-SUPPORT SIGNS - For sheathed-support signs as defined within the policies of the ECVAP or WCVAP, along freeway scenic corridors:
 - 1) For locations within 330 feet of the nearest edge of a freeway right-of-way line:
 - a) For a single business or tenant advertised, maximum surface area shall not exceed 150 square feet, and overall height shall be equal to that of the use advertised, up to a maximum of 25 feet.
 - b) For multiple businesses or tenants advertised, maximum surface area shall not exceed 200 square feet, and overall height shall be equal to that of the use advertised, up to a maximum of 25 feet.
 - 2) For locations within 660 feet of the terminus of a freeway exit or the origination of a freeway entrance:
 - a) For a single business or tenant advertised, maximum surface area shall not exceed 150 square feet, and overall height shall not exceed 35 feet.

- b) For multiple businesses or tenants advertised, maximum surface area shall not exceed 200 square feet, and overall height shall not exceed 35 feet.
- c) Neither a single-business sheathed-support sign nor a multiple-business sheathed-support sign shall be erected along a highway scenic corridor.
- d) The minimum spacing between free-standing signs located within 330 feet of the nearest edge of a freeway right-of-way line shall be that distance necessary so as not to adversely obscure the visibility of adjacent free-standing on-site advertising signs.
- e) For the purposes of XXX any sign which would otherwise meet the definition of "ON-SITE ADVERTISING STRUCTURE AND SIGNS" in XXX of this ordinance shall also be deemed to meet this definition if the sign advertises the business conducted, services available or rendered, or the goods produced, sold or available for sale on an adjacent parcel cooperatively on a joint sign, provided that the business on that adjacent parcel utilizes no other freestanding on-site advertising sign located on its parcel, and that a plot plan is submitted and approved for the parcel containing the sign.

6. ADVERTISING, TYPE 3

No person shall erect, use or maintain an outdoor advertising display in the unincorporated area of the County, except in accordance with the following provisions. The changing of an advertising message or customary maintenance of a legally existing outdoor advertising display shall not require a permit pursuant to this Section.

A. SPECIAL PROCEDURAL CONSIDERATIONS.

The application shall comply with all applicable Federal and-State, laws, rules, regulations and ordinances.

Judicial review of a decision denying the permit shall be made by a petition for writ of administrative mandamus filed in the Riverside County Superior Court, in accordance with the procedure set forth in California Code of Civil Procedure, Section 1094.8.

Assuming the Zoning Administrator issues an Outdoor Advertising Display Permit, no person shall place, erect, use, maintain, alter, repair or relocate an outdoor advertising display or connect an outdoor advertising display to a power supply without first obtaining a building permit from the Department of Building and Safety.

B. SPECIAL PERMIT STANDARDS.

3. Height. The maximum height of an outdoor advertising display shall not exceed a height of 25 feet from the roadbed of the adjacent freeway or highway to which the display is oriented, or a maximum height of 25 feet from the grade on which it is constructed, whichever is greater.
4. Setbacks. No outdoor advertising display shall be erected within an established setback or building line, or within road right-of-way lines or future road right-of-way lines as shown on any Specific Plan of Highways. A minimum setback from the property line of one foot shall be required. No person shall place, erect, use or maintain any outdoor advertising display located within 660 feet from the edge of the right of way of, and the copy which is visible from, any primary highway without first obtaining a valid State Outdoor Advertising Permit.
5. Poles. A maximum of two steel poles are allowed for support of an outdoor advertising display.
6. Roof Mounts. No outdoor advertising display shall be affixed on or over the roof of any building and no display shall be affixed to the wall of a building so that it projects above the parapet of the building. For the purposes of this Section, a mansard style roof shall be considered a parapet.
7. Number of Displays. No more than one proposed outdoor advertising display per application shall be permitted.
8. Number of Display Faces. No more than two display faces per outdoor advertising display shall be permitted. Only single face, back-to-back and V-type displays shall be allowed provided that they are on the same outdoor advertising structure and provided that the V-type displays have a separation between display faces of not more than 25 feet.
9. Display Face Size. No outdoor advertising display shall have a total surface area of more than 300 square feet.
10. Display Movement. No outdoor advertising display shall move or rotate, to display any moving and/or rotating parts. No propellers, flags, or other noise creating devices, and no architectural embellishments which utilize mechanical or natural forces for motion, shall be permitted. Use of daylight reflective materials or electronic message boards using flashing, intermittent or moving light or lights is prohibited, provided, however, that electronic message boards displaying only time and/or temperature for periods of not less than 30 seconds is permitted.
11. Mobile Displays. No person shall place, use, maintain, or otherwise allow a mobile vehicle, trailer, or other advertising display not permanently affixed to the ground, as defined in Section 19.2.M. of this ordinance, to be used as an outdoor advertising display.

12. Display Inventory. In order to evaluate and assess outdoor advertising displays within the unincorporated area of Riverside County, within 180 days of the effective date of this ordinance and on each fifth anniversary after the effective date of this ordinance, and upon notice, each display company with outdoor advertising displays within the unincorporated area of the County shall submit to the County Department of Building and Safety, a current Inventory of the outdoor advertising displays they currently own and/or maintain within the unincorporated area of the County. Failure to submit a current or accurate inventory shall be deemed to be a separate violation of this ordinance.
13. Lighting and Illumination of Displays. An outdoor advertising display may be illuminated, unless otherwise specified, provided that the displays are so constructed that no light bulb, tube, filament, or similar source of illumination is visible beyond the display face. Displays making use of lights to convey the effect of movement or flashing, intermittent, or variable intensity shall not be permitted. Displays shall use the most advanced methods to insure the most energy efficient methods of display illumination. Within the Palomar Observatory Special Lighting Area, all displays shall comply with the requirements of County Ordinance No. 655.
14. Spacing. No outdoor advertising display shall be located within 500 feet in any direction from any other outdoor advertising display on the same side of the highway; provided, however, that if in a particular zone a different interval shall be stated, the spacing interval of the particular zone shall prevail. No outdoor advertising display shall be erected within the boundary of any significant resource as defined in Section 19.2.S. of this ordinance. No outdoor advertising display shall be located within 150 feet of property for which the zoning does not allow advertising displays; provided, however, that an outdoor advertising display may be placed within 150 feet of property for which zoning does not allow displays, if at the time an application for an Outdoor Advertising Display Permit is applied for, there is no existing residential structure or an approved building permit for a residential structure within 150 feet of the location of the proposed outdoor advertising display.
15. Identification. No person shall place, erect, use or maintain an outdoor advertising display and no outdoor advertising display shall be placed, erected, used or maintained anywhere within the unincorporated area of the County unless there is securely fastened thereto and on the front display face thereof, the name of the outdoor advertising display owner in such a manner that the name is visible from the highway. Any display placed, erected, or maintained without this identification shall be deemed to be placed, erected, and maintained in violation of this Section.

C. RELOCATED OUTDOOR ADVERTISING DISPLAYS.

Nothing in this Article shall prevent the County from entering into an outdoor advertising display relocation agreement when: (1) the original location of the outdoor advertising display is within

a contemplated public right-of-way and (2) the outdoor advertising display complied with all applicable County ordinances and regulations in effect at the time it was erected. An outdoor advertising display located on a parcel that is zoned to prohibit outdoor advertising displays may, pursuant to such an agreement, be relocated to another place on that same parcel. An outdoor advertising display located in an area defined in this Article as a significant resource may also, pursuant to such an agreement, be relocated to an area defined as a significant resource whether the area is on the same parcel or a different parcel. Except as provided in this Subsection, a relocated outdoor advertising display shall be subject to all the permit procedures and standards described in this Article.

7. AGRICULTURE, TYPE 1

There are no particular provisions for AGRICULTURE, TYPE 1. However, any accessory structure under this land use shall follow the provisions of ACCESSORY STRUCTURES.

8. AGRICULTURE, TYPE 2

All permanent buildings and structures associated with the commercial cultivation and processing of agricultural products shall not be not nearer than 20 feet from the boundaries of the premises, or as otherwise required by County Ordinance No. 787

ACCESSORY USES

Outside storage of materials, such as irrigation equipment and farming machinery, is allowed provided the materials are used in conjunction with a farm.

9. AGRICULTURE, TYPE 3

All permanent buildings and structures associated with the commercial cultivation and processing of agricultural products shall not be not nearer than 20 feet from the boundaries of the premises, or as otherwise required by County Ordinance No. 787.

ACCESSORY USES

Outside storage of materials, such as irrigation equipment and farming machinery, is allowed provided the materials are used in conjunction with a farm.

10. AIRPORT / LANDING FIELD / HELIPORT

All proposals for the establishment, expansion, or modification or any AIRPORT / LANDING FIELD / HELIPORT shall be reviewed by the Riverside County Airport Land Use Commission prior to a final decision by the appropriate decision-making body.

11. ALCOHOL PRODUCTION

There are no particular provisions for ALCOHOL PRODUCTION, but these uses may be conditioned to comply with certain operational standards. If an ABC license for a site used for ALCOHOL PRODUCTION becomes invalid or otherwise unused for six months, then the associated use permit issued by Riverside County (Conditional Use Permit, Use Permit, or Minor Use Permit) becomes null and void.

12. **ALCOHOL SALES – OFF SALE**

a) Concurrent businesses

- 1) Only ABC License type 20 (off sale beer and wine), or other similar license type issued by California Department of Alcoholic Beverage Control are allowed within a facility that sells motor vehicle fuel. No ABC license types for on-sale consumption or distilled spirits for off-sale consumption are allowed in a facility that has concurrent sale of motor vehicle fuel.
- 2) A business or establishment containing at least 25,000 square feet or more, which does not sell alcoholic beverages as its principal business, may have ALCOHOL SALES – OFF SALE as an accessory use, and no CONDITIONAL USE PERMIT, USE PERMIT, or MINOR USE PERMIT is necessary for such approval, provided that a finding of PUBLIC CONVENIENCE OR NECESSITY is not required.

b) Operational Considerations

- 1) These uses may be conditioned to comply with certain operational standards, depending on the type of alcohol to be sold, and the proposed location of such a facility.
- 2) Such facilities shall not be situated in such a manner that vehicle traffic from the facility may reasonably be believed to be a potential hazard to a school, church, public park or playground.
- 3) The owner of each location and the management at each location shall educate the public regarding driving under the influence of intoxicating beverages, minimum age for purchase and consumption of alcoholic beverages, driving with open containers and the penalty associated with violation of these laws. In addition, the owner and management shall provide health warnings about the consumption of alcoholic beverages. This educational requirement may be met by posting prominent signs, decals or brochures at points of purchase. In addition, the owner and management shall provide adequate training for all employees at the location as to these matters.
- 4) No displays of beer, wine or other alcoholic beverages shall be located within five feet of any building entrance or checkout counter.
- 5) Cold beer or wine shall be sold from, or displayed in, the main, permanently affixed electrical coolers only.
- 6) In the case of facilities with concurrent sale of motor vehicle sales: no beer, wine or other alcoholic beverages advertising shall be located on gasoline islands
- 7) No lighted advertising for beer, wine, or other alcoholic beverages shall be located on the exterior of buildings or within window areas.

- 7) Employees selling beer and wine between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age.
- 8) No sale of alcoholic beverages shall be made from a drive-in window.
- 9) No sale of alcohol shall commence until the requisite occupancy permit has been issued by the Department of Building Safety.

13. **ALCOHOL SALES – ON SALE**

a) **Concurrent businesses**

Facilities and businesses that are determined to be a “bona fide public eating place” as defined by the California Department of Alcoholic Beverage Sales may have ALCOHOL SALES – ON SALE as an accessory use, regardless of the ABC license type provided that a finding of PUBLIC CONVENIENCE OR NECESSITY is not required.

b) **Operational Considerations**

- 1) These uses may be conditioned to comply with certain operational standards, depending on the type of alcohol to be sold, and the proposed location of such a facility.
- 2) Any facility that has ALCOHOL SALES – ON SALE that also encourages its patrons to dance shall also comply with County Ordinance No. 366.
- 3) No sale of alcohol shall commence until the requisite occupancy permit has been issued by the Department of Building Safety.

14) **ANIMAL KEEPING, TYPE 1**

Any structures for the purposes of the keeping animals other than cats and dogs shall be located no less than 20 feet from the property line and not less than 50 from any residence existing at the time such use is established. Any residential pet owner shall comply with other County ordinances including, but not limited to: 523, 534, 551, 630, and 828.

15) **ANIMAL KEEPING, TYPE 2**

Any structures for the purposes of the keeping animals other than cats and dogs shall be located no less than 20 feet from the property line and not less than 50 from any residence existing at the time such use is established. Livestock shall not be kept or maintained within 50 feet of any residence in existence at the time such use is established.

16) **ANIMAL KEEPING, TYPE 3**

Any structures for the purposes of the keeping, raising or butchering of animals shall be located no less than 25 feet from the property line and not less than 50 from any residence or public street existing at the time such use is established.

17) **SECTION 18.23. ANIMAL MATURITY.**

Whenever any section of this ordinance requires a determination as to the maturity of animals, the following periods of time shall be used to establish the age of maturity:

Classification Age of Maturity

A. Birds and Poultry:	6 months
B. Cattle:	18 months
C. Crowing Fowl:	2 months
D. Goats:	9 months
E. Horses:	24 months
F. Pigs:	8 months
G. Sheep:	9 months
H. Other small farm animals:	6 months

18) **AUCTION HOUSES / YARDS / SWAP MEETS; PERMANENT FACILITY.** There are no particular provisions for AUCTION HOUSES / YARDS / SWAP MEETS; PERMANENT FACILITY, but these uses may be conditioned to comply with certain operational standards.

19) **BERMUDA DUNES NEIGHBORHOOD PRESERVATION OVERLAY ZONE**

A. INTRODUCTION. In order to maintain a safe, clean, orderly, sanitary, and aesthetically pleasing neighborhood character, the following standards of physical environment shall apply within the BDNPO zone boundary.

1. Street Environment.

- a. All landscaped areas in a public street, sidewalk, or right-of-way that abuts a residential or commercial property shall be maintained by the adjoining property owner, unless it is maintained through another mechanism such as Community Facilities District or Landscape Maintenance District.
- b. All trash, solid waste, garbage, recycling and green waste shall be kept in leak proof cans, bins, boxes or other such containers. All cans, bins, boxes or other such containers shall be covered if any garbage is placed therein.
- c. Trash, solid waste, garbage, recycling and green waste containers shall not be placed in any front yard for more than thirty-six (36) sequential hours in any seven day period, including trash and recycling collection day.
- d. Trash, solid waste, garbage, recycling and green waste containers shall not be placed in any public right of way for more than twelve (12) sequential hours prior to the collection time, and shall be removed within twelve (12) hours after the collection time.

- e. For single-family residential developments, the trash and recycling containers shall be stored in a garage, front yard, side yard, or rear yard, in a manner so that they are not visible from any public street, except during the collection time.
 - f. For multi-family residential developments, the trash enclosures shall be constructed of block walls (with trash receptacles screened from public view) as approved by the Department of Building and Safety that are in harmony with the architecture and materials of the main buildings. Multi-family units shall be required to install trash enclosures and establish an appropriate contract with a duly franchised solid waste hauler. The maximum size for the trash enclosures shall be four cubic yards (capacity for 760 gallons).
 - g. Transportable or movable recreational equipment shall be permitted in a front yard or driveway of a property, but shall not be used in, or shall not encroach upon, any street, sidewalk or right-of-way.
 - h. No recreational equipment shall be permanently installed in a front yard, driveway, sidewalk, street or right-of-way and shall be removed when not in use. Concealment of the recreational equipment with a cover or other camouflage material is not an acceptable alternative to this provision.
 - i. The provisions of other County ordinances shall be applicable to all street environments that are not identified in this section, including but not limited to, Ordinance No. 657 for Regulating Collection and Removal of Solid Waste.
2. Parking.
- a. No vehicle shall be parked upon a public street, sidewalk or right-of-way for more than seventy-two (72) consecutive hours within a radius of five-hundred (500) yards and shall be subject to citation and/or removal by the law enforcement agency as provided for in Sections 22651, et. seq. of the California Vehicle Code.
 - b. No person shall construct, repair, grease, lubricate, or dismantle any vehicle, or any part thereof, upon a public street, sidewalk or right-of-way, except for temporary emergency purposes.
 - c. No vehicle, such as a car, truck or motorized bike, shall be parked in any landscaped area, but may be parked in a garage or carport, or upon driveway or other improved parking area.
 - d. The improved parking area, and driveway, shall be constructed of hard surface materials or other similar materials, excluding asphalt, which are treated and maintained to disallow accumulation of weed, mud, and water. The improved parking area shall not cover more than forty percent (40%) of the required front and/or side yard area. The improved parking area, and driveway that are

preexisting on, or approved prior to, the effective date of this section shall be exempt from this provision.

- e. No recreational vehicle shall be parked or left standing in any front yard of a property except on a driveway or other improved parking areas. No recreational vehicle, or any part thereof, shall encroach upon a public street, sidewalk, or right-of-way. A recreational vehicle may be parked in a public right-of-way or approved parking area for a period of not more than forty eight (48) hours twice a month for the purposes of loading or unloading of said vehicle.
- f. Parking upon a public street, or right-of-way shall be restricted for a designated day during the week in order to clear the curb-side for street sweeping. This parking restriction shall be applicable only after a street sweeping schedule for the BDNPO zone is established and legal notification of such restriction has been properly provided.

3. Yard Maintenance.

- a. Any front yard, and or side yard that is visible from any public street or public area, shall be maintained in an aesthetically pleasing manner with the surrounding neighborhood.
- b. All landscaping shall be maintained in a manner that does not cause a potential fire-hazard or cause threat to public health, welfare and safety.
- c. An attractive nuisance shall not be harbored in a public street, sidewalk, rightof-way, or a private property.
- d. Outside storage shall not be permitted in a front yard, or side yard that is visible from any street, and shall not impede vehicular or pedestrian traffic in a public street, sidewalk, or right-of-way.
- e. Landscaping within a yard shall not obstruct a public street, intersection, sidewalk, or right-of-way either physically or visually.
- f. Dying, decayed, untrimmed or hazardous trees, shrubbery, or other landscaping in any front yard, or side yard that is visible from any public area, shall be addressed and remediated within seven (7) days of issuance of a Code Enforcement Notice of Violation, or as specified in the Code Enforcement Notice of Violation.
- g. No accessory structure shall be permitted in a front yard. However, an accessory structure may be constructed in a side yard or rear yard, if it is constructed according to the requirements of this ordinance. An accessory structure, which is determined by the Department of Building and Safety or the Code Enforcement Department to be substandard, unstable, dilapidated, constitutes a fire-hazard or is otherwise potentially dangerous to public health, welfare and safety, shall be removed from the property within thirty (30) days of issuance of a Code Enforcement Notice of Violation, or as specified therein.

6. Temporary Exterior Display and Holiday Display.
 - a. Any temporary exterior display or holiday display shall not impede vehicular or pedestrian traffic on any street, sidewalk, or right-of-way either visually or physically.
 - b. Any temporary exterior display or holiday display shall be allowed for a period not to exceed sixty (60) consecutive days.
 - c. Any and all applicable county, state or other permits as required shall be obtained prior to the installing such temporary exterior display or holiday display.
 - d. Any temporary outdoor event e.g. community fair, music festival, or yard sale may be exempted by the Planning Department from the provisions of this Section. However, any such temporary outdoor event shall be subject to all other provisions of this ordinance.

B. ENFORCEMENT.

- 1) All property owners within the BDNPO zone boundary shall be responsible for complying with the provisions of this section. The Code Enforcement Department shall be the lead agency enforcing the provisions of the BDNPO zone according to the protocols established in Ordinance No. 725. The Code Enforcement Department needs to be notified about any violation of a provision of the BDNPO zone, and the violation needs to be corrected within twenty (20) days after receiving a Code Enforcement Notice of Violation, unless it is otherwise specified in Subsection f. of this section.
- 2) The Sheriff, District Attorney, County Counsel, County Clerk, Planning Director and all County Officials charged with the issuance of land use permits, plot plans, subdivisions, parcel maps, and other discretionary and administrative permits, shall enforce the provisions of this section.

C. CONFLICT BETWEEN ORDINANCE REQUIREMENTS.

- 1) If there is any conflict in the requirements of this section or between the requirements of this and any other ordinance, the more stringent requirements shall apply.
- 2) This section shall neither replace the requirements of, nor overwrite the terms of any private CC&Rs. The County of Riverside generally does not enforce private CC&Rs.

20) Cannabis - Cultivation, indoor (other) (greater than 10,000 s.f. of canopy)(CA license 3A, 4)
Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862

21) Cannabis - Cultivation, indoor (small) (5001 - 10,000 s.f. of canopy) (State license 2A) †Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862

22) Cannabis - Cultivation, indoor (specialty cottage) (up to 500 s.f. of canopy) (State license 1C)
Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862

- 23) ***Cannabis - Cultivation, indoor (specialty)*** (500 - 5,000 s.f. of canopy) (State license 1A) Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862
- 24) ***Cannabis - Cultivation, Mixed Light (all types except specialty cottage)*** (CA licenses 1B, 2B, 3A, 4) Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862
- 25) ***Cannabis - Cultivation, Mixed Light (specialty cottage)*** (CA license 1C) Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862
- 26) ***Cannabis - Cultivation, outdoor (no limits on plants)*** (CA license 1-4; 1C) Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862
- 27) ***Cannabis - Cultivation, Personal - indoor (6 plants)*** (No state license req'd) Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862
- 28) ***Cannabis - Dispensary*** (CA license 10, 10A) Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862
- 29) ***Cannabis - Distributor*** (CA license 11) Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862
- 30) ***Cannabis - Manufacturing, Non-volatile solvents*** (CA license 6) Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862
- 31) ***Cannabis - Manufacturing, Volatile solvents*** (CA license 7) Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862
- 32) ***Cannabis - Micro-Business*** (CA license 13) Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862
- 33) ***Cannabis - Testing / Laboratory*** (CA license 8) Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862
- 34) ***Cannabis - Transporter*** (CA license 12) Subject to proposed Ord. 348.4862; edit / remove pending Board action on 348.4862
- 35) **CATTERY.**
 - a) Residency. All catteries shall include a single family dwelling to be used by a live-in caretaker. (modified from 18.45C1 of 348)
 - b) Design Considerations. Any structure to be used a cattery, other than the main residence, shall comply with the provisions of ACCESSORY BUILDING OR STRUCTURE.
 - c) Operational Considerations. All proposals for a CATTERY shall be reviewed by the Animal Control Services Section of the County Health Department, and such additional public and private agencies as the Planning Director deems appropriate.
- 36) **CEMETERIES, MORTUARIES, CREMATORIES, AND MAUSOLEUMS** There are no particular provisions for CEMETERIES, MORTUARIES, CREMATORIES, AND MAUSOLEUMS, but these uses may be conditioned to comply with certain operational standards.

37) **CHURCH, TEMPLE, AND OTHER PLACES OF RELIGIOUS WORSHIP.**

- a) Design considerations.
 - 1) Any non-habitable architectural embellishment on a facility designed to be a CHURCH, TEMPLE, AND OTHER PLACES OF RELIGIOUS WORSHIP may exceed the height limitation of the zoning classification in which they are located by up to 50% without an EXCEPTION or VARIANCE as described in Articles I.9.D.1 and 2 of this ordinance.
 - 2) Any non-habitable architectural embellishment on a facility designed to be a CHURCH, TEMPLE, AND OTHER PLACES OF RELIGIOUS WORSHIP may exceed the height limitation of the zoning classification in which they are located by 50% to 75% with an EXCEPTION as described in Articles I.9.D.1 of this ordinance.
 - 3) Any non-habitable architectural embellishment on a facility designed to be a CHURCH, TEMPLE, AND OTHER PLACES OF RELIGIOUS WORSHIP may exceed the height limitation of the zoning classification in which they are located by more than 75% with a VARIANCE as described in Articles I.9.D.2 of this ordinance.
- b) Ancillary Uses. The following uses may be considered as an ancillary activity of a CHURCH, TEMPLE, AND OTHER PLACES OF RELIGIOUS WORSHIP, provided that such uses are owned and operated by the associated PLACE OF RELIGIOUS WORSHIP, are considered an integral part of the mission of their PLACE OF RELIGIOUS WORSHIP, and are on the same property as the PLACE OF RELIGIOUS WORSHIP:
 - Printing and publishing facilities
 - Film studios
 - Recording studios
 - Caretaker Units
 - Offices
 - Kitchens and cooking facilities
 - Meeting rooms / conference rooms
 - Classrooms for periodic lectures and study. However, a private school is not allowed under this ancillary use, and must be permitted separately.
 - Gift shops
 - Donation bins, or other facilities used for charitable giving and donations
 - Restaurants, cafeterias, and other eating establishments
 - Gymnasium / exercise rooms
 - Pools / spas for the purposes of religious ceremonies

38) **CLOTHING SERVICES.** There are no particular provisions for CLOTHING SERVICES, but these uses may be conditioned to comply with certain operational standards.

39) **COACHELLA VALLEY MULTIPLE OWNERS MOBILEHOME HOUSING OVERLAY ZONE.**

A) **DEVELOPMENT STANDARDS.**

In order to maintain a safe, clean, orderly, and sanitary environment for all residents of the lots identified in this overlay zone, all of the following development standards will apply:

1. **UNIT SIZE.** Each mobilehome unit shall have a minimum floor living area of 450 square feet excluding patios, porches, garages, and similar structures.
2. **INSTALLATION.** Each mobile home shall be installed per manufacturer's specifications on approved piers. No permanent foundations shall be allowed except as required by the applicable flood control district.
3. **MINIMUM SIZE OF SPACE.** The minimum size of each space within the lot shall be 2,500 square feet. Each space shall have a minimum width of thirty (30) feet and a minimum depth of eighty (80) feet.
4. **SPACE OCCUPANCY.** Each space within the lot shall accommodate only one (1) mobilehome unit.
5. **OPAQUE SKIRT.** Unless a permanent foundation is required by the applicable flood control district, the area between the ground level and the floor level of each mobilehome unit shall be screened by an opaque skirt.
6. **SPACE COVERAGE.** The occupied area of each space within the lot, consisting of the mobilehome unit, and all attached accessory structures including, but not limited to awnings, stairways, and ramps, shall not exceed seventy-five (75) percent of the space area. The occupied area of the space shall be determined as if viewed from overhead looking directly down on the lot.
7. **OUTSIDE STORAGE.** No outside storage will be permitted on lots within the overlay zone.
8. **PERIMETER SPACE CLEARANCE.** There will be a minimum six (6) feet separation clearance between all structures on the lot.
9. **SETBACKS.** There will be a minimum twenty (20) feet separation clearance between all mobilehomes on the lot.
10. **PERIMETER SETBACKS.** The perimeter of the lot shall have a minimum common area of a twenty foot setback along all adjoining boundary streets and a fifteen foot side and rear setback along all exterior property lines.
11. **UTILITIES.** Each mobilehome unit shall have separate utility services and connections with the exception of sub-surface sewage disposal systems.

- a. If propane is used, the propane tank must be installed complying with the setback provisions of the California Fire Code. The maximum allowed propane tank size is a 250 gallon tank.
 - b. Electrical meter banks may be allowed subject to written approval by the local electrical provider.
12. WALLS AND FENCES. A chain link fence, a minimum of six feet in height, shall be erected along the perimeter of the lot and screened by appropriate landscaping, or other similar material, as approved by the Planning Director. A chain link fence, or other similar material, a minimum of three feet in height shall be erected between each space within the lot. Landscaping, as approved by the Planning Director, may be used in lieu of the interior chain link fences. All landscaping will need to be in compliance with Ordinance No. 859.
 13. VEHICLE PARKING. An impervious surface shall be placed immediately adjacent to each mobilehome to provide off-street parking for two vehicles per mobilehome unit.
 14. ACCESS. Each mobilehome unit within the lot shall be located no further than 450 feet from a publicly dedicated and maintained road. Each mobilehome unit located within the lot shall be served by an all-weather access road, such as Class-2 base, or an acceptable material at the discretion of the Fire Marshall, capable of supporting emergency vehicles. All lot roadways shall have a minimum of twenty (20) feet of clear and unobstructed access to a public thoroughfare.
 15. WELLS. Each mobilehome unit shall have running water. Each mobilehome unit served by water well shall meet the minimum water well production requirements of Ordinance No. 682.
 16. FIRE PROTECTION WATER SUPPLIES. A water supply capable of supplying the required fire flow for fire protection shall be provided in accordance with the California Fire Code and be subject to approval of the Fire Marshall.
 17. DEPARTMENT APPROVALS. Approval from the Riverside County Environmental Health Department is required for all mobilehome units utilizing a septic system or well.

B. CONDITIONS.

Each lot in the overlay zone shall be subject to such conditions as are necessary to assure compliance with this ordinance and any other provision of law, including without limitation, the following:

1. The spaces within the lot may not be sold as a separate unit unless the lot is subdivided pursuant to all applicable laws and local ordinances.

2. There must be multiple owners that own the lot and all owners must be listed on the deed.
3. A minimum of two owners, identified on the deed, must live in mobilehome units on the lot at all times.
4. None of the mobilehome units on the lot can be rented or leased, or held out for rent or lease.
5. The owners shall notify the Planning Director of any change in ownership of the lot within thirty (30) days of such change. When a change of ownership of the lot occurs that results in the mobilehome park no longer meeting the conditions of the Coachella Valley Multiple Owners Mobilehome Housing Overlay, the property will no longer be eligible to be in the Coachella Valley Multiple Owners Mobilehome Housing Overlay and all provisions of this ordinance shall apply to the lot.
6. Each year the owners of the lot shall provide written certification of continued compliance with the general requirements, development standards and conditions of the overlay zone, including the occupancy restrictions. The written certification shall identify all owners of the lot and identify which owners reside on the lot and shall be provided to the Planning Director on or before January 15 of each year.
7. A covenant with respect to the occupancy requirements of this ordinance, in the form and content approved by County Counsel, shall be executed by all owners of the lot and shall be recorded.

40) COMMERCIAL FERTILIZER OPERATIONS (ON-SITE MANURE).

DEVELOPMENT STANDARDS

- A. The minimum parcel size on which such fertilizer processing operation will be permitted is ten gross acres with a minimum parcel width of 660 feet.
- B. Driveways and employee parking areas shall be surfaced with an asphaltic penetration coat at the rate of 2 gallon per square yard followed in six months by an asphaltic seal coat.
- C. There shall be no manufacturing of chemical additives on the premises.
- D. Inorganic chemical additives shall be limited to ten percent by volume of the organic manure processed.
- E. The use shall comply with all requirements of the County Health Department and the Riverside County Air Pollution Control District and the State Regional Water Quality Control Board.

- F. Manure stockpiles shall be maintained at least 150 feet from any road right of way and 35 feet from side and rear property lines.
- G. No manure stockpile shall exceed a height of 25 feet.
- H. Stockpiles shall be shaped to a one to four minimum slope to prevent detrimental water seepage into the ground and minimize the stockpile area subject to rainfall.
- I. There shall be no draining of runoff water from any stockpile area onto adjoining properties.

41) COMMUNITY CARE FACILITIES – CONGREGATE LIVING CARE (7 OR MORE PERSONS)

DEVELOPMENT STANDARDS

- a. Conform to the development standards for the zoning classification in which it is located.
- b. Be separated from another licensed Congregate Living Health Facility by a minimum of one thousand feet (1,000') measured lot line to lot line.
- c. In addition to the zoning classification's requirements, provide landscaping in compliance with Ordinance No. 859.
- d. Provide outdoor lighting in compliance with Ordinance No. 915 and Ordinance No. 655.
- e. Conduct indoor and outdoor activities in compliance with Ordinance No. 847.
- f. All applicable Federal, State and local laws, and all applicable Federal, State and local health and safety regulations including, but not limited to, Fire and Building Code regulations.

42) COMMUNITY CARE FACILITIES – SOBER LIVING HOME

DEVELOPMENT STANDARDS

- A. A Sober Living Home shall comply with the development standards for one family or multiple family dwellings, as applicable, located within the same zone.

OPERATIONAL CONSIDERATIONS

- a. The Sober Living Home is being used as a residence for persons recovering from alcohol and/or drug misuse or abuse and participating in recovery programs;
- b. The Sober Living Home observes and promotes a zero tolerance policy regarding the consumption or possession of alcohol and controlled substances, except for prescription medications obtained and used under direct medical supervision;
- c. The Sober Living Home has-a written policy dealing with the use of drugs or alcohol;
- d. There are no on-site services such as, but not limited to, educational counseling, counseling sessions, treatment or recovery planning or detoxification;

- e. The Sober Living Home maintains current membership in a recognized nonprofit organization of sober living homes that provides a credible quality assurance service for applicants or members or has received a sober living home certificate from the State of California Department of Alcohol and Drug Programs. For purposes of this Article, a recognized nonprofit organization means a nonprofit organization that is a member of or affiliated with a national organization which has the primary function of improving the quality of sober living homes through standards and education;
- f. Owners, managers, operators and residents ensure that the Sober Living Home and its use comply with all applicable Federal, State and local laws, and all applicable Federal, State and local health and safety regulations including, but not limited to, Fire and Building Code regulations.

43) **COMMUNITY CARE FACILITIES – RESIDENTIAL FACILITY, RESIDENTIAL CARE FACILITY, RESIDENTIAL CARE FACILITY FOR THE ELDERLY, ALCOHOL OR DRUG TREATMENT FACILITY; and HEALTH FACILITIES - DEVELOPMENTALLY DISABLED, and CONGREGATE LIVING - (6 or fewer persons)**

SPECIAL CONSIDERATIONS

- a. As provided in California Health and Safety Code sections 1566.3, 1568.0831, 1569.85, 11834.23, 1267.8, and 1267.16, residents and operators of – RESIDENTIAL FACILITY, RESIDENTIAL CARE FACILITY, RESIDENTIAL CARE FACILITY FOR THE ELDERLY, ALCOHOL OR DRUG TREATMENT FACILITY; and HEALTH FACILITIES - DEVELOPMENTALLY DISABLED, and CONGREGATE LIVING - (6 or fewer persons) shall be considered a family and – RESIDENTIAL FACILITY, RESIDENTIAL CARE FACILITY, RESIDENTIAL CARE FACILITY FOR THE ELDERLY, ALCOHOL OR DRUG TREATMENT FACILITY; and HEALTH FACILITIES - DEVELOPMENTALLY DISABLED, and CONGREGATE LIVING - (6 or fewer persons) shall be considered a residential use of property.
- b. A RESIDENTIAL FACILITY, RESIDENTIAL CARE FACILITY, RESIDENTIAL CARE FACILITY FOR THE ELDERLY, ALCOHOL OR DRUG TREATMENT FACILITY; and HEALTH FACILITIES - DEVELOPMENTALLY DISABLED, and CONGREGATE LIVING - (6 or fewer persons) shall comply with the development standards for one family or multiple family dwellings, as applicable, located in the same zoning classification.
- c. A RESIDENTIAL FACILITY, RESIDENTIAL CARE FACILITY, RESIDENTIAL CARE FACILITY FOR THE ELDERLY, ALCOHOL OR DRUG TREATMENT FACILITY; and HEALTH FACILITIES - DEVELOPMENTALLY DISABLED, and CONGREGATE LIVING - (6 or fewer persons) shall comply with all applicable Federal, State and local laws, and all applicable Federal, State and local health and safety regulations including, but not limited to, Fire and Building Code regulations.

44) **COMMUNITY CARE FACILITIES – RESIDENTIAL FACILITY, RESIDENTIAL CARE FACILITY, RESIDENTIAL CARE FACILITY FOR THE ELDERLY, ALCOHOL OR DRUG TREATMENT FACILITY; and HEALTH FACILITIES - DEVELOPMENTALLY DISABLED - (7 or more persons)**

SPECIAL CONSIDERATIONS

~~An Alcohol or Drug Abuse Treatment Facility that serves seven or more persons~~ COMMUNITY CARE FACILITIES – RESIDENTIAL FACILITY, RESIDENTIAL CARE FACILITY, RESIDENTIAL CARE FACILITY FOR THE ELDERLY, ALCOHOL OR DRUG TREATMENT FACILITY; and HEALTH FACILITIES - DEVELOPMENTALLY DISABLED - (7 or more persons) shall comply with the following.

- a. Conform to the development standards for the zoning classification in which it is located.
- b. Be separated from another licensed COMMUNITY CARE FACILITIES – RESIDENTIAL FACILITY, RESIDENTIAL CARE FACILITY, RESIDENTIAL CARE FACILITY FOR THE ELDERLY, ALCOHOL OR DRUG TREATMENT FACILITY; and HEALTH FACILITIES - DEVELOPMENTALLY DISABLED by a minimum of three hundred feet (300') measured lot line to lot line.
- c. All applicable Federal, State and local laws and all applicable Federal, State and local health and safety regulations, including but not limited to, Fire and Building Code regulations.

45. **CROWING FOWL PERMIT.**

DEVELOPMENT STANDARDS. No crowing fowl permit shall be approved unless it complies with the following standards:

1. The proposed permit must conform to all the requirements of the General Plan for Riverside County.
2. The lot is zoned for the keeping or raising of crowing fowl as a permitted use and subject to the restrictions of the zone.
3. The crowing fowl shall be kept in an enclosed area located not less than 20 feet from any property line and not less than 50 feet from any residence and shall be maintained on the rear portion of the lot in conjunction with a residential use. To mitigate potential noise and to avoid the creation of a public nuisance due to noise, the enclosed area shall be constructed and the crowing fowl shall be maintained as follows:
 - a. The crowing fowl shall be kept in a solid walled enclosure with a solid roof attached to all perimeter walls of the enclosure.
 - b. Crowing fowl shall be confined inside the walled and roofed enclosure between the hours of 8:00 p.m. and 6:00 a.m. each day.
 - c. The walled and roofed enclosure shall be completely screened, except for its entry, by landscaping, including trees and shrubbery.
4. All of the development standards of the zone in which the crowing fowl permit is located, shall be applicable to the permit.
5. Findings are made by the Planning Director that there is no adverse impact on the public health, safety or welfare.

46. **DAY CARE, TYPE 1** In accordance with the State policies **located in the Child Day Care Facilities Act (Chapters 3.4, 3.5 and 3.6)**, the use of a lawfully occupied single-family dwelling as a small family day care home shall not require any permit pursuant to this ordinance.

47. **DAY CARE, TYPE 2**

APPROVAL STANDARDS. No application for a large family day care home permit shall be approved unless it complies with the following standards, restrictions and requirements:

1. The applicant shall obtain a valid state license to operate a large family day care home on the site within 180 days of the date of approval of a large family day care home permit. Within fourteen (14) days of issuance of the state license, the applicant shall provide a certified copy of the license to the Planning Director. The Planning Director shall insure that the applicant has obtained a state license in a timely manner. If the applicant fails to obtain a valid state license to operate a large family day care home on the site or fails to provide a certified copy of the license to Planning Director as provided above, the large family day care home permit shall not become effective and shall be void for all purposes.
2. The site shall be zoned for single-family dwellings.
3. The site shall provide at least two off-street parking spaces, no more than one of which may be provided in a garage or carport. These parking spaces may include spaces provided to meet residential parking requirements.
4. The unloading and loading of vehicle occupants shall only be permitted on the driveway, approved parking area, or directly in front of the site and shall not unduly restrict traffic flow. Residences located on arterial streets shall provide a drop-off and pickup area designed to prevent vehicles from backing into the roadway.
5. The applicant shall comply with all applicable State Fire Marshall regulations.
6. The site shall not be located within 300 feet of any other existing or approved large family day care home, small family day care home, board and care home, group home or halfway house measured property line to property line.
7. To ensure the health and safety of children in family day care homes as specified within Sections 1597.30 and 1597.46 of the Health and Safety Code, if the site has a swimming pool or spa, the pool or spa shall meet all current code regulations for fencing, gate latches, and alarms.
8. No more than fourteen children, including children under age ten who reside at the home, may be cared for at any large family day care home.
9. Only one large family day care home may be located on any lot.
10. An on-site identification sign may be permitted in accordance with the provisions of this ordinance or may be approved with the large family day care home permit if submitted concurrently.

48. DAY CARE, TYPE 3

SPECIAL CONSIDERATIONS - There are no particular provisions for DAY CARE, TYPE 3, but these uses may be conditioned to comply with certain operational standards. Additionally, any DAY CARE, TYPE 3 shall comply with all State and Federal regulations pertaining to such a facility.

49. DEVELOPMENT AGREEMENT

A development agreement shall be subject to the procedures and requirements set forth in Board of Supervisors Resolution No. 2012-047 (Establishing Procedures and Requirements for the Consideration of Development Agreements), as now adopted or hereafter amended.

50. DONATION BIN PERMIT

DEVELOPMENT STANDARDS.

No Donation Bin Permit shall be approved unless the following development standards are satisfied:

- A. The dimensions of a Donation Bin shall not exceed 82 inches high, 56 inches wide and 49 inches deep.
- B. No more than two (2) Donation Bins shall exist on the same legal lot.
- C. Donation Bins shall not be located on any lot with a one family dwelling, multiple family dwelling or mobilehome.
- D. Donation Bins shall not be located within any public right of way area, emergency vehicle route, internal drive aisle or pedestrian pathway.
- E. Donation Bins shall be set back at least three (3) feet from any public right of way, emergency vehicle route, internal drive aisle, or pedestrian pathway.
- F. Donation Bins shall not be located on unimproved lots.
- G. All Donation Bins shall be constructed with a metal material. Donation Bins constructed with wood, plastic, or any other non-metal material, shall be prohibited.

OPERATIONAL CONSIDERATIONS

- A. Donation Bins shall be kept free of structural damage, holes, visible rust, and graffiti.
- B. Donation Bins shall be kept locked or otherwise secured at all times.
- C. Donation Bins shall be serviced and emptied at a minimum of every seven (7) days, or more frequently on an as needed basis, to ensure the Donation Bin and surrounding area are kept free of materials and debris.
- D. Donated items must fit entirely within the closed Donation Bin.
- E. Donated items shall consist of textiles, shoes, books and other salvageable personal items only.

- F. Donated items shall not include items such as, but not limited to, hazardous materials, mattresses, vehicles, food items or appliances.
- G. The area surrounding the Donation Bin shall be kept free of any debris, junk, donated items, or other material, including but not limited to donated items that do not fit entirely within the Donation Bin.
- H. In accordance with California Welfare and Institutions Code Section 151, the front of every Donation Bin shall conspicuously display all of the following:
 - 1. The name, address, telephone number, and, if available, the internet web address of the Donation Bin Operator; and
 - 2. A statement, in at least two-inch typeface, that either reads, “this Donation Bin is owned and operated by a for-profit organization” or “this Donation Bin is owned and operated by a nonprofit organization.”
 - 3. If the Donation Bin Operator is a nonprofit organization, the front of the Donation Bin shall also conspicuously display a statement describing the nonprofit cause that will benefit from the collections.
 - 4. If the Donation Bin Operator is a for-profit entity, the front of the Donation Bin shall also conspicuously display a statement that reads “this donation is not tax deductible.” If the Donation Bin is owned and operated by a commercial fundraiser, the commercial fundraiser may post notice of donations to a nonprofit cause only on the sides of the Donation Bin. This notice shall always be smaller in size than the forprofit entity’s name and address and shall constitute only twenty-five percent (25%) of the notice space of the Donation Bin.
- I. Donation Bins shall comply with all other applicable federal, state and local laws and regulations.

51. **EMERGENCY SHELTER**

DEVELOPMENT STANDARD

- 1. For purposes of this section, the term “client” shall mean a homeless person who uses the facilities of an emergency shelter to eat, shower or sleep but is not a staff member.
- 2. A minimum of 125 square feet of floor area shall be provided for each client served (eating, showering or sleeping) at any one time. One bed shall be provided for each client sleeping at the emergency shelter.
- 3. The minimum interior waiting and client intake area for a shelter with 14 or fewer beds shall be 125 square feet. The minimum interior waiting and client intake area for a shelter with 15 or more beds shall be 200 square feet.

4. The minimum exterior waiting and client intake area for a shelter with 14 or fewer beds shall be 450 square feet. The minimum exterior waiting and client intake area for a shelter with 15 or more beds shall be 900 square feet.
5. The following off-street parking shall be provided: One space each for the maximum number of employees who will be present on the site at the same time and one space for each six client beds in the shelter, rounded up to the nearest whole number.
6. Outdoor lighting shall be provided in all parking areas, exterior waiting and client intake areas, and outdoor common areas.
7. If the emergency shelter accommodates both men and women, separate sleeping, lavatory and bathing areas shall be provided for men and for women.
8. No emergency shelter shall be located on a lot where any lot line of such lot is within 300 feet of any lot line of a lot where another emergency shelter is located.
9. No emergency shelter shall be located within 1,700 feet of any point on the centerline of a runway of a public-use airport if the runway is less than 6,000 feet in length. No emergency shelter shall be located within 2,500 feet of any point on the centerline of a runway of a public-use airport if the runway is 6,000 feet or more in length but less than 12,000 feet in length. No emergency shelter shall be located within 3,000 feet of any point on the centerline of a runway of a public-use airport or a military airport if the runway is 12,000 feet or more in length.
10. The maximum number of beds in an emergency shelter shall be 11 when the emergency shelter is located within 21,500 feet of any point on the centerline of a runway of a public-use airport or located within 43,300 feet of any point on the centerline of a runway of a military airport. In all other instances, the maximum number of beds in an emergency shelter shall be 75.

OPERATIONAL CONSIDERATIONS

1. An emergency shelter shall have a manager and at least one other staff member present on site during all hours of operation. If the emergency shelter accommodates both men and women, one employee, manager or staff member, of each sex shall be present during all hours of operation. The manager and all staff members shall be persons who maintain a separate residence.
2. No client shall be allowed to stay more than 300 total days within any 12 month period or more than 180 consecutive days.

52. EQUESTRIAN ESTABLISHMENT, CLASS I

DEVELOPMENT STANDARDS

- A. Any structure for keeping or raising of cattle, horses, sheep, and/or goats shall be a minimum of 50 feet from any property line.

OPERATIONAL CONSIDERATIONS

- A. The facility's average daily visitor trips shall not exceed one hundred (100) per day.

53. **EQUESTRIAN ESTABLISHMENT, CLASS II**

DEVELOPMENT STANDARDS

1. At least seventy-five percent (75%) of the net project area shall be set-aside for permanent equine lands prior to issuance of certificate of occupancy or final inspection for the Class II Equestrian Establishment, whichever occurs first.
2. Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines and in a manner that provides a sanitary and healthful environment for the horses.
3. Automobile parking spaces shall be consistent with the rural standards of the Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.
4. If on-site composting can be achieved, the compost area shall be sited at least fifty feet (50') from waterways and hundred feet (100') from any property line.

OPERATIONAL CONSIDERATIONS

1. Corrals, exercise rings, arenas, and any other disturbed soil area shall be regularly watered or otherwise treated to prevent the emanation of dust.
2. Manure disposal shall be managed to discourage breeding grounds for flies and pests.

COMMERCIAL ACTIVITIES

The following activities may be considered ancillary to, or an integral part of, an EQUESTRIAN ESTABLISHMENT, CLASS II. However, each of these activities will need an approval from the Planning Department, and may require other permits and licenses issued by other State or County agencies.

- a. Petting Zoo;
- b. RECREATION, COMMERCIAL OUTDOOR allowed on properties that are 510 or more gross acres
- c. Horse show facility
- d. GENERAL RETAIL *is allowed on properties that are 20 or more gross acres.*
- e. RESTAURANT, DINE IN ONLY *is allowed on properties that are 20 or more gross acres.*
- f. RECREATION, COMMERCIAL INDOOR *is allowed on properties that are 50 or more gross acres*

54. **EQUIPMENT RENTAL SERVICES.** There are no particular provisions for EQUIPMENT RENTAL SERVICES, but these uses may be conditioned to comply with certain operational standards.

55. **FENCE.** Fences shall not be constructed of garage doors, tires, pallets or other materials not typically used for the construction of fences.
56. **FUTURE FARMERS OF AMERICA AND 4-H PROJECT.** There are no particular provisions for FUTURE FARMERS OF AMERICA AND 4-H PROJECT, but these uses may be conditioned to comply with certain operational standards.
57. **FOOD SERVICES.** There are no particular provisions for FOOD SERVICES, but these uses may be conditioned to comply with certain operational standards.
58. **FORTUNE TELLING, SPIRITUALISM, OR OTHER SIMILAR ACTIVITY.** All requirements of this land use activity are discussed Riverside County Ordinance No. 508, and are herein incorporated by reference. Additionally, any proposal for this land use activity may be further conditioned to comply with certain operational standards.
59. **GENERAL RETAIL.** There are no particular provisions for GENERAL RETAIL, but these uses may be conditioned to comply with certain operational standards.
60. **HAZARDOUS MATERIALS – ABOVE GROUND STORAGE AND SALES.**

DEVELOPMENT STANDARDS

All above-ground storage tanks shall not exceed 10,000 gallons.

All storage tanks shall be painted a neutral color, and shall not have any advertising painted or placed on their surface.

All storage tanks shall be designed in a way to be compliant with Ordinance No. 787.

OPERATIONAL STANDARDS

All handling of hazardous materials shall be in compliance with Ordinance No. 787.

61. **HAZARDOUS MATERIALS – HAZARDOUS WASTE FACILITY SITING PERMIT.**

SPECIAL NOTICING REQUIREMENTS

In addition to the notice of hearing provided under Section I.11, notice of hearing on an application for a hazardous waste facility siting permit shall be given by mail at least ten days prior to the hearing to:

- a. All owners of real property which is located within five miles of the exterior boundaries of the subject property as such owners are shown on the last equalized assessment roll and any update; and,
- b. All registered voters residing within five miles of the exterior boundaries of the subject property.

DEVELOPMENT STANDARDS

- a. All internal roads and all access roads to the proposed facility shall be constructed or improved to County standards

- b. No hazardous waste facility, except a transfer facility or a storage facility, shall be located closer than 1,500 feet from any lot line.
- c. No hazardous waste facility shall be located within 2,000 feet of the lot line of any lot actually used or zoned for residential use. This setback shall not apply to an on-site caretaker residence.
- d. No hazardous waste facility shall be located within a dam inundation zone.
- e. No hazardous waste facility shall be located within a liquefaction area
- f. Signs. No more than two advertising signs will be permitted relating to the development on the project site. No such sign shall exceed 15 square feet in surface area or eight feet in height.
- g. A hazardous waste facility siting permit shall be granted for only those wastes and quantities of wastes specified in the conditions of approval. No additional types of wastes or increases in the quantities of approved wastes shall be allowed beyond those specified in the approved permit unless a separate application is made therefore in accordance with the same procedures as those required for an initial application.

OPERATIONAL CONSIDERATIONS

- a. The permit holder shall prevent the unknowing entry, and minimize the possibility for the unauthorized entry, of persons or livestock onto any portion of the facility.
- b. The permit holder shall provide a 24-hour surveillance system (e.g., television monitoring or surveillance by guards or facility personnel) which continuously monitors and controls entry onto the facility.
- c. An artificial or natural barrier (e.g., a fence in good repair or a fence combined with a cliff) shall be constructed which completely surrounds the facility.
- e. All gates or other entrances to the facility shall be provided with adequate means to control entry at all times. Signs with the legend, "Danger - Hazardous Waste Area - Unauthorized Personnel Keep Out", shall be posted at each entrance to the facility and at sufficient other locations to be seen from any approach. The legend shall be written in English, Spanish, and any other language predominant in the area surrounding the facility, and shall be legible from a distance of at least 25 feet.
- f. Upon reasonable notice, County officials or their designated representatives may enter a parcel on which a hazardous waste facility siting permit has been granted for the purpose of monitoring the operation of the facility.
- g. The holder of a hazardous waste facility siting permit shall report quarterly to the County of Riverside the amount, type and disposition of all wastes processed by the facility. The report shall include copies of all manifests showing the delivery and types of hazardous waste. The report shall also include a map showing the exact location

(coordinates and elevation), quantities and types of wastes placed in repositories or otherwise stored or disposed of on the site.

- h. Emergency Procedures. Every hazardous waste facility shall have a contingency plan for emergency procedures designed to minimize hazards to human health and the environment from fires, explosions, or unplanned release of hazardous waste or hazardous waste constituents to air, soil, or surface water. The plan shall provide for its immediate implementation whenever there is a fire, explosion or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment. The contingency plan shall satisfy all requirements of the Hazardous Waste Control Law (Health and Safety Code Section 25100 et seq.) and the regulations adopted thereunder. Copies of the plan and all amendments to the plan shall be filed with all local emergency response officials and the Riverside County Health Department.
- i. Every hazardous waste facility shall have a written closure plan. The plan shall identify steps necessary to completely or partially close the facility at any point during its intended operating life and to completely close the facility at the end of its intended operating life. The closure plan shall satisfy all requirements of the Hazardous Waste Control Law (Health and Safety Code Section 25100 et seq.) and the regulations adopted thereunder. A copy of the closure plan and all revisions to the plan shall be filed with the County Department of Health and shall be kept at the facility until closure is completed.
- j. Every hazardous waste facility where hazardous waste will remain after closure shall have a written post-closure plan providing for post-closure monitoring, care, and maintenance. The post-closure plan shall satisfy all requirements of the Hazardous Waste Control Law (Health and Safety Code Section 25100 et seq.) and the regulations adopted thereunder. A copy of the post-closure plan and all revisions to the plan shall be filed with the Riverside County Department of Health.
- k. The holder of a hazardous waste facility siting permit shall establish and continuously maintain financial assurance for closure of the facility and for post-closure care if required. Financial assurance shall satisfy all requirements of the Hazardous Waste Control Law (Health and Safety Code Section 25100 et seq.) and the regulations adopted thereunder. Copies of all documents demonstrating such financial assurance shall be filed with the County Department of Health.
- l. Prior to the commencement of any use under a hazardous waste facility siting permit, the holder of the permit shall provide proof of insurance as required in the conditions of permit approval. The types, amounts, periods of coverage, and provisions for periodic review as to adequacy of coverage shall be specified in the conditions of approval. Required insurance shall include, but not be limited to: general liability insurance, automotive liability insurance, environmental impairment liability insurance, and architect's and engineer's professional liability insurance. All such insurance shall name

the County as an additional insured and shall be maintained for the life of the site and such additional periods as shall be specified in the conditions of approval.

- m. The holder of a hazardous waste facility siting permit shall defend, indemnify and hold harmless the County and its officers, agents, servants and employees from all claims, actions and liabilities arising out of the issuance of a hazardous waste facility siting permit, operations at the hazardous waste facility, and transportation of wastes to or from the hazardous waste facility.
- n. Life of Permit. The life of the permit shall be determined at the time of approval and shall not exceed ten years.

62. HOME OCCUPATION.

OPERATIONAL CONSIDERATIONS

- A. No person other than a resident of the dwelling shall be employed on the premises in the conduct of a home occupation.
- B. A home occupation shall be conducted entirely within the dwelling and shall be incidental and secondary to the use of the dwelling as a residence.
- C. A home occupation shall not be conducted in an accessory structure and there shall be no storage of equipment or supplies in an accessory structure or outside building.
- D. The residential character of the exterior and interior of the dwelling shall not be changed.
- E. No vehicles or trailers except those normally incidental to residential use shall be kept on the site.
- F. No signs other than one unlighted identification sign, not more than two square feet in area, shall be erected on the premises.

OTHER REGULATIONS / PERMITS

- A. Any COTTAGE FOOD OPERATION shall comply with all permitting or licensing requirements of the County Department of Environmental Health and is subject to Riverside County Ordinance No. 916.
- B. These provisions are not applicable to any proposal for a CANNABIS, CATTERY, DAY CARE, KENNEL, or WINERY permit. Those activities shall be processed by the corresponding SPECIAL PROVISION in this chapter, and as defined in CHAPTER IV.

- 63. **HOSPITALS.** There are no particular provisions for INDUSTRIAL / MANUFACTURING, TYPE 1, but these uses may be conditioned to comply with certain operational standards
- 64. **INDUSTRIAL / MANUFACTURING, TYPE 1.** There are no particular provisions for INDUSTRIAL / MANUFACTURING, TYPE 1, but these uses may be conditioned to comply with certain operational standards.
- 65. **INDUSTRIAL / MANUFACTURING, TYPE 2.**

DEVELOPMENT STANDARDS

- A. **ADDITIONAL SETBACKS.** Where the front, side, or rear yard adjoins a lot zoned, for RESIDENTIAL USE as defined in Section I.9.A of this ordinance, the minimum setback of any structure shall be 25 feet from the property line. (modified from 12.4B of 348)
- B. **BUFFERING.** Prior to occupancy of any industrial use permitted in this article, a six foot high solid masonry wall or combination landscaped earthen berm and masonry wall shall be constructed on each property line that adjoins any parcel specifically zoned for RESIDENTIAL use as defined in Section I.9.A of this ordinance, unless otherwise approved by the hearing officer or body. Materials within the enclosed yard shall not be placed so as exceed the height of the surrounding wall, or berm and wall.
- C. **ADDITIONAL LANDSCAPING.** A minimum 20 foot strip adjacent to lots zoned for RESIDENTIAL use as defined in Section I.9.A of this ordinance, or separated by a street from a lot with said zoning, shall be landscaped and maintained, unless a tree screen or other buffer treatment is approved by the hearing officer or body. However, in no case shall said landscaping be less than ten feet wide excluding curbing.
- D. **TRASH COLLECTION AREAS.** Trash collection areas shall be screened by landscaping or architectural features in such a manner as not to be visible from a public street or from any adjacent residential area.
- E. **OUTSIDE STORAGE AND SERVICE AREAS.** Outside storage and service areas may be required to be screened by structures or landscaping.
- F. **UTILITIES.** Utilities shall be installed underground except electrical lines rated at 33kV or greater.
- G. **MECHANICAL EQUIPMENT.** Mechanical equipment used in the manufacturing process may be required to be enclosed in a building, and roof-mounted accessory equipment may be required to be screened from view.
- H. **LIGHTING.** All lighting fixtures, including spot lights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and

similar areas, shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.

OPERATIONAL CONSIDERATIONS

- A. Any use that requires a license or permit from a State or Federal agency shall maintain that license or permit at all times. Should such license or permit be revoked, expire, or otherwise become null and void, the land use associated with use license or permit shall be null and void within 6 months of such action taken on the license or permit.
- B. Each proposal for an **INDUSTRIAL / MANUFACTURING, TYPE 2** use shall be reviewed on its own merit, and shall have appropriate conditions of approval pertaining to the operations of such a facility.

66. **INDUSTRIAL / MANUFACTURING, TYPE 3.**

DEVELOPMENT STANDARDS

- A. **ADDITIONAL SETBACKS.** Where the front, side, or rear yard adjoins a lot zoned, for RESIDENTIAL USE as defined in Section I.9.A of this ordinance, the minimum setback of any use or activity shall be 25 feet from the property line, unless otherwise approved by the hearing body.
- B. **BUFFERING.** Prior to occupancy of any industrial use permitted in this article, a six foot high solid masonry wall or combination landscaped earthen berm and masonry wall shall be constructed on each property line that adjoins any parcel specifically zoned for RESIDENTIAL use as defined in Section I.9.A of this ordinance, unless otherwise approved by the hearing officer or body. - Materials within the enclosed yard shall not be placed so as exceed the height of the surrounding wall, or berm and wall.
- C. **ADDITIONAL LANDSCAPING.** A minimum 20 foot strip adjacent to lots zoned for RESIDENTIAL use as defined in Section I.9.A of this ordinance, or separated by a street from a lot with said zoning, shall be landscaped and maintained, unless a tree screen or other buffer treatment is approved by the hearing officer or body. However, in no case shall said landscaping be less than ten feet wide excluding curbing. (modified from 12.4E3 of 348)
- D. **TRASH COLLECTION AREAS.** Trash collection areas shall be screened by landscaping or architectural features in such a manner as not to be visible from a public street or from any adjacent residential area.
- E. **OUTSIDE STORAGE AND SERVICE AREAS.** Outside storage and service areas may be required to be screened by structures or landscaping.

- F. **UTILITIES.** Utilities shall be installed underground except electrical lines rated at 33kV or greater.
- G. **MECHANICAL EQUIPMENT.** Mechanical equipment used in the manufacturing process may be required to be enclosed in a building, and roof-mounted accessory equipment may be required to be screened from view.
- H. **LIGHTING.** All lighting fixtures, including spot lights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas, shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.

OPERATIONAL CONSIDERATIONS

- A. Any use that requires a license or permit from a State or Federal agency shall maintain that license or permit at all times. Should such license or permit be revoked, expire, or otherwise become null and void, the land use associated with use license or permit shall be null and void within 6 months of such action taken on the license or permit.
 - B. Each proposal for an **INDUSTRIAL / MANUFACTURING, TYPE 3** use shall be reviewed on its own merit, and shall have appropriate conditions of approval pertaining to the operations of such a facility.
67. **JUNK YARDS,** There are no particular provisions for JUNK YARDS, but these uses may be conditioned to comply with certain operational standards.

68. **KENNEL, CLASS I.**

DEVELOPMENT STANDARDS

- A. **KENNELS, CLASS I** are allowed on parcels containing detached single family dwelling unit, and are prohibited on parcels with multi-family units or attached single family units.
- B. The minimum lot size for a **KENNEL, CLASS I** in an **AGRICULTURAL, RESIDENTIAL, or OPEN SPACE ZONE** as defined in Seciton I.9.A is one acre (gross)

OPERATIONAL CONSIDERATIONS

- A. Any **KENNEL, CLASS I** permit shall comply with the operational standards as set forth in Ordinance No. 630.
- B. Conditions of approval pertaining to operational considerations may be imposed in addition to those already discussed in Ordinance No. 630.

69. **KENNEL, CLASS II.**

DEVELOPMENT STANDARDS

- A. KENNELS, CLASS II are only allowed on parcels containing at least one detached single family dwelling unit, which will then be used as a live-in caretaker.
- B. KENNELS, CLASS II are prohibited on parcels with multi-family units or attached single family units.
- C. The minimum lot size for a KENNEL, CLASS II in an AGRICULTURAL, RESIDENTIAL, or OPEN SPACE ZONE as defined in Seciton I.9.A is one acre (gross)

OPERATIONAL CONSIDERATIONS

- A. Any KENNEL, CLASS II permit shall comply with the operational standards as set forth in Ordinance No. 630.
- B. Conditions of approval pertaining to operational considerations may be imposed in addition to those already discussed in Ordinance No. 630.

70. **KENNEL, CLASS III.**

DEVELOPMENT STANDARDS

- A. KENNELS, CLASS III that are located in a RESIDENTIAL ZONE as defined in SECTION 1.9.A are only allowed on parcels containing at least one detached single family dwelling unit, which will then be used as a live-in caretaker.
- B. KENNELS, CLASS III are prohibited on parcels with multi-family units or attached single family units. (modified from 18.45C.1 of 348)
- C. The minimum lot size for a KENNEL, CLASS III in an AGRICULTURAL, RESIDENTIAL, or OPEN SPACE ZONE as defined in Seciton I.9.A is one acre (gross)

OPERATIONAL CONSIDERATIONS

- A. Any KENNEL, CLASS III permit shall comply with the operational standards as set forth in Ordinance No. 630. (modified from 18.45C.4 of 348)
- B. Conditions of approval pertaining to operational considerations may be imposed in addition to those already discussed in Ordinance No. 630.

71. **KENNEL, CLASS IV.**

DEVELOPMENT STANDARDS

- A. KENNELS, CLASS IV that are located in a RESIDENTIAL ZONE as defined in SECTION 1.9.A are only allowed on parcels containing at least one detached single family dwelling unit, which will then be used as a live-in caretaker.

- B. KENNELS, CLASS IV are prohibited on parcels with multi-family units or attached single family units.
- C. The minimum lot size for a KENNEL, CLASS III in an AGRICULTURAL, RESIDENTIAL, or OPEN SPACE ZONE as defined in Section I.9.A is one acre (gross)
- D. Conditions of approval may impose additional DEVELOPMENT STANDARDS, depending on the proposal.

OPERATIONAL CONSIDERATIONS

- A. Any KENNEL, CLASS IV permit shall comply with the operational standards as set forth in Ordinance No. 630.
- B. Conditions of approval pertaining to operational considerations may be imposed in addition to those already discussed in Ordinance No. 630.

72. **LABORATORIES.** There are no particular provisions for LABORATORIES, but these uses may be conditioned to comply with certain operational standards.

73. LANDSCAPING, GENERAL PROVISIONS.

- A. A landscaping plan, landscaping grading plan, irrigation plan and shading plan shall be required for all minor use permits, use permits, conditional use permits, surface mining permits, subdivisions, and any other permit when the Planning Director deems it necessary. Such landscaping plans shall comply with County Ordinance No. 859 in regards to application materials, site plan information, and water-efficient landscaping requirements.*
- B. The landscaping plan, landscaping grading plan, irrigation plan and shading plan shall be submitted under one application consistent with the provisions of ~~Section 18.30~~ Chapter 1, Article 10.D (Minor Use Permits) of this ordinance.*
- C. Landscaped areas for parking lots shall be distributed throughout the entire off-street parking area as evenly as is appropriate in the design of the parking facility.*
- D. Nothing in this section shall preclude the installation of additional landscaping and the planting of additional trees so long as such planting is consistent with visibility regulations.*
- E. Any open areas in the interior shall be landscaped with appropriate plant materials and maintained in good condition as provided in this article.*
- F. All landscaped areas shall be designed so that plant materials are protected from vehicle damage, encroachment or overhang.*
- G. All trees shall be double-staked and secured with a rubber or plastic strip, or other commercial tie material. Wire ties shall not be used.*

- H. *No trees shall be planted within ten feet of driveways, alleys and/or street intersections.*
- I. *All landscaping shall be within planters bounded by a curb at least six inches high.*
- J. *A six inch high curb with a 12 inch wide concrete walkway shall be constructed along planters on end stalls adjacent to vehicle parking spaces.*
- K. *In urban areas, all parking areas shall be screened from view along the entire perimeter of the parking lot by the construction of either a three foot high and three foot wide earthen berm, or a three foot wide planter with shrubbery that can be maintained at a height of three feet. When the parking area is adjacent to a public road right-of-way, the berm or planter shall be five feet in width.*
- L. *REQUESTS FOR MODIFICATIONS FROM LANDSCAPING STANDARDS. The Planning Director may, without notice or hearing, permit modifications to the landscaping requirements where topographic or other physical conditions make it impractical to require strict compliance with these requirements.*

74. LANDSCAPING, GENERAL PLANTER PROVISIONS. *Planters containing organic landscaping shall be provided adjacent to and within parking areas. The dimensions of a planter refer only to that which is plantable area.*

- 1) *No planter shall be smaller than 25 square feet.*
- 2) *Each planter shall include an irrigation system.*
- 3) *The planter shall include shrubs, hedges, and other natural growth or other features such as berms, designed to form a partial visual screen at least three feet in height, except within ten feet of street and driveway intersections where landscaping shall not be permitted to grow higher than three feet.*
- 4) *A planter at least five feet wide shall be provided adjacent to all public road right-of-ways. Any area within the road right-of-way between the edge of the walkway and outer edge of the right-of-way shall also be developed as a landscaped area in conjunction with the required planter, unless this requirement is waived by the Planning Director.*
- 5) *A planter at least five feet wide shall be provided adjacent to properties used for residential purposes and/or zoned for residential purposes. Within this planter, one screen tree from the "County of Riverside Guide to California Friendly Landscaping" shall be planted at an average distance apart of at least every 25 feet on center in combination with other plants to provide a dense visual screen.*

- 6) *A planter at least eight feet wide shall be located at most 45 feet apart for every 150 feet of frontage along a public road right-of-way. Within this planter, trees from the "County of Riverside Guide to California Friendly Landscaping" shall be planted no further apart than 25 feet on center, and at least five feet, but not further than ten feet, from the back of the walkway.*

75. LANDSCAPING, GENERAL PLANT MATERIALS PROVISIONS.

- 1) *Existing mature trees on the site shall be preserved whenever it is practical to do so.*
- 2) *All plant materials shall be maintained free from physical damage or injury arising from lack of water, chemical damage, insects, and diseases. Plant materials showing such damage shall be replaced by the same or similar species.*
- 3) *Planting areas shall be kept free from weeds, debris, and undesirable materials which may be detrimental to public safety, drainage, or site appearance.*
- 4) *Drought tolerant species and native species are to be used to the maximum extent possible over non-drought tolerant and non-native species.*
 - a) *The quantity and extent of drought tolerant species shall be dependent on the climatic zone of the project.*
 - b) *Landscaping may include natural features such as rock and stone, nondrought tolerant plants and structural features such as fountains, reflecting pools, art work, screens, wall and fences.*
- 5) *Plant materials shall be grouped together in regards to water and soil requirements, in accordance with Ordinance No. 859.*

76. LANDSCAPING, GENERAL IRRIGATION PROVISIONS. *All irrigation systems shall be installed and maintained in accordance with Ordinance No. 859.*

~~73.~~**77 LOCATION OF DWELLINGS.** Except in multiple dwelling developments or where otherwise provided in this ordinance, every dwelling shall face or front upon a street or permanent means of access to a street, and in no event shall any dwelling face or front upon an alley. (18.10 of 348)

74. 78 METAL SHIPPING CONTAINERS.

DEVELOPMENT STANDARDS.

Placement of metal shipping containers shall be subject to the following limitations:

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1. Metal shipping containers shall not be allowed as a principal use in any zone.
2. Except as otherwise provided, metal shipping containers shall be allowed in all zones on a temporary basis during construction, grading operations or agricultural operations when utilized solely for the storage of supplies and equipment that are used for construction, grading, or agricultural operations on that site.
3. In commercial and industrial zones, placement of metal shipping containers as an accessory use is permitted provided a MINOR USE PERMIT has been approved pursuant to the provisions of SECTION I.10.D of this ordinance or the placement of metal shipping containers has been approved as part of an USE PERMIT or CONDITIONAL USE PERMIT.
4. Except as otherwise provided, the placement of metal shipping containers shall be allowed in all zones as an accessory use subject to the following development standards:
 - a. No more than one metal shipping container is allowed on lots 1 gross acre or greater but less than 2 gross acres.
 - b. No more than two metal shipping containers are allowed on lots 2 gross acres or greater but less than 5 gross acres.
 - a. No more than three metal shipping containers are allowed on lots 5 gross acres or greater but less than 10 gross acres.
 - d. No more than five metal shipping containers are allowed on lots 10 gross acres or greater.
 - e. The size of a metal shipping container shall not exceed 40-feet (length) by 10feet (width) by 10-feet (height) and the storage area shall not exceed four hundred square feet (400').
 - f. No metal shipping container shall be placed on the top of another metal shipping container.
 - g. A principal building, dwelling unit or agricultural operation shall be located on the lot.
 - h. Placement shall be to the rear of the principal building or dwelling unit on the rear half of the lot.
 - i. Metal shipping containers shall be painted a neutral earth-tone color or a color consistent with the principal building or dwelling unit.

- j. The minimum side and rear setback shall be 25 feet for lots 1 gross acre or greater but less than 2 gross acres.
 - k. The minimum side and rear setback shall be 50 feet for lots 2 gross acres or greater.
 - l. The metal shipping container located on lots less than 5 gross acres shall be fully screened by an opaque fence or fast-growing landscaping.
 - m. Metal shipping containers shall not be located within an area that includes sensitive habitat, biological resources or historical resources.
5. The quantity of metal shipping containers may exceed the amount provided a USE PERMIT has been approved pursuant to the provisions of Section I.10.C of this ordinance or the placement of metal shipping containers has been approved as part of an approved USE PERMIT or CONDITIONAL USE PERMIT.

75. 78 MINING OPERATION.

DEVELOPMENT STANDARDS.

There are no development standards for a MINING OPERATION other than those located in the zone in which the MINING OPERATION is located, and what is located in Ordinance No. 555.

OPERATIONAL CONSIDERATION

Ordinance No. 555 governs the operations of all MINING OPERATIONS. However, additional conditions of approval may be imposed in addition to what Ordinance No. 555 describes.

76. 79 MOBILEHOME

Pursuant to Section 65852.3 of the Government Code, all lots zoned to permit the construction of conventional single family dwellings are compatible for the installation of a mobilehome on a foundation system.

77. 80 MOBILEHOME PARK.

DEVELOPMENT STANDARDS

- A. DENSITY. The average density of the mobilehome park shall be in conformance with the density of the underlying zone classifications, provided that a density bonus of 25 percent of the density permitted by the underlying zoning may be allowed if it is determined that the higher density is compatible with the area in which the development is proposed to be located.

- B. WALL. A masonry wall six feet in height shall be erected along the perimeter of the mobilehome park.
- C. All MOBILEHOME PARKS shall comply with all other DEVELOPMENT STANDARDS as established in the California Health and Safety Code, Sections 18200 and 18860, et al and the California Code of Regulations, Title 25, Division I, Chapter 2, commencing with section 1000

OPERATIONAL CONSIDERATIONS

- A. All MOBILEHOME PARKS shall comply with all other OPERATIONAL STANDARDS as established in the California Health and Safety Code, Sections 18200 and 18860, et al and the California Code of Regulations, Title 25, Division I, Chapter 2, commencing with section

78. 81 MOBILEHOME, TEMPORARY USE.

OPERATIONAL CONSIDERATIONS

- A. A **MOBILEHOME, TEMPORARY USE** permit shall be valid for a maximum period of two years.

~~79.~~ **82 OFFICE, PROFESSIONAL.** *There are no particular provisions for OFFICE, PROFESSIONAL, but these uses may be conditioned to comply with certain operational standards.*

80. 83 ONE-FAMILY DWELLING (OPERATOR / PROPRIETOR / CARETAKER). Since this is an accessory to a different primary use, any unique DEVELOPMENT STANDARD or OPERATIONAL CONSIDERATION is discussed under that other use

~~81.~~ **84 ONE FAMILY DWELLINGS, ADDITIOINAL PER 10 ACRES OF LAND.** There are no unique DEVELOPMENT STANDARDS or OPERATIONAL STANDARD of this land use type.

~~82.~~ **85 OPEN SPACE – ACTIVE RECREATION.** There are no particular provisions for OPEN SPACE – ACTIVE RECREATION, but these uses may be conditioned to comply with certain operational standards.

~~83.~~ **86 OPEN SPACE – PASSIVE RECREATION.** There are no particular provisions for OPEN SPACE – PASSIVE RECREATION, but these uses may be conditioned to comply with certain operational standards.

84. 87 OPEN SPACE – PRESERVE. There are no particular provisions for OPEN SPACE – PRESERVE other than those discussed in either the Western Riverside County Multi-Species Habitat Conservation Plan (WRCMSHCP) or the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP).

~~85-88~~ **OUTDOOR FILM STUDIOS.** Permits for these facilities are under the purview of the Riverside County Film Commission, or their designee.

~~86-89~~ **OUTSIDE STORAGE.**

DEVELOPMENT STANDARDS.

Any **OUTSIDE STORAGE** shall be located only on the rear half of lot or parcel or seventy-five (75) feet from the front property line of the improved lot or parcel, whichever is less, not visible from the street or other public or private property and limited to an area as set forth in the particular zone not to exceed two hundred square feet with a maximum height of three feet. If a screening device is used, it must be consistent with Ordinance No. 348 Section 18.40. **XXX of this ordinance.** The storage of unpermitted commercial coaches, mobilehomes or manufactured homes is not allowed. A proposed or intended use by the owner does not constitute an exception to this definition. Items enclosed within a building in a lawful manner or allowed pursuant to a USE PERMIT or CONDITIONAL USE PERMIT may constitute an exception to this definition.

When outdoor storage is utilized on unimproved lots not associated with a farm, the amount of outside storage of materials is limited to one hundred (100) square feet with a maximum height of three (3) feet on parcels less than one-half acre and two hundred (200) square feet with a maximum height of three (3) feet for parcels of one-half acre or more. (13.51J, along with other Agricultural zone provisions)

~~87-90~~ **PARKING LOTS AND PARKING STRUCTURES – PRIVATE, STAND ALONE.** There are no particular provisions for PARKING LOTS AND PARKING STRUCTURES – PRIVATE STAND ALONE, but these uses may be conditioned to comply with certain operational standards.

~~88-91~~ **PARKING, OFF STREET.**

A. DESIGN STANDARDS.

1. NUMBER OF REQUIRED PARKING SPACES.

- a. In the case of mixed land uses, the total number of parking spaces shall be the sum of the requirements for the various uses computed separately unless shared parking is approved as provided in this article.
- b. The following table is designed to allow calculation of parking spaces required for the uses shown below*:

RESIDENTIAL USES**	SPACE PER UNIT	PER EMPLOYEE	OTHER CRITERIA
Detached Single family:	2		
Multiple family / Planned Residential Development:			
Single bedroom unit:	1.25		
Two or more bedrooms / unit:	2.5	1	

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Mobilehome Parks:	2		1 space / 8 Mobile home spaces
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NON-RESIDENTIAL USES	SPACE PER S.F. OR UNIT	SPACE PER EMPLOYEE / STUDENT	OTHER CRITERIA
Animal hospitals	300		
Cemeteries, mortuaries, crematories and mausoleums (including pet or human)	30 s.f. of net assembly area	1	1 space / vehicle operated by facility
Clothing Services	250		
Community Care Facilities		3	1 space / 3 beds + 1 space / vehicle operated by facility
<i>Dance Floors or Assembly Areas as an integral part of another use</i>	30		
Day Care, Type 3	500		
Drive up windows, ATMs or other services as an integral part of another use			6 stacking spaces prior to the menu board, pickup window, or ATM, whichever has the greatest distance
General Retail: Over 20,000 s.f. indoor leasable area in project	180		
General Retail: Under 20,000 s.f. indoor leasable area in project	200		
General Retail: uncovered sales area	1,000		
hospital		1 space / 2 employees of largest shift	1 space / 2 beds + 1 space / vehicle operated by facility
Industrial, manufacturing Type 1, 2, or 3		2 space / 3 employees of largest shift	1 space / vehicle operated by facility
Junk yards	5,000 of lot area		

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Offices, Professional OR as ancillary to another primary use	200		
Personal Services	150	2	
Recreation, Active	8,000		
Recreation, Commercial Indoor	250 of activity area, not including cooking areas, maintenance areas, or other areas off-limits to the public		
Recreation, Commercial Outdoor	250 of active use (swimming pool, play equipment, etc)	1 space / 2 employees of largest shift	1 spaces / activity location (golf tee, tennis court, etc)
recreational vehicle parks:	1 space / site		1 visitor space / 5 RV sites
Restaurant	45 s.f. of serving /dining area	2	
Schools, museums, libraries, art galleries, etc. - private	30 s.f. of assembly area + 1 sp / classroom	1 space employee + 1 space / 4 students	Loading / unloading and bus turnouts as required
<i>Shell building where tenants are not known</i>	750 s.f. of space not designated as another use		
Theaters, Non-Vehicular; fixed seats			1 space / 3 fixed seats
Theaters, Non-Vehicular; no fixed seats	30		
Transient Occupancy Establishments, Type 2			1 space / 2 beds
Transient Occupancy Establishments, Type 3			1 space / room + 1 space for resident manager
Vehicle fueling stations / repair garages	1 sp / 150 s.f. of repair area + 1 space /250 s.f. of retail space		4 spaces / bay
Vehicle Washing - full service		3	2 spaces / stall
Vehicle Washing - self - service			2 spaces / stall

Warehouse, Distribution	2,000		
Warehouse, Mini		1.5	

- NOTES: The columns, working left to right, are generally additive unless otherwise indicated.

Unless otherwise specified, all parking must be within 300 feet of the use served, on the same parcel as the use, or on an adjoining appropriately zoned parcel.

All vehicle storage (stacking) spaces shall be located off-street. A driveway for stacking leading to a drive-up window shall be designed so as not to interfere with the free or orderly circulation of the parking area.

- ** Parking must be located on-site conveniently distributed throughout the project. For all residential properties, at least one of the required parking spaces per unit shall be located in a garage or carport which is architecturally harmonious with the main structure. All parking spaces shall be located within 200 feet of the building they serve unless otherwise specified.

- c. PARKING REQUIREMENTS FOR USES NOT SPECIFIED. When parking requirements for a use are not specifically stated, the parking requirement for such use shall be determined by the Planning Director based on the requirement for the most comparable listed use in this article.
- d. REQUESTS FOR MODIFICATIONS FROM PARKING STANDARDS. The Planning Director may, without notice or hearing, permit modifications to the circulation and parking layout requirements where topographic or other physical conditions make it impractical to require strict compliance with these requirements.

2. ALTERNATIVE PROGRAMS FOR PARKING.

- 1) A residential, commercial or industrial project may provide for alternative programs which reduce parking demand in return for a reduction in the number of off-street parking spaces required.
- 2) Alternative programs that may be considered by the Planning Director under this provision include, but are not limited to, the following:

- a) Private Car Pool/Van Pool Operations. Office or industrial developments which guarantee preferred parking spaces to employees who participate regularly in a car or van pool may have their parking requirement reduced by two parking spaces for every one space which is marked for car or van pool at a preferred location.
- b) Mass Transit. Developments which are located within 150 feet of a mass transit facility may have their parking requirement reduced by two percent of the total number of required parking spaces.
- c) Planned Residential Development - Senior Citizen. A 20 percent reduction in the total number of required parking spaces may be allowed when an alternative senior citizen transportation program is proposed.
- d) Bicycle Parking. Developments which provide secured bicycle parking facilities exceeding the minimum requirement may reduce the number of required parking spaces by one vehicle space for every three additional bicycle spaces provided.
- e) Shared Parking Requirements. The Planning Director may, upon application by the owner or lessee of any property, authorize shared use of parking facilities under the following conditions:
 - (1) Sufficient evidence shall be presented to the Planning Director to demonstrate that no substantial conflict in the principal hours or periods of peak demand will exist between the uses or structures which propose to share parking.
 - (2) The building or use for which an application for shared parking is being made shall be located within 150 feet of the parking area to be shared.
 - (3) No more than 50 percent of the parking space requirement shall be met through shared parking.
 - (4) Parties sharing off-street parking facilities shall provide evidence of a reciprocal parking agreement for such joint use by a proper legal instrument recorded in the office of the County Recorder with the number of copies as required and thereof filed with the County Building and Safety Department.
- f) Special Review of Parking. The Planning Director may reduce the parking requirement otherwise prescribed for any use or combination

of uses as part of the review of a development plan including, but not limited to, a plot plan, a conditional use permit, a public use permit, a surface mining permit, a planned residential development or a specific plan, based on the following conditions:

- 1) The applicant shall submit a request for modification of parking standards, including sufficient evidence and documentation, to demonstrate to the Planning Director that unusual conditions warrant a parking reduction. Evidence shall include, but is not limited to, the following:
 - a) Information showing that the parking area serves uses having peak parking demands which occur at different times.
 - b) Floor plans which indicate that the floor area devoted to customer or employee use is less than typical for the size building proposed.
 - c) Documentation that other programs which will be implemented by the developer or tenant(s) will result in a reduced parking demand, such as the provision of monetary incentives to employees who regularly utilize public transit or participate in a car or van pool.

- 2) As a condition of approval of the parking reduction, the applicant may be required to record agreements or covenants prior to issuance of a building permit, which assure that appropriate programs are implemented for the duration of the parking reduction.

g) Development Standards For off-Street Parking Facilities.

- 1) LAYOUT DESIGN STANDARDS. All parking areas shall be designed as follows:
 - a) Location of Parking Areas. No parking space shall be located within three feet of any property line. No parking space located on driveways providing direct access to a street shall be located closer than 30 feet from the property line at the right-of-way.
 - b) Parking Space and Driveway Specifications. The location and dimensions of parking spaces and aisles

adjacent to parking spaces shall be arranged in accordance with the following exhibit entitled Riverside County Minimum Parking Standards, and the following tables entitled "Dimensions of Parking Spaces and Aisles" and "Dimensions of Driveways."

DIMENSIONS OF PARKING SPACES AND AISLES			
ANGLE OF PARKING SPACE	SIZE	AISLE WIDTH (in feet)	WIDTH OF DOUBLE ROW AND AISLE (in feet)
0 degrees (parallel parking)	9 ft. x 23 ft.; end stall: 9 ft. x 30 ft.	12	30
45 degrees	9 ft. x 19 ft.; end stall: 12.8 ft x 19 ft	14	52
60 degrees	9 ft. x 20 ft.; end stall: 10 ft. x 20 ft.	18	58
90 degrees	9 ft. x 18 ft.; end stall: 11 ft. x 18 ft	24	60
Herringbone	9 ft. x 18 ft.	14	Between 45.6 and 48.8
STACKING SPACES			
n/a	25 ft in length per vehicle	12 feet	n/a
<p>NOTES: Parking spaces next to a wall, building, fence or other obstructions shall be three feet wider than the required width as listed above.</p> <p>Up to 20 percent of the total required parking may be sized for compact cars. Compact car parking spaces shall be clearly marked "COMPACT CARS ONLY." Compact car parking spaces may be reduced (from the dimensions listed in the table) in width by no more than one-half foot, and in length by no more than two feet. When an entire section of the parking area is restricted to compact car parking, and the parking spaces are at a 90 degree angle to the aisle, the aisle width may be reduced to 23 feet. Compact car parking sections shall be located so as to minimize the distance between them and the uses to be served.</p>			

DIMENSIONS OF DRIVEWAYS	
TYPE OF USE	MINIMUM WIDTH OF DRIVEWAY (in feet)
One-family and two-family dwellings	12
Multiple family or apartment complexes: less than 100 units (Carpports or garages may be allowed on one side.)	24
100 to 300 units (Carpports or garages may be allowed on both sides.)	28
more than 300 units (Carpports or garages may be allowed on both sides.)	34
Commercial/Industrial (The driveway shall have a vertical clearance of 13 feet and six inches.)	24

NOTES: All driveways located within a road right-of-way shall be approved according to County Ordinance No. 461 (County of Riverside Road Improvement Standards and Specifications) or as approved by the County Transportation Director.

Where parallel parking is allowed, the minimum width shall be increased by eight feet for parking on one side and by 16 feet for parking on both sides.

Stub streets in excess of 150 feet shall have a minimum 45 foot radius turnaround at the end, or as otherwise approved by the County Fire Department.

- c) Surfacing Standards for Parking Areas. The following standards shall apply to the development of all off-street parking facilities, including driveways, whether the space is required or optional.

SURFACE STANDARDS	
TYPE OF USE	SURFACING MATERIALS
One and two family residences <ul style="list-style-type: none"> • less than 2 acre parcel • equal to or greater than 2 acre parcel 	<ul style="list-style-type: none"> • concrete, asphaltic concrete, brick or equivalent • at least three inches of decomposed granite or equivalent
<ul style="list-style-type: none"> • Multiple family residences 	<ul style="list-style-type: none"> • concrete, asphaltic concrete, brick or equivalent • driveways with an inverted section shall be constructed with a concrete ribbon gutter
<ul style="list-style-type: none"> • All other uses At least 25 percent of the total street frontage within 660 feet from the boundaries of the proposed use, including both directions from the property and both sides of the street, is in commercial, industrial, residential use or other developed use. Where the proposed use would front on two or more streets, this provision refers to the street with the greater general plan designation or right-of-way requirement. • Other cases where the aforementioned circumstances do not apply or as determined by the Planning Director. 	<ul style="list-style-type: none"> • concrete surfacing with a minimum thickness of 32 inches, with expansion joints; or, • asphaltic concrete paving compacted to a minimum thickness of three inches on four inches of Class 2 base • a base of decomposed granite or equivalent compacted to a minimum thickness of three inches to act as an all-weather surfacing material

- d) Off-Street Parking Area Striping.

- (1) If five or more parking spaces are provided, each space shall be clearly marked with white paint or other easily distinguishable material.
 - (2) If ten or more parking spaces are provided, and one-way aisles are used, directional signs or arrows painted on the surface shall be used to properly direct traffic.
- e) Drainage. All parking areas, including driveways, shall be graded to prevent ponding and to minimize drainage runoff from entering adjoining properties.
- f) Curbs, Bumpers, Wheel Stops or Similar Devices. Public parking areas shall be equipped with permanent curbs, bumpers, wheel stops or similar devices so that parked vehicles do not overhang required walkways, planters or landscaped areas.
- (1) If the method used is designed to stop the wheel rather than the bumper of the vehicle, the stopping edge shall be placed no closer than two feet from the edge of any required walkway, planter or landscaped area, or from any building.
 - (2) The innermost two feet of each parking space, between the wheel stop or other barrier, and any required planter or walkway, may either:
 - (a) be paved; or,
 - (b) be planted with low ground cover.

This additional planting area is considered part of the parking space and may not be counted toward satisfying any landscaping requirement(s).
- g) Lighting.
- (1) Parking area lighting is not required. However, if parking areas are lighted, such lighting facilities shall be located to prevent lights from shining directly onto adjoining properties or streets.
 - (2) Parking area lighting shall be of an energy-efficient type. However, when such lighting is located within 30 miles

of the Mt. Palomar Observatory, low-pressure sodium lamps shall be used. These shall be oriented and shielded to prevent direct illumination above the horizontal plane passing through the luminaire.

B. LOADING SPACE REQUIREMENTS.

1. On each lot used for manufacturing, storage, warehousing, goods display, a department store, a wholesale store, a market, a hotel, a hospital, a laundry, dry cleaning or other uses which involve the receipt or distribution by vehicles of materials or merchandise, there shall be provided and maintained adequate loading space for delivery vehicle stacking, and for loading activities. The loading space and delivery vehicle stacking area shall be located and designed so as to avoid undue interference with the public use of streets and alleys.
2. Each required loading space shall be paved with six inches of concrete over a suitable base and shall not be less than ten feet wide, 35 feet long and 14 feet high.
3. The minimum number of loading spaces indicated in the following table shall be provided.

MINIMUM NUMBER OF LOADING SPACES	
Gross Floor Area (Square Feet)	Number of Loading Spaces
7,499 or less	0
7,500 to 14,999	1
15,000 to 24,999	2
25,000 to 39,999	3
40,000 to 59,999	4
60,000 to 79,999	5
80,000 to 100,000	6
For each additional 100,000	6 plus 1

C. PARKING FOR PERSONS WITH DISABILITIES.

1. Parking spaces shall be provided for access by persons with disabilities in accordance with the number indicated by the following table. These numbers are based on the total number of parking spaces required, given the intended use of the site.

NUMBER OF ACCESSIBLE PARKING SPACES FOR PERSONS WITH DISABILITIES	
Total Number of Parking Spaces Required	Minimum Number of Spaces Required for Accessible Parking
2 to 25	1
26 to 50	2
51 to 75	3
75 to 100	4

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101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total number of required parking spaces
Over 1,000	20 plus one for each 100, or fraction thereof over 1,001

NOTES: A higher percentage of accessible parking spaces is required for medical care outpatient facilities as follows:

Ten percent of the total number of parking spaces provided for outpatient facilities.

Twenty percent of total numbers of parking spaces provided for facilities that specialize in treatment or services for persons with mobility impairments

2. Accessible parking spaces shall be located so as to provide for safety and optimum proximity to curb ramps or other pedestrian ways thereby, providing the most direct access to the primary entrance of the building served by the parking lot.
3. For a single accessible space, the space shall be 14 feet wide and outlined to provide a nine foot wide parking space and a five foot wide loading/unloading area.
4. For multiple accessible spaces, two spaces shall be provided within a 23 foot wide area outlined to provide a five foot wide loading/unloading area between the nine foot wide parking spaces.
5. Each loading/unloading area for a van accessible space shall be eight feet wide with a minimum length of 18 feet.
6. A minimum of one in every eight accessible parking spaces shall be served by an access aisle with a minimum width of eight feet.
 - a. The parking space shall be designated van accessible.
 - b. All such van accessible parking spaces may be grouped on one level of a parking structure.
7. In each parking space, a wheel stop or curb shall be provided and located to prevent encroachment of cars over the walkways
8. The parking spaces shall be located so that persons with disabilities are not compelled to wheel or walk behind parked cars other than their own.

9. Pedestrian ways which are accessible for persons with disabilities shall be provided from each such parking space to the related facilities and shall include curb cuts or ramps as needed.
 - a. Ramps shall not encroach into any parking space. However, ramps located at the front of accessible parking spaces may encroach into the length of such spaces when the encroachment does not limit the ability of persons with disabilities to leave or enter their vehicles, and when it is determined that compliance with any regulation of this Subsection would create an unreasonable hardship.
 - b. Parking spaces may be provided which would require persons with disabilities to wheel or walk behind parking spaces that are not designed for accessibility when it is determined that compliance with the accessible parking regulations would create an unreasonable hardship.
10. Surface slopes for accessible parking spaces shall be the minimum possible, and shall not exceed one-fourth inch per foot (2.083 percent gradient) in any direction.
11. Each accessible parking space shall be identified by a permanently affixed reflectorized sign displaying the international symbol of accessibility.
 - a. The sign shall be posted immediately adjacent to and visible from each accessible parking space.
 - b. The sign shall not be smaller than 70 square inches in area and shall be centered at the interior end of the parking space at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade; or,
 - c. The sign may be centered on the wall of the interior end of the accessible parking space at a minimum height of three feet from the parking space finished grade or walkway.
12. An additional sign shall be posted in a conspicuous place, at each entrance to the off-street parking facilities. The sign shall not be less than 17 inches by 22 inches in size with lettering not less than one inch in height, which clearly and conspicuously states the following:

"Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at or by telephoning."
13. The surface of each accessible parking space shall have a surface identification duplicating the symbol of accessibility in blue paint of at least three square feet in size.

14. For additional accessible parking and site development standards, reference the California Code of Regulations, Title 24.

D. ELECTRONIC VEHICLE PARKING AND CHARGING STATIONS

- a. The minimum electric vehicle parking shall be provided as follows:

ELECTRONIC VEHICLE (EV) PARKING SPACES	
Number of Required Auto Spaces	Number of EV Spaces Required, included as part of the Number of Required Auto Spaces
2 – 24 (Planned Residential Projects only)	1
25 – 49	2
50 or more	1 per 50 auto spaces

- b. All electric vehicle parking spaces shall be serviced by an electric vehicle charging station. If capable, a charging station may service more than one electric vehicle parking space.
- c. All electric vehicle parking spaces shall be shown on parking site plans.
- d. If an existing parking lot is being modified to accommodate EV parking, then a reduction in the required amount of parking spaces, as well as landscaping, may occur to accommodate the infrastructure required per the approval of the Zoning Administrator.

E. BICYCLE PARKING FACILITIES.

1. Bicycle Parking Facility Classifications. Bicycle parking facilities shall be classified as follows:
 - a. Class I, an enclosed box with a locking door, typically called a bicycle locker, where a single bicyclist has access to a bicycle storage compartment.
 - b. Class II, a stationary bicycle rack designed to secure the frame and both wheels of the bicycle, where the bicyclist supplies only a padlock.
 - c. Class III, a stationary bicycle rack, typically a cement slab or vertical metal bar, where the bicyclist supplies a padlock and chain or cable to secure the bicycle to the stationary object.
2. Bicycle Parking Requirements.

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- a. Minimum Bicycle Parking Facilities. The minimum bicycle parking shall be provided as follows:

BICYCLE SPACES FOR BICYCLE PARKING FACILITY CLASS SPACE REQUIREMENTS FOR RESIDENTIAL USES			
Mixed Use development including a combination of residential, retail, or office uses	1 per each residential unit. The bicycle spaces may include Class I, Class II, or Class III bicycle parking facilities, with Class I bicycle parking facilities being provided for at least two-thirds of the total number of residential units.		
Planned Residential Development (PRD) (Multi-Family)	1 per each residential unit. The bicycle spaces may include Class I, Class II, or Class III bicycle parking facilities, with Class I bicycle parking facilities being provided for at least two-thirds of the total number of residential units.		
SPACES FOR BICYCLE PARKING FOR NON – RESIDENTIAL USE			
FACILITY CLASS	INDUSTRIAL	RESTAURANTS, BARS AND COCKTAIL LOUNGES	COMMERCIAL, OFFICE, AND SERVICE USES NOT OTHERWISE LISTED
EMPLOYEES	One bicycle space for every 25 parking spaces required. A minimum of two bicycle spaces required. Class I lockers or Class II racks in an enclosed lockable area.	One bicycle space for every 50 parking spaces required. A minimum of two bicycle spaces required. Class I lockers or Class II racks in an enclosed lockable area.	One bicycle space for every 25 parking spaces required. A minimum of two bicycle spaces required. Class I lockers or Class II racks in an enclosed lockable area.
PATRONS OR VISITORS	Number of bicycle spaces required: 0 Type of lockers/racks: N/A	Number of bicycle spaces required: 0 Type of locker/ racks: N/A	One bicycle space for every 33 parking spaces required. A minimum of two bicycle spaces required. Type of locker/ racks: Class II racks.
<p>NOTES: Where the application of the above table results in the requirement for a fraction of a bicycle parking space, such a space need not be provided unless the fraction exceeds 50 percent.</p> <p>Where the application of the above table results in the requirement of fewer than six employee spaces, Class II racks need not be placed within an enclosed lockable area.</p>			

- b. Design Standards. Bicycle parking facilities shall be installed in a manner which allows adequate spacing for access to the bicycle and the locking device when the facilities are occupied. General space allowances shall include a two foot width and a six foot length per bicycle and a five foot wide maneuvering space

behind the bicycle. The facilities shall be located on a hard, dust-free surface, preferably asphalt or concrete.

- c. Exemptions. Requests for exemptions from bicycle parking requirements shall be made in writing to the Planning Director.
 - 1) Exemptions from bicycle parking requirements shall be submitted and processed concurrently with the project application.
 - 2) Exemptions may be granted depending upon the location of the site with respect to an urbanized area, the nature and hours of operation of the proposed use, and the accessibility of the site by bicycle at present and in the future.

5-F. LANDSCAPING AND SHADING REQUIREMENTS.

- a. Parking area landscaping shall include shade trees from the “County of Riverside Guide to California Friendly Landscaping”, unless otherwise approved by the Planning Director, as follows:

PERCENTAGE OF TOTAL PARKING AREA REQUIRED TO BE SHADED AND LANDSCAPED			
NUMBER OF PARKING SPACES	PERCENTAGE OF PARKING AREA TO BE SHADED	PERCENTAGE OF PARKING AREA TO BE LANDSCAPED	PERCENTAGE OF PARKING AREA TO BE LANDSCAPED, ALONG STATE AND COUNTY SCENIC HIGHWAYS
05-24 spaces	30% minimum	5.0%	6.5%
25-49 spaces	40% minimum	7.5%	8.5%
50+ spaces	50% minimum	10.0%	11.0%
NOTE: The percentage of parking area required to be shaded shall be based on the number of standard uncovered parking spaces; driveways, drive aisles, and handicapped parking spaces are excluded. Multi-level parking structures are exempt from shading requirements.			

- b. Trees shall be planted and maintained throughout the parking area to ensure that within 15 years, the percentage of the parking area that is shaded is no less than the minimum amount required by the table entitled "Percentage of Total Parking Area Required to be Shaded and Landscaped". The parking area shading plan shall be developed in compliance with a landscaping plan. Each planting area shall be of adequate size for the landscaping approved and shall have adequate irrigation for that landscaping.
- c. At the discretion of the, Zoning Administrator, a barrier free, four foot wide paved walkway may be provided through the required planter at street and

driveway intersections to provide unencumbered access for persons with disabilities from the sidewalk to the parking lot.

1. Such a walkway shall be located so as to facilitate the most direct movement of persons using sidewalk curb ramps, if provided.
2. Bus shelters may be located within this planter if approved by the Planning Director. Such shelters shall not be placed so as to reduce the number of trees which are otherwise required by this article.

89.92 PAROLEE-PROBATIONER HOME.

DEVELOPMENT STANDARDS

Where a parolee-probationer home is conditionally permitted in a zone, the parolee-probationer home shall be subject to the following requirements. These requirements are in addition to the development standards and requirements of the applicable zone.

1. The use shall be compatible with neighboring uses.
2. The use shall not result in harm to the health, safety or general welfare of the surrounding neighborhood and substantial adverse impacts on adjoining properties or land uses will not result.
3. Any parolee-probationer homes shall be located near ready access to public transportation, such as bus, light rail transit, bicycle and carpool programs, and shall be accessible to necessary support services.
4. To avoid over-concentration of parolee-probationer homes, there shall be a two thousand (2,000) feet separation requirement between parolee-probationer homes.
5. A parolee-probationer home shall not be located within two thousand (2,000) feet of any of the following: a child day care center, a public or private school, a public or private school bus stop, a park, a public library, a public swimming or wading pool, a commercial establishment that has an on-site or adjacent children's playground, or a place where classes or group activities for children are held, any other group housing, assisted living facility, emergency shelter, supportive housing or transitional housing development.
6. The parolee-probationer home shall be compatible with the character of the surrounding neighborhood.

7. Sufficient on-site parking shall be provided. The precise number of parking spaces required will be determined based upon the operating characteristics of the specific parolee-probationer home.
8. Both indoor and outdoor common areas shall be provided on site.

OPERATIONAL CONSIDERATIONS

1. On-site staff supervision shall be required during all hours of the parolee-probationer home operation

SPECIAL NOTICING REQUIREMENTS.

In addition to any other requirements of Section 18.28 of this ordinance, all owners of real property which is located within one thousand (1,000) feet of the exterior boundaries of the subject property on which the parolee-probationer home is proposed, as such owners are shown on the last equalized assessment roll and any update, shall be notified of the proposed conditional use permit and any public hearing on the proposed parolee-probationer home.

~~90.~~ **93 PERSONAL SERVICES – ADULT.** There are no other development standards or operational considerations of PERSONAL SERVICES – ADULT other than what is referenced in Ordinance No. 596.

~~91.~~ **94 PERSONAL SERVICES – GENERAL.**

DEVELOPMENT STANDARDS

There are no particular development standards for PERSONAL SERVICES – ADULT.

OPERATIONAL STANDARDS

All PERSONAL SERVICES – GENERAL establishments shall maintain the requisite permits and licensing by the County Department of Environmental Health, as well as any other Federal or State agency.

~~92.~~ **95 PLANNED RESIDENTIAL DEVELOPMENT.**

DEVELOPMENT STANDARDS

A. DENSITY

The density of the PLANNED RESIDENTIAL DEVELOPMENT shall be consistent with the density as prescribed in the General Plan.

B. OPEN AREAS

Not less than 40 percent of the net area of a project shall be used for open area or recreational facilities, or a combination thereof. The net area of a project shall be determined by excluding all streets, and landscape areas in public rights-of-way. Each unit shall have at least 25 feet of contiguous open space adjacent to the unit; such open space may be in the form of a balcony or fenced-in yard area, or as otherwise approved by the Planning Director.

C. HEIGHT LIMITATIONS.

The height of buildings shall not exceed that which is permitted in the zone in which the project is located.

C. YARD SETBACKS.

Building setbacks from a project's exterior streets and boundary lines shall be the same as those prescribed by the zone in which the project is located.

D. STREETS.

Streets, which may be permitted to be private, shall be required in accordance with the provisions of County Ordinance No. 460.

E. RECREATIONAL BUILDINGS.

Recreational, public assembly and similar buildings may be permitted within a project if they are intended for the primary use of persons residing within the project and are located so as not to be detrimental to adjacent properties.

F. MAINTENANCE OF COMMON AREAS.

A community association with the unqualified right to assess the owners of the dwelling units for all maintenance, operational and other costs of the common areas and facilities and the community association shall be established and continuously maintained. The association shall have the right to lien the units of the owners who default in the payment of their assessments. The association's lien shall not be subordinate to any encumbrance other than a deed of trust or mortgage made in good faith and for value which is of record prior to the recordation of the lien of the association. Prior to recordation of the final subdivision map, the developer shall submit for approval the declaration of covenants, conditions and restrictions for the project. The approved declaration shall be recorded at the time of the recording of the final subdivision map.

G. TRASH AREAS.

Adequate enclosed trash pickup areas, convenient to the residents which they are intended to serve, shall be provided in the project.

H. SCREENING.

A six foot high masonry wall shall be constructed on any project boundary line where the adjacent property is zoned for a lower residential density than that zone in which the project is located.

I. WALKWAYS.

Five foot wide paved pedestrian walkways shall be installed between the dwelling units and the recreational areas of the project.

J. ACCESS.

Vehicular access openings into a project shall be limited to one for each 400 feet of public street frontage; however, all projects shall be permitted two access drives regardless of the amount of frontage

~~93.~~ **96 PRINTING SERVICES.** There are no particular provisions for PRINTING SERVICES, but these uses may be conditioned to comply with certain operational standards.

~~94.~~ **97 PUBLIC CONVENIENCE OR NECESSITY.** Whichever decision-making body that has the land use authority to approve of alcoholic beverage at a given location also has the authority to make a determination of PUBLIC CONVENIENCE OR NECESSITY.

~~95.~~ **98 RAW MATERIAL EXTRACTION.** There are no particular provisions for RAW MATERIAL EXTRACTION, but these uses may be conditioned to comply with certain development or operational standards on a case-by-case basis.

~~96.~~ **99 RECREATION, COMMERCIAL INDOOR.**

DEVELOPMENT STANDARDS

- a. All facilities for RECREATION, COMMERCIAL INDOOR shall be setback from any RESIDENTIAL ZONE by 20 feet.
- b. Loading areas shall be screened from public view, and from the view of any property used for residential purposes.

OPERATIONAL CONSIDERATIONS

- a. All permits and licenses pertaining to this use issued by a Federal or State Agency, and/or by the County Department of Environmental Health for any primary or accessory activity on the project site shall be maintained at all times. Should any such permit or license be revoked, expire, or in any other fashion become null and void, the associated land use permit associated with such primary or accessory uses shall become null and void six months afterwards, unless such permit or license be reinstated.
- b. Conditions of approval may be imposed on these uses pertaining to other operational considerations.

ACCESSORY USES

The following uses may be considered to accessory to a RECREATION, COMMERCIAL INDOOR use:

- a. Restaurants
- b. General Retail
- c. Alcohol sales, on-site
- d. Manufacturing and/or maintenance of the equipment used at the facility
- e. Or as otherwise determined by the Zoning Administrator

~~97-100~~ RECREATION, COMMERCIAL OUTDOOR.

DEVELOPMENT STANDARDS

Any structure used for the purposes of RECREATION, COMMERCIAL OUTDOOR shall be setback from the nearest RESIDENTIAL ZONE by the height of the structure.

Fences, walls, and other screening is required when a property used for RECREATION, COMMERCIAL OUTDOOR facilities is adjacent to a property used for residential purposes.

OPERATIONAL STANDARDS

Each proposed RECREATION, COMMERCIAL OUTDOOR activity will have conditions of approval pertaining to operational considerations imposed on a case-by-case basis.

ANCILLARY USES

The following uses may be considered to ancillary to a RECREATION, COMMERCIAL OUTDOOR use:

- a. Clubhouse
- b. Restaurants
- c. General Retail
- d. Alcohol sales, on-site
- e. Manufacturing and/or maintenance of the equipment used at the facility
- f. Or as otherwise determined by the Zoning Administrator

~~98.~~ **101 RECREATIONAL VEHICLE PARK.**

DEVELOPMENT STANDARDS – ALL TYPES

Development of Recreational Vehicle Parks shall comply with all requirements of this Ordinance, Title 25 of the California Administrative Code, and all other applicable statutes and ordinances. The following development standards shall apply to all recreational vehicle parks:

1. Density. All RECREATIONAL VEHICLE PARKS *may* have quadruple the density as the General Plan land use designation in which it is located.
2. Size of Recreational Vehicle Park: No parcel of land containing less than five acres may be used for the development and operation of a recreational vehicle park.
3. Open Space. Each recreational vehicle park shall have a minimum of 25 percent of its net area in open space. The net area of a park shall be determined by excluding all streets, drives, and visitor parking areas.
4. Outside Access.
 - a. Principal access shall be from a County maintained road.
 - b. Emergency access shall be a minimum of 15 feet in width and shall be gated. It shall be posted and otherwise remain unobstructed. Use of emergency access shall be limited to emergency use only. Emergency access may be permitted from any street.
5. Trash Removal

Trash bins shall be fully screened and inaccessible to wildlife. Removal of garbage and rubbish shall comply with the requirements of County Ordinance No. 513.

6. Lighting.

1. Lighting shall be indirect, hooded and positioned so as to reflect onto the access roads and away from the recreational vehicle spaces and adjoining property unless otherwise approved by the approving body.
2. Lighting standards for roads and recreational vehicle sites shall be a maximum of ten feet in height. The height of all light standards shall be measured from the elevation of the adjoining pavement of the access roads. Lighting standards in recreational areas may be taller than ten feet.
3. All recreational vehicle parks in the Mt. Palomar Street Lighting Area shall comply with the lighting policies set forth in County Ordinance No. 655

7. Drainage.

The park shall be so graded that there will be no depressions in which surface water will accumulate or as approved by the County Flood Control District.

8. Distance Between Recreational Vehicles and Buildings.

1. Recreational vehicle spaces shall be designed so as to provide the maximum distance between recreational vehicles, taking into account minimum recreational vehicle space size requirements as established within this ordinance.
2. In vacation recreational vehicle parks, recreational vehicle utility connections may be arranged so as to allow grouping of recreational vehicles, up to four vehicles per utility connection, if this is desired by the recreational vehicle owners. However, recreational vehicle owners shall not be required to group more than two to a utility connection unless they so request.
3. Where recreational vehicle spaces are located near any permitted building, the minimum distance between the recreational vehicle and said building shall be 15 feet.

9. Setbacks and Yard Requirements

1. Yard Requirement. Each recreational vehicle park shall have a 20 foot wide landscaped front yard extending along the full width of the parcel devoted to said use and along any side or rear property line abutting a street unless this requirement is modified by the approving body. The yard(s) shall be free of all walls, fences, and accessory structures.

2. Setbacks. All structures and recreational vehicle pads shall be set back from all side and rear property lines not less than three feet, except where a side or rear property line abuts a street, the setback shall be not less than 20 feet. Where the recreational vehicle park is adjacent to an existing single family development, a 100 foot setback shall be provided for structures exceeding one story.

10. Off-Street Parking

In addition to the requirements of the parking regulations-of this ordinance, no parking on interior access roads shall be allowed. Visitor parking shall be provided in separate off street parking areas.

Recreational Vehicle site and driveways shall be of crushed stone, decomposed granite, grass, or similar material so as to provide a level surface for recreational vehicle parking and to minimize dust.

In addition to one recreational vehicle, two passenger vehicles may be parked at the recreational vehicle space.

11. Other Development Standards

All other development standards remain the same as those in the zoning classification in which the recreational vehicle park is located.

12 Storage Yard

Maintenance and Storage Yard. All storage of supplies, maintenance materials and equipment outside of buildings shall be provided within a storage area. Any storage shall be located outside any required yard and completely screened from adjoining properties with a decorative masonry wall or fencing six feet in height and further buffered with landscaping materials eight feet in height.

13 Sanitary Facilities

1. Based on standards set forth in Title 25 of the California Administrative Code, toilets, lavatories and showers shall be provided in the following numbers for each sex:
 - a. In parks constructed and operated exclusively for dependent recreational vehicles: one toilet, one shower, and one lavatory for each sex for each 15 dependent recreational vehicle spaces.

- b. In parks constructed and operated exclusively for independent recreational vehicles, or for a combination of independent and dependent recreational vehicles, the following ratio of toilets, showers and lavatories for each sex:

No. of Spaces	Toilets	Lavatories	Showers
1-25	1	1	1
26-70	2	2	2

For each additional 100 spaces or fraction thereof one additional toilet, lavatory and shower shall be provided for each sex.

- c. In parks where no water and sewer connections are provided at individual recreational vehicle spaces, one toilet, lavatory, and shower shall be provided for each sex for every 15 recreational spaces.

2. Toilets shall be of a water flushing type.
3. Hot and cold running water shall be provided for lavatories and showers.
4. Toilet, lavatory and shower facilities shall be located not more than 400 feet from any dependent recreational vehicle space. Toilet, lavatory, and shower facilities shall be located not more than 1,000 feet from any independent recreational vehicle space.
5. One washing machine and dryer shall be provided for every 50 recreational vehicle spaces or fraction thereof.
6. Recreational vehicle parks which do not provide each recreational vehicle space with a connection to an approved sanitary sewer system shall provide sanitation stations designed to receive the discharge from the sewage holding tanks of recreational vehicles.
 - a. The sanitary station shall be constructed in accordance with specifications set forth in Title 25 of the California Administrative Code.
 - b. If a sanitation station is provided, it shall be located within the park in such a manner so as not to be obnoxious to the tenants of the park and shall be set back 100 feet from adjoining residential development, unless approved by the approving body.

14 Interior Access Roads

Interior access roads within the recreational park shall not be less than 24 feet wide and be paved with a minimum thickness of three inches of asphalt concrete or six inches of

Portland Cement Concrete, or with such alternate surfacing as recommended by a soils engineer.

15 One Way Interior Access Roads

The approving body may reduce the minimum width of interior access roads to 20 feet where one way interior access roads are utilized.

16 Frontage

Each recreational vehicle space shall front on or be served by an interior access road.

17 Hazardous Fire Areas.

In areas designated as hazardous fire areas, the following standards shall apply pursuant to County Ordinance No. 546:

1. Roads must be a minimum 24 feet in width.
2. Dead end roads shall be no longer than 600 feet in length and shall end in a 90 foot diameter turnaround.

18 Electrical Services

In accordance with Title 25 of the California Administrative Code, the following standards shall be met.

1. Only one power supply connection shall be made to a recreational vehicle.
2. Electric power supply equipment shall be located on the rear half of the recreational vehicle space within four feet of the location or proposed location of the recreational vehicle on the space.

19 Restrictive. All structures shall comply with the requirements of Title 25 of the California Administrative Code, except where this ordinance is more restrictive, the restrictive standards shall apply.

20 Landscaping. All areas not in a hard surface shall be landscaped, unless otherwise approved by the approving body. (modified from several similar provisions in 19.98, 19.98a and 19.98b of 348)

21 Electrical Services. Each recreational vehicle shall be provided with an electrical outlet. All main electrical service lines shall be installed underground. (modified from several similar provisions in 19.98, 19.98a and 19.98b of 348)

22. Lot Coverage.
 1. No more than 75% of an individual space may be occupied by a recreational vehicle and any accessory structures. (modified from several similar provisions in 19.98, 19.98a and 19.98b of 348).
 2. Only one recreational vehicle connected to utilities shall be allowed per site.
23. Habitation. No other vehicle parked at the recreational vehicle site shall be used for human habitation.
24. Water Service. Each recreational vehicle space shall be provided with a connection with a fresh water service outlet delivering safe and potable water.
25. Sewer Service. Each recreational vehicle space shall be provided with an approved sanitary sewer system. (identical language from 19.98, 19.98a, and 19.98b of 348)
26. Accessory Structures. Accessory structures including, but not limited to, ramadas, cabanas, and storage structures, may be constructed on individual recreational vehicle spaces provided the following criteria are met and maintained.
 - a. The patio covers are located or constructed and maintained by the park owner.
 - b. The covers are of uniform size, style, and building materials.
 - c. The patio covers are self-supporting and in no way permanently attached to a recreational vehicle.
 - d. All storage structures shall be less than 120 square feet and eight feet in height.
27. Screening. Decorative masonry walls, *earthen berms*, or *opaque* fencing six feet in height, shall be erected on all property lines that do not abut a road.
28. Active Recreation Area. Each Active Recreation Area within a Recreational Vehicle Park may include open space, pool areas, game courts, and clubhouses. **VACATION**

RECREATIONAL VEHICLE PARK.

DEVELOPMENT STANDARDS

No additional development standards are required for a VACATION RECREATIONAL VEHICLE PARK.

A. EXTENDED OCCUPANCY PARK

DEVELOPMENT STANDARDS

A community active recreational area is required for the park, and shall have, at a minimum, 150 square feet per each recreational vehicle space provided

B. PERMANENT OCCUPANCY PARK

DEVELOPMENT STANDARDS

1. HUMAN HABITABILITY. Only recreational vehicles which have toilet and kitchen facilities and can connect to sewer and water service at the recreational vehicle space are allowed.
2. SPACE OWNERSHIP. A permanent park may have a membership organization that provides for the use of spaces in a park by members; however, members shall not be granted title to any lot within a park.
3. VEHICLE REGISTRATION. All recreational vehicles which are sited with a recreational vehicle park on a long-term or permanent basis shall be registered with the State of California Department of Motor Vehicles.
4. RECREATIONAL AREA. A community recreation area shall be provided within the recreational vehicle park, exclusive of any dwelling lot or required yards, which is equal to 200 square feet per recreational vehicle site. If a clubhouse is provided, it shall have a minimum floor area of 1,200 square feet, or 20 square feet per recreational vehicle site, whichever is greater. The final design and location of recreational facilities shall be subject to the approval of the approving body.
5. SPACE OWNERSHIP. A permanent park may have a membership organization that provides for the use of spaces in a park by members; however, members shall not be granted title to any lot within a park.
6. RECREATIONAL VEHICLE STORAGE AREA. All permanent occupancy parks shall provide a recreational vehicle storage area for the use of park residents. This storage area shall contain storage space for a minimum of one recreational vehicle for every five recreational vehicle sites in the park, unless otherwise approved by the approving body. The storage area shall be screened from all streets and from surrounding properties by an eight foot high wall or opaque fence, or by a combination earthen berm and wall or fence which provide an eight foot high screen. (modified from 19.98b.I, L, M, O, and Q of 348)

99. 102 RECYCLING FACILITY, COLLECTION.

DEVELOPMENT STANDARDS

1. Reverse Vending Machines
 - a. Location. Reverse vending machines shall be established in conjunction with supermarkets or other commercial or industrial uses which are subject to

approved plot plans or conditional use permits, and shall be located within 30 feet of the entrance to the commercial or industrial structure, without obstructing pedestrian or vehicular traffic, or occupying parking spaces required by the primary use.

- b. Parking. No additional parking spaces for access or use shall be required.
- c. Size. Reverse vending machines shall occupy no more than 50 square feet of floor area per machine, and shall be no more than eight feet in height.
- d. Design. Reverse vending machines shall be constructed and maintained with durable waterproof and rustproof material, and shall be clearly marked to identify material to be deposited, operating instructions, and the identity and the telephone number of the operator or responsible person to contact in the event of machine malfunction or if the machine is inoperative.
- e. Signs. Signs shall have maximum surface area of four square feet.
- f. Maintenance. Units shall be maintained in a clean litter free condition, and shall be sufficiently illuminated to ensure safe operations at all times.
- g. Operating Hours. Such facilities shall have operating hours at least the same as the primary use.

2. Mobile Recycling Units

- a. Mobile recycling units shall be established in conjunction with supermarkets or other commercial or industrial uses which are subject to approved plot plans or conditional use permits.
- b. Mobile recycling units shall be no larger than 500 square feet and occupy no more than five parking spaces not including space needed for material removal or transfer.
- c. Such facilities shall accept only glass, metals, plastics, papers and such other non-hazardous materials suitable for recycling.
- d. Parking. No additional parking spaces for customer use at facilities located at established parking lots of a primary use, shall be required. Mobile recycling units shall have an area which is clearly marked to prohibit other vehicular parking during times when the mobile unit is scheduled to be present.
- e. Setbacks.
 - 1) Units shall be set back at least ten feet from any street line and shall not obstruct pedestrian or vehicular traffic.
 - 2) The storage, operation, and concealment of materials shall conform to the setback and development standards of the zone in which the project is located.

- 3) Containers for 24-hour material donation shall be at least 30 feet from any residentially zoned property unless superseded by an acoustic barrier approved by the Planning Director.
 - f. Storage.
 - 1) Storage containers shall be securable and constructed of waterproof and rustproof materials.
 - 2) Storage of recyclable materials outside of containers or mobile unit when an attendant is not present is prohibited.
 - 3) Containers shall be clearly marked to indicate the type of material for acceptable for collection. The facility shall identify the operator and hours of operation.
 - g. Maintenance facilities shall be maintained in a safe and litter free condition.
 - h. Hours of Operation. Attended facilities located within 100 feet of any residentially zoned property shall operate only between the hours of 9:00 a.m. and 7:00 p.m.
 - i. Signs.
 - 1) All on-site signs shall comply with the provisions of Section 19.4. of this ordinance.
 - 2) Directional signs may be installed, as approved, if necessary to facilitate traffic circulation.
 - 3) A sign shall be affixed to the facility prohibiting the deposit of hazardous or toxic materials after hours or at any time an attendant is not present.
 - j. Noise. The facility shall not exceed noise levels of 60 dBA as measured at the exterior property line of residentially zoned property. In no event shall the noise level exceed 70 dBA.
 - k. Landscaping. Facilities shall be located so as not to affect the landscaping required for any concurrent land use.
 - l. Additional Development Requirements. Additional development standards may be required as conditions of approval
3. Recycling Collection Facilities, Indoor
- a. Outside storage of raw recyclable materials shall not be permitted, but may be stored in containers no larger than 120 square feet in area and no taller than 8 feet.
 - b. Landscaping and Setbacks.

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- 1) The collection facility area shall be screened from public view, and shall be indistinguishable from any other commercial or industrial building.
 - 2) Collection facilities shall be setback at least 150 feet from property zoned or designated for residential use pursuant to the Riverside County General Plan.
 - 3) Containers provided for after hours donation shall be set back at least 50 feet from any property zoned or occupied for residential use, and shall be constructed of sturdy and durable containers that have the capacity to accommodate donated materials.
- c. Storage of Materials.
- 1) All exterior storage of materials shall be in sturdy weather and rustproof containers which are covered, baled, or palletized; and which are secured and maintained in good condition.
 - 2) Storage for flammable materials shall be in nonflammable containers.
 - 3) Storage for the recycling of oil shall be in containers approved by the County Health Department.
- c. Parking. Parking shall be provided for six vehicles or the anticipated peak customer demand load, whichever is greater. One additional parking space for each commercial vehicle operated by the facility shall be provided.
- e. Noise. The facility shall not exceed noise levels of 60 dBA as measured at the exterior property line of residentially zoned property. In no event shall the noise level exceed 70 dBA.
- f. Hours of Operation. If the facility is located within 500 feet of property zoned or designated for residential use subsequent to the Riverside County General Plan, it shall not operate between the hours of 7:00 p.m. and 7:00 a.m.
- g. Signs. All on-site signs shall be in conformance with the standards set forth in Section 19.4. of this ordinance, and shall clearly identify the responsible operating parties and their telephone numbers.
- h. Power-driven Machinery. The use of power-driven machinery shall be limited to State approved reverse vending machines. In addition:

- 1) Machinery which is necessary for the temporary storage, efficient transfer, or securing of recyclable materials may be permitted with the approval of a plot plan.
 - 2) Any power-driven machinery which is used to briquette, shred, transform, and otherwise process recyclable materials shall only be used indoors unless otherwise approved with a conditional use permit
- i. Additional Development Requirements. Additional development standards may be required as conditions of approval.

~~100-~~ 103 **RECYCLING FACILITY, PROCESSING.**

DEVELOPMENT STANDARDS

- a. Any processing facility that operates totally within in an enclosed building with no outside storage, and shall be located at least 150 feet from property zoned or designated for residential use pursuant to the Riverside County General Plan. Outside storage shall not be permitted at these facilities.
- b. Storage of Materials.
 - 1) All outside storage of materials shall be in sturdy weather and rustproof containers which are covered, baled, or palletized; and which are secured and maintained in good condition.
 - 2) Storage for flammable materials shall be in nonflammable containers.
 - 3) Storage for the recycling of oil shall be in containers approved by the County Health Department.
 - 4) Storage of recyclable materials outside of containers or mobile/recycling unit when attendant is not present is prohibited.
 - 5) Containers shall be clearly marked to indicate the type of material accepted for collection.
- e. Parking. Parking shall be provided on site for the peak load circulation and parking of customers. If the facility is to service the public, parking spaces shall be provided for a minimum of ten customers, or the peak customer demand load whichever is greater.
- f. Noise. The facility shall not exceed noise levels of 60 dBA as measured at the exterior property line of residentially zoned property. In no event shall the noise level exceed 70 dBA.

- g. Hours of Operation. The facility shall identify the operator and the hours of operation. If the facility is located within 500 feet of property zoned or planned for residential use pursuant to the Riverside County General Plan, it shall not operate between the hours of 7:00 p.m. and 7:00 a.m.
- h. Signs. All on-site signs shall be in conformance with the standards set forth in ~~Section 19.4~~ of this ordinance, and shall clearly identify the responsible operating parties and their telephone numbers.
- i. The site shall be maintained in a safe and litter free condition on a daily basis.
- j. Additional Development Requirements. Additional development standards may be required as conditions of approval.

~~101.~~ 104 **RESTAURANT.**

DEVELOPMENT STANDARDS – ALL TYPES

- a. All RESTAURANT facilities shall be located no closer than 20 feet from any established residential use, except when incorporated within a residential community designed for such purposes.
- b. All loading and/or trash areas shall be no closer than 40 feet from any established residential use.
- c. When a RESTAURANT is ancillary to another primary use, the DEVELOPMENT STANDARDS of that primary land use shall govern.
- d. When a RESTAURANT is ancillary to another primary use, that primary use may dictate whether such a RESTAURANT is Dine-In, Take-Out / Delivery, and/or Drive-Thru.

OPERATIONAL CONSIDERATIONS – ALL TYPES

- a. No RESTAURANT shall commence operations until such time as all requisite permits and inspections have been issued by responsible agencies such as Riverside County Environmental Health, Riverside County Fire Department, and Riverside County Sheriff.
- b. All outdoor waiting and dining areas shall be enclosed in a fenced area, unless it is part of a commercial center or as otherwise approved by the decision making body.
- c. When a RESTAURANT is an ancillary activity to another primary use, the OPERATIONAL CONSIDERATIONS of that primary land use shall govern.

DINE-IN RESTAURANT DEVELOPMENT STANDARDS

- a. When a DINE-IN RESTAURANT has live entertainment, the maximum occupancy of the establishment shall not be exceeded.

DINE-IN RESTAURANT OPERATIONAL CONSIDERATIONS

- a. On-sale alcohol service may occur in DINE-IN RESTAURANT establishments, pursuant to any conditions of approval from the Planning Department and the California Department of Alcoholic Beverages.
- b. Any DINE-IN RESTAURANT that has on-sale alcohol service shall close operations by no later than 2:00 a.m., or as otherwise established by Conditions of Approval.
- c. Any DINE-IN RESTAURANT that does not have on-sale alcohol service or live entertainment may be open 24 hours a day, or as otherwise established by the Conditions of Approval.

TAKE OUT / DELIVERY RESTAURANT DEVELOPMENT STANDARDS

- a. A reduction of Parking requirements may be approved for TAKE OUT / DELIVERY RESTAURANT facilities, pursuant to a decision of the Approving Body, and without the necessity of a MODIFICATION or VARIANCE. Any such reduction in the parking requirements shall be noted in the Conditions of Approval.
- b. Any public waiting or queuing area shall be designed so as not to impede on neighboring pedestrian traffic and/or public right of way.
- c. Any waiting or queuing area for delivery vehicles shall use off-street parking.

TAKE OUT / DELIVERY RESTAURANT OPERATIONAL CONSIDERATIONS

- a. No on-sale alcohol service may occur at a TAKE OUT / DELIVERY RESTAURANT unless the facility is part of a controlled environment for several like establishments and customers would be dining in a fenced-in area, or as otherwise approved by the Riverside County Sheriff and the California Department of Alcoholic Beverages.
- b. Off-Sale alcohol service may be provided at a TAKE OUT / DELIVERY RESTAURANT as an ancillary use, provided the establishment has a license from the California Department of Alcoholic Beverages.

DRIVE-THRU RESTAURANT DEVELOPMENT STANDARDS

- a. Any drive-through lane shall be designed so as not to impede traffic on public streets, and shall instead shall have ingress and egress from off-street parking areas.
- b. All lighted menu boards and other signage pertaining to the drive-thru window shall be designed so as not to be visible from any adjacent residential uses or RESIDENTIAL ZONE.
- c. All outdoor speaker systems should be designed so as not to be directed toward any adjacent property used for residential purposes, to the greatest extent possible.

DRIVE-THRU RESTAURANT OPERATION STANDARDS

- a. Additional Conditions of Approval may be imposed on DRIVE-THRU RESTAURANT facilities on a case-by-case basis in order to minimize impacts to surrounding properties.

~~102.~~ **105. SALE OF A PORTION OF A LOT.** Where a lot is divided into separate ownerships and the area of either portion is such that the number and location of the buildings thereon no longer conform to the lot area requirements of the particular zone, then in the determination of the permissible number and location of any buildings on either portion of the lot, both parts shall be considered as one parcel only.

~~103.~~ **106. SCHOOLS, MUSEUMS, LIBRARIES – PRIVATE.** There are no particular provisions for SCHOOLS, MUSEUMS, LIBRARIES – PRIVATE, but these uses may be conditioned to comply with certain operational standards.

~~104.~~ **107. SEX ORIENTED BUSINESS.** There are no particular provisions for a SEX ORIENTED BUSINESS in this ordinance that are in addition to Ordinance No. 743.

~~105.~~ **108. SOLAR ENERGY SYSTEM.** Notwithstanding any other provision of this ordinance, solar energy systems are permitted as an accessory use in all zones subject to the provisions of this section.

- A. The intent of this section is to provide for the implementation of section 65850.5 of the Government Code and section 17959.1 of the Health and Safety Code by complying with the mandatory provisions of those state statutes and to advance the state policy of encouraging the installation of solar energy systems by removing obstacles to, and minimizing costs of, permitting such systems. This section is intended to avoid any unreasonable restrictions on the ability of homeowners, agricultural concerns and business concerns to install solar energy systems. Solar energy systems utilize a renewable and nonpolluting energy resource, enhance the reliability and power quality of the electrical grid, reduce peak power demands, and make the electricity supply market more competitive by promoting consumer choice.
- B. Applications to install solar energy systems shall be administratively reviewed and approved by the Director of the Department of Building and Safety as nondiscretionary permits; provided, however, that if the Director of the Department of Building and

Safety determines in good faith that a solar energy system could have a specific adverse impact on the public health or safety, the applicant shall be required to apply for a Use Permit pursuant to Section I.10.C of this ordinance and all provisions of that section shall apply except as modified by this section.

- C. Review of an application to install a solar energy system shall be limited to a determination of whether the application meets all health and safety requirements of county, state and federal law. The requirements of county law shall be limited to those standards and regulations necessary to avoid a specific adverse impact upon the public health or safety. Review for aesthetic purposes, including any ordinance provision requiring the screening of the solar energy system, shall not be applicable.
- D. If a Use Permit is required pursuant to subsection b above, the plot plan shall not be denied unless the denial is based on written findings in the record that the proposed installation would have a specific adverse impact on the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The findings shall include the basis for rejection of potential feasible alternatives of preventing the adverse impact.
- E. Any conditions imposed on an application to install a solar energy system shall be designed to mitigate the specific, adverse impact upon the public health and safety at the lowest cost possible.
- F. A solar energy system for heating water shall be certified by the Solar Rating Certification Corporation (SRCC) or other nationally recognized certification agency. SRCC is a nonprofit third party supported by the United States Department of Energy. The certification shall be for the entire solar energy system and installation.
- G. A solar energy system for producing electricity shall meet all applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.
- H. A “feasible method to satisfactorily mitigate or avoid the specific, adverse impact” includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the county on another similarly situated application in a prior successful application for a permit. The county shall use its best efforts to ensure that the selected method, condition, or mitigation does not “significantly” increase the cost of the system or “significantly” decrease its efficiency or specified performance, or allows for an alternative system of comparable cost, efficiency, and energy conservation benefits. For solar domestic water heating systems or solar swimming pool heating systems that comply with state and federal law, “significantly” means an amount exceeding 20 percent of the cost of the system or decreasing the efficiency of the solar energy system

by an amount exceeding 20 percent as originally specified and proposed. For photovoltaic systems that comply with state or federal law, “significantly” means an amount not to exceed \$2,000 over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding 20 percent as originally specified and proposed.

~~106.~~ **109 SOLAR POWER PLANT.**

DEVELOPMENT STANDARDS

1. No SOLAR POWER PLANT shall be installed on any parcel smaller than 10 acers.
2. Fences, walls, and other screening is required when a property used for SOLAR POWER PLANT facilities is adjacent to a property used for residential purposes.

~~107.~~ **110 SPECIAL OCCASION FACILITY.**

DEVELOPMENT STANDARDS

1. When this land use is ancillary to another primary use, the Development Standards of that primary use shall govern.
2. When this land use is the permanent primary use of a property, fences, walls, and other screening is required when such a facility is adjacent to a property used for residential purposes.
3. All structures, whether permanent or temporary, shall comply with the development standards of the zone that it is in.

OPERATIONAL CONSIDERATIONS

1. If this land use is ancillary to another primary use, the OPERATIONAL CONSIDERATIONS of that primary use shall govern.
2. All SPECIAL OCCASION FACILITY operations shall comply with Ordinance No. 847.
3. The hours of operation of any SPECIAL OCCASION FACILITY shall open no sooner than 8:00a.m., and close no later than 1:00a.m.
4. Any SPECIAL OCCASION FACILITY may have additional conditions of approval to address OPERATIONAL CONSIDERATIONS on as as-needed, case-by-case basis.

~~108.~~ **111 SPECIFIC PLAN, HIGHWAY.**

- A. Whenever a specific plan for a highway has been adopted by the County of Riverside, all requirements of this ordinance relating to highway right of way lines shall be calculated from the adopted planned future right of way line. No building, structure or other improvement shall be constructed within the described planned right of way lines, and no building permit shall be issued therefore, except as hereinafter set forth.
- B. The following improvements shall be permitted to be constructed within the described planned right of way lines of a specific plan, provided that they are appurtenant to a permitted use that is conducted on an abutting parcel; that any required encroachment permit pursuant to County Ordinance No. 499 is first approved, and further provided that an approved Minor Use Permit is granted pursuant to Section I.10.D of this ordinance:
1. Pedestrian access walkways.
 2. Vehicular access driveways.
 3. Fences not exceeding 30 inches in height.
 4. Landscaping that includes planters.
 5. Off-street parking areas, including parking spaces, drives, aisles, turning and maneuvering areas, bumper stops or wheel stops. Off-street parking within a specific plan area shall not be credited toward providing required parking area pursuant to Section III.xxx of this ordinance.
 6. Lights to illuminate off-street parking areas, pedestrian walkways, vehicular access driveways, landscaped areas or buildings.
 7. Unlighted or non flashing lighted directional signs located at public entrances to, or exits from, off-street parking areas.
 8. Unlighted or non flashing lighted single or double-faced signs not exceeding 100 square feet in display area per face, identifying a building or the merchandise or activity available on the abutting premises; provided that:
 - a. The sign is necessary to a business to achieve visibility or identification of the business by the traveling public that is substantially equal to that of existing businesses in the area.
 - b. The sign is a permitted use in the zone and does not project over or extend into the existing street right of way.
 - c. Not more than one such sign shall be permitted on any lot or parcel.

- d. The plot plan approval shall clearly fix the proposed location, size, shape and elevation of the sign with respect to the lot or parcel on which it is to be erected.

- C. As a condition to the final approval of a Minor Use Permit, the applicant shall sign an agreement that he will remove any such permitted improvements within 45 days from the date of mailing of a written request to do so by the **Director of Transportation** of the County of Riverside. The applicant shall further agree that if the permitted improvements are not removed within said 45 day period, they shall become the property of the County of Riverside or the public agency having jurisdiction over the right of way. The agreement shall be binding upon the applicant, his heirs, successors and assigns.

~~109.~~ **112** **STUDIOS, COMMERCIAL.** There are no particular development or operational considerations for STUDIOS, COMMERCIAL. However, this land use may be subject to conditions of approval on a case-by-case basis.

~~110.~~ **113** **SWIMMING POOLS.** Swimming pools may be constructed as follows:

- A. Private swimming pools for the use of the occupants of the premises and their nonpaying guests shall be located not nearer than five feet to any property line or dwelling;

- B. All other swimming pools shall be located not nearer than ten feet from any property line or building;

- C. A swimming pool may be constructed contrary to Subsection a. above when it lies partially within and partially without a dwelling which conforms with all other provisions of this ordinance. (18.25 of 348)

~~111.~~ **114** **TEMPORARY EVENT.**

DEVELOPMENT STANDARDS

- 1. A major event may not be held at any location other than an established facility.

- 2. A minor event may be held at a location other than an established facility, but only if a minor event permit has first been obtained in accordance herewith.

OPERATIONAL CONSIDERATIONS

1. Notwithstanding any other provision of this ordinance to the contrary, major and minor events are permitted as a matter of right in any established facility, but may not occur during the hours of 2:00 a.m. to 6:00 a.m.
2. An application for a minor event permit shall not be processed and shall be summarily denied if ten minor events have already occurred at the location in question.
3. A TEMPORARY EVENT may only occur if there is no pending code enforcement action on the property underlying the proposed event location.
4. The Planning Director may require an applicant for a minor event permit to post a bond or to otherwise financially secure that the event location is restored to its original condition and that the County is fully reimbursed for any unanticipated law enforcement or emergency medical expenses. The Planning Director shall determine the amount of the bond or other security and the applicant shall post it with the County Building and Safety Director. The Planning Director may also require an applicant for a minor event permit to obtain indemnity or liability insurance naming the County as the insured.
5. No person shall advertise, sell or furnish tickets for a minor event until a permit has been obtained for the event in accordance herewith.
6. A minor event permit may be revoked pursuant to and in accordance this ordinance.

112. 115 TEMPORARY USE OF LAND. Notwithstanding any other provisions of this ordinance, the following matters may, without notice or public hearing, be approved, conditionally approved or denied by the Zoning Administrator.

REQUIRED FINDINGS

No request for a temporary use of land shall be granted unless it is determined that the temporary use of the land will not be detrimental to the health, safety or general welfare of the community or be detrimental to property in the vicinity of the parcel for which the temporary use is requested.

OPERATIONAL CONSIDERATIONS

Conditions of approval shall be placed on any TEMPORARY USE OF LAND that may be required as are determined to be necessary to assure that the granting of the adjustment or use will not be detrimental to the health, safety and general welfare of the community or be detrimental to property in the vicinity of the parcel for which the request is made including the following conditions:

1. Regulations of points of vehicle ingress and egress to the property.
2. Require any necessary landscaping, fencing or walls.

3. Require the restoration of the property to a natural appearance, including, but not limited to filling, grading and leveling.
4. Establish a time period within which the permission is to be used and required conditions are to be completed.

~~113-116~~ **THEATERS, DRIVE-IN**

DEVELOPMENT STANDARDS.

There are no particular DEVELOPMENT STANDARDS for THEATERS, DRIVE-IN.

OPERATIONAL STANDARDS.

There are no particular OPERATIONAL STANDARDS for THEATERS, DRIVE-IN, but conditions of approval may be imposed on a case-by-case basis.

ANCILLARY USES.

The following may be considered an ANCILLARY USE to a THEATER, DRIVE-IN:

- a. Restaurant: DINE-IN or TAKE OUT / DELIVERY only

ALTERNATIVE USES. When not in use in night-time as a THEATER, DRIVE-IN, the following other land uses may use the facility subject to any conditions of approval imposed by the Zoning Administrator:

- 1) AUCTION HOUSES / YARDS / SWAP MEETS; PERMANENT FACILITY
- 2) TEMPORARY EVENT
- 3) CHURCHES, TEMPLES, AND OTHER PLACES OF RELIGIOUS WORSHIP
- 4) Other uses as approved by the Zoning Administrator

~~114-117~~ **THEATERS, NON-VEHICULAR.**

DEVELOPMENT STANDARDS

There are no particular development standards for THEATERS, NON-VEHICULAR facilities.

OPERATIONAL STANDARDS

For any THEATERS, NON-VEHICULAR facilities that are open to the sky, all activities shall be closed by 2:00 a.m.

~~115.~~ **118 TRANSFERAL OF RESIDENTIAL REQUIREMENTS.**

Where a building for dwelling purposes is erected on a lot in a zone other than the zone in which such building for dwelling purposes is first ordinarily or primarily permitted by this ordinance, such lot shall be subject to the same requirements for yards, minimum lot area and percentage of lot coverage as are specified in this ordinance for a lot in the zone in which such building for dwelling purposes is first ordinarily or primarily permitted.

~~116.~~ **119 TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 1.** There are no other special provisions to a TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 1 other than what is referenced in Ordinance No. 927.

~~117.~~ **120 TRANSIENT OCCUPANCE ESTABLISHMENT, TYPE 2.**

DEVELOPMENT STANDARDS

1. A TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 2 may be constructed in one structure or more than one.
2. If a TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 2 is the ancillary use to another primary use of the property, then the DEVELOPMENT STANDARDS of the primary use shall govern.
3. Any TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 2 facility that contains 5 or more guest rooms may be subject to commercial building codes, and subject to corresponding fees pertaining to commercial establishments.
4. All TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 2 shall be setback from any RESIDENTIAL ZONE by a minimum of 20 feet.

OPERATIONAL CONSIDERATIONS

1. If a TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 2 is the ancillary use to another primary use of the property, then the OPERATIONAL CONSIDERATIONS of the primary use shall govern.
2. All TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 2 facilities shall have a caretaker on-site at all times.

~~118.~~ **121 TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 3.**

DEVELOPMENT STANDARDS

1. A TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 3 may be constructed in one structure or more than one.
2. If a TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 3 is the ancillary use to another primary use of the property, then the DEVELOPMENT STANDARDS of the primary use shall govern.

3. All TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 3 shall be setback from any RESIDENTIAL ZONE by a minimum of 20 feet

OPERATIONAL CONSIDERATIONS

1. If a TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 3 is the ancillary use to another primary use of the property, then the OPERATIONAL CONSIDERATIONS of the primary use shall govern.

ANCILLARY USES

The following may be considered an ANCILLARY USE to a TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 3:

1. RESTAURANTS: Dine-in or Takeout / Delivery only
2. SPECIAL EVENT FACILITY
3. THEATER, NON-VEHICULAR

~~119-122~~ UNATTENDED DONATION BINS

DEVELOPMENT STANDARDS.

No Donation Bin Permit shall be approved unless the following development standards are satisfied:

- A. The dimensions of a Donation Bin shall not exceed 82 inches high, 56 inches wide and 49 inches deep.
- B. No more than two (2) Donation Bins shall exist on the same legal lot.
- C. Donation Bins shall not be located on any lot with a one family dwelling, multiple family dwelling or mobilehome.
- D. Donation Bins shall not be located within any public right of way area, emergency vehicle route, internal drive aisle or pedestrian pathway.
- E. Donation Bins shall be set back at least three (3) feet from any public right of way, emergency vehicle route, internal drive aisle, or pedestrian pathway.
- F. Donation Bins shall not be located on unimproved lots.
- G. All Donation Bins shall be constructed with a metal material. Donation Bins constructed with wood, plastic, or any other non-metal material, shall be prohibited.

OPERATIONAL REQUIRMENTS.

In addition to the development standards in Section XXX, the Permittee shall ensure Donation Bins comply with the following:

- A. Donation Bins shall be kept free of structural damage, holes, visible rust, and graffiti.
- B. Donation Bins shall be kept locked or otherwise secured at all times.
- C. Donation Bins shall be serviced and emptied at a minimum of every seven (7) days, or more frequently on an as needed basis, to ensure the Donation Bin and surrounding area are kept free of materials and debris.
- D. Donated items must fit entirely within the closed Donation Bin.
- E. Donated items shall consist of textiles, shoes, books and other salvageable personal items only.
- F. Donated items shall not include items such as, but not limited to, hazardous materials, mattresses, vehicles, food items or appliances.
- G. The area surrounding the Donation Bin shall be kept free of any debris, junk, donated items, or other material, including but not limited to donated items that do not fit entirely within the Donation Bin.
- H. In accordance with California Welfare and Institutions Code Section 151, the front of every Donation Bin shall conspicuously display all of the following:
 - 1. The name, address, telephone number, and, if available, the internet web address of the Donation Bin Operator; and
 - 2. A statement, in at least two-inch typeface, that either reads, "this Donation Bin is owned and operated by a for-profit organization" or "this Donation Bin is owned and operated by a nonprofit organization."
 - 3. If the Donation Bin Operator is a nonprofit organization, the front of the Donation Bin shall also conspicuously display a statement describing the nonprofit cause that will benefit from the collections.
 - 4. If the Donation Bin Operator is a for-profit entity, the front of the Donation Bin shall also conspicuously display a statement that reads "this donation is not tax deductible." If the Donation Bin is owned and operated by a commercial fundraiser, the commercial fundraiser may post notice of donations to a

nonprofit cause only on the sides of the Donation Bin. This notice shall always be smaller in size than the forprofit entity's name and address and shall constitute only twenty-five percent (25%) of the notice space of the Donation Bin.

- I. Donation Bins shall comply with all other applicable federal, state and local laws and regulations.
- J. ENFORCEMENT AND VIOLATIONS. In accordance with Welfare and Institutions Code Section 152, a Donation Bin in violation of this Article may be declared a "public nuisance."

~~120.~~ **123 VEHICLE FUELING STATION.**

DEVELOPMENT STANDARDS

1. All tanks for storing liquid vehicular fuels shall be stored underground.
2. Spaces used for the fueling of vehicles may be used in the calculation to determine the required parking for the site.

OPERATIONAL STANDARDS

1. There are no particular operational standards for VEHICLE FUELING SATION facilities, but conditions may be imposed on a case-by-case basis.

ANCILLARY USES. The following may be considered an ANCILLARY USE to a VEHICLE FUELING STATION:

1. GENERAL RETAIL.
2. RESTAURANT: Dine-in, Takeout / Delivery, and/or Drive-thru
3. VEHICLE REPAIR GARAGE, TYPE 1
4. VEHICLE WASH

~~121.~~ **124 VEHICLE REPAIR GARAGE, TYPE 1**

DEVELOPMENT STANDARDS

There are no additional development standards for VEHICLE REPAIR GARAGE, TYPE 1 other than what is required in the zone in which it is located.

OPERATIONAL STANDARDS

All activities associated with VEHICLE REPAIR GARAGE, TYPE 1 shall be contained entirely within a fully enclosed building. All auto bays shall be shut at all times.

~~122.~~ 125 **VEHICLE REPAIR GARAGE, TYPE 2**

DEVELOPMENT STANDARDS

1. All facilities designed to accommodate VEHICLE REPAIR GARAGE, TYPE 2 businesses shall be located no closer than 30 feet from any residentially zoned property.
2. Fences, walls, and other screening is required when a property used for VEHICLE REPAIR GARAGE, TYPE 2 facilities is adjacent to a property used for residential purposes.

OPERATIONAL CONSIDERATIONS

1. Hours of operation, and other operational considerations, will be established for every VEHICLE REPAIR GARAGE, TYPE 2 facility on a case-by-case basis.

~~123.~~ 126 **VEHICLE REPAIR GARAGE, TYPE 3**

DEVELOPMENT STANDARDS

1. All facilities designed to accommodate VEHICLE REPAIR GARAGE, TYPE 3 businesses shall be located no closer than 30 feet from any residentially zoned property.
2. Fences, walls, and other screening is required to screen the entirety of a property that is used for VEHICLE REPAIR GARAGE, TYPE 3 purposes.
3. Storage of all vehicles that are being repaired shall occur behind a locked, secure, and opaque fence or wall. Such screening shall be subject to the approval of the hearing body.

OPERATIONAL CONSIDERATIONS

1. Hours of operation will be established for every VEHICLE REPAIR GARAGE, TYPE 3 facility on a case-by-case basis.
2. A security plan will be required as part of the project, and shall be subject to approval of the hearing body.
3. Other operational considerations will be subject to conditions of approval on a case-by-case basis.

~~124.~~ **127** **VEHICLE SALE, RENTAL AND INCIDENTAL REPAIR, TYPE 1.**

DEVELOPMENT STANDARDS

1. Fences, walls, and other screening is required when a property used for a VEHICLE SALE, RENTAL AND INCIDENTAL REPAIR, TYPE 1 facility that is adjacent to a property used for residential purposes.
2. All advertising associated with a VEHICLE SALE, RENTAL AND INCIDENTAL REPAIR, TYPE 1 facility shall conform to a sign program that is approved by the hearing body.
3. Temporary advertising, such as balloons or other inflatable displays, are discouraged.
4. A lighting plan shall be approved by the hearing body. All lighting associated with a VEHICLE SALE, RENTAL AND INCIDENTAL REPAIR, TYPE 1 facility shall be directed so as to avoid spillage onto residential neighborhoods.

OPERATIONAL CONSIDERATIONS

1. When a VEHICLE SALE, RENTAL AND INCIDENTAL REPAIR, TYPE 1 facility is located within 1,000 feet of a residential unit, the use of outdoor speakers shall cease by 8:00p.m.
2. Conditions of approval may be imposed to address other OPERATIONAL CONSIDERATIONS on a case-by-case basis.

ANCILLARY USES. The following uses are considered ancillary to a VEHICLE SALE, RENTAL AND INCIDENTAL REPAIR, TYPE 1 facility:

- 1, VEHICLE REPAIR GARAGE, TYPE 3.
2. VEHICLE WASHES

~~125.~~ **128** **VEHICLE SALE, RENTAL AND INCIDENTAL REPAIR, TYPE 2.**

DEVELOPMENT STANDARDS

1. Fences, walls, and other screening is required when a property used for a VEHICLE SALE, RENTAL AND INCIDENTAL REPAIR, TYPE 2 facility that is adjacent to a property used for residential purposes.
2. All advertising associated with a VEHICLE SALE, RENTAL AND INCIDENTAL REPAIR, TYPE 2 facility shall conform to a sign program that is approved by the hearing body.

3. Temporary advertising, such as balloons or other inflatable displays, are discouraged.
4. A lighting plan shall be approved by the hearing body. All lighting associated with a VEHICLE SALE, RENTAL AND INCIDENTAL REPAIR, TYPE 2 facility shall be directed so as to avoid spillage onto residential neighborhoods.

OPERATIONAL CONSIDERATIONS

1. When a VEHICLE SALE, RENTAL AND INCIDENTAL REPAIR, TYPE 2 facility is located within 1,000 feet of a residential unit, the use of outdoor speakers shall cease by 8:00p.m.
2. Conditions of approval may be imposed to address other OPERATIONAL CONSIDERATIONS on a case-by-case basis.

ANCILLARY USES. The following uses are considered ancillary to a VEHICLE SALE, RENTAL AND INCIDENTAL REPAIR, TYPE 2 facility:

- 1, VEHICLE REPAIR GARAGE, TYPE 3.
2. VEHICLE WASHES

~~126-129~~ **VEHICLE WASHES.**

DEVELOPMENT STANDARDS

1. Fences, walls, and other screening is required when a property used for a VEHICLE WASHES facility that is adjacent to a property used for residential purposes.
2. All vehicle queing shall be established in such a way so as not to impede the flow of traffic on public streets.
3. All VEHICLE WASHES shall incorporate into the project design pollution and drainage control features.

OPERATIONAL CONSIDERATIONS

1. Conditions of approval shall address OPERATIONAL CONSIDERATIONS on a case-by-case basis

~~127-130~~ **WAREHOUSE, DISTRIBUTION**

DEVELOPMENT STANDARDS

1. A minimum 50 foot setback shall be required on any boundary where the industrial property abuts a residential or commercially zoned property. A minimum of 20 feet of the setback shall be landscaped, unless a tree screen is approved, in which case the setback area may be used for automobile parking, driveways or landscaping. Block walls or other fencing may be required.
2. Parking, loading, trash and service areas shall be screened by structures or landscaping. They shall be located in such a manner as to minimize noise or odor nuisance. Block walls or other fencing may be required.
3. Outside storage shall be screened with structures or landscaping. Landscaping shall be placed in a manner adjacent to the exterior boundaries of the area so that materials stored are screened from view. If a non-screened exhibit of products is proposed, it shall be part of the industrial park plot plan, and shall be set back at least ten feet from the street line.
4. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet.
5. All lighting, including spotlights, floodlights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.

OPERATIONAL CONSIDERATIONS

1. Conditions of approval shall address OPERATIONAL CONSIDERATIONS on a case-by-case basis.

128-131

WAREHOUSE, MINI

DEVELOPMENT STANDARDS

1. Individual storage spaces within a mini-warehouse shall have a maximum gross floor area of 500 square feet.
2. Walls. A six foot high decorative masonry wall combined with an earthen berm or landscaping to provide an eight foot high screen shall be provided around the entire mini-warehouse land use, unless otherwise approved by the hearing body. The rear and sides of mini-warehouse buildings may be used in place of portions of the required wall where no individual storage units are accessible from the building sides. The exterior side of all perimeter masonry walls and building sides (if used in place of portions of the walls), shall be coated with a protective coating that will facilitate the removal of graffiti.

3. Surface Covering. All surfaces shall be color coated in coordinating colors as approved by the hearing body.
4. Roofing. Roofing materials shall be compatible with area development.
5. Lighting.
 - a. All lighting shall be indirect, hooded, and positioned so as not to reflect onto adjoining property or public streets.
 - b. All mini-warehouse complexes in the Mt. Palomar Special Lighting Area shall comply with the lighting policies established for that area.
 - c. Lighting fixtures may be installed in each individual storage space, provided that the fixtures shall not include or be adaptable to provide electrical service outlets.
6. Gates. All gates shall be decorative wrought iron, chain link, other metal type, or wood. All metal type or wood gates must be painted in a color which coordinates with the rest of the mini-warehouse development. All gates shall be subject to review and approval by the County Fire Department and Sheriff's Department to assure adequate emergency access.
7. Landscaping. All street setbacks and walls serving as buffers between the miniwarehouse use and residentially zoned property shall be landscaped. This landscaping shall include shrubs, trees, vines, or a combination thereof which act to soften the visual effect of the walls. This landscaping shall be in addition to and coordinated with the landscaping required for parking areas.
9. Setbacks.
 - a. No building, structure or wall shall be located closer than 20 feet from any street right-of-way.
 - b. No building shall be located closer than 20 feet from any residential zoned property. Walls shall be located so as to provide a buffer between the residential zone and the mini-warehouse zone.
 - c. All open areas, including interior setbacks, may be used for driveways, parking, outdoor storage or landscaping.
10. Caretaker's Residence. One caretaker's residence may be included within the site plan for a mini-warehouse land use. Where a caretaker's residence is proposed, a minimum

of two parking spaces shall be provided for the caretaker's residence in addition to those required for the mini-warehouse land use by **Section XXX** of this ordinance.

11. Prohibited Materials. The following materials shall not be stored in mini-warehouses:
 - a. Flammable or explosive matter or material.
 - b. Matter or material which creates obnoxious dust, odor, or fumes.
 - c. Hazardous or extremely hazardous waste, as defined by applicable provisions of the Hazardous Waste Control Law (Health and Safety Code Section 25100, et seq.)
12. Prohibited Facilities.
 - a. No water, sanitary facilities, or electricity, with the exception of lighting fixtures, shall be provided in individual storage spaces.
 - b. Prefabricated shipping containers shall not be used as mini-warehouse facilities.

~~129.~~ **132 WIND ENERGY CONVERSION SYSTEM, ACCESSORY (WECS, ACCESSORY).**

DEVELOPMENT STANDARDS

1. The WECS rotor shall clear the ground by at least 15 feet.
2. Safety Setbacks. No accessory WECS shall be located where the center of the tower is within the distance indicated in the following table:

ABOVE-GROUND ELECTRICAL TRANSMISSION LINE OF MORE THAN 12 KV*	PUBLIC ROAD, PUBLIC HIGHWAY OR RAILROAD**	PUBLIC ROAD OR PUBLIC HIGHWAY CLASSED AS AN ARTERIAL OR GREATER WITH ADT OF 7,000 OR MORE***	LOT LINE ADJOINS A LOT ZONED W-E OR W-1	LOT LINE OF ANY LOT CONTAINING A HABITABLE DWELLING****	ALL OTHER LOT LINES
1.25 X TOTAL WECS HEIGHT*****	1.25 X TOTAL WECS HEIGHT	1.5 X TOTAL WECS HEIGHT	1.1 X TOTAL WECS HEIGHT	3 X TOTAL WECS HEIGHT	1.25 X TOTAL WECS HEIGHT
NOTES: * Measured from the outer boundary of the public utility right of way or easement.					
** Measured from the outer boundary of the public road/highway right of way or railroad right of way.					

*** ADT means Average Daily Trips; based on traffic field measurements as determined by the Director of the Department of Transportation (Information: in 1999, public roads or highways with ADT of 7,000 or more included I10, Hwy 62, Hwy 111 & Indian Avenue).

**** For the purposes of this Subsection, a "habitable dwelling" shall be a dwelling which contains a kitchen and which is deemed fit for human occupancy as determined by the Director of the Department of Building and Safety.

***** Measurement of the WECS and tower with the blade of a horizontal WECS at 12 o'clock position; measurement of a vertical axis WECS shall be the height of the tower.

3. Wind Access Setbacks.
 - a. No accessory WECS shall be located where the center of the tower is within a distance of five rotor diameters from a lot line that is perpendicular to and downwind of, or within 45 degrees of perpendicular to and downwind of, the dominant wind direction.
 - b. Notwithstanding the provisions of Subsection a., above, such setbacks from lot lines do not apply if the application is accompanied by a legally enforceable agreement for a period of 25 years or the life of the permit, whichever is longer, that the adjacent landowner agrees to the elimination of the setback and will not develop his land in such a way as to decrease wind velocity or increase wind turbulence at the location of the proposed accessory WECS. In addition the provisions of Subsection a., above, regarding setbacks from lot lines do not apply if the Planning Director determines that the characteristics of the downwind property, such as, but not necessarily limited to, topography or use of such property as a transportation corridor, eliminate the ability to develop said downwind property with WECS. Whenever a wind access setback reduction is proposed to the Planning Director based on the characteristics of the downwind property, the wind access setback reduction shall be included in all notices regarding the accessory WECS permit, and, if granted, the accessory WECS permit shall specifically state the required alternative wind access setback.
4. Access to the WECS shall be restricted by one or more of the following means:
 - a. Tower-climbing apparatus located no closer than 12 feet from the ground; or,
 - b. A locking anti-climb device installed on the tower; or,
 - c. Enclosure of the tower by a fence at least six feet high with locking portals.

5. Anchor points for guy wires shall be located within the lot lines and shall be enclosed by a fence at least six feet high. Guy wires shall not cross any above ground electric transmission or distribution line.
6. The WECS shall comply with Federal Aviation Administration (FAA) regulations regarding air traffic interference and with all other applicable federal and state laws.
7. The WECS shall be constructed to withstand the predicted seismically induced ground shaking.
8. All distribution lines and other interconnection facilities shall be constructed to the specifications of the utility. Interconnection shall conform to procedures and standards established by the Federal Energy Regulatory Commission, the California Independent System Operator and/or the California Public Utilities Commission, as applicable.
9. (Reserved).
10. Electrical distribution lines shall be buried underground. Signs warning of high voltage electricity in English and Spanish shall be posted on non-moving portions of the WECS or its tower at a height of three to five feet above the ground.
11. The WECS shall not be operated in a manner that causes communications interference. In the event that communications interference is caused by the WECS, the operator shall take the necessary steps to remedy the situation or shall terminate operation.
12. The WECS shall not create noise beyond the lot containing the WECS which exceeds 60 db(A) as measured at a point ten (10) feet from the outer wall, or equivalent distance, to any "habitable" dwelling, hospital, school, library or nursing home.
13. The foundation, tower and compatibility of the tower with the rotor and rotor related equipment shall be certified in writing by a structural engineer registered in California, that they conform with good engineering practices and comply with the appropriate provisions of the Uniform Building Code that have been adopted by the County. The electrical system shall be certified in writing by an electrical engineer, registered in California, that it conforms to good engineering practices and complies with the appropriate provisions of the electrical code adopted by the County. The mechanical system shall be certified in writing by a mechanical engineer, registered in any state, that it conforms to good engineering practices and complies with appropriate provisions of the mechanical code adopted by the County. As an alternative to certification of the mechanical system as provided above, the applicant may present a statement from either a registered engineer or an independent testing laboratory recognized by the County that the system complies with standards developed by the American Wind Energy Association or other accepted standards organization.

- 14. Every unsafe accessory WECS and every accessory WECS which has been inoperable for six months is hereby declared to be a public nuisance which shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure contained in Section 3 of County Ordinance No. 457. All notices required by Section 3 of County Ordinance No. 457 shall also be given to the concerned utility.
 - 15. The WECS shall comply with all applicable provisions of the National Electrical Code including, but not limited to, Article 250 (Grounding).
 - 16. Notwithstanding any other provision of this ordinance, an accessory WECS with a total height of 80 feet or less may be permitted in any zone classification.
- E. APPROVAL PERIOD.

The approval of an Accessory WECS permit shall be valid for a period of two years from its effective date, within which time the construction authorized must be substantially begun or the WECS be in use; otherwise, the approval shall be void and of no further effect.

130. 133 WIND ENERGY CONVERSION SYSTEM, COMMERCIAL (WECS, COMMERCIAL).

DEVELOPMENT STANDARDS

- 1. Safety Setbacks. No commercial WECS shall be located where the center of the tower is within the distances indicated in the following table:

ABOVE-GROUND ELECTRICAL TRANSMISSION LINE OF MORE THAN 12 KV*	PUBLIC ROAD, PUBLIC HIGHWAY OR RAILROAD**	PUBLIC ROAD OR PUBLIC HIGHWAY CLASSED AS AN ARTERIAL OR GREATER WITH ADT OF 7,000 OR MORE***	LOT LINE ADJOINS A LOT ZONED W-E OR W-1	LOT LINE OF ANY LOT CONTAINING A HABITABLE DWELLING****	ALL OTHER LOT LINES
1.25 X TOTAL WECS HEIGHT*****	1.25 X TOTAL WECS HEIGHT	1.5 X TOTAL WECS HEIGHT	1.1 X TOTAL WECS HEIGHT	3 X TOTAL WECS HEIGHT	1.25 X TOTAL WECS HEIGHT

NOTES: * Measured from the outer boundary of the public utility right of way or easement.

** Measured from the outer boundary of the public road/highway right of way or railroad right of way.

*** ADT means Average Daily Trips; based on traffic field measurements as determined by the Director of the Department of Transportation (Information: in 1999, public roads or highways with ADT of 7,000 or more included I10, Hwy 62, Hwy 111 & Indian Avenue).

**** For the purposes of this Subsection, a "habitable dwelling" shall be a dwelling which contains a kitchen and which is deemed fit for human occupancy as determined by the Director of the Department of Building and Safety.

***** Measurement of the WECS and tower with the blade of a horizontal WECS at 12 o'clock position; measurement of a vertical axis WECS shall be the height of the tower.

2. Wind Access Setbacks.

- a. No commercial WECS shall be located where the center of the tower is within a distance of five rotor diameters from a lot line that is perpendicular to and downwind of, or within 45 degrees of perpendicular to and downwind of, the dominant wind direction.
- b. Notwithstanding the provisions of Subsection a., above, such setbacks from lot lines do not apply if the application is accompanied by a legally enforceable agreement for a period of 25 years or the life of the permit, whichever is longer, that the adjacent landowner agrees to the elimination of the setback and will not develop his land in such a way as to decrease wind velocity or increase wind turbulence at the location of the proposed WECS. In addition the provisions of Subsection a., above, regarding setbacks from lot lines do not apply if Planning Commission determines that the characteristics of the downwind property, such as, but not necessarily limited to, topography or use of such property as a transportation corridor, eliminate the ability to develop said downwind property with commercial WECS. Whenever a wind access setback reduction is proposed to the Planning Commission based on the characteristics of the downwind property, the wind access setback reduction shall be included in all notices regarding the commercial WECS permit, and, if granted, the commercial WECS permit shall specifically state the required alternative wind access setback.

3. Scenic Resource Protection.

- a. No commercial WECS array shall be located easterly of Indian Avenue or northerly of Pierson Boulevard and its extension westerly of Highway 62.
- b. No commercial WECS array shall be located southerly of Highway 111 within Sections 9, 16 and 21, T3S, R3E, SBBM.
- c. No commercial WECS shall be located where the center of the tower is within the distances indicated in the following table:

SCENIC SETBACKS		
I-10 easterly of Highway 111	State Highway 111 south of I-10 and north of the City of Palm Springs	All other state or county eligible or designated scenic highways*

WECS total height of 150 feet or less: 500 foot setback	2/3 mile setback	¼ mile setback
WECS total height of more than 150 feet: 1,000 foot setback		
<p>NOTES:</p> <p>* Scenic highways are those designated in the Scenic Highway Element of the Comprehensive General Plan (Information: in 1999, other designated scenic highways included Hwy 62, I-10 westerly of Highway 111 and Whitewater Canyon Road), and, for the purpose of this Subsection, Snow Creek Road</p>		

- d. The setback specified in Subsection c., above, shall be measured from the outer boundary of the public right of way of the designated highway.
 - e. Notwithstanding the provisions of Subsection c., above, the setbacks therein specified may be reduced to 1.25 times the total WECS height if the Planning Commission determines that the characteristics of the surrounding property eliminate or substantially reduce considerations of scenic value. Whenever a setback reduction is proposed pursuant to this Subsection, the setback reduction shall be included in all notices regarding the commercial WECS permit, and, if granted, the commercial WECS permit shall specifically state the required setback.
4. Safety and Security.
- a. Fencing or other appropriate measures shall be required to prevent unauthorized access to the WECS or WECS array.
 - b. Guy wires shall be distinctly marked.
 - c. Signs in English and Spanish warning of the electrical and other hazards associated with the WECS shall be posted at the base of each tower and on fences or barriers.
 - d. Horizontal-axis WECS. The lowest extension of the rotor of a horizontal-axis WECS shall be at least 25 feet from the ground.
 - e. Vertical-axis WECS. A fence or other barrier shall be elected around a verticalaxis WECS whose rotors are less than 15 feet from the ground.
 - f. A security patrol or other security measure may be required if specified within the conditions of approval of a commercial WECS permit.
5. Seismic Safety. All WECS including the tower, foundation and accessory structures, shall comply with the requirements of the applicable seismic zone of the Uniform Building

Code, the applicable groundshaking zone in the Riverside County Comprehensive General Plan, and with the seismic design recommendation in an approved geotechnical report on the project.

6. Fire Protection. Upon recommendation of the County Fire Department, commercial WECS and WECS arrays shall include fire control and prevention measures. No construction permit shall be issued for any human occupancy structure upon the property containing commercial WECS and WECS arrays without first establishing fire protection requirements; this requirement includes the establishment of a minimum fire flow per Riverside County Ordinance No. 787. Additional measures required for fire control and prevention shall be stated in the conditions of approval of a commercial WECS permit, and such measures may include, but are not limited to, the following:
 - a. Areas indicated below to be cleared of vegetation and maintained as a fire/fuel break as long as the WECS or WECS array is in operation:
 - 1) Thirty (30) feet around the periphery of the WECS or WECS array; access driveways and roads that completely surround the project may satisfy this requirement as approved by the County Fire Department.
 - 2) Ten (10) radius feet around all transformers and WECS towers and their foundations.
 - 3) Thirty (30) feet around all buildings.
 - 4) All buildings or equipment enclosures of substantial size containing control panels, switching equipment, or transmission equipment, without regular human occupancy, shall be equipped with an automatic fire extinguishing system of a Halon or dry chemical type, as approved by the County Fire Department.
 - b. Service vehicles assigned to regular maintenance or construction at the WECS or WECS array shall be equipped with a portable fire extinguisher of a 4A40 BC rating.
 - c. All motor driven equipment shall be equipped with approved spark arrestors.
7. Interconnection and Electrical Distribution Facilities. All distribution lines, electrical substations, and other interconnection facilities shall be constructed to the specifications of the utility. Interconnection shall conform to procedures and standards established by the Federal Energy Regulatory Commission, the California Independent System Operator and/or the California Public Utilities Commission, as applicable.
8. Unsafe and Inoperable WECS.

- a. Unsafe commercial WECS, inoperable commercial WECS, and commercial WECS for which the permit has expired shall be removed by the owner. All safety hazards created by the installment and operation of the WECS shall be eliminated and the site shall be restored to its natural condition to the extent feasible. A bond or other appropriate form of security may be required to cover the cost of removal and site restoration.
 - b. Every unsafe commercial WECS and every inoperable commercial WECS is hereby declared to be a public nuisance which shall be subject to abatement by repair, rehabilitation, demolition, or removal in accordance with the procedure contained in Section 3 of County Ordinance No. 457. Every commercial WECS shall be subject to the provisions of this Subsection commencing with the date of issuance of final building permit inspection approval. An inoperable commercial WECS shall not be considered a public nuisance provided the owner can demonstrate that modernization, rebuilding or repairs are in progress or planned and will be completed within no more than six months.
 - 1) A commercial WECS constructed pursuant to a commercial WECS permit with an effective date prior to July 23, 1985, shall be deemed inoperable if it has not generated power for 12 consecutive months.
 - 2) A commercial WECS permit constructed pursuant to a commercial WECS permit with an effective date on or after July 23, 1985, shall be deemed inoperable if it has not generated power within the preceding two calendar quarters equal to at least 60 percent of the total "Projected Quarterly Production Per Turbine (kWh)" for the two calendar quarters. As used herein, the term "Projected Quarterly Production Per Turbine (kWh)" shall be defined as provided in Section 1382 of Title 20 of the California Administrative Code.
 - c. All notices required under Section 3 of County Ordinance No. 457 shall also be given to the concerned utility.
9. Interference with Navigational Systems.
- a. No commercial WECS or WECS array shall be installed or operated in a manner that causes interference with the operation of the VORTAC installation on Edom Hill.
 - b. All WECS siting shall comply with Federal Aviation Administration regulations for siting structures near an airport or VORTAC installation.

- c. All WECS shall include a locking mechanism which prevents the blades from rotating when not producing power, in order to limit airport radar interference or "clutter". The Planning Commission may modify or eliminate the requirement for a locking mechanism if sufficient evidence is presented that no significant airport radar interference or "clutter" will be caused by the WECS or WECS array.
- 10. Site Disruption. Prior to the issuance of building permits for a commercial WECS development, all areas where significant site disruption is proposed shall be temporarily marked off. All construction activities shall be limited to the areas marked off.
- 11. Certification.
 - a. The foundation, tower and compatibility of the tower with the rotor and rotorrelated equipment shall be certified in writing by a structural engineer registered in California that they conform with good engineering practices and comply with the appropriate provisions of the Uniform Building Code that have been adopted by the County.
 - b. The electrical system shall be certified in writing by an electrical engineer, registered in California, that it conforms with good engineering practices and complies with the appropriate provisions of the National Electrical Code that have been adopted by the County.
 - c. The rotor overspeed control system shall be certified in writing by a mechanical engineer, registered in any state, that it conforms with good engineering practices.
- 12. Noise.
 - a. Permit Approval.
 - 1) A commercial WECS permit shall not be granted unless the applicant demonstrates that the proposed WECS or WECS array complies with the setbacks requiring no acoustical studies as set forth in Subsection D.12.a.2) below, or that the projected WECS noise level will comply with the noise standards as set forth in Subsection D.12.a.3) below. The projected WECS noise level is the level of noise projected to be produced by all commercial WECS proposed under the permit application and shall be calculated in accordance with the technical specifications and criteria adopted pursuant to Subsection D.12.c., below. A variance from this property development standard may be granted pursuant to the provisions of Section 18.27. of this ordinance.

- 2) WECS array setbacks requiring no acoustical studies. WECS arrays with 10 or fewer WECS (comprised of WECS designed "in accordance with proven good engineering practices") set back (where each WECS in the array are) 2,000 feet or more from the nearest receptor as set forth in Subsection D.12.a.5), below, shall be permitted without an acoustical study. WECS arrays with more than 10 WECS (comprised of WECS designed "in accordance with proven good engineering practices") can qualify for this condition if each WECS in the array is set back 3,000 feet or greater. WECS designed with the following characteristics shall be deemed "in accordance with proven good engineering practices": at least 3 blades; upwind rotor; no furling; tapered and twisted blades; airfoils designed to stall softly (defined in technical specifications and criteria adopted pursuant to Subsection D.12.c., below). WECS arrays approved under this Subsection shall have noise standards as set forth in Subsection D.12.a.3), below.
- 3) Noise Standards. The projected WECS noise level to each receptor (as set forth in Subsection D.12.a.5), below) shall be at or below 55 dBA weighted (unless at setback distances as set forth in Subsection D.12.a.2), above, are adhered to).
- 4) The noise standard set forth in Subsection D.12.a.3) above, shall be reduced by five dB(A) where it is projected that pure tone noise will be generated. A pure tone shall exist if the one-third octave band sound pressure level in the bandwidth of the tone exceeds the arithmetic average of the sound pressure levels on the two contiguous one-third octave bands by five dB for center frequencies of 500 Hz and above, and 8 dB for center frequencies between 160 and 400 Hz, and by 15 dB for center frequencies less than or equal to 125 Hz.
- 5) Receptor (the point of measurement) for the calculation of the WECS noise level projected pursuant to Subsection D.12.a.1) above shall be determined as follows:
 - a) Existing structures in the vicinity of the commercial WECS project property which are actually used as a "habitable" dwelling, hospital, school, library, or nursing home shall be identified.
 - b) The point of measurement shall be a point ten (10) feet from the outer wall, or equivalent distance, from the WECS being measured to any "habitable" dwelling, hospital, school, library or nursing home.

- 6) Low Frequency Noise Criteria. Where acoustical studies are required, and the WECS are not designed in "accordance with proven good engineering practices" as defined in Subsection D.12.a.2), above, the low frequency noise shall not exceed the following at a receptor: 75 dB, C weighted (5 to 100 hertz) or Predicted C(PC) for non-impulsive WECS. 67 dB, C weighted (5 to 100 hertz) or PC for impulsive WECS (as defined in technical specification and criteria adopted pursuant to Subsection D.12.c., below). WECS array low frequency impacts shall be calculated in accordance with technical specifications and criteria adopted pursuant to Subsection D.12.c., below.
- b. Operations.
 - 1) Unless the conditions of approval provide a more restrictive standard, a commercial WECS or WECS array shall not be operated so that noise is created exceeding 60 dB(A) where the point of measurement is a point ten (10) feet from the outer wall, or equivalent distance, from the WECS being measured to any "habitable" dwelling, hospital, school, library or nursing home.
 - 2) A commercial WECS or WECS array shall not be operated so that impulsive sound below 20 Hz adversely affects the habitability or use of any dwelling unit, hospital, school, library, or nursing home.
 - c. All noise measurements and noise projections shall be made in accordance with the technical specifications and criteria developed by the County Health Services Agency and adopted by resolution of the Board of Supervisors.
 - d. A toll-free telephone number shall be maintained for each commercial WECS project and shall be distributed to surrounding property owners to facilitate the reporting of noise irregularities and equipment malfunctions.
13. Electrical Distribution Lines.
- a. Electrical distribution lines on the project site shall be undergrounded up to the low voltage side of the step-up transformer or to the utility interface point of an on-site substation.
 - b. Any electrical distribution line of less than 34 kv, not subject to the jurisdiction of the California Public Utilities Commission, which is located within one mile of a state scenic highway or a highway designated in the scenic highway element of the General Plan, or within an area designated by the Planning Director as visually critical or very critical, shall be installed underground if such installation is feasible.

14. **Monitoring.** Upon reasonable notice, County officials or their designated representatives may enter a lot on which a commercial WECS permit has been granted for the purpose of monitoring noise environmental impacts, and other impacts which may arise. Twenty-four hours advance notice shall be deemed reasonable notice.
15. **Height Limits.** A commercial WECS or WECS array shall conform to height limits of the zoning classification in which it is located. A lower height limit may be imposed as a condition of a commercial WECS permit.
16. **Development Impacts.** A one time fee and a requirement to provide public works or services may be imposed as a condition of a commercial WECS permit. Such exactions must be related to the public need created by the energy development. The purposes for which the permit exaction may be used include, but are not limited to, providing roads required by the wind development, and establishing and operating a monitoring system, a visitor center that is primarily oriented toward wind development and a wind energy information program for local residents.
17. **Signs.** No advertising sign or logo shall be placed or painted on any commercial WECS. A commercial WECS permit may permit the placement of no more than two advertising signs relating to the development on the project site, but no such sign shall exceed 15 square feet in surface area or eight feet in height.
18. **Color and Finish of WECS.** All commercial WECS shall be either light environmental colors (such as white, beige, or tan), or darker fully saturated colors (such as dark blue, maroon, rust red, or dark green), or galvanized. All commercial WECS shall have a matte or galvanized finish which weathers to a lusterless condition within six (6) months unless such finish adversely affects the performance of the WECS or other good cause is shown to permit any other finish.
19. **Contingent Approval.** A commercial WECS permit may be granted subject to necessary approvals from the Federal Aviation Administration or other approving authorities and utility acceptance of any electrical interconnection.
20. **General Conditions.** The County may impose conditions on the granting of a commercial WECS permit in order to achieve the purposes of this ordinance and the General Plan and to protect the health, safety or general welfare of the community.
21. **Findings.** The following findings shall be made in writing prior to granting a commercial WECS permit:
 - a. The project will be consistent with the Comprehensive General Plan.

- b. The project will not be detrimental to the health, safety or general welfare of the community.
 - c. The project site is or will be adequately served by roads and other public or private service facilities.
22. Notification. Upon approval of a commercial WECS permit, the Planning Department shall provide written notice to the California Energy Commission and the concerned utility.

USE OF PERMIT.

1. Any commercial WECS permit that is granted shall be used within two years from the effective date thereof, or within such additional time as may be set in the conditions of approval, which shall not exceed a total of five years; otherwise, the permit shall be null and void. Notwithstanding the foregoing, if a permit is required to be used within less than five years, the permittee may, prior to its expiration, request an extension of time in which to use the permit. A request for extension of time shall be made to the Board of Supervisors, on forms provided by the County Planning Department and shall be filed with the Planning Director, accompanied by the fee set forth in County Ordinance No. 671. Within 30 days following the filing of a request for an extension, the Planning Director shall review the application, make a recommendation thereon, and forward the matter on the regular agenda of the Board of Supervisors. An extension of time may be granted by the Board of Supervisors upon a determination that valid reason exists for permittee not using the permit within the required period of time. If an extension is granted, the total time allowed for use of the permit shall not exceed a period of five years, calculated from the effective date of the issuance of the permit. The term "use" shall mean the beginning of substantial construction of the use that is authorized, which construction must thereafter be pursued diligently to completion.
2. Life of Permit. A commercial WECS permit shall be valid for the useful life of the WECS included in the permit. The life of the permit shall be determined at the time of approval and shall not exceed 30 years.

SPECIAL NOTICING REQUIREMENTS

If the application includes any WECS with a total height over 200 feet or any WECS which is located within 20,000 feet of the runway of any airport written notification shall be provided to the Federal Aviation Administration and the Riverside County Airport Land Use Commission.

~~131.~~ ~~134~~ **WINERY.** All WINERY facilities shall comply with the following standards. Each Class of WINERY has its own unique standards in addition to these:

~~131-135~~ **WINERY, CLASS I.** A Class I Winery shall be less than 1,501 square feet in size. Such a winery shall be located on a minimum gross parcel size of five (5) acres within the AGRICULTURAL ZONES, No appurtenant or incidental commercial uses are allowed with this winery.

DEVELOPMENT STANDARDS

1. The minimum road right of way setback for all winery buildings and structures shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').
2. Site layouts and building designs shall minimize noise impacts on surrounding properties and comply with Ordinance No. 847.
3. All exterior lighting, including spotlights, floodlights, electric reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas, shall be focused, directed, and arranged to prevent glare and direct illumination of streets or adjoining property.
4. On-site advertising signs shall be consistent with Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.
5. Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.
6. Loading, trash, and service areas shall be screened by structures or landscaping and shall be located and designed in such a manner as to minimize noise and odor impacts to adjacent properties.
7. Automobile parking spaces shall be consistent with the rural standards of Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.
8. Outside storage areas and the material therein shall be screened with structures or landscaping.
9. All roof mounted mechanical equipment shall be screened from the ground elevation view to minimum sight distance of thirteen hundred twenty feet (1,320').
10. A total of seventy-five percent (75%) of the net project area shall be planted in vineyards prior to issuance of certificate of occupancy or final inspection, whichever

occurs first. Fifty percent (50%) of the vineyard requirement shall be planted prior to issuance of building permit for the winery.

- a. To achieve the seventy-five (75%) percent requirement, fifteen percent (15%) of the net project area may include the planting of olive trees and the remaining sixty percent (60%) of the net project area shall be planted in vineyards.
 - b. The seventy-five (75%) planting requirement shall not include water features, natural or man-made lakes or the planting of grapevines in parking lots, but may include planting in the road right of way as may be approved by the Director of Transportation or his designee.
 - c. Vineyards used to meet the above planting requirement shall have a minimum average density of 450 vines per acre. Olive trees used to meet the above planting requirement shall have a minimum average density of 100 olive trees per acre.
 - d. The seventy-five (75%) planting requirement shall be maintained for the life of the permit.
11. No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.
 12. Prior to obtaining a Certificate of Occupancy, a winery operator shall obtain all applicable permits or licenses required by the California Department of Beverage Control.
 13. For winery entitlements and revised entitlements approved after the effective date of Ordinance No. 348.4818, at least fifty percent (50%) of the wine sold by a winery shall be produced on the winery site. This development standard does not apply to wineries approved and operating under an existing valid entitlement before the effective date of Ordinance No. 348.4818. Any change or expansion by these wineries requiring a revised entitlement shall be consistent with this development standard.

OPERATIONAL CONSIDERATIONS

1. A minimum of seventy-five percent (75%) of the grapes utilized in wine production and retail wine sales shall be grown in Riverside County, except during the following:
 - a. When the Board of Supervisors declares an Agricultural Emergency for the Temecula Valley Wine Country Area. The declaration shall be for a specific period of time and any winery within the Temecula Valley Wine Country Area Policy Area may take advantage of the exemption.

- b. The first two years from the Use Permit or conditional use permit's effective date.
2. Prior to the issuance of a building permit for any incidental commercial uses, the winery shall be constructed.

~~132-~~136 **WINERY, CLASS II.** Class II Wineries shall be at least fifteen hundred (1,500) square feet in size and shall produce at least three thousand five hundred (3,500) gallons of wine annually as determined by the County Agricultural Commissioner. This class of winery shall have an established on-site vineyard located on a minimum gross parcel size of ten (10) acres that is allowed the following appurtenant and incidental commercial uses with an approved permit:

1. Wine tasting area;
2. Retail wine sales;
3. GENERAL RETAIL within the tasting area only;
4. RESTAURANT, TAKE-OUT / DELIVERY not to exceed 500 square feet in size. No other type of RESTAURANT is allowed.

~~133.~~ 137 **WINERY, CLASS III.** Class III Wineries shall be at least fifteen hundred (1,500) square feet in size and shall produce at least three thousand five hundred (3,500) gallons of wine annually as determined by the County Agricultural Commissioner. This class of winery shall have an established on-site vineyard located on a minimum gross parcel size of ten (10) acres that is allowed the following appurtenant and incidental commercial uses with an approved permit:

1. Wine tasting area;
2. Retail wine sales;
3. GENERAL RETAIL within the tasting area only;
4. Special occasion facility; The minimum road right of way setback for all Special Occasion Facility buildings and structures shall be one hundred feet (100'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be three hundred feet (300').
5. And one of the following:
 - a. TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 2

- b. RESTAURANT, TAKE OUT / DELIVERY not to exceed 500 square feet
- c. RESTAURANT, DINE-IN
- d. RESTAURANT, DRIVE-THRU shall not be permitted.

~~134.~~ **138 WINERY, CLASS IV.** Class IV Wineries shall be at least fifteen hundred (1,500) square feet in size and shall produce at least three thousand five hundred (3,500) gallons of wine annually as determined by the County Agricultural Commissioner. This class of winery shall have ~~with~~ an established on-site vineyard located on a minimum gross parcel size of fifteen (15) acres that is allowed the following appurtenant and incidental commercial uses with an approved permit:

- 1. Wine tasting area;
- 2. Retail wine sales;
- 3. GENERAL RETAIL within the wine tasting area only;
- 4. Special occasion facility; The minimum road right of way setback for all Special Occasion Facility buildings and structures shall be one hundred feet (100'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be three hundred feet (300').
- 5. And one of the following:
 - e. TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 3 – not to exceed 20 rooms.
 - f. RESTAURANT, TAKE OUT / DELIVERY not to exceed 500 square feet
 - g. RESTAURANT, DINE-IN
 - h. RESTAURANT, DRIVE-THRU not be permitted.

~~135.~~ **139 WINERY, CLASS V.** A Class V Winery shall be at least three thousand (3,000) square feet and shall produce at least seven thousand (7,000) gallons of wine annually as determined by the County Agricultural Commissioner. Such winery shall have an established on-site vineyard located on a minimum gross parcel size of twenty (20) acres that is allowed the following appurtenant and incidental commercial uses with an approved permit:

- 1. Wine tasting area;

2. Retail wine sales;
 3. GENERAL RETAIL within the wine tasting area only;
 4. Special occasion facility; The minimum road right of way setback for all Special Occasion Facility buildings and structures shall be one hundred feet (100'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be three hundred feet (300').
 5. TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 2
 6. TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 3; provided that The number of habitable stories above a building's lowest above ground finished floor shall not exceed two (2). One (1) additional habitable story for a total of three (3) habitable stories may be permitted for Wine Country Hotels and for the hotel building of Wine Country Resorts as long as the following criteria is met:
 - a. The Establishment is located along the following roads: Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road and Highway 79 South; and,
 - b. The Establishment is set back a minimum of five hundred feet (500') from Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road or Highway 79 South; or,
 - c. The Establishment is set back less than five hundred feet (500') from Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road or Highway 79 South and only two (2) habitable stories are visible from such roads. Vineyards may be used to reduce visibility of the habitable stories
 12. RESTAURANT, TAKE-OUT / DELIVERY not to exceed 1,500 square feet
 13. RESTAURANT, DINE-IN
 14. RESTAURANT, DRIVE-THRU ~~restaurants~~ shall not be permitted.
- 136. 140 WINERY, CLASS VI.** A Class VI Winery shall be at least six thousand (6,000) square feet and shall produce at least fourteen thousand (14,000) gallons of wine annually as determined by

the County Agricultural Commissioner. Such winery shall have an established on-site vineyard located on a minimum gross parcel size of forty (40) acres that is allowed the following appurtenant and incidental commercial uses with an approved permit:

1. Wine tasting area;
4. Retail wine sales;
6. GENERAL RETAIL within the wine tasting area only;
7. Special occasion facility; The minimum road right of way setback for all Special Occasion Facility buildings and structures shall be one hundred feet (100'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be three hundred feet (300').
8. TRANSIENT OCCUPANCY ESTABLISHMENT, TYPE 3
9. RECREATION, COMMERCIAL OUTDOOR
11. RESTAURANT, TAKE-OUT / DELIVERY-not to exceed 1,500 square feet;~~and~~.
12. RESTAURANT, DINE-IN
13. RESTAURANT, DRIVE-THRU-shall not be permitted.

137. 141 WIRELESS COMMUNICATION FACILITIES. All WIRELESS COMMUNICATION FACILITIES shall comply with the following DEVELOPMENT STANDARDS. Each type of WIRELESS COMMUNICATION FACILITY has its own unique DEVELOPMENT STANDARDS:

1. AREA DISTURBANCE. Disturbance to the natural landscape shall be minimized. Disturbed areas shall be remediated immediately after construction. Remediation techniques may vary depending on the site.
2. FENCING AND WALLS. All wireless communication facilities shall be enclosed with a decorative block wall, wrought iron fence, or other screening option at a maximum height of six (6) feet as deemed appropriate by the Planning Director. Such fencing/walls shall conform to the Countywide Design Standards and Guidelines.
3. IMPACTS. All wireless communication facilities shall be sited so as to minimize adverse impacts to the surrounding community and biological resources.

4. **LANDSCAPING.** All wireless communication facilities shall have landscaping around the perimeter of the leased area and shall match and/or augment the natural landscaping in the area. Wireless communication facilities constructed to look like trees shall have other similar tree species planted adjacent to and/or around the facility to enhance the concealing effect. If landscaping is deemed necessary in native habitats, only native plant species shall be used in order to avoid introduction of exotic invasive species. All landscaping shall be irrigated unless a water source is unavailable within the parcel on which the facility is located. If a water source is not available, indigenous plants shall be used and manually watered until established.
5. **LIGHTING.** Outside lighting is prohibited unless required by the FAA or the California Building Code, including the appendix and standards adopted by the California Building Standards Commission. All towers that require a warning light to comply with FAA regulations shall use the minimum amount possible. Any security lighting shall meet the requirements of Ordinance No. 655. Any lighting system installed shall also be shielded to the greatest extent possible so as to minimize the negative impact of such lighting on adjacent properties and so as not to create a nuisance for surrounding property owners or a wildlife attractant.
6. **NOISE.** All noise produced by wireless communication facilities shall be minimized and in no case shall noise produced exceed 45db inside the nearest dwelling and 60 db at the property line.
7. **PARKING.** Temporary parking for service vehicles may be permitted on site. No off-site parking shall be allowed for any service vehicle. Paving for the parking shall be required, where appropriate, and may not be removed without proper mitigation. No vehicles may remain parked overnight, with the exception of technicians working at the site during the night. If a new wireless communication facility is placed on existing parking spaces required by the use currently on site, the parking spaces shall be replaced so that the current use has the necessary parking required by this ordinance. If such replacement of spaces is not feasible, a variance may be requested.
8. **PAVED ACCESS.** All wireless communication facilities located within residential developments containing lots 18,000 square feet or smaller shall be accessed via a paved road. All wireless communication facilities within residential developments containing lots larger than 18,000 square feet shall be accessed via an all-weather surface.
9. **POWER AND COMMUNICATION LINES.** No above-ground power or communication lines shall be extended to the site, unless an applicant demonstrates that undergrounding such lines would result in substantial environmental impacts or a letter is received from the power company indicating it is unable to underground the wires. All underground utilities shall be installed in a manner to minimize disturbance of existing vegetation and wildlife habitats during construction. Removal of underground

equipment upon the abandonment of a facility is not recommended unless leaving the equipment underground would pose a threat to health, safety or sensitive resources.

10. ROOF- MOUNTED FACILITIES. Wireless communication facilities mounted on a roof shall be less than ten (10) feet above the roofline.
11. SENSITIVE VIEWSHED. Wireless communication facilities proposed on ridgelines and other sensitive viewsheds, as defined in this ordinance, shall be concealed and sited so that the top of the facility is below the ridgeline as viewed from any direction.
12. SUPPORT FACILITIES. Freestanding equipment enclosures shall be constructed to look like adjacent structures or facilities typically found in the area and shall adhere to the Countywide Design Standards and Guidelines where appropriate. Where there are no structures in the immediate vicinity, equipment closures shall blend with existing naturally occurring elements of the viewing background shall be screened from view by landscaping, fencing/walls or other methods. Equipment enclosures shall not exceed thirteen (13) feet in height.
13. TREATMENT. Wireless communication facilities shall be given a surface treatment similar to surrounding architecture. All finishes shall be dark in color with a matte finish and have a reflective rating of 38 percent

ABANDONED SITES.

- A. Any wireless communication facility that is not continuously operated for a period of sixty (60) days shall be conclusively deemed abandoned.
- B. The telecommunications service provider shall have sixty (60) days after a notice of abandonment is mailed by the County to make the facility operable, replace the facility with an operable facility, or remove the facility.
- C. Within ninety (90) days of the date the notice of abandonment is mailed, the County may remove the wireless communication facility at the underlying property owner's expense and shall place a lien on the property for the cost of such removal.
- D. The owner of the property shall, within one hundred and twenty (120) days of the County's removal, return the site to its approximate natural condition. If the owner fails to do so, the County can restore and revegetate the site at the property owner's expense.
- E. If there are two (2) or more users of a single facility, the facility shall not be deemed abandoned until all users abandon it.

~~137.~~142. **WIRELESS COMMUNICATION FACILITIES, CO-LOCATED**

REQUIREMENTS FOR APPROVAL. No application for a co-located wireless communication facility shall be approved unless:

1. The facility is owned by one telecommunication service provider and is attached to a facility owned by a different telecommunication service provider or tower owner or operator.
2. The height of the existing facility is not increased by more than ten (10) feet.
3. Supporting equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view.
4. The application has met the processing requirements set forth in this article.
5. The application has met the location and development standards set forth in this article.

DEVELOPMENT STANDARDS

1. WIRELESS COMMUNICATION FACILITIES, CO-LOCATED in the INDUSTRIAL / MANUFACTURING, AGRICULTURAL, NATURAL RESOURCES, and OPEN SPACE zone classifications shall not exceed one hundred and five (105) feet. Co-located wireless communication facilities in COMMERCIAL ZONE classifications shall not exceed seventy (70) feet. Co-located facilities in residential zone classifications shall not exceed fifty (50) feet.
2. WIRELESS COMMUNICATION FACILITIES, CO-LOCATED shall meet the setback requirements of the zone classification in which they are located.

~~138.~~143 **WIRELESS COMMUNICATION FACILITIES, CONCEALED**

REQUIREMENTS FOR APPROVAL

No application for a concealed wireless communication facility shall be approved unless:

1. The facility is designed so that it is not visible at all or, if visible, it is not recognizable as a wireless communication facility.
2. Supporting equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view.
3. The application has met the processing requirements set forth in this article.

4. The application has met the location and development standards set forth in this article.

DEVELOPMENT STANDARDS

1. WIRELESS COMMUNICATION FACILITIES, CONCEALED are subject to the height limitations of the zone classification in which they are located.
2. WIRELESS COMMUNICATION FACILITIES, CONCEALED facilities shall meet the setback requirements of the zone classification in which they are located.

~~139-144~~ **WIRELESS COMMUNICATION FACILITIES, DISGUISED**

REQUIREMENTS FOR APPROVAL.

No application for a disguised wireless communication facility shall be approved unless:

1. The facility is designed and sited so that it is minimally visually intrusive.
2. Supporting equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view.
3. The application has met the processing requirements set forth in this article.
4. The application has met the location and development standards set forth in this article.

DEVELOPMENT STANDARDS

1. WIRELESS COMMUNICATION FACILITIES, DISGUISED in nonresidential zone classifications shall not exceed seventy (70) feet.
2. WIRELESS COMMUNICATION FACILITIES, DISGUISED in or adjacent to INDUSTRIAL / MANUFACTURING, AGRICULTURAL, NATURAL RESOURCES, and OPEN SPACE zone classifications shall be setback from habitable dwellings a distance equal to one hundred and twenty-five (125) percent of the facility height. Disguised wireless communication facilities in or adjacent to residential zone classifications shall be setback from habitable dwellings a distance equal to two hundred (200) percent of the facility height or shall be setback from residential property lines a distance equal to one hundred (100) percent of the facility height, whichever is greater.

~~140-145~~ **WIRELESS COMMUNICATION FACILITIES, OTHER**

REQUIREMENTS FOR APPROVAL.

No application for an other wireless communication facility shall be approved unless:

1. The facility is not located within a sensitive viewshed.
2. Supporting equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view.
3. The application has met the processing requirements set forth in this article.
4. The application has met the location and development standards set forth in this article.
5. The application has met the requirements for approval set forth in Section 18.28. of this ordinance.

DEVELOPMENT STANDARDS

1. WIRELESS COMMUNICATION FACILITIES, OTHER shall not exceed one hundred and five (105) feet.
2. WIRELESS COMMUNICATION FACILITIES, OTHER shall be setback from habitable dwellings a distance equal to one thousand (1,000) feet.