# ORDINANCE NO. 348

## PROVIDING FOR LAND USE PLANNING AND ZONING REGULATIONS AND RELATED FUNCTIONS OF THE COUNTY OF RIVERSIDE

## As amended through ORDINANCE NO. 348.4997

## EFFECTIVE 04/28/2023

**ORDINANCE NO. 348.4997**
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROVIDING FOR LAND USE PLANNING AND ZONING REGULATIONS AND RELATED FUNCTIONS.**
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# ORDINANCE NO. 348.4840

# AN ORDINANCE OF THE COUNTY OF RIVERSIDE

# PROVIDING FOR LAND USE PLANNING AND ZONING

# REGULATIONS AND RELATED FUNCTIONS.

The Board of Supervisors of the County of Riverside, State of California, do ordain as follows:

## ARTICLE I RIVERSIDE COUNTY LAND USE ORDINANCE

### SECTION 1.1. TITLE.

This ordinance shall be known as, and may be cited as, the Riverside County Land Use Ordinance.

### SECTION 1.2. PLANNING AGENCY.

Pursuant to Section 65100 et seq. of the Government Code, the planning agency for Riverside County shall consist of the County Board of Supervisors, the County Planning Commission, and the Planning Department. The planning agency shall perform all functions required by State law and this ordinance.

### SECTION 1.3. COUNTY BOARD OF SUPERVISORS.

The Board of Supervisors shall consist of five members elected in the manner provided by law. The Board shall perform the duties and functions specified by State law and this ordinance including, but not limited to, the duties related to legislative matters and the duties related to the appeal of quasi-judicial matters. The Board shall also perform those planning and zoning duties and functions which are not expressly delegated or reserved to another body or officer.

### SECTION 1.4. COUNTY PLANNING COMMISSION.

A. The County Planning Commission shall consist of five members. Each member of the Board of Supervisors shall recommend that a resident of his district be appointed to the Commission; provided, however, the appointments to the Commission shall require the affirmative vote of not less than a majority of the entire membership of the Board.

B. Members of the Commission shall be appointed for a four year term. Notwithstanding the specified term of four years for a member of the Commission, a member shall not remain eligible to remain on the Commission should the member of the Board of Supervisors from the district which the Commission member was appointed ceases to be a member of the

Board of Supervisors or if a Commission member moves his residence out of the district from which he was appointed, and in either such situation membership shall automatically terminate upon the appointment by the Board of a new member to fill the remainder of the unexpired term. The term of two Commissioners shall expire on June 30 of the same year and the term of three Commissioners shall expire on June 30, two years thereafter.

C. The Commission shall elect one member as chairman and one as vice chairman, to hold office at the pleasure of the members. Three members shall be a quorum and three affirmative votes shall be required to carry a motion. The Commission shall hold at least one regular meeting per month.

D. The Commission shall perform those planning and zoning duties specified by State law or ordinance, including, but not limited to, the duties related to legislative matters and the duties related to quasi-judicial matters and appeals thereof.

E. Members of the County Planning Commission shall receive such compensation as may be fixed by or pursuant to the salary ordinance. Commission members shall also receive travel expenses for attending Commission meetings, and other authorized travel, as may be fixed by or pursuant to the salary ordinance.

## SECTION 1.5. PLANNING DEPARTMENT.

The Planning Department shall be headed by a Planning Director who shall be appointed by the Director of the Transportation and Land Management Agency to hold office at his pleasure, and shall include a staff of employees under his direction as provided by or pursuant to the salary ordinance. The Planning Department shall provide technical and clerical assistance to the County Planning Commission and shall perform functions related to planning, zoning and land divisions as may be required by State law, ordinance or order of the Board of Supervisors.

## SECTION 1.6. NOTICE OF HEARING BY PUBLICATION.

A. When a provision of this ordinance requires notice of a public hearing to be given pursuant to this Section, notice shall be published once in at least one newspaper of general circulation within the County at least 10 days prior to the hearing.

B. The notice shall include the information specified in Section 1.10. of this ordinance.

C. In addition to the notice required by this Section, the Planning Director may direct that notice of the hearing be given in any other manner deemed necessary or desirable. The failure of any person or entity to be given such optional additional notice pursuant to this Subsection, or to receive any such notice, shall not constitute grounds for the invalidation of any action of the County.

D. Whenever the County considers the adoption or amendment of policies or ordinances affecting drive-through facilities, the County shall incorporate, where necessary, notice procedures to the blind, aged, and disabled communities in order to facilitate their

participation. Such notice shall be satisfied by providing mailed notice of hearing to at least one organization which works with the blind community, at least one organization which works with the aged community, and at least one organization which works with the disabled community.

## SECTION 1.7. NOTIFICATION PROCEDURES.

A. When a provision of this ordinance requires notice of a public hearing to be given pursuant to this Section, notice shall be given in all of the following ways:

1. Notice of the hearing shall be mailed or delivered at least 10 days prior to the hearing to the owner of the subject real property as shown on the latest equalized assessment roll. Instead of using the assessment roll, the County may use records of the County assessor or tax collector if those records contain more recent information than the information contained on the assessment roll. Notice shall also be mailed to the owner's duly authorized agent, if any, and to the project applicant.

2. Notice of the hearing shall be mailed or delivered at least 10 days prior to the hearing to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected.

3. Notice of the hearing shall be mailed or delivered at least 10 days prior to the hearing to all owners of real property as shown on the latest equalized assessment roll within 300 feet of the real property that is the subject of the hearing. In lieu of using the assessment roll, the County may use records of the County assessor or tax collector which contain more recent information than the assessment roll. If the number of owners to whom notice would be mailed or delivered pursuant to this paragraph or paragraph (1) is greater than 1,000, the County, in lieu of mailed or delivered notice, may provide notice by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation within the County at least 10 days prior to the hearing.

4. If the notice is mailed or delivered pursuant to paragraph (3), the notice shall also be published once in at least one newspaper of general circulation within the County at least 10 days prior to the hearing.

B. The notice shall include the information specified in Section 1.10. of this ordinance.

C. In addition to the notice required by this Section, the Planning Director may direct that notice of the hearing be given in any other manner deemed necessary or desirable. The failure of any person or entity to be given such optional additional notice pursuant to this Subsection, or to receive any such notice, shall not constitute grounds for the invalidation of any action of the County.

D. Whenever a hearing is held regarding a permit for a drive-through facility, or modification of an existing drive-through facility permit, the County shall incorporate, where necessary,

notice procedures to the blind, aged, and disabled communities in order to facilitate their participation in any hearing on, or appeal of the denial of, a drive-through facility permit. Such notice shall be satisfied by providing mailed notice of hearing to at least one organization which works with the blind community, at least one organization which works with the aged community, and at least one organization which works with the disabled communities.

**SECTION 1.8. REQUEST FOR NOTIFICATION.**

When a provision of this ordinance requires notice of a public hearing to be given pursuant to Section 1.6. or 1.7., the notice shall also be mailed or delivered at least 10 days prior to the hearing to any person who has filed a written request for notice with the Planning Director accompanied by the fees set forth in County Ordinance No. 671. Any such request for notice shall expire after one year unless renewed by the filing of a new request accompanied by the fees set forth in County Ordinance No. 671.

**SECTION 1.9. FAILURE TO RECEIVE MANDATORY NOTICE; FAILURE TO GIVE OR RECEIVE OPTIONAL ADDITIONAL NOTICE.**

The failure of any person or entity to receive notice required to be given pursuant to this ordinance shall not constitute grounds for any court to invalidate the actions of the County for which the notice was given. The failure of any person or entity to be given optional additional notice pursuant to either Subsection 1.6.c. or Subsection 1.7.c. of this ordinance, or to receive any such notice, shall not constitute grounds for the invalidation of any action of the County.

**SECTION 1.10. CONTENTS OF NOTICE OF PUBLIC HEARING.**

As used in this ordinance, "notice of a public hearing" means a notice that includes the date, time, and place of a public hearing, the identity of the hearing body or officer, a general explanation of the matter to be considered, and a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing.

**SECTION 1.11. HEARING CONTINUANCES.**

Any public hearing conducted under this ordinance may be continued from time to time. No additional notice of public hearing shall be required for a continued public hearing.

**SECTION 1.12. REASONABLE ACCOMODATION.**

A. REASONABLE ACCOMMODATION. This section provides a procedure to request reasonable accommodations in land use and zoning regulations for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act.

1. A request for reasonable accommodation may be made by any person with a disability as defined by the Federal Fair Housing Act and the California Fair Employment and Housing Act, their representative, or developer of housing for individuals-with disabilities when the application of a requirement of this ordinance acts as a barrier to fair housing opportunities.

2. A request for reasonable accommodation shall be submitted on an application form provided by the Planning Department.

3. A request for reasonable accommodation may include a modification or exception to the requirements or standards for the sitting, development and use of housing or housing related facilities that would eliminate a regulatory barrier and provide a person with a disability equal opportunity to housing of their choice.

4. A reasonable accommodation is granted to the household that needs the accommodation and does not apply to successors in interest to the site.

5. A reasonable accommodation does not affect an individual's obligation to comply with other applicable regulations not at issue in the requested accommodation.

6. The Planning Director, with consultation with the Office of County Counsel, shall review a reasonable accommodation request within forty-five (45) days of the request being deemed complete and approve, conditionally approve or deny the request based on the following:

    a. Whether the housing in the request will be used by an individual considered disabled under the Federal Fair Housing Act and the Employment and Housing Act;

    b. Whether the request for reasonable accommodations is necessary to make specific housing available to an individual considered disabled;

    c. Whether the request would impose an undue financial or administrative burden on the County;

    d. Whether the request would require a fundamental alteration in the nature of a County program or law; including but not limited to land use and zoning;

    e. Potential impact on surrounding uses;

    f. Physical attributes of the property and structures; and,

    g. Other reasonable accommodations that may provide an equivalent level of benefit.

7. The Planning Director shall provide a copy of an approved reasonable accommodation request to the Department of Building and Safety Department and the Code Enforcement Department.

B. NOTICE OF DETERMINATION. The Planning Director's determination shall be mailed to the applicant and to any person who has made a written request for a copy of the determination. The Planning Director's determination is final unless the determination is appealed pursuant to subsection (C) set forth below.

C. APPEAL.

1. Within ten (10) calendar days of the date of the Planning Director's determination; an applicant may-appeal the determination.

2. Appeals shall be made in writing on the form provided by the Planning Department along with the required filing fee. The written appeal shall include a statement of facts supporting the appeal.

3. Upon timely receipt of an appeal, a hearing shall be set for a date not less than ten (10) calendar days, but not more than thirty (30) calendar days from the date the appeal was received. Written notice of the hearing shall be sent to the Planning Director and applicant appealing the Planning Director's determination.

4. The County Hearing Officer appointed by the Board of Supervisors pursuant to Ordinance No. 643 shall preside over the hearing.

5. At the hearing, the County Hearing Officer shall receive testimony and evidence from the Planning Director, the applicant, or their representatives, and any other concerned persons who may desire to speak at the hearing. The County Hearing Officer shall not be limited to the technical rules of evidence and may continue the hearing from time to time.

6. Within thirty (30) calendar days of concluding the hearing, the County Hearing Officer shall make his decision and provide it in writing to the applicant, Planning Director, Code Enforcement Department and the Building and Safety Department.

7. The decision of the County Hearing Officer shall be final.

Amended Effective:
Ord. 348.4573 Item 3.36 of 04/01/08 (Effective Date: 05/01/08) - Article I in its entirety
Ord. 348.4835 Item 16.2 of 06/21/16 (Effective Date: 07/21/16)

## SECTION 1.13. TABLES.

In the event there is an inconsistency between the tables contained in this ordinance and the text of this ordinance, the ordinance text controls and shall be applied to land use permit applications.

Added effective:
Ord. No. 348.4898 Item 19.1 of 10.23.2018 (Effective Date: 12.23.18)

# ARTICLE II RIVERSIDE COUNTY GENERAL PLAN AND SPECIFIC PLANS

## SECTION 2.1. ADOPTION OR AMENDMENT OF THE GENERAL PLAN.

A. The Riverside County General Plan or any part or element thereof, and any amendment to the plan or any part or element thereof, shall be adopted in accordance with the provisions of Section 65300 et seq. of the Government Code, as now written or hereafter amended, and this Article. No mandatory element of the General Plan shall be amended more frequently than four times during any calendar year, unless otherwise allowed by Section 65358 of the Government Code. Subject to that limitation, an amendment may be adopted at any time, as determined by the Board of Supervisors. Each amendment may include more than one change to the General Plan.

B. The initiation of proceedings for the amendment of the General Plan, or any part or element thereof, shall be conducted in accordance with the provisions of this Article. The initiation of proceedings for the amendment of the General Plan, or any part or element thereof, shall require an order of the Board of Supervisors, adopted by the affirmative vote of not less than a majority of the entire membership of the Board. Either the Planning Director or the Planning Commission may recommend, in the manner provided by this Article, that the Board of Supervisors initiate proceedings for the amendment of the General Plan or any part or element thereof. The owner of real property, or a person authorized by the owner, shall have the right to apply for the initiation of proceedings, in the manner provided by this Article, to amend the General Plan with respect to provisions of the General Plan affecting the use of his property. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any part or element thereof, shall not imply any such amendment will be approved.

## SECTION 2.2. GENERAL PLAN CONSISTENCY.

No discretionary permit shall be approved pursuant to this ordinance unless it is determined that the permit is consistent with the General Plan.

## SECTION 2.3. DEFINITIONS FOR GENERAL PLAN AMENDMENT PROCEDURES.

Capitalized terms in Section 2.4., Section 2.5., Section 2.6. and Section 2.7. shall have the same meanings as set forth in the Riverside County General Plan.

## SECTION 2.4. GENERAL PLAN TECHNICAL AMENDMENTS AND ENTITLEMENT/ POLICY AMENDMENTS.

A. APPLICABILITY. This Section shall govern the processing of any General Plan amendment which is defined as a Technical Amendment or an Entitlement/Policy Amendment. Technical Amendments involve changes of a technical nature including, without limitation: statistical corrections; mapping error corrections; changes in spheres of influence and city boundaries; changes in Unincorporated Communities or Communities of Interest; editorial clarifications that do not change the intent of the General Plan; or appendix information

useful in interpreting the General Plan but which does not change the General Plan intent. Entitlement/Policy Amendments involve changes in land use designations or policies that involve land located entirely within a General Plan Foundation Component but that do not change the boundaries of that component. Notwithstanding the preceding sentence, a proposed change of land use designation to properties located in Eastern Riverside County Desert Area not covered by an Area Plan shall be considered a Foundation Component Amendment and shall be subject to the provisions of Section 2.5. and Section 2.6. of this ordinance. An Entitlement/Policy Amendment may also involve a change in General Plan Policy provided it does not change the Riverside County Vision, a Foundation Component, or a General Planning Principle set forth in General Plan Appendix B.

B. AMENDMENT PROCEEDINGS AND HEARINGS. An Amendment pursuant to this Section shall be processed, heard and decided in accordance with Section 2.1. and Section 2.10. of this ordinance.

C. FINDINGS.

1. Technical Amendments. A Planning Commission resolution recommending approval of a Technical Amendment and a Board of Supervisors resolution approving a Technical Amendment shall include the first finding listed below and any one or more of the subsequent findings listed below:

   a. The proposed amendment would not change any policy direction or intent of the General Plan.

   b. An error or omission needs to be corrected.

   c. A land use designation was based on inaccurate or misleading information and should therefore be changed to properly reflect the policy intent of the General Plan.

   d. A point of clarification is needed to more accurately express the General Plan's meaning or eliminate a source of confusion.

   e. A minor change of boundary will more accurately reflect geological or topographic features, or legal or jurisdictional boundaries.

2. Entitlement/Policy Amendments. A Planning Commission resolution recommending approval of an Entitlement/Policy Amendment and a Board of Supervisors resolution approving an Entitlement/Policy Amendment shall include the first two findings listed below and any one or more of the subsequent findings listed below:

   a. The proposed change does not involve a change in or conflict with: the Riverside County Vision; any General Planning Principle set forth in General Plan Appendix B; or any Foundation Component designation in the General Plan.

   b. The proposed amendment would either contribute to the purposes of the General Plan or, at a minimum, would not be detrimental to them.

c. Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.

d. A change in policy is required to conform to changes in state or federal law or applicable findings of a court of law.

e. An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.

f. An amendment is required to expand basic employment job opportunities (jobs that contribute directly to the County's economic base) and that would improve the ratio of jobs-to-workers in the County.

g. An amendment is required to address changes in ownership of land or land not under the land use authority of the Board of Supervisors.

Ord. 348.4785 Item 3-27 of 05/19/15 (Effective Date: 06/18/15)

**SECTION 2.5. GENERAL PLAN FOUNDATION COMPONENT AMENDMENTS - REGULAR.**

A. APPLICABILITY. This Section shall govern the processing of regular Foundation Component Amendments occurring during the Eight-Year General Plan Review Cycle including any General Plan amendment to change:

1. The Riverside County Vision;

2. The General Planning Principles set forth in General Plan Appendix B;

3. A Foundation Component of the General Plan (except for an amendment to change property to or from the Agriculture Foundation Component which shall be processed in accordance with Section 2.7. of this ordinance); or,

4. A proposed change to the land use designations established in the Eastern Riverside County Desert Area, not covered by an Area Plan.

B. LIMITATION ON FOUNDATION COMPONENT AMENDMENTS. Except as otherwise provided in Section 2.6. and Section 2.7., no Foundation Component Amendment shall be heard or approved except as part of the Eight-Year General Plan Review Cycle. The first Eight-Year General Plan Review Cycle shall commence on January 1, 2008 and continue during the 2008 calendar year, and subsequent cycles shall occur at eight calendar year intervals thereafter.

C. INITIATION OF AMENDMENT PROCEEDINGS. The initiation of proceedings for any amendment pursuant to this Section shall require an order of the Board of Supervisors, adopted by the affirmative vote of not less than a majority of the entire membership of the Board. The Board of Supervisors may adopt an order initiating amendment proceedings at

any time during the calendar year of a Eight-Year General Plan Review Cycle. The adoption of an order by the Board initiating amendment proceedings shall not require a public hearing and shall not imply any such amendment will be approved.

D. RECOMMENDATIONS FOR THE INITIATION OF AMENDMENT PROCEEDINGS. Either the Planning Director or the Planning Commission may recommend that the Board of Supervisors adopt an order initiating proceedings for an amendment pursuant to this Section. All such recommendations shall be in writing and shall be submitted to the Clerk of the Board for placement on the agenda of the Board as a matter not requiring a public hearing. Whenever the Planning Director prepares such a recommendation, the comments of the Planning Commission shall be requested and any comments shall be included in the submission to the Board of Supervisors. No public hearing before the Planning Commission shall be required to request such comments.

E. PRIVATE APPLICATIONS FOR THE INITIATION OF AMENDMENT PROCEEDINGS. The owner of real property, or a person authorized by the owner, shall have the right to request that the Board of Supervisors adopt an order initiating proceedings for an amendment pursuant to this Section. The Planning Director shall establish an application period of not less than thirty days during the calendar year of each Eight-Year General Plan Review Cycle during which applications will be accepted. After this application period is established, it shall not be extended. Applications shall be made to the Planning Director, on the forms provided by the Planning Department, shall supply all required information, and shall be accompanied by the filing fee set forth in County Ordinance No. 671. The Planning Director shall prepare a report and recommendation on all such applications and shall submit the report and recommendation to the Clerk of the Board for placement on the Board agenda as a matter not requiring a public hearing. Prior to submitting the report and recommendation to Clerk of the Board, the comments of the Planning Commission shall be requested and any comments shall be included in the submission to the Board of Supervisors. No public hearing before the Planning Commission shall be required to request such comments.

F. AMENDMENT PROCEEDINGS AND HEARINGS. After adoption of an order of the Board of Supervisors initiating proceedings for an amendment pursuant to this Section, the amendment shall be processed, heard and decided in accordance with Section 2.1. and Section 2.10. of this ordinance. If the Board adopts orders initiating proceedings for several amendments pursuant to this Section, each such amendment may be processed, heard and decided separately or together with other such amendments as determined by the Planning Director. Hearings and the final decision on any amendment pursuant to this Section may occur after the calendar year during which proceedings for the amendment were initiated.

G. FINDINGS. A Planning Commission resolution recommending approval of a regular Foundation Component Amendment and a Board of Supervisors resolution approving a regular Foundation Component Amendment shall include findings, based on substantial evidence, that new conditions or circumstances disclosed during the review process justify modifying the General Plan, that the modifications do not conflict with the overall Riverside County Vision, and that they would not create an internal inconsistency among the elements of the General Plan. The foregoing requirement for findings shall not apply to any amendment to the Riverside County Vision.

Ord. 348.4785 Item 3-27 of 05/19/15 (Effective Date: 06/18/15)

**SECTION 2.6. GENERAL PLAN FOUNDATION COMPONENT AMENDMENTS – EXTRAORDINARY.**

A. APPLICABILITY. This Section shall govern the processing of any Foundation Component Amendment not occurring during the Eight-Year General Plan Review Cycle including any General Plan amendment to change:

1. The Riverside County Vision;

2. The General Planning Principles set forth in General Plan Appendix B;

3. A Foundation Component of the General Plan (except for changes to property designated within the Agriculture Foundation Component which shall be processed in accordance with Section 2.7. of this ordinance); or,

4. A proposed change to the land use designations established in the Eastern Riverside County Desert Area, not covered by an Area Plan.

B. INITIATION OF AMENDMENT PROCEEDINGS. The initiation of proceedings for any amendment pursuant to this Section shall require an order of the Board of Supervisors, adopted by the affirmative vote of not less than a majority of the entire membership of the Board. The Board of Supervisors may adopt an order initiating amendment proceedings at any time. The adoption of an order by the Board initiating amendment proceedings shall not require a public hearing and shall not imply any such amendment will be approved.

C. RECOMMENDATIONS FOR THE INITIATION OF AMENDMENT PROCEEDINGS. Either the Planning Director or the Planning Commission may recommend that the Board of Supervisors adopt an order initiating proceedings for an amendment pursuant to this Section. All such recommendations shall be in writing and shall be submitted to the Clerk of the Board for placement on the agenda of the Board as a matter not requiring a public hearing. Whenever the Planning Director prepares such a recommendation, the comments of the Planning Commission shall be requested and any comments shall be included in the submission to the Board of Supervisors. No public hearing before the Planning Commission shall be required to request such comments.

D. PRIVATE APPLICATIONS FOR THE INITIATION OF AMENDMENT PROCEEDINGS. The owner of real property, or a person authorized by the owner, shall have the right to request that the Board of Supervisors adopt an order initiating proceedings for an amendment pursuant to this Section. Applications shall be made to the Planning Director, on the forms provided by the Planning Department, shall supply all required information, and shall be accompanied by the filing fee set forth in County Ordinance No. 671. The Planning Director shall prepare a report and recommendation on all such applications and shall submit the report and recommendation to the Clerk of the Board for placement on the Board agenda as a matter not requiring a public hearing. Prior to submitting the report and recommendation to the Clerk of the Board, the comments of the Planning Commission shall

be requested and any comments shall be included in the submission to the Board of Supervisors. No public hearing before the Planning Commission shall be required to request such comments.

E. AMENDMENT PROCEEDINGS AND HEARINGS. After adoption of an order of the Board of Supervisors initiating proceedings for an amendment pursuant to this Section, the amendment shall be processed, heard and decided in accordance with Section 2.1. and Section 2.10. of this ordinance. If the Board adopts orders initiating proceedings for several amendments pursuant to this Section, each such amendment may be processed, heard and decided separately or together with other such amendments as determined by the Planning Director.

F. FINDINGS. A Planning Commission resolution recommending approval of an Extraordinary General Plan Foundation Component Amendment and a Board of Supervisors resolution approving an Extraordinary General Plan Foundation Component Amendment shall include the first two findings listed below and any one or more of the subsequent findings listed below:

1. The foundation change is based on substantial evidence that new conditions or circumstances disclosed during the review process justify modifying the General Plan, that the modifications do not conflict with the overall Riverside County Vision, and that they would not create an internal inconsistency among the elements of the General Plan. The foregoing requirement for findings shall not apply to any amendment to the Riverside County Vision.

2. A condition exists or an event has occurred that is unusually compelling and can only be rectified by making changes in the current Riverside County Vision, General Planning Principles set forth in General Plan Appendix B, or Foundation Component.

3. An unconstitutional taking of property might occur without the amendment, and the amendment alters the General Plan Foundation Component only to the extent necessary to avoid the potential taking.

4. A natural or man-made disaster or public emergency has occurred that warrants a change in General Plan Foundation Component designations in order to protect the public health, safety or welfare.

5. A Foundation Component Amendment is required to conform to changes in State or Federal law, or applicable findings of a court of law.

6. An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.

7. A Foundation Component Amendment is required to significantly expand basic structural employment (such as industrial, agricultural processing, and research and development), excluding retail, service commercial, warehousing, and residential uses not ancillary to the primary employment use.

8. A Foundation Component change is necessary to facilitate implementation of open space or transportation corridor designations arising from the adopted MSHCP or Community Environmental Transportation Acceptability Program (CETAP) programs that could not be accomplished by a lesser change in the General Plan.

Ord. 348.4785 Item 3-27 of 05/19/15 (Effective Date: 06/18/15)

## SECTION 2.7. AGRICULTURAL FOUNDATION COMPONENT GENERAL PLAN AMENDMENTS.

A. APPLICABILITY. This Section shall govern the processing of any General Plan amendment to change property to or from the Agriculture Foundation Component.

B. GENERAL AUTHORIZATION FOR AGRICULTURAL FOUNDATION COMPONENT AMENDMENTS.

1. All amendments pursuant to this Section shall be assigned to a 2½ Year Agricultural Foundation Amendment Cycle based on the date of amendment adoption. The first 2½ Year Cycle commenced January 1, 2004 and ended on June 30, 2006; the second 2½ Year Cycle extends from July 1, 2006 to December 31, 2008; and subsequent 2½ Year Cycles shall continue in the same manner for 2½ year periods thereafter.

2. The Planning Director shall determine the total acreage of land within the Agricultural Foundation Component as of January 1, 2004 (the "Agricultural Foundation Base Acreage"), for each of the following three areas:

   a. The area covered by the Palo Verde Valley Area Plan, the Desert Center Area Plan and the Eastern Desert Land Use Plan;

   b. The area covered by the Eastern Coachella Valley Area Plan and the Western Coachella Valley Area Plan; and,

   c. The area covered by all other Area Plans.

3. During the first 2½ Year Agricultural Foundation Amendment Cycle, seven percent (7%) of the Agricultural Foundation Base Acreage for each of the areas listed in paragraph (2) above shall be generally authorized for conversion from the Agriculture Foundation Component to any other Foundation Component (the "Agricultural Amendment General Authorization Acreage"). During each subsequent 2½ Year Agricultural Foundation Amendment Cycle, the Agricultural Amendment General Authorization Acreage for each area listed in paragraph (2) above shall consist of an acreage equal to the Agricultural Amendment General Authorization Acreage for the first 2½ Year Agricultural Foundation Amendment Cycle plus the Agricultural Amendment General Authorization Acreage for all subsequent 2½ Year Agricultural Foundation Amendment Cycles reduced by the acreage of all General Plan amendments adopted after January 1, 2004 (except General Plan amendments adopted pursuant to Subsection G. below) converting land from the Agriculture Foundation Component to any other Foundation Component for each such area.

4. Unless otherwise allowed as provided in Subsection G. below, no amendment pursuant to this Section shall be approved by the Board of Supervisors if such approval would result in a conversion from the Agriculture Foundation Component to any other Foundation Component in excess of the Agricultural Amendment General Authorization Acreage, as determined under paragraph (3) above, during any 2½ Year Agricultural Foundation Amendment Cycle.

C. AMENDMENT PROCEEDINGS AND HEARINGS. An amendment pursuant to this Section shall be processed, heard and decided in accordance with Section 2.1. and Section 2.10. of this ordinance.

D. ADDITIONAL AUTHORIZATION FOR AGRICULTURAL FOUNDATION COMPONENT AMENDMENTS. Notwithstanding the provisions of Subsection B. above, the Board of Supervisors may approve an amendment which exceeds the Agricultural Amendment General Authorization Acreage for any 2½ Year Agricultural Foundation Amendment Cycle provided the Board first determines that any condition or circumstance including, without limitation, any business consideration or undue hardship, justifies the amendment and also determines that adequate infrastructure to serve the land use designations will be available. Prior to approving an amendment as provided in this Subsection, the Board of Supervisors shall first submit the amendment to the Agricultural Task Force for the area where the property subject to the amendment is located for its review and recommendation.

E. FINDINGS. A Planning Commission resolution recommending approval of an Agricultural Foundation Component Amendment and Board of Supervisors resolution approving an Agricultural Foundation Component Amendment shall include a finding that the amendment would either contribute to the achievement of the purposes of the General Plan or, at a minimum, not be detrimental to them.

Ord. 348.4785 Item 3-27 of 05/19/15 (Effective Date: 06/18/15)

## SECTION 2.8. SPECIFIC PLANS.

Specific plans, and amendments thereto, shall be heard and adopted in accordance with the provisions of Section 65450 et seq. of the Government Code, as now written or hereafter amended, and in accordance with Section 2.10. of this Article. The Board of Supervisors may, by affirmative vote of not less than a majority of the entire membership of the Board, order the preparation and hearing of a new specific plan or the amendment of any existing specific plan. Any such order for preparation and hearing shall not imply that any new specific plan or amendment to an existing specific plan will be approved.

## SECTION 2.9. APPLICATIONS FOR SPECIFIC PLANS.

A. The owner of real property, or a person authorized by the owner, shall have the right to request that the County consider a specific plan or an amendment to an existing specific plan for the real property. The right to request consideration of a specific plan or a specific plan amendment does not imply that the specific plan or the specific plan amendment will

be approved. Whenever any State law, the Riverside County General Plan or any ordinance requires the adoption of a specific plan as a condition to the approval of a project, an application for a specific plan shall be made pursuant to this section.

B. Applications shall be made in writing to the Planning Director on the forms provided by the Planning Department and shall be accompanied by the fee set forth in County Ordinance No. 671. The application shall supply all required information and shall include the following:

1. Wherever a proposed specific plan is for a project subject to the Alquist-Priolo Earthquake Fault Zoning Act, Public Resources Code Section 2621 et seq., a geologic report shall be submitted as required by County Ordinance No. 547.

2. Whenever a proposed specific plan will substantially determine the location of any building sites for structures, a flood protection study shall be submitted with the specific plan along with the fee set forth in County Ordinance No. 671.

C. A specific plan shall include text and a diagram or diagrams which specify all of the following in detail:

1. The distribution, location and extent of the uses of land, including open space, within the area covered by the plan.

2. The proposed distribution, location and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan.

3. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.

4. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2) and (3) of this Subsection.

D. A specific plan shall include a statement of the relationship of the specific plan to the General Plan.

## SECTION 2.10. HEARINGS ON ADOPTION OR AMENDMENT OF THE GENERAL PLAN.

Proposals to adopt or amend the Riverside County General Plan, or any part or element thereof, shall be heard in the following manner:

A. The Planning Commission shall hold a public hearing on the matter. Notice of the public hearing shall be given pursuant to Section 1.6. of this ordinance. If the proposed General Plan or amendment to the General Plan would affect the permitted uses or intensity of uses of real property, notice of the public hearing shall also be given pursuant to Section 1.7. of this ordinance.

B. After closing the public hearing, the Planning Commission shall make a recommendation for approval or disapproval within a reasonable time, by resolution, including therein its findings, and transmit it to the Board of Supervisors with a copy mailed to the applicant, if any. A recommendation for approval shall be made by the affirmative vote of not less than a majority of the total membership of the Planning Commission. If the Commission cannot reach a decision within a reasonable time after closing the hearing, that fact shall be reported to the Board of Supervisors and shall be deemed a recommendation to deny the proposal.

C. Upon receipt of a recommendation of the Planning Commission on adoption or amendment of the General Plan, the Clerk of the Board shall set the matter for public hearing before the Board of Supervisors at the earliest convenient day and shall give notice of public hearing in the same manner as notice was given of the hearing before the Planning Commission.

D. After closing the public hearing, the Board of Supervisors shall render its decision within a reasonable time. A decision to adopt or amend the General Plan, or any part or element thereof, shall be made by resolution, which resolution shall be adopted by the affirmative vote of not less than the majority of the total membership of the Board. The Board of Supervisors may approve, modify or disapprove the recommendation of the Planning Commission; provided, however, that any substantial modification of the Planning Commission's recommendation not previously considered by the Commission shall first be referred to the Commission for its recommendation. The Planning Commission shall not be required to hold a public hearing thereon, and failure of the Commission to report within 45 days after the reference or such longer period of time as may be specified by the Board, shall be deemed to be a recommendation for approval of the proposed modification.

E. A proposal to adopt or amend any part or element of the General Plan shall not be approved by the Board of Supervisors until all procedures required by the Riverside County CEQA implementing procedures to approve a matter have been completed.

## SECTION 2.11. DETERMINATION OF PROJECT CONFORMANCE WITH ADOPTED SPECIFIC PLAN.

A. Whenever an application for an implementing project varies from and is not in substantial conformance with an adopted specific plan, an amendment to that specific plan shall be adopted pursuant to the provisions of Section 2.8. of this ordinance prior to the approval of the implementing project.

B. Whenever an application for an implementing project varies from but is in substantial conformance with the adopted specific plan, a determination of substantial conformance shall be issued as provided in this Subsection prior to the approval of the implementing project.

1. For purposes of this Subsection, the term "substantial conformance" shall mean a non-substantial modification of a condition of approval, diagram, or text of the specific plan that does not change the basic design or improvements required and is consistent with the original resolution adopting the specific plan, the conditions of approval, and the specific plan text. Substantial conformance may include a

modification or deletion of a condition which will not substantially or adversely affect the underlying purpose for which the condition was initially required, construction of an implementing project out of phase so long as all infrastructure and public facilities required for the intervening phases are provided, a modification of the approved land uses in a phase which does not increase the land use density or intensity in any phase or planning area beyond that allowed by the specific plan or a modification of the project design which improves circulation, protects topographic features, minimizes grading, improves drainage or improves infrastructure.

2. An application for a determination of substantial conformance shall be made on forms provided by the Planning Department, shall be accompanied by the fee set forth in County Ordinance No. 671 and shall include the following:

   a. An accurate and complete description of the modification and how it affects the adopted specific plan, along with any necessary exhibits or diagrams.

   b. Any other information, exhibits or drawings the Planning Director may require.

3. The Planning Director shall transmit all such applications to the appropriate agencies for review and comment and shall then forward them, along with a recommendation, to the Planning Commission for decision. A copy of the notice of decision of the Planning Commission shall be mailed to the applicant and to any person who has made a written request therefore. The Planning Director shall also file a copy of the notice of decision of the Planning Commission with the Clerk of the Board of Supervisors, together with a report of the proceedings, not more than 15 days after the decision. The Clerk of the Board shall place the notice of decision on the next agenda of the Board of Supervisors held five or more days after the Clerk receives the notice from the Planning Director. The decision of the Planning Commission shall be considered final unless the applicant or an interested party files an appeal with the Clerk of the Board of Supervisors accompanied by the fee set forth in County Ordinance No. 671 within ten days after the notice of decision appear on the Board's agenda. If a timely appeal is filed, the Clerk shall place the matter on the next available agenda, and the Board of Supervisors shall determine whether the determination of substantial conformance should be made. An application for a determination of substantial conformance shall not require a noticed public hearing; however, if the Planning Director, the Commission, or the Board decides that notice of the application should be given, notice shall be given at the applicant's expense in the manner provided for by Section 1.6. and 1.7. of this ordinance. Whenever such a decision requiring notice is made, no further action shall be taken on the application until proper notice has been given. The Commission or Board of Supervisors may, at their discretion, allow testimony to be given on the proposed modification.

4. An application for a determination of substantial conformance may be approved only if the following findings are made:

   a. That the project as modified meets the intent and purpose of the adopted specific plan; and,

b. That the project as modified is consistent with the findings and conclusions contained in the resolution adopting the specific plan.

C. Notwithstanding any other provision in this Section to the contrary, and even if the application for a determination of substantial conformance otherwise could be approved under this section, an applicant may be required to process a specific plan amendment pursuant to the provisions of Section 2.9. of this ordinance if it is determined that an amendment to the specific plan is required.

## SECTION 2.12. REPORTS ON CONFORMITY WITH GENERAL PLAN.

A. The Planning Department is designated as the planning agency, under the provisions of Section 65402 of the Government Code, and any similar provision of State law, to report on public acquisitions, dispositions, abandonments, and construction, as to conformity with the Riverside County General Plan.

B. Whenever any County department or a public agency is processing a project that requires a report under the provisions of Section 65402 of the Government Code, or any similar provision of State law, application shall be made to the Planning Director on forms provided by the Planning Department and shall supply all requested information, including the following:

1. The name, address and telephone number of applicant, including information regarding any cooperating or involved agencies.

2. The legal basis for the project on an estimated time schedule for development or action to be taken.

3. The location, address or legal description of the subject property or area, together with a site plan and description of the proposed project and uses.

4. The location of adjacent streets, easements, utilities, and other features, both natural and constructed, that may affect or be affected by the proposal.

5. Development plans of any proposed construction, including such structural features as may be required to determine if the proposal is in conformity with the General Plan and any specific plan in effect in the area.

C. Within 40 days after receipt of a completed application, the Planning Director shall make a report to the applicant as to the conformity of the location, purpose and extent of the proposed project with the General Plan.

D. Within ten days after the date of mailing or delivery of the report of the Planning Director, the applicant may appeal, in writing, to the Planning Commission on the form provided by the Planning Department. Upon receipt of a completed appeal accompanied by the fee set forth in Ordinance No. 671, the Planning Director shall set the matter for hearing before the Planning Commission, not less than five nor more than 35 days thereafter, and shall give written notice of the hearing, by mail, to the appellant. The decision of the Commission

shall be made within 30 days following the close of the hearing, shall be final, and a copy shall be mailed to the appellant.

E. The provisions of subdivision (a) of Section 65402 of the Government Code shall not apply to:

1. The disposition of the remainder of a larger parcel which was acquired and used in part for street purposes;

2. Acquisitions, dispositions, or abandonments for street widening or alignment projects, provided such projects are of a minor nature.

F. The provisions of paragraph (b) of Section 65402 of the Government Code shall not apply to acquisition or abandonment for street widening or alignment projects of a minor nature.

Amended Effective:
02-03-1977 (Ord. 348.1545)
06-27-1978 (Ord. 348.1658)
05-08-1980 (Ord. 348.1785)
09-25-1980 (Ord. 348.1855)
10-23-1980 (Ord. 348.1879)
01-22-1981 (Ord. 348.1908)
07-22-1982 (Ord. 348.2088)
06-30-1983 (Ord. 348.2156)
04-04-1985 (Ord. 348.2444)
03-12-1987 (Ord. 348.2670)
03-27-1989 (Ord. 348.3418)
11-30-1995 (Ord. 348.3752)
04-19-1996 (Ord. 348.3770)
Amended Ord. 348.4573 Item 3.36 of 04/01/08 (Effective Date: 05/01/08) - Article I in its entirety

## ARTICLE III ZONE CLASSIFICATIONS

### SECTION 3.1. ZONES.

For the purpose of providing a uniform basis for zoning, the following zone classifications, referred to alternatively herein as zones, may be applied to the lands in the unincorporated area of the County of Riverside:

| | |
|---|---|
| R-R | Rural Residential |
| R-R-O | Rural Residential, Outdoor Advertising |
| R-1 | One-Family Dwellings |
| R-1A | One-Family Dwellings - Mountain Resort |
| R-A | Residential Agricultural |
| R-2 | Multiple Family Dwellings |
| R-2A | Limited Multiple Family Dwellings |
| R-3 | General Residential |
| R-3A | Village Tourist Residential |
| R-T | Mobilehome Subdivision and Mobilehome Park |
| R-T-R | Mobilehome Subdivision - Rural |
| R-4 | Planned Residential |
| R-5 | Open Area Combining Zone - Residential Developments |
| R-6 | Residential Incentive |
| R-7 | Highest Density Residential |
| C-1 & C-P | General Commercial |
| C-T | Tourist Commercial |
| C-P-S | Scenic Highway Commercial |
| C-R | Rural Commercial |
| C-O | Commercial Office |
| S-P | Specific Plan |
| I-P | Industrial Park |
| M-SC | Manufacturing - Service Commercial |
| M-M | Manufacturing - Medium |
| M-H | Manufacturing - Heavy |
| M-R | Mineral Resources |
| M-R-A | Mineral Resources & Related Manufacturing |
| MU | Mixed Use |
| A-1 | Light Agriculture |
| A-P | Light Agriculture with Poultry |
| A-2 | Heavy Agriculture |
| A-D | Agriculture - Dairy |
| C/V | Citrus/Vineyard |
| W-2 | Controlled Development Areas |
| R-D | Regulated Development Areas |
| N-A | Natural Assets |
| W-2-M | Controlled Development Areas with Mobilehomes |
| W-1 | Watercourse, Watershed and Conservation Areas |
| WC-W | Wine Country- Winery |

| | |
|---|---|
| WC-WE | Wine Country - Winery Existing |
| WC-E | Wine Country - Equestrian |
| WC-R | Wine Country - Residential |
| W-E | Wind Energy Resource Zone |

Amended Effective:
08-30-84 (Ord. 348.2358)
04-18-86 (Ord. 348.2623)
08-28-86 (Ord. 348.2612)
07-13-89 (Ord. 348.3010)
11-08-94 (Ord. 348.3692)
Ord. 348.4422-Item 3.29 of 10/03/06 (Effective Date: 10/03/06)
Ord. 348.4802-Item 16-2 of 05/19/15 (Effective Date: 06/18/15)
Ord. 348.4840- Item 16-1 of 12/06/16 (Effective date: 01/05/17)

## SECTION 3.2. ZONE CLASSIFICATION BOUNDARIES.

Where uncertainty exists as to the boundaries of any zone classification, the following rules shall apply:

A. Where boundaries are indicated as approximately following street lines, alley lines, or lot lines, such lines shall be construed to be boundaries.

B. Where boundaries divide lots, the location of such boundaries shall be determined by use of the scale appearing on the underlying map, unless the boundaries are indicated by specific dimensions.

C. If any public street, alley or other right of way is vacated or abandoned, the land formerly in such street, alley or right of way shall be included within the boundaries of the zone classification applicable to the adjoining property on each side. In the event such street, alley or right of way was a zone classification boundary, the new zone classification boundary shall be the former center line of such street, alley or right of way.

Amended Effective:
02-03-77 Ord. 348.1545)
Ord. 348.4422 Item 3.29 of 10/3/06 (Effective Date: 10/3/06)

## SECTION 3.3. USES ALLOWED IN ZONE CLASSIFICATIONS.

The terminology used in Section 3.1. of this ordinance is general only and is not intended to be descriptive of all uses allowed in the zone classifications. The zone classifications are specifically set forth in subsequent articles of this ordinance to which reference should be made to determine all the uses permitted therein. When a use is not specifically listed as permitted or conditionally permitted in a zone classification, the use is prohibited unless, in circumstances where this ordinance empowers them to do so, the Planning Director makes a determination that the use is substantially the same in character and intensity as those uses permitted or conditionally permitted in the zone classification. Unless expressly authorized by this ordinance, nothing in this ordinance shall be construed to allow a use that is otherwise illegal under State or Federal law.

Added Effective:
Ord. 348.4422 Item 3.29 of 10/03/06 (Effective Date: 10/3/06)
Ord. 348.4802 Item 16-2 of 05/19/15 (Effective Date: 06/18/15)
Ord. 348.4423 Item 3.30 of 10/03/06 (Effective Date: 11/16/06)
Ord. No. 348.4898 Item 19.1 of 10.23.2018 (Effective Date: 12.23.18)

## SECTION 3.4. (Repealed).

Added Effective:
Ord. 348.4802 Item 16-2 of 05/19/15 (Effective Date: 06/18/15)
Amended Effective:
Ord. 348.4862 Item 17.7 of 08/29/17 (Effective Date: 9/28/17)
Ord. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12/23/2018)

## ARTICLE IV ZONING DISTRICTS

### SECTION 4.1. ZONING DISTRICTS

All the unincorporated area of the County of Riverside is placed in a series of mapped zoning districts. All those areas shown within the boundaries of the following maps are placed within the zone classifications shown on said maps, as adopted or thereafter amended:

| MAP NUMBER | DATE ADOPTED | ORDINANCE |
|---|---|---|
| Map No. 2 - All the unincorporated area of the County of Riverside not included in one of the following mapped zoning Districts. | 12-31-48 | 348 |
| Map No. 3 - Whitewater District (Annexed into the City of Palm Springs) | 04-18-49 | 348a |
| Map No. 4 - Cathedral City District | 02-20-50 | 348d |
| Map No. 5 - University District | 11-16-50 | 348g |
| Map No. 6 - Beaumont-Banning District | 08-27-51 | 348h |
| Map No. 6a - Beaumont-Banning District | 06-29-64 | 348.292 |
| Map No. 7 - La Mesa Miravilla (Now part of Cherry Valley) | 02-24-53 | 348j |
| Map No. 8 - Anza-La Sierra District | 08-24-53 | 348m |
| Map No. 9 - West Corona District | 07-26-54 | 348o |
| Map No. 10 - Cathedral City - Palm Desert District | 01-03-55 | 348p |
| Map No. 11 - Glen Avon District | 01-03-55 | 348q |
| Map No. 12 - Desert Hot Springs District | 02-21-55 | 348r |
| Map No. 13 - Calimesa District | 01-23-56 | 348z |
| Map No. 14 - La Quinta District | 03-05-56 | 348dd |
| Map No. 15 - Rubidoux District | 06-12-56 | 348hh |
| Map No. 16 - Idyllwild District | 01-14-57 | 348tt |
| Map No. 17 - Hemet-San Jacinto District | 08-26-57 | 348eee |
| Map No. 18 - North Valle Vista District | 12-23-57 | 348jjj |
| Map No. 19 - Florence (Now Part of Cherry Valley) | 10-06-58 | 348yyy |
| Map No. 20 - Indian Wells District | 10-20-58 | 348zzz |
| Map No. 21 - East Valle Vista District | 11-10-58 | 348aaaa |
| Map No. 22 - Thomas Mountain District | 04-13-59 | 348hhhh |
| Map No. 23 - North Elsinore District | 01-26-59 | 348iiii |
| Map No. 24 - Lower Berdoo Canyon District | 02-16-59 | 348jjjj |
| Map No. 25 - Edgemont-Sunnymead District | 09-21-59 | 348uuuu |
| Map No. 26 - Pedley District No. 1 (Now Pedley) | 10-13-59 | 348.2xxxx |

| MAP NUMBER | DATE ADOPTED | ORDINANCE |
|---|---|---|
| Map No. 27 - Lakeland Village District | 11-30-59 | 348.2 |
| Map No. 28 - San Gorgonio Pass District No. 1 | 01-11-60 | 348.10 |
| Map No. 29 - Mira Loma District No. 1 (Prado-Mira Loma) | 01-11-60 | 348.12 |
| Map No. 30 - Bermuda Dunes District | 12-12-60 | 348.53 |
| Map No. 31 - Cherry Valley District | 01-23-61 | 348.63 |
| Map No. 32 - Ramona District | 10-09-61 | 348.103 |
| Map No. 33 - Mecca District | 04-02-62 | 348.134 |
| Map No. 34 - Pinon Flats District | 07-16-62 | 348.146 |
| Map No. 35 - Little Lake District | 08-06-62 | 348.150 |
| Map No. 36 - Lake Mathews District | 02-18-63 | 348.173 |
| Map No. 37 - Norco District | 02-25-63 | 348.175 |
| Map No. 38 - Prado-Mira Loma District | 04-01-63 | 348.182 |
| Map No. 39 - Pedley District | 05-06-63 | 348.197 |
| Map No. 40 - Thousand Palms District | 05-13-63 | 348.198 |
| Map No. 41 - Lower Coachella Valley Dist. | 07-01-63 | 348.208 |
| Map No. 42 - North Riverside District | 07-08-63 | 348.210 |
| Map No. 43 - Banning Heights | 05-11-64 | 348.282 |
| Map No. 44 - Palm Springs Highlands | 08-17-64 | 348.306 |
| Map No. 45 - El Cerrito | 12-14-64 | 348.339 |
| Map No. 46 - Sun City | 08-24-70 | 348.776 |
| Map No. 47 - Blythe | 06-14-65 | 348.376 |
| Map No. 48 - Meadowbrook | 07-06-65 | 348.380 |
| Map No. 49 - East Corona | 08-02-65 | 348.384 |
| Map No. 50 - Painted Hills | 08-16-65 | 348.389 |
| Map No. 51 - Ripley | 08-16-65 | 348.390 |
| Map No. 52 - El Cariso | 04-04-65 | 348.435 |
| Map No. 53 - Quail Valley | 07-05-66 | 348.461 |
| Map No. 54 - Pine Cove | 06-12-67 | 348.513 |
| Map No. 55 - Perris Reservoir District | 06-19-67 | 348.514 |
| Map No. 56 - Gavilan Hills | 12-08-69 | 348.684 |
| Map No. 57 - Cajalco | 03-09-70 | 348.703 |
| Map No. 58 - Pass and Desert | 03-30-70 | 348.712 |
| Map No. 59 - Woodcrest | 03-30-70 | 348.713 |
| Map No. 60 - Sky Valley | 04-27-70 | 348.731 |

| MAP NUMBER | DATE ADOPTED | ORDINANCE |
|---|---|---|
| Map No. 61 - Canyon Lake | 08-24-70 | 348.775 |
| Map No. 62 - Mead Valley | 12-28-70 | 348.839 |
| Map No. 63 - Valley Vista | 02-22-72 | 348.862 |
| Map No. 64 - Garner Valley | 01-18-72 | 348.987 |
| Map No. 65 - Cabazon | 12-12-72 | 348.1118 |

Amended Effective:
02-03-77 (Ord. 348.1545)

# ARTICLE V R-R ZONE (RURAL RESIDENTIAL)

## SECTION 5.1. USES PERMITTED

A.

1. One-family dwellings.

2. Water works facilities, both public and private, intended primarily for the production and distribution of water for irrigation purposes.

3. Nurseries, greenhouses, orchards, aviaries, apiaries, field crops, tree crops, berry and bush crops, vegetables, flower and herb gardening on a commercial scale; the drying, packing, canning, freezing and other accepted methods of processing the produce resulting from such permitted uses, when such processing is primarily in conjunction with a farming operation and further provided that the permanent buildings and structures used in conjunction with such drying, packing and processing operations are not nearer than 20 feet from the boundaries of the premises.

4. The grazing of cattle, horses, sheep, goats or other farm stock or animals, not including hogs, including the supplementary feeding thereof, not to exceed five animals per acre of all the land available; provided however, the systematic rotation of animals with more than five animals per acre is permitted so long as the total number of permitted animals is not exceeded. For the grazing of sheep or goats, the permissible number of animals per acre may be multiplied by three, except that there shall be no limit to the permissible number of sheep which may be grazed per acre when the grazing is for the purpose of cleaning up unharvested crops, provided that such grazing is not conducted for more than four weeks in any six month period. The provisions of this paragraph apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept, fed or maintained solely for sale, marketing or slaughtering at the earliest practical age of maturity. In all cases the permissible number of animals per acre shall be computed upon the basis of the nearest equivalent ratio.

5. Farms for rabbits, fish, frogs, chinchilla, or other small animals (excluding crowing fowl).

Amended Effective:
09-15-00 (Ord. 348.3954)

6. Farms or establishment for the selective or experimental breeding and raising of cattle, sheep, goats, and horses, subject to the limitations set forth in Subsection A. 4. of this section.

7. The noncommercial raising of hogs, not to exceed five animals; provided, however, that the total number of animals permitted on parcels of less than one acre shall not exceed two animals except that no animals shall be permitted on lots of less than 20,000 square feet. For the purposes of determining the number of hogs on a parcel,

both weaned and unweaned hogs shall be counted. (See County Ordinance No. 431 regarding hog ranches).

8. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

Amended Effective:
09-15-00 (Ord. 348.3954) 12-21-00 (Ord. 348.3966)

9. A temporary stand for the display and sale of the agriculture produce of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises. Off-street parking shall be as required in Section 18.12. of this ordinance, except that no paving shall be required.

10. A sign, single or double faced, not exceeding 12 square feet in area per face, not exceeding 12 square feet in area per face, advertising only the sale of the services or the products produced on the premises. The sign shall not be lighted or have flashing objects or banners.

11. Mobilehome, used as a one-family residence, subject to the following conditions:

    a. Mobilehome shall have a floor area of not less than 450 square feet.

    b. The area between the ground level and the floor of the mobilehome shall be screened from view by an opaque skirt entirely around the mobilehome.

Amended Effective:
07-23-99 (Ord. 348.3881)

12. Home occupations.

13. Planned residential developments, provided a land division is approved pursuant to the provisions of County Ordinance No. 460 and the development standards in Section 18.5. or 18.6. of this ordinance.

14. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

15. Mining operation that is subject to the California Surface Mining and Reclamation Act of 1975 is a permitted provided that the operator thereof holds a permit to conduct surface mining operations issued pursuant to County Ordinance No. 555, which has not been revoked or suspended.

16. The noncommercial raising of not more than (5) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:

    a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.

    b. Any miniature pig kept or maintained on a lot with a use permitted under Section 5.1.A.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.

    c. No miniature pig may weigh more than two hundred (200) pounds.

    d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.

    e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.

Added Effective:
02-12-99 (Ord. 348.3857)

17. The keeping or raising of not more than 12 mature female crowing fowl on lots or parcels between 20,000 square feet and 39,999 square feet or not more than 50 mature female crowing fowl and 10 mature male crowing fowl on lots of 40,000 square feet or more for the use of the occupants of the premises. 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.

18. The outside storage of materials on improved lots or parcels of one-half acre to one acre provided the amount is limited to one hundred (100) square feet with a maximum height of three (3) feet and on improved lots or parcels of one acre or more provided the amount is limited to two hundred (200) square feet with a maximum height of three (3) feet.

19. Employee housing meeting the requirements, as determined by the Planning Director, set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8

shall be processed and considered by the Planning Commission in accordance with Health and Safety Code section 17021.8.(c).

Amended Effective:
09-15-00 (Ord. 348.3954)
02-24-04 (Ord. 348.4087)

Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

B. PUBLIC UTILITY USES.

1. Structures and installations necessary to the conservation and development of water such as dams, pipelines, water conduits, tanks, canals, reservoirs, wells and the necessary pumping and water production facilities.

2. Structures and the pertinent facilities necessary and incidental to the development and transmission of electrical power and gas such as hydroelectric power plants, booster or conversion plants, transmission lines, pipelines and the like.

3. Radio broadcasting stations.

4. Telephone transmission lines, telephone exchanges and offices.

5. Railroads, including the necessary facilities in connection therewith.

6. Television broadcasting stations, antennas, and cable installations, and microwave relay stations.

C. The following uses are permitted provided approval of a plot plan shall first have been obtained pursuant to the provisions of Section 18.30. of this ordinance.

1. Fishing lakes, commercial and noncommercial.

2. Guest ranches and motels.

3. Educational institutions, libraries, museums and post office.

4. Golf, tennis, polo or country clubs, archery and golf and driving ranges.

5. Commercial uses for the convenience of and incidental to any of the above permitted uses when located upon the same lot or parcel of land.

6. Feed and grain sales.

7. Garden supply stores.

8. Pet shops and pet supply shops.

9. Real estate offices.

10. Signs, On-site advertising.

11. Arts, crafts and curio shops.

12. Fraternal lodges, including grange halls.

13. Churches, temples and other places of religious worship

Amended Effective: Ord. 348.4672-Item 3.13 of 12/1/09 (Effective Date: 12/31/09)

14. Private schools.

15. A permanent stand for the display and sale of the agriculture product of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises.

16. An additional one family dwelling (including mobilehomes), excluding the principal dwelling, shall be allowed for each ten acres gross being farmed. Said additional dwelling units shall be located on a parcel being farmed and occupied by the owner, operator or employee of the farming operation as a one family residence provided that:

    a. The mobilehome shall have a floor area of not less than 450 square feet.

    b. The dwellings are not rented or held out for lease to anyone other than an employee of the farming operation.

    c. The dwellings are located not less than 50 feet from any property line.

    d. The dwellings are screened from view from the front property line by shrubs or trees.

    e. The arrangement of the dwellings, sanitary facilities and utilities conforms with all of the requirements of the County Health Department, the County of Building and Safety Department, and State law.

    f. The number of dwellings for employees shall not exceed four per established farming operation.

17. Beauty shops, including beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.

18. Winery and appurtenant and incidental uses with established on-site vineyard.

19. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of two years in any event.

20. Public parks and public playgrounds, golf courses with standard length fairways, and county clubs.

21. Child Day Care Center.

Amended Effective:
07-23-99 (Ord. 348.3881)
09-10-99 (Ord. 348.3883)
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

D. The following uses are permitted provided a conditional use permit has been granted:

1. Airport or landing field.

2. Auto wrecking yards.

3. Any mining operation which is exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 and Riverside County Ordinance No. 555.

4. Cemetery, pet or human.

5. Commercial fairgrounds.

6. Commercial stables and riding academies.

7. Antique shops.

8. Automobile service stations and repair garages with or without the concurrent sale of beer and wine for off-premises consumption.

9. Bakery shops, including baking only when incidental to retail sales on the premises.

10. Barber shops and beauty shops.

11. Bars and cocktail lounges.

12. Billiard and pool halls.

13. Cleaning and dyeing shop.

14. Retail pharmacies.

15. Equipment rental services, including rototillers, power mowers, sanders, power saws, cement and plaster mixers not exceeding ten cubic feet in capacity, and other similar equipment.

16. Food, meat, poultry and produce markets.

17. Frozen food lockers.

18. Hardware stores.

19. Laundries and laundromats.

20. Liquid petroleum service stations, with or without the concurrent sale of beer and wine for off-premises consumption, provided that if storage tanks are above ground, the total capacity of all tanks shall not exceed 10,000 gallons. Storage tanks shall be painted a neutral color and shall not have any advertising painted or placed on their surface.

21. Liquor stores pursuant to the provisions of Section 18.48. of this ordinance.

22. Parking lots and parking buildings, pursuant to the provisions of Section 18.12. of this ordinance.

23. Professional offices.

24. Refreshment stands.

25. Restaurants and other eating establishments.

26. Shoe stores and repair shops.

27. Stations, bus, railroad and taxi.

28. Tire sales and service.

29. Tourist information centers.

30. Underground bulk fuel storage.

31. Auction houses and yards.

32. Dune buggy parks.

33. Fruit and vegetable packing plants and similar uses.

34. Hog ranches, subject to the provisions of County Ordinance No. 431.

35. Hunting clubs.

36. Lumber production of a commercial nature, including commercial logging or commercial development of timber and lumber mills.

37. Machine shops.

38. The manufacture of:

    a. Brick, tile or terra-cotta.

    b. Cement and cement products.

    c. Gypsum.

    d. Lime or lime products.

39. Menageries.

40. Migrant agricultural workers mobilehome parks.

41. Pen fed cattle operations, livestock sale-yard, livestock auction yards, and dairy farms.

42. Race tracks, including but not limited to contests between automobiles, horses, go-carts, and motorcycles, but not including contests between human beings only.

43. Recreational vehicle parks.

44. Rifle, pistol, skeet, or trapshooting ranges.

45. Rodeo arenas.

46. Trail bike parks.

47. Trailer and boat storage.

48. Disposal service operations.

49. Meat cutting and packaging plants, provided there is no slaughtering of animals or rendering of meat.

50. Outdoor film studios

51. Water well drilling, operations and service.

52. Mobilehome parks, developed pursuant to Section 19.93. of this ordinance.

53. Community auction and sales yards.

54. Employee housing not meeting the requirements set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household.

Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

55. Feed stores.

56. Packaged dry fertilizer storage, not including processing.

57. Oil production, not including refining or processing.

58. Mink farms.

59. Both large and small animal hospitals.

60. Commercial breeding operations.

E. Any use that is not specifically listed in Subsections B., C. and D. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls.

F. Subject to the provisions of Section 18.28b., the number of mature crowing fowl may be increased up to 50% over each (male and female) of the permitted numbers.

G. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., C., or D. in Section 5.1 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.

Amended Effective:
11-11-82 (Ord. 348.2104)
12-23-82 (Ord. 348.2140)
08-02-84 (Ord. 348.2338)
04-04-87 (Ord. 348.2669)
06-30-88 (Ord. 348.2856)
05-04-89 (Ord. 348.3023)
07-20-89 (Ord. 348.3043)
11-13-90 (Ord. 348.3217)
07-16-98 (Ord. 348.3828)
07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
07-23-99 (Ord. 348.3881)
09-10-99 (Ord. 348.3883)
10-21-99 (Ord. 348.3888)
09-15-00 (Ord. 348.3954)
Ord. 348.4931 Item 21.1 of 11/10/2020 (Effective Date 12/10/2020)

## SECTION 5.2. DEVELOPMENT STANDARDS.

Where a structure is erected or a use is made in the R-R Zone that is first specifically permitted in another zone classification, such structure or use shall meet the development standards and regulations of the zone in which such structure or use is first specifically permitted, unless such requirements are hereafter modified.

A. One family residences shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building exceed seventy-

five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.

Amended Effective:
5-24-01 (Ord. 348.3990)

B. Lot Area. One-half acre, with a minimum average width of 80 feet, including the area to the center of adjacent streets, shall be the minimum size of any lot except as follows:

1. Public utilities, 20,000 square feet with a minimum average lot width and depth of 100 feet.

C. Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Formerly Article III - renumbered Article V and amended:

Amended Effective:
09-04-62 (Ord. 348.----)
06-16-65 (Ord. 348.371)
09-15-65 (Ord. 348.391)
01-19-66 (Ord. 348.422)
05-31-67 (Ord. 348.506)
08-02-67 (Ord. 348.518)
07-16-69 (Ord. 348.638)
06-10-70 (Ord. 348.737)
09-23-70 (Ord. 348.777)
09-30-70 (Ord. 348.783)
08-11-71 (Ord. 348.905)
05-04-72 (Ord. 348.1023)
08-09-73 (Ord. 348.1189)
05-30-74 (Ord. 348.1327)
06-20-74 (Ord. 348.1340)
11-07-74 (Ord. 348.1377)
03-20-75 (Ord. 348.1429)
07-10-75 (Ord. 348.1458)
10-02-75 (Ord. 348.1470)
12-10-75 (Ord. 348.1481)
02-03-77 (Ord. 348.1545)
04-21-77 (Ord. 348.1564)
09-08-77 (Ord. 348.1588)
04-12-79 (Ord. 348.1688)
11-29-79 (Ord. 348.1729)
07-02-81 (Ord. 348.1968)
11-11-82 (Ord. 348.2104)
12-23-82 (Ord. 348.2140)
05-19-83 (Ord. 348.2162)
08-02-84 (Ord. 348.2338)
10-06-89 (Ord. 348.3053)
09-10-99 (Ord. 348.3883)
02-12-99 (Ord. 348.3857)
07-23-99 (Ord. 348.3881)
09-15-00 (Ord. 348.3954)
05-24-01 (Ord. 348.3990)

## ARTICLE Va R-R-O ZONE (RURAL RESIDENTIAL, OUTDOOR ADVERTISING)

### SECTION 5.25. USES PERMITTED.

A. Any use permitted in the R-R Zone, subject to all of the regulations and procedures of the R-R Zone applicable to such use.

B. (Deleted)

Subsection B. of Section 5.25. of Ordinance No. 348 is hereby deleted. Because the deletion of Subsection B. of Section 5.25. makes the uses permitted in that section the same as the uses permitted in Section 5.1. of this ordinance, on the effective date of this ordinance, all areas designated as being in the R-R-O (Rural Residential, Outdoor Advertising) Zone (Section 5.25. of this ordinance) shall hereafter be designated as being in the R-R (Rural Residential) Zone (Section 5.1. of this ordinance), and the uses permitted in the R-R Zone shall be the only uses permitted, and shall be subject to the same development standards.

Amended Effective:
09-04-62
06-16-66 (Sections 3.26 and 3.27 Repealed)
07-16-85 (Ord. 348.2496)

(Formerly Article IIIa - renumbered Article Va and amended):
05-04-72 (Ord. 348.1023)
02-03-77 (Ord. 348.1545)

## ARTICLE VI R-1 ZONE (ONE-FAMILY DWELLINGS)

### SECTION 6.1. USES PERMITTED.

A. The following uses shall be permitted in the R-1 Zone:

1. One-family dwellings.

2. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products.

3. The noncommercial keeping of horses on lots not less than 20,000 square feet in area and 100 feet in width, provided they are kept not less than 100 feet from any street and 20 feet from any property line. A maximum of two horses per 20,000 square feet and, in any event, not more than four horses on a lot will be permitted. If a lot is one acre or more in area, poultry, crowing fowl (chickens only), rabbits, chinchillas, guinea pigs, parakeets and small fowl may be kept for the use of the occupants of the premises only. The poultry, crowing fowl, rabbits, chinchillas, guinea pigs, parakeets and small 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. If a lot is two acres or more in area, two sheep or goats or combination thereof may be kept in addition thereto provided they are kept not less than 100 feet from any street, 20 feet from any property line and 50 feet from any residence.

Amended Effective:
02-12-99 (Ord. 348.3857) 09-15-00 (Ord. 348.3954)

4. Home occupations.

Amended Effective:
(Ord. 348.3928)

5. The keeping or raising of not more than four (4) mature female crowing fowl (chickens only) on lots or parcels between 7,200 square feet and 39,999 square feet or not more than 12 mature female crowing fowl (chickens only) on lots of 40,000 square feet or more for the use of the occupants of the premises. 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.

Amended Effective:
09-15-00 (Ord. 348.3954)

6. Planned residential developments, provided a land division is approved pursuant to the provisions of County Ordinance No. 460 and the development standards in Section 18.5. or 18.6. of this ordinance.

7. The noncommercial raising of not more than one (1) miniature pig on lots from 7,200 to 19,999 square feet or not more than two (2) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:

   a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.

   b. Any miniature pig kept or maintained on a lot with a use permitted under Section 6.1.A.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.

   c. No miniature pig may weigh more than two hundred (200) pounds.

   d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.

   e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.

8. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

9. The outside storage of materials on improved lots or parcels of one-half acre to one acre provided the amount is limited to one hundred (100) square feet with a maximum height of three (3) feet and on improved lots or parcels of one acre or more provided the amount is limited to two hundred (200) square feet with a maximum height of three (3) feet.

Amended Effective:
02-12-99 (Ord. 348.3857)
09-15-00 (Ord. 348.3954)
12-21-00 (Ord. 348.3966)
02-24-04 (Ord. 348.4180)

B. The following uses are permitted provided a plot plan has been approved pursuant to the provisions of Section 18.30. of this ordinance:

1. Beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.

2. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of two years in any event.

3. Nurseries, horticultural.

4. Public parks and playgrounds, golf courses with standard length fairways, and country clubs.

5. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

6. Child Day Care Center.

Added Effective:
07-23-99 (Ord. 348.3881)
Amended Effective:
(Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09))

C. The following uses are permitted provided a conditional use permit has been granted pursuant to Section 18.28. of this ordinance:

1. Mobilehome parks, developed pursuant to Section 19.92. of this ordinance.

D. (Deleted)

E. The following uses are permitted provided a public use permit has been granted pursuant to the provisions of Section 18.29. of this ordinance:

1. Churches, temples and other places of religious worship.

Amended Effective:
12-23-82 (Ord. 348.2140)
06-28-84 (Ord. 348.2341)
04-04-87 (Ord. 348.2669)
02-12-99 (Ord. 348.3857)
09-10-99 (Ord. 348.3883)
10-21-99 (Ord. 348.3888)

## SECTION 6.2. DEVELOPMENT STANDARDS.

The following standards of development shall apply in the R-1 Zone, except that planned residential developments shall comply with the development standards contained in Section 18.5. of this ordinance.

A. Building height shall not exceed three stories, with a maximum height of 40 feet.

B. Lot area shall be not less than 7,200 square feet. The minimum lot area shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site.

C. The minimum average width of that portion of a lot to be used as a building site shall be 60 feet with a minimum average depth of 100 feet. That portion of a lot used for access on flag lots shall have a minimum width of 20 feet.

D. The minimum frontage of a lot shall be 60 feet, except that lots fronting on knuckles or cul-de-sac may have a minimum frontage of 35 feet. Lot frontage along curvilinear streets may be measured at the building setback in accordance with zone development standards.

E. Minimum yard requirements are as follows:

1. The front yard shall be not less than 20 feet, measured from the existing street line or from any future street line as shown on any specific plan of highways, whichever is nearer the proposed structure.

2. Side yards on interior and through lots shall be not less than ten percent of the width of the lot, but not less than three feet in width in any event, and need not exceed a width of five feet. Side yards on corner and reversed corner lots shall be not less than ten feet from the existing street line or from any future street line as shown on any specific plan of highways, whichever is nearer the proposed structure, upon which the main building sides, except that where the lot is less than 50 feet wide the yard need not exceed 20 percent of the width of the lot.

3. The rear yard shall not be less than ten feet.

4. No structural encroachments shall be permitted in the front, side or rear yard except as provided for in Section 18.19. of this Ordinance.

F. Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

G. Lot Coverage: In no case shall more than 50% of any lot be covered by dwelling.

Amended Effective:
01-15-64 (Ord. 348.251)
05-06-64 (Ord. 348.275)
04-17-68 (Ord. 348.556)
03-11-70 (Ord. 348.700)
09-23-70 (Ord. 348.777)
05-04-72 (Ord. 348.1023)
10-19-74 (Ord. 348.1091)
09-13-73 (Ord. 348.1201)
05-30-74 (Ord. 348.1327)
05-01-75 (Ord. 348.1443)
04-12-79 (Ord. 348.1688)
07-02-81 (Ord. 348.1965)
03-16-82 (Ord. 348.2074)
12-23-82 (Ord. 348.2140)
05-19-83 (Ord. 348.2162)
08-29-85 (Ord. 348.2510)
07-06-89 (Ord. 348.3032)
07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
07-23-99 (Ord. 348.3881)
09-10-99 (Ord. 348.3883)
10-21-99 (Ord. 348.3888)
04-14-00 (Ord. 348.3928)
09-15-00 (Ord. 348.3954)
12-21-00 (Ord. 348.3966)

## ARTICLE VIa R-1A ZONE (ONE-FAMILY DWELLINGS - MOUNTAIN RESORT)

The following regulations shall apply in all R-1A Zones:

### SECTION 6.25. USES PERMITTED.

A.

1. One-family dwellings.

2. Field crops, flower and vegetables gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products.

3. The noncommercial keeping of horses on lots not less than 20,000 square feet in area and 100 feet in width, provided they are kept not less than 100 feet from any street and 20 feet from any property line. A maximum of two horses per 20,000 square feet and, in any event, not more than four horses on a lot will be permitted. If a lot is one acre or more in area, poultry, crowing fowl (chickens only), rabbits, chinchillas, guinea pigs, parakeets and other small fowl may be kept for the use of the occupants of the premises only. The poultry, crowing fowl, rabbits, chinchillas, guinea pigs, parakeets and small 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. If a lot is two acres or more in area, two sheep or goats or combination thereof may be kept in addition thereto provided they are kept not less than 100 feet from any street, 20 feet from any property line and 50 feet from any residence.

Amended Effective:
02-12-99 (Ord. 348.3857) 09-15-00 (Ord. 348.3954)

4. The keeping or raising of not more than four (4) mature female crowing fowl (chickens only) on lots or parcels between 7,200 square feet and 39,999 square feet or not more than 12 mature female crowing fowl (chickens only) on lots of 40,000 square feet or more for the use of the occupants of the premises. 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.

Amended Effective:
09-15-00 (Ord. 348.3954)

5. Home occupations.

6. Planned residential developments, provided a land division is approved pursuant to the provisions of County Ordinance No. 460 and the development standards in Section 18.5. or 18.6. of this ordinance.

7. Real estate offices and insurance offices conducted as home occupations.

8. Deleted.

Amended Effective:
07-16-98 (Ord. 348.3828)

9. The noncommercial raising of not more than one (1) miniature pig on lots from 7,200 to 19,999 square feet or not more than two (2) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:

   a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.

   b. Any miniature pig kept or maintained on a lot with a use permitted under Section 6.25.A.1. shall be spayed or neutered as a condition of being licensed. No licensed shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.

   c. No miniature pig may weigh more than two hundred (200) pounds.

   d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.

   e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.

Added Effective:
02-12-99 (Ord. 348.3857)

10. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

11. The outside storage of materials on improved lots or parcels of one-half acre to one acre provided the amount is limited to one hundred (100) square feet with a maximum height of three (3) feet and on improved lots or parcels of one acre or more provided the amount is limited to two hundred (200) square feet with a maximum height of three (3) feet.

Amended Effective:
09-15-00 (Ord. 348.3954) 02-24-04 (Ord. 348.4087)
12-21-00 (Ord. 348.3966)

B. The following uses are permitted provided a plot plan has been approved pursuant to the provisions of Sections 18.30 of this ordinance:

1. Beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.

2. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of two years in any event.

3. Nurseries, horticultural.

4. Public parks and public playgrounds, golf courses with standard length fairways, and county clubs.

Added Effective:
07-23-99 (Ord. 348.3881)

5. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

6. Child Day Care Center.

Amended Effective:
(Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09))

C. The following uses are permitted provided a conditional use permit has been granted pursuant to Section 18.28. of this ordinance:

1. Mobilehome parks, developed pursuant to Section 19.92. of this ordinance.

D. The following uses are permitted provided a public use permit has been granted pursuant to the provisions of Section 18.29. of this ordinance:

1. Churches, temples and other places of religious worship.

Amended Effective:

07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
09-10-99 (Ord. 348.3881)
10-21-99 (Ord. 348.3888)

## SECTION 6.26. OTHER REGULATIONS.

A. Building height shall not exceed three stories, with a maximum height of 40 feet.

B. Required lot area shall not be less than 7,200 square feet. The minimum lot area shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site.

C. In no case shall more than 50% of any lot be covered by buildings.

D. Minimum yard requirements are as follows:

1. The front yard shall not be less than 20 feet, measured from the existing street line or from any future street line as shown on any specific plan of highways, whichever is nearer the proposed structure.

2. Side yards on interior and through lots shall not be less than ten percent of the width of the lot, but not less than three feet in width in any event, and need not exceed a width of five feet. Side yards on corner and reversed corner lots shall be not less than ten feet from the existing street line or from any future street line as shown on any specific plan of highways, whichever is nearer the proposed structure, upon which the main building sides, except that where the lot is less than 50 feet wide the yard need not exceed 20 percent of the width of the lot.

3. The rear yard shall not be less than ten feet.

4. No structural encroachments shall be permitted in the front, side or rear yard except as provided for in Section 18.19. of this ordinance.

Amended Effective:
07-16-98 (Ord. 348.3828)

## SECTION 6.27. AUTOMOBILE STORAGE

Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Amended Effective:
09-22-60
07-27-66 (Ord. 348.459) Subsection (d) repealed
05-30-74 (Ord. 348.1327)
12-23-83 (Ord. 348.2140)
04-04-87 (Ord. 348.2669)
04-13-89 (Ord. 348.3010)
10-06-92 (Ord. 348.3447)
07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
07-23-99 (Ord. 348.3881)
09-10-99 (Ord. 348.3883)
12-21-00 (Ord. 348.3966)

## ARTICLE VIb R-A ZONE (RESIDENTIAL AGRICULTURAL)

The following regulations shall apply to all R-A Zones:

### SECTION 6.50. USES PERMITTED.

A.

1. One-family dwellings.

2. Field crops, and vegetables gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products.

3. Repealed.

Added Effective:
02-12-1999 (Ord. 348.3857) 07-23-1999 (Ord. 348.3881)

4. Repealed.

Amended Effective:
(Ord. 348.3881)

5. Home occupations.

6. Planned residential developments, provided a land division is approved pursuant to the provisions of County Ordinance No. 460 and the development standards in Section 18.5. or 18.6. of this ordinance.

7. The noncommercial keeping of horses, cattle, sheep, and goats on lots or parcels over 20,000 square feet in area and 100 feet in width, provided they are kept, fed and maintained not less than 50 feet from any residence existing at the time such use is established. Two such animals may be kept on each 20,000 square feet up to one acre and two such animals for each additional acre.

8. Poultry, crowing fowl and rabbits for the use of the occupants of the premises only. All poultry, crowing fowl and rabbits 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 existing at the time such use is established.

Amended Effective:
9-15-00 (Ord. 348.3954)

9. Wholesale nurseries, greenhouses, orchard, aviaries, apiaries (subject to County Ordinance No. 551), the raising of field crops and tree crops, berry and bush crops, and vegetable, flower and herb gardening on a commercial scale; the drying, packing

and processing of fruits (other than canning), nuts, vegetables and other horticultural products where such drying, packing or processing is primarily in conjunction with a farming operation and provided the permanent buildings and structures used in conjunction with such drying, packing and processing operations are not nearer than 20 feet from the boundaries of the premises.

10. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

Amended Effective:
09-15-00 (Ord. 348.3954) 12-21-00 (Ord. 348.3966)

11. The raising or breeding of guinea pigs, parakeets, chinchillas, or other similar small fowl or animals (excluding crowing fowl), provided that all such uses are kept and maintained in an enclosed area, located not less than 20 feet from any property line and at least 50 feet from any residence existing at the time such use is established.

Amended Effective:
9-15-00 (Ord. 348.3954)

12. A temporary stand, not exceeding 200 square feet in area, used exclusively for the sale of products grown on the premises, and a sign, not to exceed six square feet, advertising the sale of said product. Off-street parking shall be as required in Section 18.12. of this ordinance, except than no paving shall be required.

13. Farms or establishments for the selective or experimental breeding and raising of cattle, sheep, goats, and other farm stock or animals subject to the permissible number, conditions, and provisions set forth in Subsection A.7. of this section.

14. One mobilehome, as a principal residence only, provided:

    a. The minimum lot size shall be 2½ acres.

    b. The mobilehome shall have a floor area of not less than 750 square feet.

    c. The area between the ground level and the floor of the mobilehome shall be screened from view by an opaque skirt which shall be securely fastened to the mobilehome in a manner which insures that the skirting is rigid and not movable. The skirting shall be the same material and color as the siding on the mobilehome although other materials may be used if they are weather-resistant.

    d. The location of the mobilehome, sanitary facilities and utilities shall conform with all of the requirements of the County Health Department, County Building and Safety Department and State law.

15. The grazing of sheep where such grazing operation is conducted on fields for the purpose of clearing stubble or unharvested crops, without limit as to the number of animals per acre, for a period of not more than 30 days in any six-month period for each parcel.

16. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

17. An additional one family mobilehome, excluding the principal dwelling, shall be allowed for each ten acres being farmed. Said additional mobilehomes shall be located on a parcel being farmed and occupied by the owner, operator or employee of the farming operation as a one family residence provided:

    a. The mobilehome shall have a floor area of not less than 750 square feet.

    b. The mobilehome is not rented or held out for lease.

    c. The mobilehome is located not less than 50 feet from any property line.

    d. The mobilehome is screened from view from the front property line by shrubs or trees and has a sprinkler system installed to insure the proper maintenance of plant materials.

    e. The number of dwellings for employees shall not exceed two per established farming operation.

    f. The arrangement of the mobilehomes, sanitary facilities and utilities conforms with all of the requirements of the County Health Department, County Building and Safety Department and State law.

18. The noncommercial raising of not more than one (1) miniature pig on lots from 7,200 to 19,999 square feet or not more than two (2) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:

    a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.

    b. Any miniature pig kept or maintained on a lot with a use permitted under Section 6.50.A.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.

    c. No miniature pig may weigh more than two hundred (200) pounds.

d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.

e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.

Added Effective:
02-12-99 (Ord. 348.3857)

19. The keeping or raising of not more than 12 mature female crowing fowl on lots or parcels between 20,000 square feet and 39,999 square feet or not more than 50 mature female crowing fowl and 10 mature male crowing fowl on lots of 40,000 square feet or more for the use of the occupants of the premises. 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.

20. The outside storage of materials on improved lots or parcels of one-half acre to one acre provided the amount is limited to one hundred (100) square feet with a maximum height of three (3) feet and on improved lots or parcels of one acre or more provided the amount is limited to two hundred (200) square feet with a maximum height of three (3) feet.

21. Employee housing meeting the requirements, as determined by the Planning Director, set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the Planning Commission in accordance with Health and Safety Code section 17021.8.(c).

Amended Effective:
09-15-00 (Ord. 348.3954)
02-24-04 (Ord. 348.4087)
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

B. The following uses are permitted provided a plot plan has been approved pursuant to the provisions of Section 18.30. of this ordinance.

1. Beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.

2. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of two years in any event.

3. Public parks and public playgrounds, golf courses with standard length fairways, and county clubs.

4. Child Day Care Center.

Added Effective:
07-23-99 (Ord. 348.3881)
Amended Effective:
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09))

C. The following uses are permitted provided a conditional use permit has been granted pursuant to Section 18.28. of this ordinance:

1. Mobilehome parks, developed pursuant to Section 19.92. of this ordinance.

2. Employee housing not meeting the requirements set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household.

Added Effective:
(Ord. 348.153)

Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

D. The following uses are permitted provided a public use permit has been granted pursuant to the provisions of Section 18.29. of this ordinance:

1. Churches, temples and other places of religious worship.

Amended Effective:
09-10-99 (Ord. 348.3883) repealed
10-21-99 (Ord. 348.3888)

E. Subject to the provisions of Section 18.28.B., the number of mature crowing fowl may be increased up to 50% over each (male and female) of the permitted numbers.

F. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., or C. in Section 6.50 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.

Amended Effective:
12-23-82 (Ord. 348.2140)
12-06-84 (Ord. 348.2414)
04-04-87 (Ord. 348.2669)
07-16-98 (Ord. 348.3828)
07-23-99 (Ord. 348.3881)
09-10-99 (Ord. 348.3883)
10-21-99 (Ord. 348.3888)
09-15-00 (Ord. 348.3954)
Ord. 348.4931 Item 21.1 of 11/10/2020 (Effective Date 12/10/2020)

## SECTION 6.51. BUILDING HEIGHT LIMIT.

One family residences shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34 of this ordinance. In no event, however, shall a building exceed seventy-five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27 of this ordinance.

Amended Effective:
07-16-98 (Ord. 348.3828)
05-24-01 (Ord. 348.3990)

## SECTION 6.52. REQUIRED LOT AREA AND DIMENSIONS.

Minimum lot size of 20,000 square feet, with minimum width of 100 feet and a minimum depth of 150 feet. No animals or fowl, other than domestic pets and poultry and rabbits, for the exclusive use of the occupant, shall be permitted on lots of less than 20,000 square feet.

Amended Effective:
07-16-98 (Ord. 348.3828)

## SECTION 6.53. FRONT YARD REQUIRED.

The front yard shall not be less than 20 feet, measured from the existing street line or from any future street line as shown on any specific plan of highways, whichever is nearer the proposed structure.

Amended Effective:
07-16-98 (Ord. 348.3828)

## SECTION 6.54. AUTOMOBILE STORAGE

Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Amended Effective:
01-15-64 (Ord. 348.251)
06-10-70 (Ord. 348.737)
07-22-70 (Ord. 348.753)
05-30-74 (Ord. 348.1327)
01-19-66 (Ord. 348.422)
12-12-74 (Ord. 348.1396)
11-29-79 (Ord. 348.1729) operative 1-1-80)
12-23-82 (Ord. 348.2140)
07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
09-10-99 (Ord. 348.3883)
09-15-00 (Ord. 348.3954)
12-21-00 (Ord. 348.3966)
05-24-01 (Ord. 348.3990)

## ARTICLE VII R-2 ZONE (MULTIPLE FAMILY DWELLINGS)

The following regulations shall apply in all R-2 Zones:

### SECTION 7.1. USES PERMITTED.

A.

1. One-family dwellings.

2. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products.

3. The noncommercial keeping of horses on lots not less than 20,000 square feet in area and 100 feet in width, provided they are kept not less than 100 feet from any street and 20 feet from any property line. A maximum of two horses per 20,000 square feet and, in any event, not more than four horses on a lot will be permitted. If a lot is one acre or more in area, poultry, crowing fowl (chickens only), rabbits, chinchillas, guinea pigs, parakeets and small fowl may be kept for the use of the occupants of the premises only. The poultry, crowing fowl, rabbits, chinchillas, guinea pigs, parakeets and small 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. If a lot is two acres or more in area, two sheep or goats or combination thereof may be kept in addition thereto provided they are kept not less than 100 feet from any street, 20 feet from any property line and 50 feet from any residence.

Amended Effective:
02-12-99 (Ord. 348.3857) 09-15-00 (Ord. 348.3954)

4. The keeping or raising of not more than four (4) mature female crowing fowl (chickens only) on single family residential lots or parcels between 7,200 square feet and 39,999 square feet or not more than 12 mature female crowing fowl (chickens only) on single family residential lots of 40,000 square feet or more for the use of the occupants of the premises. 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.

Amended Effective:
09-15-00 (Ord. 348.3954)

5. Home occupations.

6. Planned residential developments, provided a land division is approved pursuant to the provisions of County Ordinance No. 460 and the development standards in Section 18.5. or 18.6. of this ordinance.

7. (Deleted)

8. On-site signs, affixed to building walls, stating the name of the structure, use, or institution, not to exceed five percent of the surface area of the exterior face of the wall upon which the sign is located.

9. One-family dwellings developed as restricted single-family residential subdivisions, subject to the development standards of Section 7.11. of this ordinance. The provisions of Sections 7.2. through 7.10. of this ordinance shall not be applicable to developments under this permitted use.

Amended Effective:
07-16-98 (Ord. 348.3828)

10. The noncommercial raising of not more than one (1) miniature pig on lots from 7,200 to 19,999 square feet or not more than two (2) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:

    a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.

    b. Any miniature pig kept or maintained on a lot with a use permitted under Section 7.1.A.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.

    c. No miniature pig may weigh more than two hundred (200) pounds.

    d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.

    e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.

Added Effective:
02-12-99 (Ord. 348.3857)

11. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

12. The outside storage of materials on improved lots or parcels of one-half acre to one acre provided the amount is limited to one hundred (100) square feet with a maximum height of three (3) feet and on improved lots or parcels of one acre or more provided the amount is limited to two hundred (200) square feet with a maximum height of three (3) feet.

Amended Effective:
09-15-00 (Ord. 348.3954) 02-24-04 (Ord. 348-4087)
12-21-00 (Ord. 348.3966)

B. The following uses shall be permitted provided a plot plan has first been approved pursuant to the provisions of Section 18.30. of this ordinance:

1. Two family dwellings, multiple family dwellings, bungalow courts and apartment houses.

2. Boarding, rooming and lodging houses.

3. Churches, educational institutions, public libraries, museums and art galleries not operated for compensation or profit.

4. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of two years in any event.

5. Congregate care residential facilities.

6. Beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.

7. Nurseries, horticultural.

8. Public parks and public playgrounds, golf courses with standard length fairways, and county clubs.

Added Effective:
07-23-99 (Ord. 348.3881)

9. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

10. Child Day Care Center.

Amended Effective:
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

C. The following uses are permitted provided a conditional use permit is granted pursuant to Section 18.28. of this ordinance:

1. Mobilehome parks, developed pursuant to Section 19.92. of this ordinance.

2. Congregate care residential facilities, developed pursuant to Section 19.103. of this ordinance.

Amended Effective:
12-23-82 (Ord. 348.2140)
06-28-84 (Ord. 348.2342)
12-06-84 (Ord. 348.2414)
01-02-86 (Ord. 348.2540)
01-15-87 (Ord. 348.2643)
04-04-87 (Ord. 348.2669)
07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
07-23-99 (Ord. 348.3881)

## SECTION 7.2. BUILDING HEIGHT LIMIT.

Building height shall not exceed three stories, with a maximum height of 40 feet.

Amended Effective:
07-16-98 (Ord. 348.3828)

## SECTION 7.3. REQUIRED LOT AREA.

Lot area shall be not less than 7,200 square feet. The minimum lot area shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site.

Amended Effective:
07-16-98 (Ord. 348.3828)

## SECTION 7.4. FRONT YARD REQUIRED.

The front yard shall be not less than 20 feet, measured from the existing street line or from any future street line as shown on any specific plan of highways, whichever is nearer the proposed structure.

Amended Effective:
07-16-98 (Ord. 348.3828)

## SECTION 7.5. SIDE YARDS REQUIRED.

Side yards on interior and through lots shall be not less than ten percent of the width of the lot, but not less than three feet in width in any event, and need not exceed a width of five feet. Side yards on corner and reversed corner lots shall be not less than ten feet from the existing street line or from any future street line as shown on any specific plan of highways, whichever is nearer

the proposed structure, upon which the main building sides, except that where the lot is less than 50 feet wide the yard need not exceed 20 percent of the width of the lot.

Amended Effective:
07-16-98 (Ord. 348.3828)

## SECTION 7.6. REAR YARD REQUIRED.

The rear yard shall not be less than ten feet.

Amended Effective:
07-16-98 (Ord. 348.3828)

## SECTION 7.7. LOT COVERAGE PERMITTED.

In no case shall more than 60 percent of any lot be covered by buildings.

## SECTION 7.8. AUTOMOBILE STORAGE

Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

## SECTION 7.9. DISTANCE REQUIRED BETWEEN MAIN BUILDINGS.

No two-story main building shall be closer than 15 feet to any other main building on the same lot and no one-story building shall be closer than ten feet to any other one-story main building on the same lot.

## SECTION 7.10. AREA PER DWELLING UNIT.

Every main building hereafter erected or structurally altered shall have a lot or building site area of not less than 2,500 square feet for each dwelling unit in such main building.

## SECTION 7.11. RESTRICTED SINGLE-FAMILY RESIDENTIAL SUBDIVISIONS.

A. DEVELOPMENT OBJECTIVE.

The development objective of this section is to facilitate single-family residential subdivision projects which exhibit excellence in design and in the provision of housing opportunities through an integration of site planning, subdivision design, and housing development. It is envisioned that the site plans for these developments will be determined through a thorough analysis of a project site in terms of its constraints, opportunities, grading requirements, area characteristics, the requirements of the County General Plan, and other County ordinances governing the development of land. Projects developed pursuant to this section are expected to:

1. Provide for the placement of dwellings on individual lots so as to create variety in the street scene and to balance the distribution of height and bulk of individual dwellings relative to other dwellings and their location in the subdivision, and to provide for superior subdivision design and livability through the location and arrangement of lots, and in the design of streets through the use of short cul-de-sac and/or curvilinear streets in preference to straight or rectangular grid interior street patterns.

2. Provide for a basic level of usable and total open space, both on individual lots and throughout a subdivision, so as to meet the needs of project residents.

3. Result in residential communities which offer a variety of housing opportunities and provide for diversity in design through careful attention to house designs, floor plans, street scenes, architecture, including the visual impact of garages and placement of mechanical equipment, fencing and landscaping.

B. ALLOWABLE DENSITY.

The allowable density of a project will be determined by the physical and service constraints of the property and the area in which the property is located; the planning goals, objectives, policies, and standards of the County General Plan; and, the development standards of this section and other County ordinances.

C. DESIGN GUIDELINES.

1. Wherever development objectives are identified in this section, or wherever design-oriented objectives are specified under minimum development standards, those objectives shall be implemented in conjunction with design guidelines adopted by the Board of Supervisors.

2. The Planning Director shall develop, prepare and keep current a design guidelines manual for adoption by resolution of the Board of Supervisors and shall, when appropriate, recommend amendments to the manual for adoption by the Board.

D. FILING REQUIREMENTS.

1. The following information shall be filed in conjunction with a restricted single family development filed pursuant to this section:

   a. An application for a land division pursuant to County Ordinance No. 460.

   b. If the application is intended to implement an adopted specific plan of land use, a statement shall be filed specifying how the specific plan is being implemented through the project.

   c. A comprehensive site plan, conceptual grading plan and tentative subdivision map, based upon a contour interval no greater than four feet, showing the following in addition to the requirements of County Ordinance No. 460:

1) proposed lots including lot lines and proposed easement lines, if any.

2) building footprints.

3) floor plan assignments.

4) proposed setbacks.

5) pad elevations, street grades and all cut and fill slopes in excess of one foot in vertical height.

d. The following separate tabulations shall be provided:

1) the mix of floor plans

2) the lot/building calculations for each lot in the project as follows:

a) lot area.

b) lot pad area.

c) building footprint area.

d) percentage lot coverage

e) lot width.

f) front setback.

g) area defined by Section 7.11.F.2.f.

h) usable rear yard depth.

i) usable rear yard area.

j) usable rear-oriented side yards are no less than ten usable feet in width.

k) total rear yard area.

l) total rear-oriented side yard areas where the side yards are no less than ten feet in width.

3) the total gross project area, total net project area, net area devoted to streets and net area devoted to lot purposes.

a) A fencing plan including details of proposed materials to be used.

b) Dimensioned conceptual floor plans and elevations, including details of proposed materials for elevations, and square-footage and heights of individual units.

c) Proposed phasing plan showing the planned sequence of subdivision map recordation and development.

2. The following additional requirements shall apply to applications filed pursuant to this section:

a. All necessary information shall be filed in order for the project to be environmentally evaluated in accordance with the Riverside County General Plan, the California Environment Quality Act (CEQA), and the Riverside County Rules to Implement CEQA.

b. 8½" x 11" reduction transparencies of all exhibits and maps shall be provided.

c. The scale of the site plan and all the same with a minimum scale of 1" = 40'. In situations where the required 40' scale maps would involve preparation of multiple sheets to accommodate an entire project, composite reductions on a single sheet may be submitted in order to facilitate distribution to affected agencies.

d. A pre-application conference with the Planning Department shall be encouraged to be held to review a proposed application prior to actual filing.

e. COMPLETE APPLICATION.

1) An application shall not be deemed complete until a determination is made by the Planning Director that all necessary information has been submitted.

2) The Planning Director may waive the filing of any information determined to be unnecessary or not applicable with the exception of the required land division application.

f. MINIMUM DEVELOPMENT STANDARDS.

One-family dwellings developed as restricted single-family residential subdivisions shall comply with the following minimum development standards:

1) SITE DEVELOPMENT STANDARDS.

a) Lots shall have a minimum width of 40 feet measured along the 22 foot average building setback line; provided, however, that lots situated along street knuckles and cul-de-sac bulbs shall have not less than 20 feet of frontage measured along the face of curb.

b) Lots situated along collector roadways shall have a minimum width of 50 feet measured along the 22 foot average building setback line.

c) New property lines shall be located at the tops of slopes except along street rights-of-way where the standards of County Ordinance No. 461 shall apply and in zero lot line situations.

d) Side yard manufactured slopes shall not exceed a maximum of ten feet in vertical height in side yard areas between dwelling units; provided, however, dwellings may be set back from the toes of slopes which exceed ten feet in vertical height by one foot for each foot of vertical slope height, and from the tops of such slopes by one-half foot for each foot of vertical slope height. In no case shall the setbacks from a toes and tops of slopes be less than that required by County Ordinance No. 457.

e) Front yards shall have a minimum average depth of 22 feet throughout the project. Dwellings may be located no closer than 18 feet to the front property line in order to achieve variety in front yard setbacks provided the minimum average setback is maintained and further provided that no garages are situated closer than 30 feet to the face of curb.

f) Side yards shall not be less than five feet except that street side yards of corner lots shall be a minimum of ten feet for single-story dwellings and 15 feet for multi-story dwellings.

g) Building separation between dwelling units shall not be less than ten feet for dwellings up to 28 feet in overall height. Building separation shall be increased by one foot for each foot by which any adjoining building exceeds 28 feet in overall height. Attached garages may encroach a maximum of five feet into the required building separation provided no living portions of adjoining dwellings encroach into the required building separation and provided building separation between structures is not reduced below ten feet. Building separation shall mean the distance between the structural portions of adjoining dwellings as measured from that point where the dwellings are nearest; provided, however, that a yard encroachment permitted under Section 18.19. of this ordinance shall not be considered a structural portion for the determination of building separation.

h) Side yards shall be a minimum of 25 feet for lots which have side yards adjacent to streets with a planned width of 110 feet or greater, state highways, or freeways.

i) Rear yards shall be a minimum of 40 feet for lots which have rear yards adjacent to streets with a planned width of 110 feet or greater, state highways, or freeways.

j) Interior side yards may be reduced to accommodate zero lot line or common wall situations, except that, in no case shall the reduction in side yard areas reduce the required separation between detached structures.

2) OPEN SPACE DEVELOPMENT STANDARDS.

a) Lot coverage by all main buildings and accessory structures shall not exceed 40 percent of the net area of a lot.

b) Rear yards throughout the project shall have a minimum average depth of 25 feet to the rear property line or toe or top of any manufactured slope, whichever is nearer to the rear of the dwelling, but not less than 20 feet in any case.

c) Each rear yard shall contain a minimum of 1,000 square feet of usable area where usable area is defined as lot pad area exclusive of any manufactured slopes.

d) Total usable project open space contained within rear yards and rear-oriented portions of side yards of no less than ten usable feet in width shall average not less than 2,000 square feet per lot. For purposes of this section, a rear-oriented side yard is a side yard which is either substantially a continuation of the rear yard by virtue of irregularly shaped rear and side yards, or which by virtue of the floor plan of the dwelling is designed to be an integral part of the indoor and outdoor living environment of the dwelling and lot.

e) Total usable project open space contained within rear yards and rear-oriented portions of side yards of no less than ten feet in width may be reduced to an average of not less than 1,600 square feet per lot if total project open-space contained within the rear yards of individual lots and rear-oriented side yards of no less than ten feet in width is not less than 40 percent of the net area of a project devoted to residential lot purposes.

f) In all cases where the front yard setback of a dwelling exceeds 22 feet, the area defined by the product of the footage by which the setback exceeds 22 feet and the width of the lot may be counted toward the project's open space requirements specified in Subsections d). and e) above.

g) The requirements in Subsections d) and e) above shall be satisfied for the project as a whole and each phase of the project if the project is to be recorded in phases. Nothing in Subsections d) and e) above, however, shall prohibit individual homeowners from constructing structural additions or accessory structures on individual lots.

3) HOUSING DEVELOPMENT STANDARDS.

a) Two enclosed off-street parking spaces shall be required for each dwelling unit, notwithstanding the provisions of Section 18.12. of this ordinance. All driveways shall be concrete paved.

b) All dwellings shall comply with the requirements of Section 18.11. of this ordinance, except that no multi-story dwellings shall contain less than 1,100 square feet of total living area.

c) Projects shall provide a range of dwelling unit sizes and floor plans developed in concert with the scale of the project. A minimum of one floor plan shall be provided for each 60 dwelling units, or fraction thereof, in a proposed project, except that in no case shall less than three floor plans be provided for any individual project.

d) Projects shall provide a variety of dwelling elevations developed in concert with the scale of the project. A minimum of one elevation shall be provided for each 15 dwelling units, or fraction thereof, in a proposed project, except that in no case shall less than six elevations be provided for any individual project.

e) Dwellings situated on lots which take access from a collector roadway (66 foot right-of-way) shall either have garages setback deeper from the street than the front of the dwelling, but not less than 30 feet from the face of curb, or be designed with swing in (side oriented) garage entries.

f) Fencing, from building to building, parallel to the street, shall be provided in all side yard areas between dwelling units.

g) The heights and construction of all reverse frontage walls shall be determined through an acoustical study of the forecasted noise environment, but shall not be less than six feet in height from the finished grade of the lot in any case.

h) Dwellings and structures shall not exceed 40 feet in overall height.

i) The number of dwelling units in one residential building shall not exceed two.

g. FINAL PLAN OF DEVELOPMENT.

1) No final subdivision map shall be recorded pursuant to this section until such time as a final site plan has been submitted to and approved by the Planning Director. The final site plan shall show all lots, building footprints, setbacks, yard spaces, floor plans and elevations, and such additional information as deemed necessary by the Planning Director to determine

that the final site plan conforms to this section and the final site plan approved in conjunction with the tentative subdivision map for the property.

2) Non-substantial adjustments to an approved project's design including setbacks, floor plans, and elevations are permitted subject to the approval of the Planning Director or the approval of a minor change pursuant to County Ordinance No. 460. Changes determined to be substantial by the Planning Director including changes in concept and product type, shall be submitted for review in accordance with the provisions of County Ordinance No. 460 governing minor changes and revised tentative maps.

Amended Effective:
(09-22-60)
09-23-70 (Ord. 348.777)
09-13-73 (Ord. 348.1201)
05-30-74 (Ord. 348.1327)
08-29-78 (Ord. 348.1664)
12-23-82 (Ord. 348.2140)
06-28-84 (Ord. 348.2342)
12-06-84 (Ord. 348.2414)
08-29-85 (Ord. 348.2510)
07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
09-15-00 (Ord. 348.3954)
12-21-00 (Ord. 348.3966)

## ARTICLE VIIa R-2A ZONE (LIMITED MULTIPLE - FAMILY DWELLINGS)

The following regulations shall apply in all R-2A Zones:

### SECTION 7.25. USES PERMITTED.

A.

1. One-family dwellings.

2. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products.

3. The noncommercial keeping of horses on lots not less than 20,000 square feet in area and 100 feet in width, provided they are kept not less than 100 feet from any street and 20 feet from any property line. A maximum of two horses per 20,000 square feet and, in any event, not more than four horses on a lot will be permitted. If a lot is one acre or more in area, poultry, crowing fowl (chickens only), rabbits, chinchillas, guinea pigs, parakeets and other small fowl may be kept for the use of the occupants of the premises only. The poultry, crowing fowl, rabbits, chinchillas, guinea pigs, parakeets and small 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. If a lot is two acres or more in area, two sheep or goats or combination thereof may be kept in addition thereto provided they are kept not less than 100 feet from any street, 20 feet from any property line and 50 feet from any residence.

Amended Effective:
02-12-99 (Ord. 348.3857) 09-15-00 (Ord. 348.3954)

4. The keeping or raising of not more than four (4) mature female crowing fowl (chickens only) on single family residential lots or parcels between 7,200 square feet and 39,999 square feet or not more than 12 mature female crowing fowl (chickens only) on single family residential lots of 40,000 square feet or more for the use of the occupants of the premises. 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.

Amended Effective:
09-15-00 (Ord. 348.3954)

5. Home occupations.

6. Planned residential developments, provided a land division is approved pursuant to the provisions of County Ordinance No. 460 and the development standards in Section 18.5. or 18.6. of this ordinance.

7. On-site signs, affixed to building walls, stating the name of the structure, use or institution, not to exceed five percent of the surface area of the exterior face of the wall upon which the sign is located.

8. (Deleted)

9. The noncommercial raising of not more than one (1) miniature pig on lots from 7,200 to 19,999 square feet or not more than two (2) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:

   a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.

   b. Any miniature pig kept or maintained on a lot with a use permitted under Section 7.25.A.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.

   c. No miniature pig may weigh more than two hundred (200) pounds.

   d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.

   e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.

Added Effective:
02-12-99 (Ord. 348.3857)

10. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

11. The outside storage of materials on improved lots or parcels of one-half acre to one acre provided the amount is limited to one hundred (100) square feet with a maximum height of three (3) feet and on improved lots or parcels of one acre or more provided the amount is limited to two hundred (200) square feet with a maximum height of three (3) feet.

Amended Effective:
09-15-00 (Ord. 348.3954)
12-21-00 (Ord. 348.3966)
02-24-04 (Ord. 348.4087)

B. The following uses shall be permitted provided a plot plan has first been approved pursuant to the provisions of Section 18.30. of this ordinance.

1. Two family dwellings, multiple-family dwellings and apartment houses.

2. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of two years in any event.

3. Beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.

4. Nurseries, horticultural.

5. Public parks and public playgrounds, golf courses with standard length fairways, and county clubs.

6. Churches, temples and other places of religious worship.

Amended Effective:
07-23-99 (Ord. 348.3881)
09-10-99 (Ord. 348.3883) repealed
10-21-99 (Ord. 348.3888)

7. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

8. Child Day Care Center.

Amended Effective:
07-16-98 (Ord. 348.3828)
07-23-99 (Ord. 348.3881)
09-10-99 (Ord. 348.3883) repealed
10-21-99 (Ord. 348.3888)
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

C. The following uses are permitted provided a conditional use permit is granted pursuant to Section 18.28. of this ordinance:

1. Mobilehome parks, developed pursuant to Section 19.92. of this ordinance.

Amended Effective:
12-23-82 (Ord. 348.2140)
12-06-84 (Ord. 348.2414)
01-02-86 (Ord. 348.2540)
04-04-87 (Ord. 348.2669)
07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
07-23-99 (Ord. 348.3881)

## SECTION 7.26. BUILDING HEIGHT LIMIT.

Two stories of 30 feet.

## SECTION 7.27. REQUIRED LOT AREA.

7,200 square feet.

## SECTION 7.28. YARD REQUIREMENTS.

A. Front yard, 20 feet.

B. Side yard, five feet.

C. Rear yard, ten feet.

D. No structural encroachments shall be permitted in the front, side or rear yard except as provided for in Section 18.19. of this ordinance.

Amended Effective:
08-29-85 (Ord. 348.2510)

## SECTION 7.29. LOT COVERAGE PERMITTED.

In no case shall more than 60 percent of any lot be covered by buildings.

## SECTION 7.30. DISTANCE REQUIRED BETWEEN MAIN BUILDINGS.

No two-story main building shall be closer than 15 feet to any other main building on the same lot and no one-story building shall be closer than ten feet to any other one-story main building on the same lot.

## SECTION 7.31. AUTOMOBILE STORAGE

Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Amended Effective:
09-22-60
09-23-70 (Ord. 348.777)
09-13-73 (Ord. 348.1201)
05-30-74 (Ord. 348.1327)
03-16-82 (Ord. 348.2074)
12-23-82 (Ord. 348.2140)
08-29-85 (Ord. 348.2510)
07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
07-23-99 (Ord. 348.3881)
09-10-99 (Ord. 348.3883)
09-15-00 (Ord. 348.3954)
12-21-00 (Ord. 348.3966)

## ARTICLE VIII R-3 ZONE (GENERAL RESIDENTIAL)

The following regulations shall apply in all R-3 Zones:

### SECTION 8.1. USES PERMITTED.

A. The following use shall be permitted in the R-3 Zone: One-family dwellings.

Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

B. The following uses are allowed providing a plot plan shall first have been obtained pursuant to the provisions of Section 18.30. of Ordinance No. 348 is approved:

1. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products.

2. The noncommercial keeping of horses on lots not less than 20,000 square feet in area and 100 feet in width, provided they are kept not less than 100 feet from any street and 20 feet from any property line. A maximum of two horses per 20,000 square feet and, in any event, not more than four horses on a lot will be permitted. If a lot is one acre or more in area, poultry, crowing fowl (chickens only), rabbits, chinchillas, guinea pigs, parakeets and small fowl may be kept for the use of the occupants of the premises only. The poultry, crowing fowl, rabbits, chinchillas, guinea pigs, parakeets and small 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. If a lot is two acres or more in area, two sheep or goats or combination thereof may be kept in addition thereto provided they are kept not less than 100 feet from any street, 20 feet from any property line and 50 feet from any residence.

Amended Effective:
02-12-99 (Ord. 348.3857) 09-15-00 (Ord. 348.3954)

3. Public parks and public playgrounds, golf courses with standard length fairways, and country clubs.

4. Home occupations.

5. On-site signs, affixed to building walls, stating the name of the structure, use, or institution, not to exceed five percent of the surface area of the exterior face of the wall upon which the sign is located.

6. One-family dwellings developed as restricted single-family residential subdivisions, subject to the development standards of Section 7.11. of this ordinance. The provisions of Section- 8.2. of this ordinance shall not be applicable to developments under this permitted use.

7. Accessory buildings, to a specific permitted use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use.

8. On-site signs, affixed to building walls, stating the name of the structure, use, or institution, not to exceed five percent of the surface area of the exterior face of the wall upon which the sign is located.

9. Planned residential developments, provided a land division is approved pursuant to the provisions of County Ordinance No 460 and the development standards in Section 18.5. or 18.6. of this ordinance.

10. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

11. Two family dwellings, multiple family dwellings, bungalow courts and apartment houses.

12. Boarding, rooming and lodging houses.

13. Churches, educational institutions, public libraries, museum and art galleries not operated for compensation or profit.

14. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of two years in any event.

15. Congregate care residential facilities.

16. Beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.

17. Nurseries, horticultural.

18. Nonprofit clubs and lodge halls.

19. Fraternity and sorority houses.

20. Hotels, resort hotels, and motels.

21. Child Day Care Center.

Amended Effective:
03-12-09 (Ord. 348.4596)

22. Institutions for the aged licensed by the California State Department of Social Welfare or the County Department of Public Welfare.

23. Offices, including medical, dental, chiropractic law offices, architectural, engineering, community planning and real estate; provided there is no outdoor storage of materials, equipment, or vehicles, other than passenger cars.

24. The noncommercial raising of not more than one (1) miniature pig on lots from 7,200 to 19,999 square feet or not more than two (2) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:

    a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.

    b. Any miniature pig kept or maintained on a lot with a use permitted under Section 8.1.A.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.

    c. No miniature pig may weigh more than two hundred (200) pounds.

    d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.

    e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.

25. Churches, temples, and other places of religious worship.

Added Effective:
02-12-99 (Ord. 348.3857) 09-10-99 (Ord. 348.3883)

26. The keeping or raising of not more than four (4) mature female crowing fowl (chickens only) on single family residential lots or parcels between 7,200 square feet and 39,999 square feet or not more than 12 mature female crowing fowl (chickens only) on single family residential lots of 40,000 square feet or more for the use of the occupants of the premises. 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.

Amended Effective:
09-15-00 (Ord. 348.3954)

27. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

Amended Effective:
09-15-00 (Ord. 348.3954)
12-21-00 (Ord. 348.3966)
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

C. The following uses shall be permitted provided a conditional use permit is obtained pursuant to this ordinance:

1. Mobilehome parks, developed pursuant to Section 19.92. of this ordinance.

2. Parking area for commercial uses.

3. Congregate care residential facilities, developed pursuant to Section 19.103. of this ordinance.

Amended Effective:
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

D. The outside storage of materials on improved lots or parcels of one-half acre to one acre provided the amount is limited to one hundred (100) square feet with a maximum height of three (3) feet and on improved lots or parcels of one acre or more provided the amount is limited to two hundred (200) square feet with a maximum height of three (3) feet.

Amended Effective:
07-16-98 (Ord. 348.3828)
12-23-82 (Ord. 348.2140)
06-28-84 (Ord. 348.2341)
04-04-87 (Ord. 348.2669)
01-15-87 (Ord. 348.2543)
07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
12-21-00 (Ord. 348.3966)
02-24-04 (Ord. 348-4087)
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## SECTION 8.2. DEVELOPMENT STANDARDS.

The following standards of development shall apply in the R-3 Zone, except that planned residential developments shall comply with the development standards contained in Section 18.5. of this ordinance.

A. The minimum lot area shall be 7,200 square feet with a minimum average width of 60 feet and a minimum average depth of 100 feet, unless different minimums are specifically

required in a particular area.

B. The minimum front and rear yards shall be ten feet for buildings that do not exceed 35 feet in height. Any portion of a building which exceeds 35 feet in height shall be set back from the front and rear lot lines no less than ten feet plus two feet for each foot by which the height exceeds 35 feet. The front setback shall be measured from any existing or future street line as shown on any specific street plan of the County. The rear setback shall be measured from the existing rear lot line or from any recorded alley or easement; if the rear line adjoins a street, the rear setback requirement shall be the same as required for a front setback.

C. The minimum side yard shall be five feet for buildings that do not exceed 35 feet in height. Any portion of a building which exceeds 35 feet in height shall be set back from each side lot line five feet plus two feet for each foot by which the height exceeds 35 feet; if the side yard adjoins a street, the side setback requirement shall be the same as required for a front setback. No structural encroachments shall be permitted in the front, side, or rear yard except as provided in Section 18.19. of this ordinance.

D. No lot shall have more than 50 percent of its net area covered with buildings or structures.

E. The maximum ratio of floor area to lot area shall not be greater than two to one, not including basement floor area.

F. All buildings and structures shall not exceed 50 feet in height, unless a height up to 75 feet is specifically permitted under the provisions of Section 18.34. of this ordinance.

G. (Deleted)

H. Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Amended Effective:
01-15-64 (Ord. 348.251)
01-19-66 (Ord. 348.422)
06-07-67 (Ord. 348.507)
09-23-70 (Ord. 348.777)
09-16-71 (Ord. 348.920)
05-04-72 (Ord. 348.1023)
06-21-73 (Ord. 348.1180)
09-13-73 (Ord. 348.1201)
05-30-74 (Ord. 348.1327)
12-10-75 (Ord. 348.1481)
04-12-79 (Ord. 348.1688)
03-16-82 (Ord. 348.2074)
12-23-82 (Ord. 348.2140)
08-29-85 (Ord. 348.2510)
07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
09-10-99 (Ord. 348.3883)
10-21-99 (Ord. 348.3888)
09-15-00 (Ord. 348.3954)
12-21-00 (Ord. 348.3966)

## ARTICLE VIIIa R-3A ZONE (VILLAGE TOURIST RESIDENTIAL)

### SECTION 8.24. PURPOSE AND INTENT.

It is the intent of this article to allow residents in mountainous resort areas of the unincorporated area of the County to combine limited commercial uses with a residential dwelling. It is the intent of the Board of Supervisors in adopting this article that these limited commercial uses shall not alter or disturb the residential or resort nature of the premises or its surroundings. The combination of commercial and residential uses shall be known as cottage commercial.

### SECTION 8.25. USES PERMITTED.

A. The following uses are permitted in the R-3A Zone:

1. One-family dwellings.

2. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to sale of the products.

3. Repealed.

Amended Effective:
07-23-99 (Ord. 348.3881)

4. Home occupations.

5. Planned residential developments, provided a land division is approved pursuant to the provisions of County Ordinance No. 460 and the development standards in Section 18.5. or 18.6. of this ordinance.

6. The noncommercial raising of not more than one (1) miniature pig on lots from 7,200 to 19,999 square feet or not more than two (2) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:

   a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.

   b. Any miniature pig kept or maintained on a lot with a use permitted under Section 8.25.A.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.

   c. No miniature pig may weigh more than two hundred (200) pounds.

d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.

e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.

Added Effective:
02-12-99 (Ord. 348.3857)

7. The outside storage of materials on improved lots or parcels of one-half acre to one acre provided the amount is limited to one hundred (100) square feet with a maximum height of three (3) feet and on improved lots or parcels of one acre or more provided the amount is limited to two hundred (200) square feet with a maximum height of three (3) feet.

Amended Effective:
02-24-04 (Ord. 348.4087)

B. The following uses are permitted provided a plot plan has been approved pursuant to the provisions of Section 18.30. of this ordinance, and provided that the commercial uses are conducted entirely within a one family dwelling and are secondary to the principal use of the dwelling as a residence:

1. Antique shops

2. Arts and crafts shops, including art galleries.

3. Beauty and barber shops.

4. Blue print and duplicating services.

5. Bookstores and binders.

6. Boutique shops.

7. Ceramics.

8. Costume design studios.

9. Dwelling, bed and breakfast.

10. Florist shops.

11. Gift shops.

12. Hobby shops.

13. Interior decorating shops.

14. Jewelry stores with incidental repairs.

15. Locksmith shops.

16. Mail order businesses.

17. Manufacturer's agent.

18. Music stores.

19. Recreational and sporting goods.

20. Shoe repair shops.

21. Shoeshine stands.

22. Stained glass assembly.

23. Tailor shops.

24. Tourist information centers.

25. Toy shops.

26. Travel agencies.

27. Watch repair shops.

28. Wedding chapels.

29. Bakery shops for baked goods produced on premises, catering services, and confectionery or candy stores, provided the applicant receives clearance from the County Health Department prior to plot plan approval that the proposed use will not violate Section 27636 of the Health and Safety Code.

30. Public parks and playgrounds, golf courses with standard length fairways, and country clubs.

Added Effective:
07-23-99 (Ord. 348.3881)

C. The following uses are permitted provided a plot plan has been approved pursuant to the provisions of Section 18.30. of this ordinance:

1. Churches, temples and other places of religious worship, educational institutions, public libraries and museums not operated for compensation or profit.

Amended Effective:
09-10-99 (Ord. 348.3883) repealed 10-21-99 (Ord. 348.3888)

2. Sports and recreational facilities, not including video arcades, motor-driven vehicles and riding academies, but including archery ranges, athletic fields, golf driving ranges, miniature golf, skating rinks and commercial swimming pools.

3. Child Day Care Center.

Amended Effective:
03-12-09 (Ord. 348.4596)

D. The following uses are permitted provided a conditional use permit has been granted:

1. Ambulance services.

2. Apartments.

3. Automobile and truck repair and service stations.

4. Bungalow courts.

5. Country clubs.

6. Golf courses with standard length fairways.

7. Hotels, resort hotels, and motels.

8. Mobilehome parks developed pursuant to Section 19.91. of this ordinance.

9. Offices, including business, law, medical, dental, chiropractic, architectural and engineering.

10. Parking lot.

11. Recreational vehicle parks.

Amended Effective:
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

E. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

F. If any use that is not specifically listed in Subsections B., C. and D. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls.

Amended Effective:
12-23-82 (Ord. 348.2140)
12-26-85 (Ord. 348.2535)
04-04-87 (Ord. 348.2669)
07-06-89 (Ord. 348.3032)
02-12-99 (Ord. 348.3857)
09-10-99 (Ord. 348.3883)

## SECTION 8.26. DEVELOPMENT STANDARDS.

The following standards of development shall apply in the R-3A Zone, except that planned residential developments shall comply with the development standards contained in Section 18.5. of this ordinance:

A. The minimum lot area shall be 9,000 square feet.

B. The maximum allowed density for apartments shall be 20 units per acre. The maximum allowed density for mobile home parks shall be as required by Section 19.91. of this ordinance. The maximum allowed density for hotels, motels, kitchenettes, and recreational vehicle parks shall be 15 units per acre.

C. Off-street parking facilities shall be provided as required by Section 18.12. of this ordinance.

D. Building height limits, required front, rear and side yard setbacks, permitted lot coverage and distance between main buildings shall be the same as in the R-3 Zone.

Amended Effective:
12-26-85 (Ord. 348.2535)
08-28-86 (Ord. 348.2612)

## SECTION 8.27. AUTOMOBILE STORAGE

Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Amended Effective:
09-22-60
05-30-74 (Ord. 348.1327)
12-23-82 (Ord. 348.2140)
02-12-99 (Ord. 348.3857)
09-10-99 (Ord. 348.3883)

## ARTICLE VIIIb R-T ZONE (MOBILEHOME SUBDIVISIONS AND MOBILEHOME PARKS)

The following regulations shall apply in all R-T Zones:

### SECTION 8.50. USES PERMITTED.

The following uses shall be permitted in the R-T Zone. Structures that do not conform to the zone shall not be constructed or maintained in the R-T Zone.

A. One-family mobilehomes with a floor area of not less than 450 square feet, and one-family factory built and conventional dwelling units with a floor area of not less than 750 square feet.

1. Community recreation facilities, as part of the subdivision development.

2. Temporary real estate tract offices, to be used only for and during the original sale of the subdivision, but not to exceed a period of two years per subdivision.

3. Home occupations, only in mobilehome subdivisions.

B. The Following use is permitted provided a plot plan has been approved pursuant to the provisions of Section 18.30. of this ordinance.

1. Child Day Care Center.

C. Uses permitted by conditional use permit. The following uses are permitted provided a conditional use permit has been granted:

1. Mobilehome parks.

2. Trailer and boat storage areas, provided such use is developed in conjunction with and adjacent to a mobilehome park.

D. The following uses are permitted provided a public use permit has been granted pursuant to the provisions of Section 18.29. of this ordinance:

1. Churches, temples and other places of religious worship.

Amended Effective:
01-05-84 (Ord. 348.2244)
03-12-87 (Ord. 348.2670)
07-20-89 (Ord. 348.3043)
09-10-99 (Ord. 348.3883)
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

### SECTION 8.51. MOBILEHOME SUBDIVISION STANDARDS.

The following standards of development shall apply to mobilehome subdivisions:

A. No real property shall be used unless a subdivision has been recorded pursuant to the provisions of the County Land Division Ordinance No. 460 and this article.

B. (Deleted)

C. Mobilehomes shall meet the following minimum lot setbacks: 20 feet front yard, five feet side yard and five feet rear yard. The 20 foot front setback may be reduced on interior streets to ten feet if community recreation areas are developed as a part of the subdivision. No structural encroachments shall be permitted in the front, side, or rear yard except as provided for in Section 18.19. of this ordinance.

D. Building height shall not exceed three stories, with a maximum height of 40 feet.

E. Minimum lot size shall be either of the following:

1. Minimum lot size of 7,200 square feet, with a minimum average width of 60 feet and a minimum frontage of not less than 45 feet and a minimum average depth of 100 feet for each lot. Lots fronting on knuckle and cul-de-sac streets may have a frontage of not less than 35 feet. Lots that do not front on a street shall be permitted only upon a finding by the Planning Commission that it is impractical due to topographical conditions, terrain or configuration of the parcel of land to develop full street frontage lots. Such lots, designated as flag lots, shall meet all lot requirements except that requirement of street frontage but shall have an access strip to a street not less than 20 feet wide and not exceeding 150 feet in length.

2. Minimum lot size of 3,600 square feet, with a minimum average width of 40 feet and a minimum frontage of not less than 30 feet, if community open areas or recreational facilities or a combination thereof, are developed as a part of the subdivision. The standards for the recreation area shall be as follows:

    a. A minimum of 500 square feet for each residential lot in the subdivision shall be developed into usable community open and recreation areas. The combined square footage of community area and residential lot area, not including streets rights-of-way, shall total no less than 6,000 square feet for each residential lot in the subdivision.

    b. The recreation areas shall be designated on the subdivision map and shall be located entirely within the subdivision development.

F. For subdivisions that include community open or recreation areas, a community association with the unqualified right to assess the owners of the residential lots for all maintenance operations 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 lots of 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. The following improvements shall be installed on all lots used for residential purposes:

1. A concrete slab or other metal or wood deck containing at least 200 square feet.

2. The area between the ground level and the floor of a mobilehome shall be screened from view by an opaque skirt entirely around the mobilehome.

H. No common area for storage of camp and boat trailers shall be permitted unless it is designated on the subdivision map.

I. Not more than one mobilehome for residential purposes shall be permitted on a lot.

J. Whenever the soil is excavated below a mobilehome, a retaining wall shall be installed extending six inches above grade. Plans for the retaining wall shall be approved by the County Building and Safety Department.

Amended Effective:
05-19-83 (Ord. 348.2162) 08-29-83 (Ord. 348.2510)

## SECTION 8.52. MOBILEHOME PARK STANDARDS.

In addition to any conditions imposed upon the granting of a conditional use permit, the following minimum standards shall apply to mobilehome parks:

A. The minimum site that may be developed for a mobilehome park shall be five acres gross.

B. Minimum area for each mobilehome site shall be 2,500 square feet with a minimum width of 30 feet.

## SECTION 8.53. OTHER REGULATIONS.

A. All mobilehome subdivisions and mobilehome parks that are proposed to be constructed adjacent to, or across the street from, land zoned R-1, R-1A or R-A, unless the gross area of each lot in the mobilehome development is not less than 2½ acres and the average width of each lot is not less than 260 feet, shall have a common area consisting of a 20 foot minimum setback along all adjoining boundary streets and a 15 foot side and rear setback along all non-street boundaries of the development. Masonry walls six feet high shall be erected along all boundary lines, except that along all street boundaries the wall shall be erected five feet from the right of way line. The area between the wall and the street shall be planted in ground cover. Trees or shrubs shall be planted within a ten foot strip adjacent to the inside of all boundary walls unless an interior street adjoins a perimeter wall. All trees and shrubs planted shall be of a variety that will grow to a height of not less than 15 feet

and shall be planted at intervals so that at maturity the trees or shrubs will provide solid screening of mobilehome park or mobilehome subdivision. All planting shall be maintained in a growing condition. In mobilehome subdivisions, approved provisions shall be required for the continued maintenance of the landscaped common area surrounding the development by a community association composed of the owners of the individual lots or other legal entity providing for participation by the individual lot owners in the responsibility and cost thereof. The association shall have the right to place a lien upon the individual lots for all necessary costs and expenses of maintaining the area. Exception: The improvement and setback requirements contained in this section may be modified or eliminated when the Commission finds that due to topographical conditions or property ownership patterns these requirements are impractical and will not serve to protect the present or future welfare of the public.

B. Lots in a mobilehome subdivision or mobilehome park shall not front on a street which is zoned R-1, R-1A, or R-A on the opposite side of the street.

C. Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Adopted: 02-19-62
Amended Effective:
03-30-65 (Ord. 348.356)
04-17-68 (Ord. 348.556)
05-14-69 (Ord. 348.628)
04-29-70 (Ord. 348.718)
09-16-70 (Ord. 348.773)
03-24-71 (Ord. 348.860)
05-04-72 (Ord. 348.1023)
05-30-74 (Ord. 348.1327)
03-06-75 (Ord. 348.1411)
03-16-82 (Ord. 348.2074)
05-19-83 (Ord. 348.2162)
01-05-84 (Ord. 348.2244)
02-12-99 (Ord. 348.3857)
09-10-99 (Ord. 348.3883)

## ARTICLE VIIIc R-T-R ZONE (MOBILEHOME SUBDIVISION-RURAL)

The following regulations shall apply in all R-T-R Zones:

### SECTION 8.60. USES PERMITTED.

Only the following uses shall be permitted in the R-T-R Zone:

A. One-family mobilehomes with a floor area of not less than 450 square feet, and one-family factory built and conventional dwelling units with a floor area of not less than 750 square feet.

1. The following agricultural uses on individual lots:

a. The noncommercial keeping of horses, cattle, sheep, and goats, for the use of the occupants of the premises, provided they are kept, fed and maintained not less than 20 feet from any street and 20 feet from any residential use. A total of four adult animals, plus the offspring thereof until they reach the age of maturity, may be kept for each 40,000 square feet.

b. The keeping and raising of rabbits, birds, poultry and crowing fowl for the use of the occupants of the premises, provided they are kept not less than 20 feet from any street and not less than 50 feet from any residence.

Amended Effective:
09-15-00 (Ord. 348.3954)

c. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

Amended Effective:
09-15-00 (Ord. 348.3954) 12-21-00 (Ord. 348.3966)

d. Orchards, the raising of field and tree crops, berry and bush crops and vegetable, flower and herb gardening on a commercial scale.

e. The keeping or raising of not more than 12 mature female crowing fowl on lots or parcels between 20,000 square feet and 39,999 square feet or not more than 50 mature female crowing fowl and 10 mature male crowing fowl on lots of 40,000 square feet or more for the use of the occupants of the premises. 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.

Amended Effective:

09-15-00 (Ord. 348.3954)

2. Temporary real estate tract office located within the subdivision to be used only for and during the original sale of the subdivision, but not to exceed a period of two years for a subdivision.

3. Home occupations.

B. The following use is permitted provided a plot plan has been approved pursuant to the provisions of Section 18.30. of this ordinance.

1. Child Day Care Center.

C. Uses permitted by conditional use permit. The following uses are permitted provided a conditional use permit has been granted:

1. The keeping of animals other than those listed as a permitted use.

D. Kennels and catteries are permitted provided they are approved pursuant to the provisions of Section 18.45. of this ordinance.

Amended Effective:
09-10-99 (Ord. 348.3883) repealed
10-21-99 (Ord. 348.3888)

E. Subject to the provisions of Section 18.28.B., the number of mature crowing fowl may be increased up to 50% over each (male and female) of the permitted numbers.

Amended Effective:
01-05-84 (Ord. 348.2244)
04-04-87 (Ord. 348.2669)
06-30-88 (Ord. 348.2856)
06-20-89 (Ord. 348.3043)
09-10-99 (Ord. 348.3883)
10-21-99 (Ord. 348.3888)
09-15-00 (Ord. 348.3954)
12-21-00 (Ord. 348.3966)
Ord. 348.4596 Item 16.2 02/10/09 (Effective Date: 03/12/09)

## SECTION 8.61. RURAL MOBILEHOME SUBDIVISION STANDARDS.

The following standards of development shall apply to mobilehome subdivisions:

A. No real property shall be used unless a subdivision has been recorded pursuant to the provisions of the County Ordinance No. 460 and this article.

B. (Deleted)

C. Mobilehomes shall meet the following minimum lot setbacks: 20 feet front yard, five feet side yard, and five feet rear yard. No structural encroachments shall be permitted in the front, side, or rear yard except as provided for in Section 18.19. of this ordinance.

D. Building height shall not exceed three stories, with a maximum height of 40 feet.

E. Minimum lot size shall be 40,000 square feet net area with a minimum frontage at the property line of 100 feet and a minimum depth of 100 feet for each lot. Lots fronting on knuckle and cul-de-sac streets may have a frontage of not less than 50 feet. Lots that do not front on a street shall be permitted upon a finding that it is impractical due to topographical conditions, terrain or configuration of the parcel of land to develop full street frontage lots. Such lots, designated as flag lots, shall meet all lot requirements except that requirement of street frontage, but shall have an access strip to a street not less than 20 feet wide and not exceeding 150 feet in length.

F. The following improvements shall be installed on all lots used for residential purposes:

1. A concrete slab or other metal or wood deck containing at least 200 square feet.

2. The area between the ground level and the floor of a mobilehome shall be screened from view by an opaque skirt beneath the mobilehome and appropriate landscaping.

G. Not more than one mobilehome for residential purposes shall be permitted on a lot. Not more than one travel trailer and camper and boat shall be stored on a lot.

H. When any portion of a mobilehome is installed below the level of the existing graded lot a retaining wall shall be installed below the mobilehome extending six inches above the grade. Plans for the retaining wall shall be approved by the County Building and Safety Department.

I. Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Amended Effective:
03-06-75 (Ord. 348.1411)
03-16-82 (Ord. 348.2074)
05-19-83 (Ord. 348.2162)
08-29-85 (Ord. 348.2510)
09-10-99 (Ord. 348.3883)
12-21-00 (Ord. 348.3966)

## ARTICLE VIIId R-4 ZONE (PLANNED RESIDENTIAL)

### SECTION 8.90. STATEMENT OF INTENT AND POLICY.

The Board of Supervisors finds that because of the rapid urbanization taking place in the County, it is desirable to permit the development of subdivisions containing open areas that will be used for recreation purposes or will tend to preserve the rural atmosphere of the area. Therefore, lots containing an area less than the minimum lot area now established may be permitted provided open areas are developed and maintained for the use and benefit of the residents of the subdivision.

### SECTION 8.91. PERMITTED USES.

A. One-family dwellings, and accessory uses or buildings normally incidental thereto.

B. Multiple-family dwellings subject to the provisions of Section 8.96. of this ordinance.

C. Nonprofit community centers, social halls, parks, and community recreation facilities, including but not limited to swimming pools, and golf courses and the normal accessory uses thereto.

D. Community service areas and medical facilities designed primarily for the use of the residents of the subdivision.

E. On-site signs, affixed to building walls, stating the name of the structure, use, or institution, not to exceed 5 percent of the surface area of the exterior face of the wall upon which the sign is located.

F. The following uses shall be permitted provided a conditional use permit is granted pursuant to Section 18.28. of this ordinance:

1. Mobilehome parks, developed pursuant to Section 19.92. of this ordinance.

G. The following uses are permitted provided a plot plan has been approved pursuant to the provisions of Section 18.30.:

1. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of two years in any event.

2. Child Day Care Center.

H. The following uses are permitted provided a public use permit has been granted pursuant to the provisions of Section 18.29. of this ordinance:

1. Churches, temples and other places of religious worship.

12-23-82 (Ord. 348.2140)
01-02-86 (Ord. 348.2540)
09-10-99 (Ord. 348.3883) repealed
10-21-99 (Ord. 348.3888)
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

## SECTION 8.92.

The R-4 Zone shall not be applied to any area containing less than 9 acres.

## SECTION 8.93. LAND USE REGULATIONS.

A. The minimum overall area for each dwelling unit, exclusive of the area used for commercial purposes and area set aside for street rights of way, but including recreation and service areas shall be 6,000 square feet.

B. The minimum lot area for the individual lots used as a residential building site shall be 3,500 square feet. The minimum width of each lot shall be 40 feet and the minimum depth shall be 80 feet.

C. One family residences shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building or structure exceed seventy-five (75') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.

Amended Effective:
05-24-01 (Ord. 348.3990)

D. MINIMUM YARD REQUIREMENTS.

The minimum yard requirements are as follows:

1. The front yard shall be not less than twenty (20) feet, measured from the existing right-of-way as shown on any specific plan of highways, whichever is nearer the proposed structure.

2. Side yards on interior and through lots shall be not less than a width of five feet. Side yard on corner and reversed corner lots shall be not less than ten (10) feet from the existing right-of-way or from any future right-of-way as shown on any specific plan of highways, whichever is nearer the proposed structure.

3. The rear yard shall not be less than ten (10) feet.

4. No structural encroachments shall be permitted in the front, side or rear yard except as provided for in Section 18.19. of this ordinance.

Corrected Effective:
08-14-02
11-29-02 (Ord. 348.4088)
Amended Effective:

E. Off-street parking shall be provided as set forth in Section 18.12. of the ordinance.

F. Individual sewage disposal systems shall not be permitted on lots containing an area of less than one-half acre unless a report has been received by the Planning Commission from the County Health Department stating that such a system will be acceptable.

G. The recreation areas shall be of a size, based on the particular use, adequate to meet the needs of the anticipated population, and shall be arranged so as to be readily accessible to the residents of the subdivision.

H. Adequate and permanent access from a public street to each family dwelling shall be provided for pedestrians and emergency vehicles.

Amended Effective:
5-19-83 (Ord. 348.2162) 6-30-88 (Ord. 348.2856)

## SECTION 8.94. SUBDIVISION AND DEVELOPMENT PLAN REQUIREMENTS.

Before any structure is erected or use established in the R-4 Zone, there shall be a subdivision map recorded and a development plan approved as set forth in Section 8.95. of this ordinance.

## SECTION 8.95. CONDITIONS OF DEVELOPMENT.

A. A subdivision conforming to the standards and conditions of County Ordinance No. 460, as presently worded or hereafter amended, not inconsistent with specific provisions of this section shall be recorded. All lots not to be used for residential purposes shall be given a lot letter instead of a lot number.

B. A development plan conforming to the requirements of this article and containing the following minimum information shall be approved by the Planning Commission.

1. Location of each existing and each proposed structure in the development area, the use or uses to be contained therein. Typical plans indicating use on a lot may be used.

2. Location of all pedestrian walks, malls, recreation and other open areas for the use of occupants and members of the public.

3. Location and height of all walls, fences and screen planting, including a plan for the landscaping of the development, types of surfacing, such as paving, turfing, or other landscaping to be used at various locations.

4. Plans and elevations of typical structures to indicate architectural type and construction standards.

C. Documents setting forth the method of conveying title, the type of estate to be granted, the method of maintaining the open areas and service areas, and the conditions of use of the open or recreation areas shall be submitted to and approved by the Planning Commission.

The following minimum standards shall be maintained:

1. The right to use recreational facilities and service areas shall be appurtenant to ownership of residential lots within the development, or shall be made a covenant to run with the land.

2. Provisions shall be made for maintenance of the common and service areas by a corporation, partnership, trust or other legal entity having the right to assess the individual lot owners.

**SECTION 8.96.**

A. Multiple family dwellings may be erected subject to the following standards and conditions.

1. The use shall comply with all provisions of the R-3 Zone.

2. A plot plan has first been approved pursuant to the provisions of Section 18.30. of this ordinance. The plot plan shall contain the following information:

a. Location of each existing and proposed structure in the development area and the use or uses to be contained therein.

b. Location of all pedestrian walks, malls and recreation areas.

c. Location and height of all walls, fences and screen planting, including a plan for the landscaping and surfacing of the development.

d. Plans and elevations of typical structures to indicate architectural type and construction standards.

Amended Effective:
01-15-64 (Ord. 348.251)
09-13-73 (Ord. 348.1201)
12-10-75 (Ord. 348.1481)
03-16-82 (Ord. 348.2074)
12-23-82 (Ord. 348.2140)
05-19-83 (Ord. 348.2160)
12-06-84 (Ord. 348.2414)
09-10-99 (Ord. 348.3883)

## ARTICLE VIIIe R-5 ZONE (OPEN AREA COMBINING ZONE-RESIDENTIAL DEVELOPMENTS)

### SECTION 8.100. USES PERMITTED.

A. The following uses are permitted provided a plot plan has been approved pursuant to the provisions of Section 18.30. of this ordinance:

1. Golf courses and appurtenant facilities, including clubhouses. A clubhouse is permitted to have customary retail shop and restaurant facilities.

2. Noncommercial community association recreation and assembly buildings and facilities.

3. Lakes, including noncommercial fishing there from.

4. Picnic grounds.

5. Parking lots, only for above-listed permitted uses, pursuant to the provisions of Section 18.12. of this ordinance, except that not less than five percent of the interior of such parking lots shall have distributed landscaping in addition to the landscaping requirements of Section 18.12. of this ordinance.

6. Water wells and appurtenant facilities.

7. On-site identification signs, maximum size - ten square feet.

8. Cemetery, pet or human.

9. Child Day Care Center

Added Effective:
07-23-99 (Ord. 348.3881) Ord. 348.4596 Item 16.2 02/10/09 (Effective Date: 03/12/09)

B. The following uses are permitted provided a conditional use permit has been granted:

1. Riding academies and stables.

C. The following uses are permitted provided a public use permit has been granted pursuant to the provisions of Section 18.29. of this ordinance:

1. Churches, temples and other places of religious worship.

Amended Effective:
09-10-99 (Ord. 348.3883) repealed 10-21-99 (Ord. 348.3888)

## SECTION 8.101. DEVELOPMENT STANDARDS.

A. Lot Area. This zone is to be applied to those areas within subdivisions and other residential developments that provide open space and recreational area and facilities for the project. Therefore, no minimum lot size is established for the zone.

B. Yards. Whenever a building is to be constructed on a lot in this zone, it shall have a front yard, side yard and rear yard, each of which shall be not less than 50 feet. If more than one building is constructed on one lot, there shall be not less than 20 feet separation between the buildings. No structural encroachments shall be permitted in the front, side, or rear yard except as provided for in Section 18.19. of this ordinance.

C. Trash Areas. All trash collection areas shall be enclosed with a solid fence or wall no less than six feet high.

D. Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

E. All buildings and structures shall not exceed 50 feet in height, unless a height up to 75 feet is specifically permitted under the provisions of Section 18.34. of this ordinance.

Amended Effective:
09-01-71 (Ord. 348.912)
05-30-74 (Ord. 348.1327)
12-10-75 (Ord. 348.1481)
08-29-85 (Ord. 348.2510)
07-23-99 (Ord. 348.3881)
09-10-99 (Ord. 348.3883)
10-21-99 (Ord. 348.3888)

## ARTICLE VIIIf R-6 ZONE (RESIDENTIAL INCENTIVE)

### SECTION 8.201. INTENT.

The Housing Element of the Riverside County General Plan has identified the need for affordable housing as one of the most significant housing problems in the County of Riverside. It is the intent of the Board of Supervisors in enacting the R-6 Zone to establish a specialized zone that will, through incentives and consideration of a specific housing proposal in connection with a proposed zone change, facilitate construction of affordable housing. Pursuant to the Housing Element, the density of a project shall be determined by the physical and service constraints of the parcel being considered, during the hearing process, and may exceed the density permitted for standard projects by the Land Use Element.

The Board finds and determines and declares that it is its intent that the R-6 Zone be used and applied in areas where basic services such as water, sewer, other utilities and adequate road circulation already exist or can be reasonably extended. The Board further determines that the R-6 Zone shall be applied to a specific geographic area only in conjunction with an approved plan for development, including any necessary land division maps, plot plans or other approvals, as required by the County, and that applications for the R-6 Zone and related projects are to receive priority processing by all County departments involved in the review and issuance of permits for the development.

The Board further determines that when the R-6 Zone is applied to a specific area, it shall be used only for the construction of the project approved in connection with the granting of the zone classification, or for a project that is thereafter specifically approved by the Board as an affordable housing project to replace the previously approved project. This requirement shall not prohibit the County from allowing non-substantial changes in an approved development plan that become necessary in the actual engineering of a project, provided that such changes shall not increase the density of an approved project.

### SECTION 8.202. USES PERMITTED.

A. The following use shall be permitted in the R-6 zone: One family dwellings, including mobilehomes on permanent foundations.

B. The following uses are permitted provided a plot plan has been approved in accordance with the provisions of this article:

1. Two-family dwellings and multiple family dwellings.

2. Planned residential developments.

3. Apartment houses.

4. Accessory buildings, provided there is a main building on the lot.

5. Home occupations.

6. Temporary real estate offices located within a subdivision, to be used only for and during the original sale of the subdivision.

7. Community recreation facilities as a part of a development.

8. Child Day Care Center.

C. The following uses are permitted provided a public use permit has been approved pursuant to Section 18.29. of this ordinance: churches, temples and other places of religious worship.

D. The following use is permitted provided a conditional use permit has been approved pursuant to Section 18.28. of this ordinance: mobilehome parks developed pursuant to Section 19.92. of this ordinance.

Amended Effective:
12-23-82 (Ord. 348.2140)
09-10-99 (Ord. 348.3883)
10-21-99 (Ord. 348.3888)
03-12-09 (Ord. 348.4596)
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## SECTION 8.203. BASIC REQUIREMENTS FOR SALES UNITS.

All developments shall comply with one of the following requirements in Subsections A., B., or C. and with Subsection D.:

A. The average selling price of the dwelling units shall not exceed 80 percent of the average home sales price in a market area. The market area and average home sales price shall be determined by the Board of Supervisors; or,

B. The selling price of 25 percent of the dwelling units shall be at an amount affordable to families earning no greater than 120 percent of the County median income, as determined by the board of Supervisors; or,

C. The selling price of 15 percent of the dwelling units shall be at an amount affordable to families earning no greater than 80 percent of the County median income, as determined by the Board of Supervisors.

D. If a development is benefitted, directly or indirectly, through the use of governmental funds for site acquisition, extension of basic services or roads, or other expenditures that assist the development, the sales price determined pursuant to Subsections A., B., or C. of this section may be reduced by the Board of Supervisors.

Amended Effective:
12-23-82 (Ord. 348.2140)

## SECTION 8.204. DEVELOPMENT STANDARDS.

The following standards of development shall apply in the R-6 Zone.

A. The allowable density of a project will be determined by the physical and service constraints of the property and the area in which the property is located; however, the density of each approved development must exceed four units per gross acre.

B. The minimum lot area for single family detached developments shall be 5,000 square feet.

C. Lots shall have a minimum frontage of 30 feet except that minimum frontage may be reduced on knuckles and cul-de-sacs or as part of an approved zero lot line attached unit housing project.

D. A minimum of 30 percent of each lot's net area in a single-family development shall be designed for usable open space. Usable open space shall be defined as those portions of the site not encumbered by a structure. The net lot area is defined as the total area contained within the property lines. Side yard setbacks shall be approved as part of the design of the project. Setbacks for garages that open parallel with the access way shall not be less than 20 feet.

E. A minimum of 20 percent of the net lot area for apartment developments shall be in usable open space. Minimum front and rear yard setbacks shall be ten feet. Additional setbacks, including side yards, may be required depending on the height of the structure and adjacent land uses. All apartment projects shall contain at least four dwelling units. No application for conversion of an apartment building to condominiums or any other form of cooperative or units that may be sold individually, shall be accepted by the Planning Director, unless the matter has first been presented to and approved by the Board of Supervisors as being consistent with the intent and purpose of the original approval of the project to provide affordable housing.

F. One-family residences shall not exceed 35 feet in height. All other uses shall not exceed 50 feet in height.

G. One off-street parking space shall be required for each dwelling unit, notwithstanding the apartment building parking standards contained in Section 18.12. of this ordinance. All single-family homes shall have two-car garages.

H. Open space or recreational facilities proposed in a project shall be subject to approval of the County.

I. Streets providing circulation within a development shall be constructed to a minimum width of 36 feet within a 56 foot right-of-way for major interior streets and a minimum width of 32 feet of improvements within a 50 foot right-of-way for minor interior streets and cul-de-sac streets. All improvements to be in accordance with the improvement standards of County Ordinance No. 461.

J. Design standards, dedications, and improvements will be in conformance with the

requirements of County Ordinance Nos. 460 and 461, and as approved by the County Road Commissioner, for all streets other than interior streets.

Amended Effective:
12-23-82 (Ord. 348.2140) 06-30-88 (Ord. 348.2856)

## SECTION 8.205. APPLICATIONS.

A. Applications for the R-6 Zone shall be filed only in conjunction with an application for a land division pursuant to County Ordinance No. 460, or an application for a plot plan pursuant to the provisions of this ordinance. Notwithstanding the provisions of State law or County ordinance providing for different processing or time requirements for processing the various applications, an applicant, by filing an application for the R-6 Zone, shall agree that the two or more applications shall be considered together and that approval of a land division or plot plan shall not be final until the zone change has been granted and shall not be used until the zone change has gone into effect.

B. All applications shall include floor plans and elevations for each type of unit that is proposed to be constructed and such additional information related to design or market area as may be required by the Planning Director.

Amended Effective:
12-23-82 (Ord. 348.2140)

## SECTION 8.206. SPECIAL PROVISIONS

A. The market area for a project and a tentative sales price or median income determination shall be made by the Board of Supervisors during the processing of the applications for the project.

B. The County, from time to time, by resolution of the Board of Supervisors, shall publish information relating to home sales price, market areas and median income in the County of Riverside, which information shall be available to prospective applicants prior to filing an application for a project.

C. The final determination of the home sales price or median income for a specific project shall be made at the time of issuance of building permits for the project, provided, however, that amount shall not be less than the tentative amount determined during the processing of the applications. The determination shall be made by the Board of Supervisors upon the recommendation of the Planning Director, which shall be initiated by application of the developer coordinated with the request for building permits.

D. At the time of recordation of the final map, a Declaration of Covenants, Conditions and Restrictions, approved by the County, shall be recorded that establish the affordability criteria for the development, including, but not limited to, structure size, type and reference to the method for fixing the sales price for units in the development.

E. In the furtherance of the intent that the R-6 Zone be used only for the construction of affordable housing, the Declaration of Covenants, Conditions and Restrictions shall prohibit the sale of lots without dwelling units sold on or constructed there on in conjunction with the sale of the lot; provided; however, this shall not prohibit the sale of an entire tract, or an approved unit thereof, for construction of the units by the purchaser thereof.

Amended Effective:
12-23-82 (Ord. 348.2140)
09-10-99 (Ord. 348.3883)

## ARTICLE VIIIg R-7 ZONE (HIGHEST DENSITY RESIDENTIAL)

### SECTION 8.301. PURPOSE AND INTENT.

The purpose of this article is to establish the Highest Density Residential (R-7) Zone. The intent of the R-7 Zone is to implement the Highest Density Residential land use designation of the General Plan in an effort to accommodate the County's Regional Housing Needs Assessment (RHNA) allocation.

### SECTION 8.302. PERMITTED USES.

A. The following uses shall be permitted in the R-7 Zone:

1. One family dwelling on an existing legal lot
2. Home occupations
3. Multiple family dwellings
4. Community gardens

B. The following uses shall be permitted provided a plot plan has been approved pursuant to the provisions of section 18.30 of this Ordinance.

1. Boarding, rooming and lodging houses
2. Child day care centers
3. Churches, temples and other places of religious worship
4. Libraries, museums and art galleries
5. Public and private parks and playgrounds

C. The following uses shall be permitted provided a conditional use permit has been approved pursuant to the provisions of section 18.28 of this Ordinance.

1. Mobile home parks

D. Any use not specifically listed in subsections B. or C. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

### SECTION 8.303. DEVELOPMENT STANDARDS IN THE R-7 ZONE.

A. LOT SIZE. There is no minimum lot size.

B. LOT WIDTH. There is no minimum lot width.

C. LOT DEPTH. There is no minimum lot depth.

D. FRONTAGE. There is no minimum frontage.

E. HEIGHT. The maximum height of any buildings or structures shall be no greater than seventy-five (75) feet.

F. SCREENING. All roof-mounted equipment, excluding solar panels, shall be screened from the ground elevation view to a minimum sight distance of six hundred sixty (660) feet for residential buildings and one thousand three hundred twenty (1,320) feet for non-residential buildings.

G. LOT COVERAGE. There is no maximum lot coverage.

H. FRONT SETBACK. There is no front setback requirement, except for one family dwellings or associated structure(s), which shall have a minimum front setback of no less than twenty-five (25) feet.

I. SIDE SETBACK. There is no side setback requirement, except for the following:

1. One family dwellings or associated structure(s) shall have a minimum side setback of no less than five (5) feet.

2. For lots zoned R-7 that abut lots zoned R-R, R-A, R-1 and R-1-A, the minimum side setback shall be no less than five (5) feet.

J. REAR SETBACK. There is no rear setback requirement, except for the following:

1. One family dwellings or associated structure(s) shall have a minimum rear setback of no less than fifteen (15) feet.

2. For lots zoned R-7 that abut lots zoned R-R, R-A, R-1 and R-1-A, the minimum rear setback shall be no less than fifteen (15) feet.

K. OPEN SPACE.

1. Any development with more than ten (10) multiple family dwelling units shall provide at least one hundred (100) square feet of common use area (CUA) for each unit above ten (10) units. A CUA is a recreational open space area, such as a park, sport field, pool, gym, or passive recreational area, associated with and located on the same lot or lots as the primary use. A reduction in this requirement may be applied pursuant to the following:

a. A five percent (5%) reduction for developments that provide more than two hundred (200) dwelling units.

b. A five percent (5%) reduction for developments that provide housing for very low, low or moderate income households, as defined in the Riverside County's General Plan Housing Element, with applicable affordability restrictions.

2. Any development with multiple family dwelling units shall provide at least fifty (50) square feet of private open space (POA) per unit. A POA is a private usable open space area, such as a patio or balcony, which is not encumbered with structures and is attached to the primary dwelling unit.

L. SITE REQUIREMENTS.

1. REFUSE AND RECYCLABLE MATERIAL STORAGE AREA. A refuse and recyclable material storage area shall be provided for any new development, or existing development that will add thirty percent (30%) or more units or floor area. This area must be fully enclosed and have adequate separation from any habitable areas. This area shall be screened using landscape or architectural features.

2. ENCROACHMENTS. No setback or yard encroachments are permitted, except as provided in Section 18.19 of this ordinance.

3. LIGHTING. All onsite lighting shall be focused, directed, or arranged to prevent glare or direct illumination on adjacent residential uses.

4. PARKING. Off-street parking shall be provided pursuant to Section 18.12 of this ordinance.

5. LANDSCAPE. There is no minimum landscape area requirement.

**SECTION 8.304. DEVELOPMENT DESIGN AND PHASING.**

A. PHASING PLAN. For phased developments, a site development phasing plan shall be submitted with the land use application or design review application and include maps, exhibits and a description of the following: phasing for development and infrastructure, and the development of multi-modal transportation connectivity with the neighborhood and adjoining community areas.

B. DESIGN REVIEW. For multiple family dwellings, a site design plan shall be submitted to the Planning Director for review and shall include the following:

1. Site Plan with building footprint

2. Floor plans

3. Landscape plan, as necessary

4. Wall and fencing plan

5. Elevation plan

6. Architectural design

7. Photometeric plan, as necessary

8. Traffic analysis

C. PUBLIC REVIEW PERIOD. A thirty (30) day public review period shall be provided prior to the Planning Director considering the site design plan submitted for multiple family dwellings. Notice of the public review period shall be given in the same manner as provided in Section 18.26.c. subsections (2), (4), (5), (6) and (7) of this ordinance. The notice shall include the mailing address to send comments to, the dates for the public review period, location where the site design plan may be reviewed, and explain that the public may comment on the site design plan for the multiple family dwellings.

D. DESIGN APPROVAL. The above referenced site design plan shall be approved by the Planning Director if the site design plan is consistent with all of the following:

1. The Riverside County General Plan;

2. This Ordinance;

3. The Countywide Design Guidelines;

4. There is no specific, adverse impact upon the public health or safety. A specific adverse impact means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies or conditions as they existed on the date the application was deemed complete; or

5. If there is a specific adverse impact upon the public health or safety, the development has been conditioned to develop at a lower density which removes the specific adverse impact.

E. APPROVAL PERIOD. An applicant of a site design plan shall obtain building permits within two (2) years of the site design approval for any multiple family dwellings, pursuant to this section. The Planning Director may grant a request for a one-year extension of time of this requirement, if the request is submitted by the applicant at least six (6) months prior to the expiration of the original time limit with the appropriate fee. If an extension is granted, the total time allowed for a site design plan approval shall not exceed three (3) years.

Added Effective:
Ord. 348.4840- Item 16-1 of 12/06/16 (Effective date: 01/05/17)
Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## ARTICLE IX C-1 ZONE / C-P ZONE (GENERAL COMMERCIAL)

The following regulations shall apply in all C-1 Zones and C-P Zones:

### SECTION 9.1. USES PERMITTED.

A. The following uses are permitted, only in enclosed buildings with not more than 200 square feet of outside storage or display of materials appurtenant to such use, provided a plot plan shall have been approved pursuant to provisions of Section 18.30. of this ordinance:

1. Ambulance services.
2. Antique shops.
3. Appliance stores, household.
4. Art supply shops and studios.
5. Auction houses.
6. Auditoriums and conference rooms.
7. Automobile repair garages, not including body and fender shops or spray painting.
8. Automobile parts and supply stores.
9. Bakery goods distributors.
10. Bakery shops, including baking only when incidental to retail sales on the premises.
11. Banks and financial institutions.
12. Barber and beauty shops.
13. Bars and cocktail lounges.
14. Billiard and pool halls.
15. Blueprint and duplicating services.
16. Book stores and binders.
17. Bowling alleys.
18. Catering services.
19. Cleaning and dyeing shops.

20. Clothing stores.

21. Confectionery or candy stores.

22. Costume design studios.

23. Dance halls.

24. Delicatessens.

25. Department stores.

26. Drug stores.

27. Dry goods stores.

28. Employment agencies

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29. Escort bureaus.

30. Feed and grain sales.

31. Florists shops.

32. Food markets and frozen food lockers.

33. Gasoline service stations, not including the concurrent sale of beer and wine for off-premises consumption.

34. Gift shops.

35. Hotels, resort hotels and motels.

36. Household goods sales, including but not limited to, new and used appliances, furniture, carpets, draperies, lamps, radios, and television sets, including repair thereof.

37. Hobby shops.

38. Ice cream shops.

39. Ice sales, not including ice plants.

40. Interior decorating shops.

41. Jewelry stores, including incidental repairs.

42. Labor temples.

43. Laboratories, film, dental, medical, research or testing.

44. Laundries and laundromats.

45. Leather goods stores.

46. (Deleted)

47. Locksmith shops.

48. Mail order businesses.

49. Manufacturer's agent.

50. Market, food, wholesale or jobber.

51. Massage parlors, Turkish baths, health centers and similar personal service establishments.

52. Meat markets, not including slaughtering.

53. Mimeographing and addressograph services.

54. Mortuaries.

55. Music stores.

56. News stores.

57. Notions or novelty stores.

58. Offices, including business, law, medical, dental, chiropractic, architectural, engineering, community planning, real estate.

59. One on-site operator's residence, which may be located in a commercial building.

60. Paint and wallpaper stores, not including paint contractors.

61. Pawn shops.

62. Pet shops and pet supply shops.

63. Photography shops and studios and photo engraving.

64. Plumbing shops, not including plumbing contractors.

65. Poultry markets, not including slaughtering or live sales

66. Printers or publishers.

67. Produce markets.

68. Radio and television broadcasting studios.

69. Recording studios.

70. Refreshment stands.

71. Restaurants and other eating establishments.

72. Schools, business and professional, including art, barber, beauty, dance, drama, music and swimming.

73. Shoe stores and repair shops.

74. Shoeshine stands.

75. Signs, on-site advertising.

76. Sporting goods stores.

77. Stained glass assembly.

78. Stationer stores.

79. Stations, bus, railroad and taxi.

80. Taxidermist.

81. Tailor shops.

82. Telephone exchanges.

83. Theaters, not including drive-ins.

84. Tire sales and service, not including recapping.

85. Tobacco shops.

86. Tourist information centers.

87. Toy shops.

88. Travel agencies.

89. Typewriter sales and rental, including incidental repairs.

90. Watch repair shops.

91. Wholesale businesses with samples on the premises but not including storage.

92. Car washes.

93. Fortune telling, spiritualism, or similar activity.

94. Recycling collection facilities.

95. Convenience stores, not including the sale of motor vehicle fuel.

96. Day care centers.

97. (Deleted)

Amended Effective:
09-10-99 (Ord. 348.3883) repealed 10-21-99 (Ord. 348.3888)

B. The following uses are permitted, together with outside storage and display of materials appurtenant to such use, provided a plot plan has been approved pursuant to the provisions of Section 18.30. of this ordinance:

1. Repealed.

Amended Effective:
09-29-00 (Ord. 348.3955)

2. Bicycle sales and rentals.

3. Boat and other marine sales.

4. Ceramic sales and manufacturing for on-site sales, provided the total volume of kiln space does not exceed 16 cubic feet.

5. Electrical substations.

6. Equipment rental services, including rototillers, power mowers, sanders, power saws, cement and plaster mixers not exceeding ten cubic feet in capacity and other similar equipment.

7. Fishing and casting pools.

8. Golf cart sales and service.

9. Hardware stores, including not more than 1,000 square feet of outside storage lumber.

10. Liquid petroleum service stations, not including the concurrent sale of beer and wine, provided the total capacity of all tanks shall not exceed 10,000 gallons.

11. Mobilehomes, provided they are kept mobile and licensed pursuant to State law, used for:

    a. Sales offices on mobilehome sales lots.

    b. Construction offices and caretaker's quarters on construction sites for the duration of a valid building permit, provided they are inconspicuously located.

    c. Caretakers or watchmen and their families, provided no rent is paid, where a permitted and existing commercial use is established. Not more than one mobilehome shall be allowed for a parcel of land or a shopping center complex.

12. Mobilehome sales and storage, trailer sales and rental house trailers.

13. Nurseries and garden supply stores.

14. Parking lots and parking structures.

15. Sports and recreational facilities, not including motor driven vehicles and riding academies, but including archery ranges, athletic playgrounds, sports arenas, skating rinks, stadiums, and commercial swimming pools.

16. Churches, temples, and other places of religious worship.

Amended Effective:
10-21-99 (Ord. 348.3888)

17. (Deleted)

18. Trailer and boat storage.

19. Trucks and trailers; the rental of trucks not over 19,500 pounds gross vehicle weight, with body not to exceed 22 feet in length from the back of the cab to the end of body; and the rental of trailers not exceeding six feet in width or 22 feet in length.

20. Truck sales and service.

C. (Deleted)

D. The following uses are permitted provided a conditional use permit has been granted pursuant to the provisions of Section 18.28. of this ordinance:

1. Sale, rental, repair, or demonstration of motorcycles, scooters, and motorbikes.

2. Drive-in theaters.

3. Heliports.

4. Tire recapping.

5. Animal hospitals.

6. Body and fender shops and spray painting.

7. Swap meets.

8. All uses permitted in Subsection A. of this section that have more than 200 square feet of outside storage or display of materials.

9. Mini-warehouse structures.

10. Lumber yards, including only incidental mill work.

11. Building materials sales yards.

12. Underground bulk fuel storage.

13. Congregate care residential facilities.

14. Convenience stores, including the sale of motor vehicle fuel.

15. Gasoline service stations with the concurrent sale of beer and wine for off-premises consumption.

16. Liquid petroleum service stations with the concurrent sale of beer and wine for off-premises consumption, provided the total capacity of all tanks shall not exceed 10,000 gallons.

17. Liquor stores pursuant to the provisions of Section 18.48. (Alcoholic Beverage Sales) of this ordinance.

18. Automobile Sales and rental agencies.

19. Solar power plants on a lot 10 acres or larger.

20. Parolee-Probationer Home developed in accordance with the standards set for in Section 18.52. of this ordinance.

09-29-00 (Ord. 348.3955)
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)
Ord. 348.4744 Item 16.2 of 16.1 of 06/19/12 (Effective Date: 07/19/12)

E. The uses listed in Subsections A., B., and D. do not include sex-oriented businesses.

Amended Effective:
03-01-94 (Ord. 348.3584)
06-27-97 (Ord. 348.3793)

F. Accessory Uses. An accessory use to a permitted use is allowed provided the accessory use is incidental to, and does not alter the character of, the principal permitted use, including, but not limited to:

1. Limited manufacturing, fabricating, processing, packaging, treating and incidental storage related thereto, provided any such activity shall be in the same line of merchandise or service as the trade or service business conducted on the premises and provided any such activity does not exceed any of the following restrictions:

   a. The maximum gross floor area of the building permitted to be devoted to such accessory use shall be 25 percent.

   b. The maximum total horsepower of all electric motors used in connection with such accessory use shall be five horsepower.

   c. The accessory use shall be so conducted that noise, vibration, dust, odor, and all other objectionable factors shall be reduced to the extent that there will be no annoyance to persons outside the premises. Such accessory use shall be located not nearer than 50 feet to any residential zone.

   d. Accessory uses shall be conducted wholly within a completely enclosed building.

   e. Any use that is not specifically listed in Subsections A., B., and D. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls.

G. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., or D. in Section 9.1 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.

Amended Effective:
07-16-85 (Ord. 348.2496)
08-29-85 (Ord. 348.2510)
12-26-85 (Ord. 348.2535)
06-30-88 (Ord. 348.2856)
05-04-89 (Ord. 348.3023)
08-10-89 (Ord. 348.3047)
11-05-89 (Ord. 348.3078)
11-13-90 (Ord. 348.3217)
03-10-94 (Ord. 348.3584)
06-27-97 (Ord. 348.3793)
10-21-99 (Ord. 348.3888)
09-10-99 (Ord. 348.3883)

Ord. 348.4931 Item 21.1 of 11/10/2020 (Effective Date 12/10/2020)

## SECTION 9.2. PLANNED COMMERCIAL DEVELOPMENTS.

Planned commercial developments are permitted provided a land division is approved pursuant to the provision of Ordinance No. 460.

## SECTION 9.3. (Deleted)

## SECTION 9.4. DEVELOPMENT STANDARDS.

The following standards of development are required in the C-1 and C-P Zones:

A. There is no minimum lot area requirement, unless specifically required by zone classification for a particular area.

B. There are no yard requirements for buildings which do not exceed 35 feet in height except as required for specific plans. Any portion of a building which exceeds 35 feet in height shall be set back from the front, rear and side lot lines not less than two feet for each foot by which the height exceeds 35 feet. The front setback shall be measured from the existing street line unless a specific plan has been adopted in which case it will be measured from the specific plan street line. The rear setback shall be measured from the existing rear lot line or from any recorded alley or easement; if the rear line adjoins a street, the rear setback requirement shall be the same as required for a front setback. Each side setback shall be measured from the side lot line, or from an existing adjacent street line unless a specific plan has been adopted, in which case it will be measured from the specific plan street line.

C. No building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building or structure exceed seventy-five (75') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.

Amended Effective:
05-24-01 (Ord. 348.3990)

D. Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

E. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet.

Amended Effective:
01-15-64 (Ord. 348.251)
11-10-65 (Ord. 348.401)
01-19-66 (Ord. 348.422)
05-04-72 (Ord. 348.1023)
09-14-72 (Ord. 348.1070)
10-19-72 (Ord. 348.1091)
09-13-73 (Ord. 348.1201)
07-25-74 (Ord. 348.1349)
10-02-75 (Ord. 348.1470)
11-13-75 (Ord. 348.1476)

12-10-75 (Ord. 348.1481)
04-21-77 (Ord. 348.1564)
06-29-78 (Ord. 348.1647)
08-29-78 (Ord. 348.1664)
04-12-79 (Ord. 348.1688)
10-23-80 (Ord. 348.1879)
03-05-81 (Ord. 348.1926)
08-07-86 (Ord. 348.2591)
06-30-88 (Ord. 348.2856)
05-04-89 (Ord. 348.3023)
08-10-89 (Ord. 348.3047)
10-05-89 (Ord. 348.3053)
03-01-94 (Ord. 348.3584)
06-27-97 (Ord. 348.3793)
09-10-99 (Ord. 348.3883)

## ARTICLE IXa C-T ZONE (TOURIST COMMERCIAL)

### SECTION 9.25. USES PERMITTED.

A. The following uses are permitted provided approval of a plot plan shall first have been obtained pursuant to the provisions of Section 18.30. of this ordinance:

1. Automobile service stations, truck service stations, not including the concurrent sale of beer and wine for off-premises consumption.

2. Automobile sales, truck sales, new and used.

3. Restaurants, drive-in restaurants, bars.

4. Curio shops, gift shops.

5. Sign, on-site advertising.

6. Hotels, motels.

7. Dwelling, bed and breakfast.

8. Churches, temples and other places of religious worship.

9. Child Day Care Center.

Amended Effective:
09-10-99 (Ord. 348.3883) repealed
10-21-99 (Ord. 348.3888)
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

B. The uses listed in Subsection A. do not include sex-oriented businesses.

C. No building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building or structure exceed seventy-five (75') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.

D. The following uses are permitted provided a conditional use permit has been granted to the provisions of Section 18.26 of this ordinance:

1. Solar power plant on a lot 10 acres or larger.

Amended Effective:
12-26-85 (Ord. 348.2535)
05-04-89 (Ord. 348.3023)
03-01-94 (Ord. 348.3584)
06-27-97 (Ord. 348.3793)
05-24-01 (Ord. 348.3990)
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)

## SECTION 9.26. DEVELOPMENT STANDARDS.

The following shall be the standards of development in the C-T Zone, unless a lot is to be developed to a hotel or motel use. If a lot is to be developed to a hotel or motel use, it shall meet all the requirements of Section 8.2. of this ordinance R-3 Zone).

A. The minimum lot area shall be 10,000 square feet, unless a different minimum is specifically required in a particular area. More than one use shall be permitted on a lot.

B. If a lot adjoins a lot zoned C-T, C-1, C-P, C-P-S, M-SC, M-M, or M-H, there is no side or rear yard requirement for buildings which do not exceed 35 feet in height, but there shall be a minimum 19 foot front yard setback. For all other lots, the minimum front, side and rear yards shall be ten feet for buildings which do not exceed 35 feet in height. On all lots, any portion of a building which exceeds 35 feet in height shall be set back from the front, rear and side lot lines not less than two feet for each foot by which the height exceeds 35 feet. The front setback shall be measured from the existing street line or the future street line as shown on an adopted specific plan for the street. The rear setback shall be measured from the rear lot line or any recorded alley or easement unless the rear line adjoins a street in which case it shall be measured as required for a front setback. Each side setback shall be measured from the side lot line or from the existing street line or any future street line as shown on an adopted specific plan for the street.

C. All buildings and structures shall not exceed 50 feet in height, unless a height up to 75 feet is specifically permitted under the provisions of Section 18.34. of this ordinance.

D. (Deleted)

E. Automobile storage space shall be provided as required by Section 18.12. of this ordinance. Not less than five percent of the parking area shall be landscaped. No planting area shall be less than five feet wide at any point.

F. Trash areas shall be screened with an opaque six-foot high fence or wall and shall have an opaque gate.

Adopted Effective:
09-22-60
07-09-69 (Ord. 348.635)
05-04-72 (Ord. 348.1023)
09-13-73 (Ord. 348.1201)
10-02-75 (Ord. 348.1469)
12-10-75 (Ord. 348.1481)
03-01-94 (Ord. 348.3584)
06-27-97 (Ord. 348.3793)
09-10-99 (Ord. 348.3883)
10-21-99 (Ord. 348.3888)

## ARTICLE IXb C-P-S ZONE (SCENIC HIGHWAY COMMERCIAL)

The following regulations shall apply in all C-P-S Zones:

### SECTION 9.50. USES PERMITTED.

A. The following uses are permitted, only in enclosed buildings with not more than 200 square feet of outside storage or display of materials appurtenant to such use, provided a plot plan shall have been approved pursuant to the provisions of Section 18.30. of this ordinance:

1. Ambulance services.
2. Antique shops.
3. Appliance stores, household.
4. Art supply shops and studios.
5. Auditoriums and conference rooms.
6. Automobile parts and supply stores.
7. Bakery goods distributors.
8. Bakery shops, including baking only when incidental to retail sales on the premises.
9. Banks and financial institutions.
10. Barber and beauty shops.
11. Bars and cocktail lounges.
12. Bicycle sales and rentals.
13. Billiard and pool halls.
14. Blueprint and duplicating services.
15. Book stores and binders.
16. Bowling alleys.
17. Catering services.
18. Ceramic sales and manufacturing for on-site sales, provided the total volume of kiln space does not exceed 16 cubic feet.

19. Cleaning and dyeing shops.
20. Clothing stores.
21. Confectionery or candy stores.
22. Costume design studios.
23. Dance halls.
24. Delicatessens.
25. Department stores.
26. Drug stores.
27. Dry goods stores.
28. Electrical substations.
29. Employment agencies.
30. Escort bureaus.
31. Feed and grain sales.
32. Fishing and casting pools.
33. Florist shops.
34. Food markets and frozen food lockers.
35. Gift shops.
36. Hardware stores.
37. Household goods sales and repair, including but not limited to, new and used appliances, furniture, carpets, draperies, lamps, radios, and television sets, including repair thereof.
38. Hobby shops.
39. Ice cream shops.
40. Ice sales, not including ice plants.
41. Interior decorating shops.

42. Jewelry stores with incidental repairs.

43. Labor temples.

44. Laboratories, film, dental, medical, research or testing.

45. Laundries and laundromats.

46. Leather goods stores.

47. (Deleted)

48. Locksmith shops.

49. Mail order businesses.

50. Manufacturer's agent.

51. Market, food, wholesale or jobber.

52. Massage parlors, Turkish baths, health centers and similar personal service establishments.

53. Meat markets, not including slaughtering.

54. Mimeographing and addressograph services.

55. Mobilehomes, provided they are kept mobile and licensed pursuant to State law, use for:

    a. Construction offices and caretaker's quarters on construction sites for the duration of a valid building permit, providing they are inconspicuously located.

    b. Agricultural worker employment offices for a maximum of 90 days in any calendar year.

    c. Caretakers or watchmen and their families provided no rent is paid, where a permitted and existing commercial use is established. Not more than one mobilehome shall be allowed for a parcel of land or a shopping center complex.

56. Music stores.

57. News stores.

58. Notions or novelty stores.

59. Nurseries and garden supply stores.

60. Offices, business.

61. One on-site operator's residence, which may be located in a commercial building.

62. Paint and wall paper stores, not including paint contractors.

63. Parking lots and parking structures.

64. Pawn shops.

65. Pet shops and pet supply shops.

66. Photography shops and studios and photo engraving.

67. Plumbing shops, not including plumbing contractors.

68. Poultry markets, not including slaughtering or live sales.

69. Printers or publishers.

70. Produce markets.

71. Radio and television broadcasting studios.

72. Recording studios.

73. Refreshment stands.

74. Restaurants and other eating establishments.

75. Schools, business and professional, including art, barber, beauty, dance drama, music and swimming.

76. Shoe stores and repair shops.

77. Shoeshine stands.

78. Signs, on-site advertising.

79. Sporting goods stores.

80. Stained glass assembly.

81. Stationery stores.

82. Stations, bus, railroad and taxi.

83. Taxidermist.

84. Tailor shops.

85. Telephone exchanges.

86. Theaters, not including drive-ins.

87. Tobacco shops.

88. Tourist information centers.

89. Toy shops.

90. Travel agencies.

91. Typewriter sales and rental and incidental repairs.

92. Watch repair shops.

93. Wedding chapels.

94. Wholesale businesses with samples on the premises, but not to include storage.

95. Recycling collection facilities.

96. (Deleted)

97. Gasoline service stations, not including the concurrent sale of beer and wine for off-premises consumption.

98. Golf cart sales and service.

99. Hotels, resort hotels and motels.

100. Day care centers.

101. Convenience stores, not including the sale of motor vehicle fuel.

102. Churches, temples and other places of religious worship.

Amended Effective:
10-21-99 (Ord. 348.3888)

B. Uses Permitted by Conditional Use Permit. The following uses are permitted provided a conditional use permit has been granted pursuant to the provisions of Section 18.28. of this ordinance:

1. Automobile repair garages, body shops, spray painting shops.

2. Automobile sales and rental agencies.

3. Boat sales, rentals and services.

4. Car washes.

5. Drive-in theaters.

6. Equipment rental services, including rototillers, power mowers, sanders, power saws, cement and plaster mixers not exceeding 20 cubic feet in capacity and other similar equipment.

7. Heliports.

8. Liquid petroleum service stations, with or without the concurrent sale of beer and wine, provided the total capacity of all tanks shall not exceed 10,000 gallons.

9. Mortuaries.

10. Sale, rental, repair, or demonstration of motorcycles, scooters or motorbikes of two horsepower or greater.

11. Animal hospitals.

12. Sports and recreational facilities, not including motor-driven vehicles and riding academies, but including archery ranges, athletic fields, beaches, golf driving ranges, gymnasiums, miniature golf, parks, playgrounds, sports arenas, skating rinks, stadiums, and commercial swimming pools.

13. Tire recapping.

14. Tire sales and services, not including recapping.

15. Trailer and boat storage.

16. Travel trailers, mobilehomes and recreational vehicles sales and service.

17. Truck sales and services.

18. Trucks and trailers; the rental of trucks not over 19,500 pounds gross weight, with body not to exceed 22 feet in length from the back of the cab to the end of the body; and the rental of trailers not exceeding six feet in width or 22 feet in length.

19. Underground bulk fuel storage.

20. (Deleted)

21. All uses permitted in Subsection A. that have more than 200 square feet of outside storage of display of materials.

22. Gasoline service stations, with the concurrent sale of beer and wine for off-premises consumption.

23. Convenience stores, including the sale of motor vehicle fuel.

24. Liquor stores pursuant to the provisions of Section 18.48. (Alcoholic Beverage Sales) of this ordinance.

25. Solar power plant on a lot 10 acres or larger.

26. Parolee-Probationer Home developed in accordance with the standards set forth in Section 18.52. of this ordinance.

Amended Effective:
Ord. 348.4705 Item 16.2 of 11/8/11(Effective Date: 12/8/11) Ord. 348.4744 Item 16.1of 6/19/12(Effective Date: 7/19/12)

C. The uses listed in Subsections A. and B. do not include sex-oriented businesses.

Amended Effective:
03-01-94 (Ord. 348.3584) 06-27-97 (Ord. 348.3793)

D. Accessory Uses. An accessory use to a permitted use is allowed, provided the accessory use is established on the same lot or parcel of land, and is incidental to, and consistent with the character of the permitted principal use, including but not limited to:

1. Limited manufacturing, fabricating, processing, packaging, treating and incidental storage related thereto, provided any such activity shall be in the same line of merchandise or service as the trade or service business conducted on the premises and providing any such related activity does not exceed any of the following restrictions:

   a. The maximum gross floor area of the building permitted to be devoted to such accessory use shall be 25 percent.

   b. The maximum total horsepower of all electric motors used in connection with such accessory use shall be five horsepower.

   c. The accessory use shall be so conducted that noise, vibration, dust, odor, and all other objectionable factors shall be reduced to the extent that there will be no annoyance to persons outside the premises. Such accessory use shall be located not nearer than 50 feet to any residential zone.

   d. Accessory uses shall be conducted wholly within a completely enclosed building.

E. Any use that is not specifically listed in Subsections A. and B. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls.

F. Industrial Hemp Activities are permitted or conditionally permitted in subsections A. or B. in Section 9.50 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.

Amended Effective:
12-26-85 (Ord. 348.2535)
05-04-89 (Ord. 348.3023)
08-10-89 (Ord. 348.3047)
09-05-89 (Ord. 348.3078)
11-13-90 (Ord. 348.3217)
03-01-94 (Ord. 348.3584)
06-27-97 (Ord. 348.3793)Ord. 348.4931 Item 21.1 of 11/10/2020 (Effective Date 12/10/2020)

## SECTION 9.51. PLANNED COMMERCIAL DEVELOPMENT.

Planned commercial developments are permitted provided a land division is approved pursuant to the provisions of Ordinance No. 460.

## SECTION 9.52. (Deleted)

## SECTION 9.53 DEVELOPMENT STANDARDS.

The following shall be the standards of development in the C-P-S Zones:

A. There is no minimum lot area requirement, unless specifically required by zone classification for a particular area.

B. There are no yard requirements for buildings which do not exceed 35 feet in height, except as required for specific plans. Any portion of a building which exceeds 35 feet in height shall be set back from the front, rear and side lot lines not less than two feet for each foot by which the height exceeds 35 feet. The front setback shall be measured from the existing street line unless a specific plan has been adopted in which case it will be measured from the specific plan street line. The rear setback shall be measured from the existing rear lot line or from any recorded alley or easement; if the rear line adjoins a street, the rear setback requirement shall be the same as required for a front setback. Each side setback shall be measured from the side lot line or from an existing adjacent street line unless a specific plan has been adopted in which case it will be measured from the specific plan street line.

C. No building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building or structure exceed seventy-five (75') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.

Amended Effective:
05-24-01 (Ord. 348.3990)

D. Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

E. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet.

Added Effective:
07-19-67 (Ord. 348.517)
05-30-74 (Ord. 348.1327)
06-20-74 (Ord. 348.1340)
07-25-74 (Ord. 348.1349)
11-13-75 (Ord. 348.1476)
12-10-75 (Ord. 348.1481)
04-21-77 (Ord. 348.1564)
04-12-79 (Ord. 348.1688)
07-26-79 (Ord. 348.1702)
10-23-80 (Ord. 348.1879)
03-05-81 (Ord. 348.1926)
09-04-81 (Ord. 348.2000)
08-07-86 (Ord. 348.2591)
09-05-89 (Ord. 348.3053)
03-01-94 (Ord. 348.3584)
06-27-97 (Ord. 348.3793)
10-21-99 (Ord. 348.3888)
05-24-01 (Ord. 348.3990)

## ARTICLE IXc C-R ZONE (RURAL COMMERCIAL)

### SECTION 9.61. INTENT.

The Board of Supervisors finds that because there is a need for small-scale, commercial uses in the outlying areas of the County along rural highway corridors for the convenience of residents and travelers, and because the development standards for these commercial uses should reflect areas where urban services and facilities are generally unavailable and are not likely to be provided in the near future, it is desirable to establish a zone classification which will promote these rural commercial uses on parcels of generally less than 2½ acres.

### SECTION 9.62. USES PERMITTED.

A. The following uses are permitted provided a plot plan has been approved pursuant to the provisions of Section 18.30. of this ordinance:

1. Automobile service stations, not including the concurrent sale of beer and wine for off-premises consumption.
2. Bakery shops, including baking only when incidental to retail sales on the premises.
3. Barber and beauty shops.
4. Bars and c18ocktail lounges.
5. Confectionary and candy stores.
6. Churches, temples and other places of religious worship.

Amended Effective:
09-10-99 (Ord. 348.3883) 10-21-99 (Ord. 348.3888)

7. Clothing, shoe, shoe repair and leather goods stores.
8. Delicatessens.
9. Drug stores.
10. Dwelling, bed and breakfast.
11. Feed and grain sales, including outside storage.
12. Florist shops.
13. Gift, antique, curio, and art supply shops.
14. Grocery, dry goods, health food, and variety stores.

15. Hardware stores.

16. Hotels and motels, with no more than 25 guest rooms.

17. Ice cream shops.

18. Laundries, laundromats and dry cleaning shops.

19. Libraries.

20. Convenience stores, not including the sale of motor vehicle fuel.

21. Meat and poultry markets, not including slaughtering or live sales.

22. Meeting, fraternal lodge, and community halls.

23. Museums.

24. Nurseries and garden supply stores, including outside storage.

25. Pet and pet supply shops.

26. Post offices.

27. Produce markets.

28. Professional offices.

29. Real estate offices.

30. Restaurants, drive-in restaurants and refreshment stands.

31. Signs, on-site advertising only.

32. Sporting equipment, gun, bait and tackle, and equestrian shops.

33. Taxidermist.

34. Tourist information centers.

35. One on-site operator's residence, which may be located in a commercial building.

36. Mobilehomes, provided they are kept mobile and licensed pursuant to state law for use for:

a. Construction offices and caretaker's quarters on construction sites for the duration of a valid building permit, provided they are inconspicuously located; or,

b. Agricultural worker employment offices for a maximum of 90 days in any calendar year; or,

c. Caretakers or watchmen and their families, provided no rent is paid, where a permitted and existing commercial use is established. No more than one mobilehome shall be allowed for a parcel of land.

37. Recycling collection facilities.

38. Child Day Care Center.

Amended Effective:
09-10-99 (Ord. 348.3883) 03-12-09 (Ord. 348.4596)
10-21-99 (Ord. 348.3888)

B. The following uses are permitted provided a conditional use permit has been approved pursuant to Section 18.28. of this ordinance:

1. Animal hospitals.

2. Automobile and truck repair garages, not including body and fender shops or spray painting shops.

3. Building supply stores and equipment rental, including outside storage.

4. Liquid petroleum service stations, with or without concurrent sale of beer and wine, provided the total capacity of all tanks shall not exceed 10,000 gallons.

5. Automobile service stations, with the concurrent sale of beer and wine for off-premises consumption.

6. Convenience stores, including the sale of motor vehicle fuel.

7. Liquor stores pursuant to the provisions of Section 18.48. (Alcoholic Beverage Sales) of this ordinance.

8. Solar power plant on a lot 10 acres or larger.

Amended Effective:
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)

C. The uses listed in Subsections A. and B. do not include sex-oriented businesses.

Amended Effective:
03-01-94 (Ord. 348.3584) 06-27-97 (Ord. 348.3793)

D. Any use that is not specifically listed in Subsections A. and B. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls.

Amended Effective:
04-04-89 (Ord. 348.3029)
07-11-89 (Ord. 348.3047)
11-13-90 (Ord. 348.3217)
03-01-94 (Ord. 348.3584)
06-27-97 (Ord. 348.3793)

## SECTION 9.63. LOCATIONAL POLICIES.

No zone change to the C-R Zone shall be approved if:

A. Any part of the parcel lies within an approved specific plan of land use; or,

B. Any part of the parcel is contiguous to any city or lies within the adopted sphere of influence of any city; provided, however, that a zone change may be approved within the adopted sphere of a city if the Board determines that the zone change will not conflict with the expected development patterns of the area; or,

C. Any part of the parcel lies within 300 feet of a freeway.

## SECTION 9.64 DEVELOPMENT STANDARDS.

The following shall be the standards of development in the C-R Zone:

A. The minimum lot area shall be 20,000 square feet, unless a different minimum is specifically required in a particular area.

B. The front, side and rear yard setbacks shall be 25 feet. The front setback shall be measured from the existing adjacent street line or the street line as shown on an adopted highway specific plan. The rear setback shall be measured from the rear lot line or any recorded alley or easement. Each side setback shall be measured from the side lot line or from any existing adjacent street line or the street line as shown on an adopted highway specific plan.

C. No buildings or structures shall exceed 40 feet in height.

D. Total building coverage on a single parcel shall not exceed 20 percent of the net lot size.

E. Automobile parking areas and landscaping shall be in accordance with Section 18.12. of this ordinance.

F. Trash areas shall be visually screened with a six-foot high fence or wall and shall have a gate and be inaccessible to wildlife.

G. No outside storage shall be permitted unless specifically allowed in Section 9.62. Any such storage shall be in the rear of the structure and shall be enclosed with a visually screening fence.

H. The following uses shall be required to install an acceptable security system:

1. Automobile service stations.

2. Bars and cocktail lounges.

3. Liquor and convenience stores.

Added Effective:
9-18-86 (Ord. 348.2623)
03-01-94 (Ord. 348.3584)
06-27-97 (Ord. 348.3793)
09-10-99 (Ord. 348.3883)

## ARTICLE IXd C-O (COMMERCIAL-OFFICE ZONE)

### SECTION 9.71. INTENT.

The Board of Supervisors finds that there is a need in the County of Riverside for a zone classification designed to provide areas where primarily professional and administrative offices and related uses may be located. It is the intent that this zone classification ensures that such uses are well designed and landscaped to be harmonious and compatible with surrounding land uses.

### SECTION 9.72. USES PERMITTED.

A. The following uses are permitted provided a plot plan has been approved pursuant to the provisions of Section 18.30. of this ordinance:

1. Administrative and professional offices, including but not limited to business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate offices, in which no activity is carried on catering to retail sales and no stock of goods is maintained for sale.

2. Art gallery, library, reading room, museum.

3. Banks and financial institutions.

4. Employment agencies.

5. Parking lots and parking structures.

6. Prescription pharmacy when related and incidental to a professional office building.

7. Tourist information centers.

8. Travel agencies.

9. Day care centers.

10. Churches, temples and other places of religious worship.

Amended Effective:
09-10-99 (Ord. 348.3883) repealed 10-21-99 (Ord. 348.3888)

B. The following uses are permitted provided a conditional use permit has been approved pursuant to Section 18.28. of this ordinance:

1. Clinics, including but not limited to medical, dental and chiropractic.

2. (Deleted)

3. Health and exercise centers, provided all facilities are located within an enclosed building.

4. Hotels, resort hotels and motels.

5. Laboratories, film, dental, medical, research or testing.

6. Restaurants, not including drive-in or take-out restaurants.

7. Studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale.

C. The uses listed in Subsections a. and b. do not include sex-oriented businesses.

Amended Effective:
03-01-94 (Ord. 348.3584)

D. Any use that is not specifically listed in Subsections a. or b. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls.

Amended Effective:
05-05-92 (Ord. 348.3420) 03-01-94 (Ord. 348.3584)

## SECTION 9.73. DEVELOPMENT STANDARDS.

The following shall be the standards of development in the C-O Zone:

A. Lot Area. There is no minimum lot area requirement, unless specifically required by zone classification for a particular area.

B. Setbacks.

1. Where the front, side, or rear yard adjoins a street, the minimum setback shall be 25 feet from the right-of-way line. Where the front, side, or rear yard adjoins a lot zoned R-R, R-1, R-A, R-2, R-3, R-4, R-6, R-T, R-T-R, W-2-M, or SP with a residential use, the minimum setback shall be 25 feet from the property line.

2. Where the front, side, or rear yard adjoins a lot with a zoning classification other than those specified in paragraph (1) above, there is no minimum setback.

3. Setback areas may be used for driveways, parking, and landscaping.

C. Height Requirements. The height of structures, including buildings, shall be as follows:

1. Structures shall not exceed 40 feet at the yard setback line.

2. Buildings shall not exceed 50 feet unless a height up to 75 feet is granted pursuant to Section 18.34. of this ordinance.

D. Masonry Wall. Prior to occupancy of any 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.

E. Landscaping.

1. A minimum of 15 percent of the site proposed for development shall be landscaped and irrigated.

2. Not less than five feet of the front yard setback shall be landscaped.

F. Parking Areas. Parking areas shall be provided as required by Section 18.12. of this ordinance.

G. 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.

H. Outside Storage Areas. Outside storage areas are prohibited.

I. Utilities. Utilities shall be installed underground except that electrical lines rated at 33kv or greater may be installed above ground.

J. Mechanical Equipment. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet.

K. 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.

L. On-site Signs.

1. Not more than one freestanding sign shall be permitted on a project site, except that if a project has frontage on two or more streets, the project shall be permitted two freestanding signs, provided that the two signs are not located on the same street.

2. Freestanding signs shall refer only to the permitted uses conducted on the premises, shall be located outside of the road right-of-way, shall not exceed a height of six feet and the maximum surface area of the sign shall not exceed 32 square feet.

3. Signs affixed to building walls and stating the name of the structure, use or institution, shall not exceed five percent of the surface area of the wall upon which the sign is located, and shall not be illuminated when facing any parcel specifically zoned for residential use.

4. A building directory with letters not exceeding two inches in height and containing only the name of the occupant, the suite or office number, and the nature of the use or service rendered, shall be permitted.

5. No on-site sign shall be affixed on, above or over the roof of any building, and no on-site 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.

M. Access. No access shall be allowed from residential streets.

## SECTION 9.74. EXCEPTIONS TO DEVELOPMENT STANDARDS.

The development standards contained herein, except lot size, setbacks and height, may be waived or modified as part of the plot plan or conditional use permit process if it is determined that the standard is inappropriate for the proposed use, and that waiver or modification of the standard will not be contrary to the public health and safety.

Added Effective:
03-14-89 (Ord. 348.3010)
05-05-92 (Ord. 348.3420)
03-01-94 (Ord. 348.3584)
09-10-99 (Ord. 348.3883)

## ARTICLE IXe R-VC ZONE (RUBIDOUX-VILLAGE COMMERCIAL)

### SECTION 9.81. INTENT.

The Board of Supervisors of Riverside County finds that there is a need in the Jurupa Valley Redevelopment Area for a zone classification designed to create a tool for implementation of the Jurupa Valley Redevelopment Plan as it pertains to the "Rubidoux Village Policy Area" designated in the Jurupa Community Plan (JCP). The Rubidoux Village Policy Area has been designated to receive specific assistance in the terms of redevelopment activities and public facilities improvements. The development standards of this zone are intended to ensure the redevelopment of the Rubidoux Village Policy Area with a variety of intense compact commercial and service uses appropriate for a community commercial center. Development within the Rubidoux Village Policy Area shall be subject to an architectural theme as illustrated in the "Rubidoux Village Design Workbook."

The Rubidoux Village Policy Area is comprised of one commercial designation and zone (Rubidoux-Village Commercial) in the Jurupa Community Plan. The Village Commercial designated area is subdivided into three distinct planning sub-areas: West Village, Village Center and East Village. Given the nature and intensity of the commercial uses and the desired characteristics for the Rubidoux Village Policy Area, particular uses shall or shall not be permitted in the sub-areas as indicated in the tables below.

### SECTION 9.82. USES PERMITTED.

A. Uses with Limited Outside Storage. The following uses are permitted, only in enclosed buildings with not more than 200 square feet of outside storage or display of materials appurtenant to such use, on any site within the R-VC subject to a plot plan approved pursuant to the provisions of Section 18.30. of this ordinance. Some of the uses may be permitted with more than 200 square feet of outside storage with a conditional use permit as described in Subsection C.

| USES PERMITTED WITH OUTSIDE STORAGE LIMITED TO 200 SQUARE FEET | | | | |
|---|---|---|---|---|
| West Village | Village Center | East Village | No. | Uses Permitted |
| X | | X | 1 | Ambulance services. |
| X | X | X | 2 | Antique shops. |
| X | X | X | 3 | Appliance stores, household. |
| X | X | X | 4 | Art galleries, libraries, reading rooms, museums. |
| X | X | X | 5 | Art supply shops and studios. |
| X | | X | 6 | Auction houses used in conjunction with the primary use(s). |
| X | X | X | 7 | Auditoriums and conference facilities. |
| X | X | X | 8 | Automobile parts and supply stores. |
| X | | X | 9 | Automobile repair shops. |
| X | X | X | 11 | Bakery goods distributors. |

| USES PERMITTED WITH OUTSIDE STORAGE LIMITED TO 200 SQUARE FEET | | | | |
|---|---|---|---|---|
| **West Village** | **Village Center** | **East Village** | **No.** | **Uses Permitted** |
| X | X | X | 12 | Bakery shops, including baking only when incidental to retail sales on the premises. |
| X | X | X | 13 | Banks and financial institutions. |
| X | X | X | 14 | Barber and beauty shops. |
| X | X | X | 15 | Bars and cocktail lounges. |
| X | X | X | 16 | Bicycle sales and rentals with incidental repair. |
| X | X | X | 17 | Billiard and pool halls. |
| X | X | X | 18 | Blueprint and duplication services. |
| X | X | X | 19 | Book stores and binders. |
| | X | X | 20 | Catering services. |
| X | | X | 21 | Car washes. |
| X | X | X | 22 | Ceramic sales and manufacturing for on-site sales, provided the total volume of kiln space does not exceed 16 cubic feet |
| X | X | X | 23 | Churches, temples and other places of religious worship. |
| X | X | X | 24 | Cleaning and dyeing shops. |
| X | X | X | 25 | Clothing stores. |
| X | X | X | 26 | Confectionery or candy stores. |
| X | X | X | 27 | Convenience stores, not including the sale of motor vehicle fuel. |
| X | X | X | 28 | Costume design studios. |
| X | | X | 29 | Dance halls. |
| X | X | X | 30 | Day care centers. |
| X | X | X | 31 | Delicatessens. |
| X | X | X | 32 | Department stores. |
| X | X | X | 33 | Drug stores. |
| X | X | X | 34 | Dry goods stores. |
| X | X | X | 35 | Employment agencies. |
| X | X | X | 36 | Escort bureaus. |
| X | X | X | 37 | Feed and grain sales. |
| X | X | X | 38 | Florist shops. |
| X | X | X | 39 | Food stores and frozen food lockers. |
| X | X | X | 40 | Fortune telling, spiritualism. |
| X | | X | 41 | Gasoline service stations, not including the concurrent sale of beer and wine for off-premises consumption. |
| X | X | X | 42 | Gift shops. |
| X | X | X | 43 | Golf cart sales and service. |
| X | X | X | 44 | Hardware stores. |
| X | X | X | 45 | Household goods sales, including but not limited to, new and used appliances, furniture, carpets, draperies, lamps, radios, and televisions sets, including repair thereof. |
| X | X | X | 46 | Hobby shops. |

| USES PERMITTED WITH OUTSIDE STORAGE LIMITED TO 200 SQUARE FEET | | | | |
|---|---|---|---|---|
| **West Village** | **Village Center** | **East Village** | **No.** | **Uses Permitted** |
| X | X | X | 47 | Ice cream shops. |
| X | X | X | 48 | Ice sales, not including ice manufacturing plants. |
| X | X | X | 49 | Interior decorating shops. |
| X | X | X | 50 | Jewelry stores, including incidental repairs. |
| X | X | X | 51 | Union halls. |
| X | X | X | 52 | Laboratories: film, dental, medical, research or testing. |
| X | X | X | 53 | Laundries and laundromats. |
| X | X | X | 54 | Leather goods stores. |
| X | X | X | 55 | Locksmith shops. |
| X | X | X | 56 | Mail order businesses. |
| X | X | X | 57 | Manufacturer's agent. |
| X | X | X | 58 | Market, food: wholesale or jobber. |
| X | X | X | 59 | Massage parlors, Turkish baths, health centers and similar personal service establishments. |
| X | X | X | 60 | Meat markets, not including slaughtering. |
| X | X | X | 61 | Mortuaries. |
| X | X | X | 62 | Music stores. |
| X | X | X | 63 | News stores. |
| X | X | X | 64 | Notion or novelty stores. |
| X | X | X | 65 | Nurseries or garden supply stores. |
| X | X | X | 66 | Offices, including business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate. |
| X | X | X | 67 | One on-site operator's residence, which may be located in a commercial building. |
| X | X | X | 68 | Paint and wallpaper stores. |
| X | X | X | 69 | Parking lots and parking structures. |
| X | X | X | 70 | Pawn shops. |
| X | X | X | 71 | Pet shops and pet supply shops. |
| X | X | X | 72 | Photography shops and studios and photo engraving. |
| X | | X | 73 | Plumbing shops, not including plumbing contractors. |
| X | X | X | 74 | Poultry markets, not including slaughtering or live sales. |
| X | X | X | 75 | Printers or publishers using offset or electrostatic technology. |
| X | X | X | 76 | Produce markets. |
| X | X | X | 77 | Radio and television broadcasting studios. |
| X | X | X | 78 | Recording studios. |
| X | | X | 79 | Recycling collection facilities. |
| X | X | X | 80 | Refreshment stands. |
| X | X | X | 81 | Restaurants and other eating establishments. |
| X | X | X | 82 | Schools: business and professional, including art, barber, beauty, dance, drama, music and swimming. |

| USES PERMITTED WITH OUTSIDE STORAGE LIMITED TO 200 SQUARE FEET | | | | |
|---|---|---|---|---|
| West Village | Village Center | East Village | No. | Uses Permitted |
| X | X | X | 83 | Shoe stores and repair shops. |
| X | X | X | 84 | Shoe-shine stands. |
| X | X | X | 85 | Signs, on-site advertising. |
| X | X | X | 86 | Sporting goods stores. |
| X | X | X | 87 | Stained glass assembly. |
| X | | X | 88 | Stationery stores. |
| | X | X | 89 | Stations: bus, railroad and taxi. |
| X | X | X | 90 | Taxidermist. |
| X | X | X | 91 | Tailor shops. |
| X | X | X | 92 | Telephone exchanges. |
| X | | X | 93 | Theaters, not including drive-ins. |
| X | | X | 94 | Tire sales and service, not including recapping. |
| X | X | X | 95 | Tobacco shops. |
| X | X | X | 96 | Tourist information centers. |
| X | X | X | 97 | Toy shops. |
| X | X | X | 98 | Travel agencies. |
| X | X | X | 99 | Typewriter sales and rental, including incidental repairs. |
| X | X | X | 100 | Watch repair shops. |
| X | X | X | 101 | Wholesale businesses with samples on the premises but not including storage. |

B. The following uses are permitted within either the West Village or East Village, together with unlimited outside storage and display of materials appurtenant to such uses, provided a plot plan has been approved pursuant to the provisions of Section 18.30. of this ordinance.

| USES PERMITTED WITH UNLIMITED OUTSIDE STORAGE AND EXCLUDED FROM THE VILLAGE CENTER | | | | |
|---|---|---|---|---|
| West Village | Village Center | East Village | No. | Uses Permitted |
| X | | X | 1 | Repealed. Amended Effective: 9-29-00 (Ord. 348.3955) |
| X | | X | 2 | Boat and other marine sales. |
| X | | X | 3 | Ceramic sales and manufacturing for on-site sales, provided that the total volume of kiln space does not exceed 16 cubic feet. |
| X | | X | 4 | Electrical substations. |
| X | X | X | 5 | Equipment rental services, including rototiller, power mowers, sanders, power saws, cement and plaster mixers not exceeding ten feet in capacity and other similar equipment. |
| X | | X | 6 | Golf cart sales and service. |
| X | | X | 7 | Hardware stores, including not more than 1,000 square feet of outside storage of lumber. |
| X | | X | 8 | Liquid petroleum service stations, not including the concurrent sale of beer and wine, provided the total capacity for all tanks shall not exceed 10,000 gallons. |

| USES PERMITTED WITH UNLIMITED OUTSIDE STORAGE AND EXCLUDED FROM THE VILLAGE CENTER | | | | |
|---|---|---|---|---|
| West Village | Village Center | East Village | No. | Uses Permitted |
| X | | X | 9 | Mobilehomes, provided they are kept mobile and licensed pursuant to State law, used for:<br>a. Sales offices in conjunction with travel trailers or recreational vehicle sales lots.<br>b. Construction offices and caretaker's quarters on construction sites for the duration of a valid building permit, provided that they are inconspicuously located.<br>c. Caretakers or watchmen and their families, provided that no rent is paid, where a permitted and existing commercial use is established. Not more than one mobilehome shall be allowed for a parcel of land or shopping center complex. |
| X | | X | 10 | Nurseries and garden supply stores. |
| X | | X | 11 | Parking lots and parking structures. |
| X | | X | 12 | Sports and recreation facilities, not including motor driven vehicles and riding academies, but including archery ranges, athletic playgrounds, sports arenas, skating rinks, stadiums, and commercial swimming pools. |
| X | | X | 13 | Travel trailers and recreational vehicles sales and service. |

C. Use permitted by Conditional Use Permit. The following uses are permitted provided that a conditional use permit has been granted pursuant to the provisions of Section 18.28. of this ordinance:

| USES PERMITTED WITH A CONDITIONAL USE PERMIT | | | | |
|---|---|---|---|---|
| West Village | Village Center | East Village | No. | Uses Permitted |
| X | | X | 1 | All uses in Subsection A. of this section that have more than 200 square feet of outside storage or display of materials. |
| X | X | X | 2 | Animal hospitals. |
| X | | X | 3 | Body and fender shops and spray painting. |
| X | | X | 4 | Building materials sales yards. |
| X | X | X | 5 | Clinics, including but not limited to medical, dental and chiropractic. |
| X | | X | 6 | Convenience stores, including the sale of motor vehicle fuel. |
| X | | X | 7 | Gasoline service stations with the concurrent sale of beer and wine for off-premises consumption. |
| X | X | X | 8 | Heliports. |
| X | | X | 9 | Liquid petroleum service stations with the concurrent sale of beer and wine for off-premises consumption, provided the total capacity of all tanks shall not exceed 10,000 gallons. |
| X | X | X | 10 | Liquor stores pursuant to the provisions of Section 18.48 (Alcoholic Beverage Sales) of this ordinance. |
| X | | X | 11 | Lumber yards, including only incidental millwork. |
| X | | X | 12 | Mini-warehouse structures. |
| X | | X | 13 | Sale, rental, repair or demonstration of motorcycles, scooters, and motorbikes. |
| X | | X | 14 | Tire recapping. |
| X | | X | 15 | Automobile Sales and rental agencies. |

D. Accessory Uses. An accessory use to a permitted use is allowed provided that the

accessory use is incidental to, and does not alter the character of the principal permitted use, including, but not limited to limited manufacturing, fabricating, processing, packing, treating and incidental storage related thereto, provided any such activity shall be in the same line of merchandise or service as the trade or service business conducted on the premises and provided that any such activity does not exceed any of the following restrictions:

1. The maximum gross floor area of all buildings permitted to be developed to such accessory use shall be 25 percent of the principle permitted use.

2. The maximum total horsepower of all electric motors used in connection with such accessory use shall be five horsepower.

3. The accessory use shall be so conducted that noise, vibration, dust, odor, and all other objectionable factors shall be reduced to the extent that there will be no annoyance to persons outside the premises. Such accessory uses shall be located not nearer than 50 feet to any residential zone.

4. Accessory uses shall be conducted wholly within a completely enclosed building.

E. Any use that is not specifically listed in Subsections a., b., and d. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls.

## SECTION 9.83. DEVELOPMENT STANDARDS.

F. There are three general types of projects that will invoke the requirements of this Subsection in addition to the design standards of the "Rubidoux Village Design Workbook." When a project involves more than one of these project types, the more restrictive development standards, as outlined, shall prevail.

1. PROJECT TYPE 1.

Storefront improvements limited to the exterior wall facing the street. The project type invokes only the most limited development standards, mostly from the design guidelines.

2. PROJECT TYPE 2.

Improvements to the shell of the structure beyond the storefront, but utilizing the existing buildings and site improvements. To the extent that new uses and substantial improvements are proposed, the development standards, as outlined below, will be implemented.

3. PROJECT TYPE 3.

Improvements based on vacant or cleared land requiring new construction. A further distinction is made between small projects with less than 100 feet of Mission Boulevard frontage and those with more than 100 feet of such frontage. In either case, the most rigorous development standards will be conducted. Projects must comply with the full extent of this Subsection. The features of the design guidelines will also be applied.

G. Lot Area: There is no minimum lot area requirement.

H. Setbacks: The following setbacks are required for Project Types 1, 2, and 3. The standard setback is 15 feet behind the curb face. In cases where the curb is warped toward the street to provide wider areas for pedestrians at corners, etc., the 15 foot setback line shall be extended from the end of the curb portions from which the 15 foot setback is measured, straight across the widened areas.

1. For Project Types 1 and 2: There shall be no yards or setbacks required unless the proposed improvements require the demolition and reconstruction of the building's structure along the street frontage. In this circumstance, the setback criteria for Project Type 3 will apply.

2. For Project Type 3 with less than 100 feet of Mission Boulevard frontage: When the site is cleared for new construction or a substantial renovation is proposed involving the store front, the following conditions will apply: No more than 50 feet of building may be located on the setback line or within two feet of the setback line without a minimum two foot deep by four foot long horizontal offset extending vertically the height of the first or ground floor from the ground to the ceiling or roof plate/line.

3. Project Type 3 with more than 100 feet of Mission Boulevard frontage: Additional requirements for new construction: for parcels that represent a substantially new project (i.e., existing structures have been demolished or the site is vacant) the following specific requirements must be followed: No more than 100 linear feet of building may be located on the setback line or within four feet of the setback line without a minimum four foot deep by eight feet long horizontal offset extending vertically the height of the first or ground floor from the ground to the ceiling or roof plate/line.

I. Courts: Courts must be included within the overall site development plan, at the ratio of one court per 200 feet of frontage. Since the purpose of this requirement is to encourage the development of a variety of court types, this criterion is not to be interpreted as having a court along every 200 feet of frontage. Rather, the aggregate court count must reflect the total street frontage divided by 200. This applies to corner and through lots for their entire frontage. Alleys, however, are not counted as street frontage. Any fractional requirement exceeding 0.5 will necessitate an additional court.

1. When a minimum of two courts are provided, only one open court may be used to meet these requirements.

2. When three or more courts are required, open courts may be used at the ratio of one open court per two of any other type.

J. Courtyards: Courtyards shall have the following minimum dimensions:

1. Basic area: 15 feet by 15 feet. Exception for paseos: Ten feet for a maximum of 50 percent of the length, thereafter 15 feet minimum.

2. Permitted projections into courts:

   a. A maximum of 50 percent of the court may be covered by an enclosed story or balcony above.

   b. Roof overhangs, cornices, awnings and shade structures may encroach 30 percent into the minimum courtyard dimensions.

K. Incentives: The following development standard incentives may be used in accordance with the stated conditions:

1. Two story buildings and second story encroachments into the building setback: Structures utilizing the second story may encroach into the required setback to a point no closer to the curb than three feet. The minimum head clearance under the covered portion is nine feet, inclusive of signs, dropped lighting and specified architectural details (structural beams, support brackets and trim and/or detailing).

2. Entry Forecourt: When the additional setback is a minimum of four feet, an equivalent width of sidewalk area in the setback may be used to create a private entry court.

   a. On a foot for foot basis, an additional foot of sidewalk for every additional foot of setback may be used as long as the sidewalk remains as a public access and retains without exception a minimum six feet of clear and unobstructed width. Exception: Where existing construction does not permit an additional setback area to be dedicated as an entry forecourt, a maximum eight foot area may be used during operating hours for temporary private use (i.e., seating area or display area for goods) defined by planters, rails or furniture that must be completely removed from the sidewalk at all other times.

   b. The enclosing walls may be up to 12 feet high for open, uncovered courts and may be gated for security. The wall material, however, above two feet, eight inches high, must be substantially open, as in a gridded metal weave, wrought iron fence or wood lattice. A solid beam, cornice or arch segment is permitted above a height of six feet, eight inches.

   c. Some or all of the area within the courtyard may be covered with an arbor, trellis or lattice work to provide shading. An acceptable option is the use of skylights to enclose the court for all weather protection, and in this case, the minimum skylight area must be 2/3 of the court area it covers. In this case, the enclosing walls must be substantially open per Item b. above.

L. Height. The basic structure of the enclosed buildings shall not exceed 50 feet in height.

Towers and non-inhabitable thematic structures shall not exceed 70 feet in height.

M. Off-Street Parking. Off-street parking shall be provided as required by Section 18.12. and Section 18.12.E. which outlines the shared parking provisions for the Rubidoux Village Policy Area of this ordinance.

N. Security Walls. Walls and fences for security purposes are not required, but may be voluntarily provided in accordance with the following provisions:

1. Security walls may be constructed up to 12 feet high provided that only the lower six feet may be of masonry construction. The upper six feet must be open wrought iron, steel or other designed fence element, anchored to the masonry wall and demountable at such time as the security and safety concerns of the property owners are sufficiently satisfied.

2. The walls must be located at property lines where commercial zones abut residential zones. No walls are allowed along the Mission Boulevard frontage except with the specific approval and under the terms of a conditional use permit.

3. Walls may be constructed along side street frontages that meet the requirements of this section. Access to off-street parking lots may be gated in conformance with the requirements of the County Fire Department.

4. No chain link fencing is permitted along the street frontages or within street side parking areas in view of Mission Boulevard, Rubidoux Boulevard and Riverview Drive.

O. Trash Collection Area. Trash collection areas shall be screened by architectural enclosures and/or landscaping in such a manner as to be fully screened from view from a public street or from any adjacent residential area.

P. Outside Storage of Material. Where outside storage of raw or processed material or parts to be fabricated into a final assembly is proposed, such storage area must be screened through the use of architectural features and/or landscaping from view of a public street or adjacent residential area.

Q. Outside Storage of Vehicles for Sale, Artifacts and/or Equipment. Outside storage of for-sale vehicles, artifacts and/or equipment may be displayed without screening, provided a minimum 7.5 foot wide planted setback is provided behind the setback line running parallel to the street frontage and permitting only structures, access ways (vehicular and pedestrian) and permitted signage to encroach on the planted area.

R. Utilities. Utilities shall be installed underground except that electrical lines rated at 33kv or greater may be installed above ground. This requirement may be waived due to the size or the location of the parcel in question or for other extenuating physical and/or engineering circumstances by the Executive Director of the County Economic Development Agency with the concurrence of the Planning Director.

S. Site Lighting.

1. Illumination from on-site fixtures may not spill over onto adjacent private property. An average of one foot-candle of illumination is required for all pedestrian walkways, courts and parking areas. This requirement also applies to public walkways under the cover of second story encroachments. The area over which the illumination may be averaged is 100 square feet and no portion of the area may receive less than .25 foot-candle of illumination.

2. Illumination in entry forecourts and courts adjacent to the setback line or right-of-way may spill over onto the adjacent sidewalk or right-of-way as long as no hazard or nuisance is created.

T. On-site Signs. Refer to the standards and guidelines contained in the Rubidoux Village Sign Program (Section 19.8. of this ordinance).

U. Roof Mounted Equipment. All roof mounted equipment shall be screened from the ground elevation view to a maximum sight distance of 1,320 feet.

## SECTION 9.84. DESIGN GUIDELINES.

All development proposals shall comply with the design guidelines contained in the "Rubidoux Village Design Workbook", a copy of which is on file with the Clerk of the Board of Supervisors, the Planning Department of the County of Riverside and the Economic Development Agency of the County of Riverside. Refer to the workbook for a complete listing of the design guidelines.

Added Effective:
11-28-97 (Ord. 348.3804)

## ARTICLE IXf MU ZONE (MIXED USE)

### SECTION 9.85. PURPOSE AND INTENT.

The purpose of this article is to establish the Mixed Use (MU) Zone to promote a mix of land uses and to facilitate development that offers a combination of housing, employment, and commercial opportunities, which encourages active transportation, such as walking, biking, use of transit, while still allowing for other modes of transportation. The intent of the MU Zone is to implement the Mixed-Use Area (MUA) land use designation of the General Plan, which assists the County in accommodating its share of the regional housing needs assessment (RHNA) allocation pursuant to the Riverside County Housing Element. The MU Zone shall apply to land designated MUA in the General Plan and may apply to land within an approved Specific Plan.

### SECTION 9.86. USES PERMITTED.

A. The following uses shall be permitted in the MU Zone:

1. One family dwellings, on an existing legal lot
2. Multiple family dwellings that only include a residential use
3. Home occupation
4. Public parks, playgrounds, and plazas
5. Community gardens

B. The following uses shall be permitted provided a plot plan has been approved pursuant to provisions of section 18.30 of this Ordinance. In the event a development includes a combination of uses that are permitted with a plot plan and conditional use permit, the development shall be processed in accordance with Section 9.86.C. of this article.

1. Animal hospitals, not including any outdoor facilities
2. Antique shops
3. Art supply shops and studios
4. Artisan or novelty stores
5. Bakery shops, including baking only when incidental to retail sales on the premises
6. Banks and financial institutions
7. Barber and beauty shops
8. Book stores
9. Business and Professional Schools

10. Cellular telephone sales and service
11. Check Cashing Business
12. Churches, temples, and other places of religious worship
13. Clothing Dry Cleaners
14. Clothing stores
15. Community and Civic Centers
16. Computer sales and service
17. Day care centers
18. Delicatessens
19. Drug stores
20. Florist shops
21. Gift shops
22. Grocery Stores
23. Hardware stores
24. Health and fitness facility, indoor
25. Household furniture or appliance Stores
26. Internet cafes and internet gaming facilities
27. Jewelry stores with incidental repairs
28. Laundries and laundromats
29. Medical Offices
30. Multiple family dwellings combined with non-residential uses listed in this subsection B
31. Museums and libraries
32. Nurseries and garden supply stores
33. Paint and wall paper stores

34. Pet shops and pet supply shops

35. Photography shops and studios and photo engraving

36. Plumbing shops, not including plumbing contractors

37. Post services

38. Restaurants and other eating establishments

39. Shoe stores and repair shops

40. Sporting goods stores

41. Tailor shops

42. Tobacco or Hookah shops; but not lounges

43. Tourist information centers

44. Toy shops

C. The following uses shall be permitted provided a conditional use permit has been approved pursuant to the provisions of section 18.28 of this Ordinance:

1. Animal hospitals and veterinary office, with outdoor facilities

2. Bars and cocktail lounges

3. Billiard and pool halls

4. Catering services

5. Convenience stores

6. Film, dental medical, research, and testing laboratories

7. Hotels, resort hotels and motels

8. Indoor entertainment and recreation facility

9. Liquor stores pursuant to the provisions of section 18.48 (Alcoholic Beverage Sales) of this Ordinance.

10. Mobilehome parks pursuant to Section 19.91 of this ordinance.

11. Motor vehicle fuel service stations, with or without the concurrent sale of beer and wine for off-premises consumption

Amended Effective:
Ordinance No. 348.4978 Item 21.3 of 01/25/2022 (Effective Date:02/23/2022)

12. Multiple family dwellings combined with non-residential uses listed in this subsection C.

13. Private Academic Facility

14. Theaters and Auditoriums

D. SAME CHARACTER AND INTENSITY. Any use that is not specifically listed in subsections B. or C. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

**SECTION 9.87. DEVELOPMENT STANDARDS IN THE MU ZONE.**

A. LOT SIZE. There is no minimum lot size.

B. LOT WIDTH. There is no minimum lot width.

C. LOT DEPTH. There is no minimum lot depth.

D. FRONTAGE. There is no minimum lot frontage.

E. HEIGHT. The maximum height of any buildings or structures shall be no greater than seventy-five (75) feet. Ground floor commercial retail shall have a minimum ceiling height of eleven (11) feet, measured from foundation to finished ceiling.

F. SCREENING. All roof-mounted equipment, excluding solar panels, shall be screened from the ground elevation view to a minimum sight distance of six hundred sixty (660) feet for residential buildings and one thousand three hundred twenty (1,320) feet for non-residential buildings, including mixed-use buildings.

G. LOT COVERAGE. There is no minimum lot coverage.

H. FRONT SETBACKS. There is no front setback requirement, except for one family dwellings or associated structure(s), which shall have a minimum front setback of no less than twenty-five (25) feet.

I. SIDE SETBACKS. There is no side setback requirement, except for the following:

1. One family dwellings or associated structure(s) shall have a minimum side setback of no less than five (5) feet.

2. For lots zoned MU that abut lots zoned R-R, R-A, R-1, R-1-A, the minimum side setback shall be no less than five (5) feet.

J. REAR SETBACKS. There is no rear setback requirement, except for the following:

1. One family dwellings or associated structure(s) shall have a minimum side setback of no less than fifteen (15) feet.

2. For lots zoned MU that abut lots zoned R-R, R-A, R-1, R-1-A, the minimum rear setback shall be no less than fifteen (15) feet.

K. OPEN SPACE.

1. Any development with one or more non-residential building(s) with thirty thousand (30,000) square feet or greater of floor area each shall provide at least one (1) public use area (PUA) that is adjacent to public streets or ground floor retail or ground floor commercial uses. A PUA is an urban and public open space area, such as a plaza, square or court, located on the same lot(s) as the primary use and used as a gathering place or a pedestrian linkage between buildings.

2. Any development with more than ten (10) multiple family dwelling units shall provide at least one hundred (100) square feet of common use area (CUA) for each unit above ten (10) units. A CUA is a recreational open space area, such as a park, sport field, pool, gym, or passive recreational area, associated with and located on the same lot or lots as the primary use. A PUA may be used to fulfill the CUA requirement. A reduction in this requirement may be applied pursuant to the following:

a. A ten percent (10%) reduction for developments that provide more than two hundred (200) dwelling units.

b. A twenty-five percent (25%) reduction for developments that provide housing for very low, low or moderate income households as defined in the Riverside County Housing Element with applicable affordability restrictions.

3. PRIVATE OPEN AREA. A private open area (POA) is a private usable open area, such as a patio or balcony, which is not encumbered with structures and is attached to the primary dwelling unit. A development with multiple family units shall provide at least fifty (50) square feet of POA per unit.

L. SITE REQUIREMENTS.

1. Any mixed-use buildings shall provide ground floor retail or commercial uses for at least fifty percent (50%) of ground floor units that front a public street, sidewalk, or public use area at the time of development.

2. Any ground floor retail or commercial units shall have transparent walls on at least fifty percent (50%) of the wall area that fronts a public street, sidewalk, or public use area.

3. REFUSE AND RECYCLABLE STORAGE AREA. A refuse and recyclable material storage area shall be provided for any new multiple family, mixed-use, or commercial development, or existing multiple family mixed-use, or commercial development that will add thirty percent (30%) or more units or floor area. This area must be fully enclosed and have adequate separation from any habitable areas. This area shall be screened using landscape or architectural features.

4. ENCROACHMENTS. No setbacks or yard encroachments are permitted, except as provided in Section 18.19 of this ordinance.

5. LIGHTING. All onsite lighting shall be focused, directed or arranged to prevent glare or direct illumination on adjacent residential uses.

6. PARKING. Off-street parking shall be provided pursuant to Section 18.12 of this Ordinance.

7. LANDSCAPE. There is no required minimum landscape area.

## SECTION 9.88. DEVELOPMENT DESIGN AND PHASING.

A. PHASING PLAN. For phased developments, a site development phasing plan shall be submitted with the land use application or design review application and include maps, exhibits and a description of the following: phasing for development and infrastructure, and the development of multi-modal transportation connectivity with the neighborhood and adjoining community areas.

B. DESIGN REVIEW. For multiple family dwelling developments that only include a residential use, a site design plan shall be submitted to the Planning Director for review and shall include the following:

1. Site Plan with building footprint
2. Floor plans
3. Landscape plan, as necessary
4. Wall and fencing plan
5. Elevation plan
6. Architectural design
7. Photometeric plan, as necessary
8. Traffic analysis

C. PUBLIC REVIEW PERIOD. A thirty (30) day public review period shall be provided prior to the Planning Director considering the site design plan submitted for multiple family dwelling developments that only include residential use. Notice of the public review period shall be given in the same manner as provided in Section 18.26.c. subsections (2), (4), (5), (6) and

(7) of this ordinance. The notice shall include the mailing address to send comments to, the dates for the public review period, location where the site design plan may be reviewed, and explain that the public may comment on the site design plan for the multiple family dwelling development.

D. DESIGN APPROVAL. The site design plan referenced above shall be approved if the Planning Director finds the site design plan conforms or is consistent with all of the following:

1. The Riverside County General Plan;
2. This Ordinance;
3. The Countywide Design Guidelines;
4. There is no specific, adverse impact upon the public health or safety. A specific adverse impact means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies or conditions as they existed on the date the application was deemed complete; or
5. If there is a specific adverse impact upon the public health or safety, the development has been conditioned to develop at a lower density which removes the specific adverse impact.

E. APPROVAL PERIOD. An applicant of a site design plan approval shall obtain building permits within two (2) years of the approval of any multiple family dwellings, pursuant to this section. The Planning Director may grant a request for a one-year extension of time of this requirement, if the request is submitted by the applicant at least six (6) months prior to the expiration of the original time limit with the appropriate fee. If the extension is granted, the total time allowed for a site design plan approval shall not exceed three (3) years.

Added Effective:
Ord. 348.4840- Item 16-1 of 12/06/16 (Effective date: 01/05/17)
Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## ARTICLE X I-P ZONE (INDUSTRIAL PARK)

The following regulations shall apply to all I-P Zones:

### SECTION 10.1. USES PERMITTED.

A. The following uses shall be permitted in the I-P Zone:

1. Emergency shelters.

Amended Effective:
Ord. 348.4706 Item 16.2 of 03/22/11 (Effective Date: 04/21/11)

B. The following uses are permitted provided an Industrial Park Plot Plan has been approved pursuant to the provisions of Section 18.30. of this ordinance.

1. The following industrial and manufacturing uses:

a. Food, Lumber, Wood, and Paper products:

1) Grain and bakery products.

2) Sugar and confectionary products.

3) Nonalcoholic beverages.

4) Ice.

5) Manufacture of furniture and fixtures including cabinets, partitions, and similar items.

6) Printing and publishing or newspapers, periodicals, books, forms, cards, and similar items.

7) Binding of books and other publications.

b. Textile and Leather Products:

1) Wearing apparel and accessory products.

2) Manufacture of handbags, luggage, footwear, and other personal leather goods.

c. Chemical and Glass Products:

1) Pharmaceutical research and manufacture.

2) Glassblowing, pressing, cutting, and other glassware products.

d. Metal, Machinery, and Electrical Products:

1) Jewelry manufacture and repair.

2) Manufacture, assembly, testing and repair of components, devices, equipment and systems of an electrical, electronic, or electro -mechanical nature, such as, but not limited to:

a) Television and radio equipment and systems.

b) Phonographs and audio units.

c) Metering instruments, equipment and systems.

d) Radar, infrared and ultraviolet equipment and systems.

e) Coils, tubes, semiconductors and similar components.

f) Scientific and mechanical instruments.

g) Data processing equipment and systems.

h) Communication, navigation control, transmission and reception equipment, control transmission and reception equipment, control equipment and systems, guidance equipment and systems.

i) Musical and recording equipment.

3) Office and computing machine manufacture, repair, and sales.

4) Control devices and gauges.

5) Equipment sales, rental and storage.

6) Appliance manufacture, and repair.

7) Manufacture of lighting fixtures, and supplies.

e. Transportation and Related Industries:

1) Vehicle storage and impoundment within an enclosed building.

2) Trailer, recreational vehicle, and boat storage within an enclosed building.

f. Engineering and Scientific Instruments:

1) Manufacture and repair of engineering, scientific, and medical instrumentation including but not limited to:

a) Measuring devices, watches, clocks, and related items.

b) Optical goods.

c) Medical, and dental instruments.

d) Engineering, survey, and drafting instruments.

e) Photographic equipment.

g. Industrial Uses:

1) Public utility substations and storage buildings.

2) Warehousing and distribution, including mini-warehouses.

3) Communications and microwave installations.

4) Cold storage facilities.

5) Telephone exchanges and switching equipment.

6) Post offices.

7) Fire and police stations.

8) Water and gas company service facilities.

9) Parcel delivery services.

10) Recycling collection facilities.

2. The following service and commercial uses:

a. Banks and financial institutions.

b. Blueprint and duplicating services.

c. Laboratories, film, medical, research, or testing centers.

d. Office equipment sales and service.

e. Offices, professional sales and service, including business, law, medical, dental, chiropractic, architectural and engineering.

f. Parking lots and parking structures.

g. Restaurants and other eating establishments.

h. Barber and beauty shops.

i. Day care centers.

j. Health and exercise centers.

k. Mobilehomes, provided they are kept mobile and licensed pursuant to state law, when used for construction offices and caretaker's quarters on construction sites for the duration of a valid building permit.

l. One-family dwellings on the same parcel as the industrial or commercial use provided such dwellings are occupied exclusively by the proprietor or caretaker of the use and their immediate families.

m. Signs, on-site advertising.

n. Automobile service stations, not including the concurrent sale of beer and wine for off-premises consumption.

o. Motels.

p. Churches, temples, or other structures used primarily for religious worship.

Amended Effective:
11-30-95 (Ord. 348.3753)

C. The following uses are permitted provided a conditional use permit has been granted pursuant to Section 18.28. of this ordinance:

1. Airports.

2. Heliports.

3. Recycling processing facilities.

4. Solar power plant on a lot 10 acres or larger.

5. Parolee-Probationer Home developed in accordance with the standards set forth in Section 18.52. of this ordinance

Amended Effective;
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date 12/08/11)
Ord. 348.4706 Item 16.2 of 03/22/11 (Effective Date 04/21/11)
Ord. 348.4744 Item 16.1 of 06/19/12 (Effective Date 07/19/12)

D. Sex-oriented businesses, subject to the provisions of County Ordinance No. 743. The uses listed in Subsections A. and B. do not include sex-oriented businesses.

Amended Effective:
03-01-94 (Ord. 348.3584)
Ord. 348.4706 Item 16.2 of 03/22/11 (Effective Date: 07/19/12)

E. Any use that is not specifically listed in Subsections B. and C. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls.

F. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., or C. in Section 10.1 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.

Amended Effective:
06-06-89 (Ord. 348.3032)
08-10-89 (Ord. 348.3047)
10-05-89 (Ord. 348.3053)
03-01-94 (Ord. 348.3584)
11-30-95 (Ord. 348.3753)
Ord. 348.4706 Item 16.2 of 03/22/11 (Effective Date: 04/21/11)
Ord. 348.4931 Item 21.1 of 11/10/2020 (Effective Date 12/10/2020)

## SECTION 10.2. PLANNED INDUSTRIAL DEVELOPMENTS.

Planned industrial developments are permitted provided a land division has been approved pursuant to the provisions of Ordinance No. 460.

## SECTION 10.3. INDUSTRIAL PARK PLOT PLAN.

Applications for an industrial park plot plan shall be made pursuant to the provisions of Section 18.30. of this ordinance. In addition to the requirements of Section 18.30., the application shall contain:

A. A description of the proposed industrial operation in sufficient detail to fully describe the nature and extent of the proposed use.

B. Plans or reports describing proposed methods for handling traffic, noise, glare, odor, vibration, hazardous gases, liquids and other materials.

C. Plans or reports showing proposed method for treatment and disposal of sewage and industrial and toxic waste materials.

D. An architectural perspective of all buildings and grounds showing the relationship of the proposed development to adjacent properties.

## SECTION 10.4. DEVELOPMENT STANDARDS.

The following standards of development are required in the I-P Zone:

A. The minimum lot size shall be 20,000 square feet with a minimum average lot width of 100 feet.

B. The maximum height of all structures, including buildings, shall be 35 feet at the yard setback line. Any portion of a structure that exceeds 35 feet in height shall be set back from each yard setback line not less than two feet for each one foot in height that is in excess of 35 feet. All buildings and structures shall not exceed 50 feet in height, unless a height up to 75 feet for buildings, or 105 feet for other structures is specifically permitted under the provisions of Section 18.34. of this ordinance.

C. A minimum 15 percent of the site shall be landscaped and automatic irrigation shall be installed.

D. A minimum 25 foot setback shall be required on any street. A minimum ten foot strip adjacent to the street line shall be appropriately landscaped and maintained, except for designated pedestrian and vehicular accessways. The remainder of the setback may be used for off-street automobile parking, driveways or landscaping.

E. The minimum sideyard setback shall equal not less than ten feet for the two side lot areas combined.

F. The minimum rear yard setback shall be 15 feet.

G. 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.

H. 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.

I. 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.

J. Automobile parking shall be provided as required by Section 18.12. of this ordinance.

K. All new utilities shall be underground.

L. All roof mounted mechanical equipment shall be screened from the ground elevation view

to a minimum sight distance of 1,320 feet.

M. All signs shall be in conformance with Article XIX of this ordinance.

N. 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.

O. EMERGENCY SHELTERS. In addition to all other development standards of the I-P Zone, the following development standards shall apply to emergency shelters:

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. 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.

9. No client shall be allowed to stay more than 300 total days within any 12 month period or more than 180 consecutive days.

10. 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.

11. 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.

12. 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.

P. Notwithstanding the requirements of Section 18.27. of this ordinance to the contrary, any variance from the development standards of this section shall be heard by the Planning Director pursuant to Section 18.30.D.2. of this ordinance unless the proposed use also requires approval of a conditional or public use permit.

Amended Effective:
09-22-60
05-04-72 (Ord. 348.1023)
09-13-73 (Ord. 348.1201)
05-30-74 (Ord. 348.1327)
07-25-74 (Ord. 348.1349)
08-15-74 (Ord. 348.1356)
12-10-75 (Ord. 348.1481)
11-13-80 (Ord. 348.1880)
12-06-84 (Ord. 348.2414)
05-04-89 (Ord. 348.3023)
11-13-90 (Ord. 348.3217)
05-05-92 (Ord. 348.3420)
03-01-94 (Ord. 348.3584)
11-30-95 (Ord. 348.3753)
Ord. 348.4706 Item 16.2 of 03/22/11 (Effective Date: 04/21/11)

# ARTICLE XI M-SC ZONE (MANUFACTURING - SERVICE COMMERCIAL)

## SECTION 11.1. INTENT.

A. It is the intent of the Board of Supervisors in amending this article to:

1. Promote and attract industrial and manufacturing activities which will provide jobs to local residents and strengthen the County's economic base;

2. Provide the necessary improvements to support industrial growth;

3. Insure that new industry is compatible with uses on adjacent lands; and,

4. Protect industrial areas from encroachment by incompatible uses that may jeopardize industry.

## SECTION 11.2. USES PERMITTED.

A. Agricultural uses of the soils for crops, including the grazing of not more than two mature farm animals per acre and their immature offspring.

B. The following uses are permitted provided a plot plan is approved pursuant to the provisions of Section 18.30 of this ordinance.

1. The following industrial and manufacturing uses:

a. Food Products:

1) Meat and poultry products, not including meat packing or slaughtering.

2) Dairy products, not including dairies.

3) Canning and preserving fruits and vegetables.

4) Grain and bakery products.

5) Sugar and confectionery products.

6) Nonalcoholic beverages.

7) Ice.

b. Textile Products:

1) Cotton, wood, and synthetic weaving and finishing mills.

2) Wearing apparel and accessory products.

3) Knitting mills.

4) Floor covering mills.

5) Yarn and thread mills.

c. Lumber and Wood Products:

1) Saw and planing mills.

2) Manufacture of containers and crates.

3) Fabrication of wood buildings and structures.

4) Lumber yards.

5) Manufacture of furniture and fixtures including cabinets, partitions and similar items.

6) Fabrication of manufactured housing and mobilehome.

d. Paper Products:

1) Paper and paperboard mills.

2) Manufacture of containers and boxes.

3) Paper shredding.

4) (Deleted)

5) Printing and publishing of newspapers, periodicals, books, forms, cards, and similar items.

6) Binding of books and other publications.

e. Chemicals and related products:

1) Manufacture of organic and inorganic compounds, not including those of a hazardous nature.

2) Manufacture of drugs and pharmaceuticals.

3) Soaps, cleaners, and toiletries.

4) Manufacture of agricultural chemicals, not including pesticides and fertilizers.

f. Leather Products:

1) Tanning and finishing of leather.

2) Manufacture of handbags, luggage, footwear, and other personal leather goods.

g. Stone, Clay, Glass, and Concrete Products:

1) Stone cutting and related activities.

2) Pottery and similar items.

3) Glass blowing, pressing and cutting.

4) Glassware products.

5) Manufacture of concrete, gypsum, plaster and mineral products.

h. Metal Products:

1) Manufacture of cans and containers.

2) Cutlery, tableware, hand tools, and hardware.

3) Plumbing and heating items.

4) Wrought iron fabrication.

5) Manufacture and assembly of fencing.

6) Machine, welding, and blacksmith shops.

7) Metal stamps and forged metal products.

8) Fabrication of metal buildings.

9) Manufacture of ordnance and firearms, not including explosives.

10) Jewelry.

i. Machinery:

1) Engines, turbines, and parts.

2) Farm, garden construction, and industrial machinery.

3) Office and computing machines.

4) Refrigeration and heating equipment.

5) Equipment sales, rental, and storage.

j. Electrical Equipment:

1) Electrical and electronic apparatus and components.

2) Appliances.

3) Lighting and wiring.

4) Radio, television, and communications equipment.

5) Musical and recording equipment.

k. Transportation and Related Industries:

1) Vehicles, aircraft, boats and parts manufacture.

2) Railroad equipment.

3) Motorcycles, bicycles, and parts manufacture.

4) Travel trailers and recreational vehicles manufacture.

5) Draying, freighting, and trucking operations.

05-06-99 (Ord. 348.3857) Repealed

6) Railroad yards and stations.

7) Vehicle storage and impoundment.

8) Trailer and boat storage.

l. Engineering and Scientific Instruments:

1) Measuring devices, watches, clocks, and related items.

2) Optical goods, medical instruments, supplies, and equipment and photography equipment.

m. Industrial Uses:

1) Cotton ginning.

2) Public utility substations and storage yards.

3) Heliports.

4) Building movers storage yard.

5) Mini warehouses.

6) Warehousing and distribution.

7) Communications and microwave installations.

8) Cold storage plant.

9) Contractor storage yards.

2. The following service and commercial uses:

a. Banks and financial institutions.

b. Blueprint and duplicating services.

c. Gasoline and diesel service stations, not including the concurrent sale of beer and wine for off-premises consumption.

d. Laboratories, film, medical, research, or testing centers.

e. Office equipment sales and service.

f. Offices, professional sales and service, including business, law, medical, dental, chiropractic, architectural, and engineering.

g. Parking lots and parking structures.

h. Restaurants and other eating establishments.

i. Vehicle and motorcycle repair shops.

j. Barber and beauty shops.

k. Body and fender shops, and spray painting.

l. Building materials sales yard.

m. Day care centers.

n. Health and exercise centers.

o. Hardware and home improvement center.

p. Mobilehomes, provided they are kept mobile and licensed pursuant to State law, when used for: sales offices on mobilehome sales lots; construction offices

and caretakers quarters on construction sites for the duration of a valid building permit; agricultural worker employment offices for a maximum of 90 days in any calendar year; caretaker's quarters and office, in lieu of any other one-family dwelling located on the same parcel as a permitted industrial use.

q. One-family dwellings on the same parcel as the industrial or commercial use provided such dwellings are occupied exclusively by the proprietor or caretaker of the use and their immediate family.

r. Nurseries and garden supply stores.

s. Car and truck washes.

t. Signs, on-site advertising.

u. Feed and grain sales.

v. Truck and trailer sales and rental.

w. Fortune telling, spiritualism, or similar activity.

x. Mobilehome sales lots.

y. Recycling collection facilities.

z. Churches, temples, or other structures used primarily for religious worship.

Amended Effective:
11-30-95 (Ord. 348.3753)

C. The following uses are permitted provided a conditional use permit has been granted pursuant to Section 18.28 of this ordinance:

1. Meat packing plants, not including slaughtering or rendering of animals.

2. Cemeteries, crematories, and mausoleums.

3. Paper storage and recycling, not within a building.

4. Brewery, distillery, or winery.

5. Acid and abrasives manufacturing.

6. Fertilizer production, organic or inorganic.

7. Petroleum and bulk fuel storage, above ground, pursuant to County Ordinance No. 546.

8. Paints and varnishes manufacturing and incidental storage.

9. Concrete batch plants and asphalt plants.

10. Recycling processing facilities.

11. (Deleted)

12. Airports.

13. Poultry and egg processing.

14. Recycling of wood, metal, and construction wastes.

15. Natural gas storage, above ground.

16. Drive-in theaters.

17. Disposal service operations, not including transfer stations.

18. Draying, freighting and trucking operations.

19. Solar power plant on a lot 10 acres or larger.

20. Parolee-Probationer Home developed in accordance with the standards set forth in Section 18.52. of this ordinance.

Added Effective:
05-06-99 (Ord. 348.3857)
Ord. 348.4744 Item 16.1 of 06/19/12 (Effective Date 07/19/12)
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date 12/08/11)

D. Any mining operation that is subject to the California Surface Mining and Reclamation Act of 1975 provided a valid surface mining permit has been granted pursuant to County Ordinance No. 555.

E. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

F. Sex-oriented businesses, subject to the provisions of County Ordinance No. 743. The uses listed in Subsections A., B. and C. do not include sex-oriented businesses.

Amended Effective:
03-01-94 (Ord. 348.3584)

G. Any use that is not specifically listed in Subsections B. and C. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls.

H. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., or C. in Section 11.2 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.

Amended Effective:
01-29-85 (Ord. 348.2443)
07-16-85 (Ord. 348.2496)
04-04-87 (Ord. 348.2669)
05-04-89 (Ord. 348.3023)
06-20-89 (Ord. 348.3043)
07-11-89 (Ord. 348.3047)
03-01-94 (Ord. 348.3584)
11-30-95 (Ord. 348.3753)
05-06-99 (Ord. 348.3857)
Ord. 348.4931 Item 21.1 of 11/10/2020 (Effective Date 12/10/2020)

## SECTION 11.3. PLANNED INDUSTRIAL DEVELOPMENTS.

Planned industrial developments are permitted provided a land division has been approved pursuant to Riverside County Ordinance No. 460.

## SECTION 11.4. DEVELOPMENT STANDARDS.

The following development standards shall apply in the M-SC Zone.

A. Lot Size. The minimum lot size shall be 10,000 square feet with a minimum average width of 75 feet, except that a lot size not less than 7,000 square feet and an average width of not less than 65 feet may be permitted when sewers are available and will be utilized for the development.

B. Setbacks.

1. Where the front, side, or rear yard adjoins a lot zoned R-R, R-1, R-A, R-2, R-3, R-4, R-6, R-T, R-T-R, or W-2-M, the minimum setback shall be 25 feet from the property line.

2. Where the front, side, or rear yard adjoins a lot with zoning classification other than those specified in paragraph (1) above, there is no minimum setback.

3. Where the front, side, or rear yard adjoins a street, the minimum setback shall be 25 feet from the property line.

4. Within the exception of those portions of the setback area for which landscaping is required by Subsection E. below, the setback area may only be used for driveways, automobile parking, or landscaping. A setback area which adjoins a street separating it from a lot with a zoning classification other than those zones specified in paragraph (1) above, may also be used for loading docks.

C. Height Requirements. The height of structures, including buildings, shall be as follows:

1. Structures shall not exceed 40 feet at the yard setback line.

2. Buildings shall not exceed 50 feet unless a height up to 75 feet is approved pursuant to Section 18.34. of this ordinance.

3. Structures other than buildings shall not exceed 50 feet unless a height up to 105 feet is approved pursuant to Section 18.34. of this ordinance.

4. Broadcasting antennas shall not exceed 50 feet unless a greater height is approved pursuant to Section 18.34. of this ordinance.

D. Masonry Wall. 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, unless otherwise approved by the hearing officer or body.

E. Landscaping.

1. A minimum of ten percent of the site proposed for development shall be landscaped and irrigated.

2. A minimum ten foot strip adjacent to street right-of-way lines shall be appropriately landscaped and maintained, except for designated pedestrian and vehicular access ways. Said landscaped strip shall not include landscaping located within the street right-of-way.

3. A minimum 20 foot strip adjacent to lots zoned R-R, R-1, R-A, R-2, R-3, R-4, R-6, R-T, R-T-R, or W-2-M, 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.

F. Parking Areas. Parking areas shall be provided as required by Section 18.12. of this ordinance.

G. 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.

H. Outside Storage and Service Areas. Outside storage and service areas shall be screened by structures or landscaping.

I. Utilities. Utilities shall be installed underground except electrical lines rated at 33kV or greater.

J. Mechanical Equipment. Mechanical equipment used in the manufacturing process shall be required to be enclosed in a building, and roof-mounted accessory equipment may be required to be screened from view.

K. 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.

## SECTION 11.5. EXCEPTIONS TO DEVELOPMENT STANDARDS.

The development standards contained herein, except lot size, setbacks and height, may be waived or modified as part of the plot plan or conditional use permit process if it is determined that the standard is inappropriate for the proposed use, and that the waiver or modification of the standard will not be contrary to the public health and safety.

## SECTION 11.6. MANUFACTURING PLOT PLAN.

Applications for a plot plan shall be made pursuant to the provisions of Section 18.30 of this ordinance and in addition to the requirements of that section, the application shall contain:

A. A description of the proposed operation in sufficient detail to fully describe the nature and extent of the proposed use.

B. Plans or reports showing proposed method for treatment and disposal of sewage and industrial waste.

Amended Effective:
01-15-64 (Ord. 348.251)
03-30-65 (Ord. 348.356)
11-10-65 (Ord. 348.401)
05-14-69 (Ord. 348.628)
05-04-72 (Ord. 348.1023)
11-07-74 (Ord. 348.1377)
12-10-75 (Ord. 348.1481)
09-08-77 (Ord. 348.1588)
06-29-78 (Ord. 348.1647)
08-29-78 (Ord. 348.1664)
04-12-79 (Ord. 348.1688)
07-26-79 (Ord. 348.1702)
11-29-79 (Ord. 348.1729) operative 1-1-80)
07-21-83 (Ord. 348.2202)
01-29-85 (Ord. 348.2443)
09-05-89 (Ord. 348.3053)
03-01-94 (Ord. 348.3584)

## ARTICLE XIa M-M ZONE (MANUFACTURING - MEDIUM)

### SECTION 11.25. INTENT.

A. It is the intent of the Board of Supervisors in amending this article to:

1. Promote and attract industrial and manufacturing activities which will provide jobs to local residents and strengthen the County's economic base;

2. Provide the necessary improvements to support industrial growth;

3. Insure the new industry is compatible with uses on adjacent lands; and,

4. Protect industrial areas from encroachment by incompatible uses that may jeopardize industry.

### SECTION 11.26. USES PERMITTED.

A. Agricultural uses of the soils for crops including the grazing of not more than two mature farm animals per acre and their immature offspring.

B. The following uses are permitted provided a plot plan is approved pursuant to the provisions of Section 18.30. of this ordinance.

1. The following industrial and manufacturing areas:

a. Food Products:

1) Meat and poultry products, including meat packing but not including slaughtering.

2) Dairy products, not including dairies.

3) Canning and preserving fruits and vegetables.

4) Grain and bakery products.

5) Sugar and confectionery products.

6) Beverages.

7) Ice.

8) Wineries, distilleries and breweries.

b. Textile Products:

1) Cotton, wool, and synthetic weaving and finishing mills.

2) Wearing apparel and accessory products.

3) Knitting mills.

4) Floor covering mills.

5) Yarn and thread mills.

c. Lumber and Wood Products:

1) Saw and planing mills.

2) Manufacture of containers and crates.

3) Fabricated wood buildings and structures.

4) Lumber yards.

5) Manufacture of furniture and fixtures including cabinets, partitions and similar items.

6) Fabrication of manufactured housing and mobilehomes.

7) Paper shredding.

d. Paper Products:

1) Paper and paperboard mills.

2) Manufacture of containers and boxes.

3) Paper shredding.

4) (Deleted)

5) Printing and publishing of newspapers, periodicals, books, forms, cards, and similar items.

6) Binding of books and other publications.

e. Chemicals and related products:

1) Manufacture of organic and inorganic compounds, not including those of a hazardous nature.

2) Manufacture of drugs and pharmaceuticals.

3) Soaps, cleaners, and toiletries.

4) Manufacture of agricultural chemicals, not including pesticides and fertilizers.

f. Rubber, Plastic and Synthetic Products:

1) Manufacture of tires and tubes.

2) Fabrication of rubber, plastic, and synthetic products.

g. Leather Products:

1) Tanning and finishing of leather.

2) Manufacture of handbags, luggage, footwear, and other personal leather goods.

h. Stone, Clay, Glass, and Concrete Products:

1) Stone cutting and related activities.

2) Pottery and similar items.

3) Glass blowing, pressing and cutting.

4) Glassware products.

5) Manufacture of concrete, gypsum, plaster and mineral products.

i. Metal Products, Fabricated:

1) Manufacture of cans and containers.

2) Cutlery, tableware, hand tools, and hardware.

3) Plumbing and heating items.

4) Wrought iron fabrication.

5) Manufacture and assembly of fencing.

6) Machine, welding, and blacksmith shops.

7) Metal stamps and forged metal products.

8) Fabrication of metal buildings.

9) Manufacture of ordnance and firearms, not including explosives.

10) Jewelry.

j. Machinery:

1) Engines, turbines, and parts.

2) Farm, garden, construction, and industrial machinery.

3) Office and computing machines.

4) Refrigeration and heating equipment.

5) Equipment sales, rental, and storage.

k. Electrical Equipment:

1) Electrical and electronic apparatus and components.

2) Appliances.

3) Lighting and wiring.

4) Radio, television, and communications equipment.

5) Musical and recording equipment.

l. Transportation and Related Industries:

1) Vehicles, aircraft, and boats and parts manufacture.

2) Railroad equipment.

3) Motorcycles, bicycles, and parts manufacture.

4) Travel trailers and recreational vehicles manufacture.

5) Draying, freighting, and trucking operations.

6) Railroad yards and stations.

7) Vehicle storage and impoundment.

8) Trailer and boat storage.

m. Engineering and Scientific Instruments:

1) Measuring device, watches, clocks, and related items.

2) Optical goods.

3) Medical instruments, supplies, and equipment and photography equipment.

n. Industrial Uses:

1) Laboratories and research centers.

2) Cotton ginning.

3) Public utility substations and storage yards.

4) Heliports.

5) Building movers storage yard.

6) Animal training.

7) Mini warehouses.

8) Warehousing and distribution.

9) Communications and microwave installations.

10) Cold storage plant.

11) (Deleted)

12) (Deleted)

13) Breweries, distilleries, and wineries.

14) Natural gas, above ground storage.

15) Contractor storage yards.

o. (Deleted)

Amended Effective:
10-21-99 (Ord. 348.3888)

2. The following service and commercial uses:

a. Banks and financial institutions.

b. Blueprint and duplicating services.

c. Gasoline and diesel service stations, not including the concurrent sale of beer and wine for off-premises consumption.

d. Laboratories, film, medical, research, or testing.

e. Office equipment sales and service.

f. Offices, professional sales and service, including business, law, medical, dental, chiropractic, architectural, and engineering.

g. Parking lots and parking structures.

h. Restaurants and other eating establishments.

i. Vehicle and motorcycle repair shops.

j. Barber and beauty shops.

k. Body and fender shops, and spray painting.

l. Building materials sales yard.

m. Day care centers.

n. Health and exercise centers.

o. Hardware and home improvement centers.

p. Mobilehomes, provided they are kept mobile and licensed pursuant to State law, when used for: sales offices on mobilehome sales lots; construction offices and caretaker's quarters on construction sites for the duration of a valid building permit; agricultural worker employment offices for a maximum of 90 days in any calendar year; caretaker's quarters and office, in lieu of any other one-family dwelling, located on the same parcel as a permitted industrial use.

q. One-family dwellings on the same parcel as the industrial or commercial use provided such dwellings are occupied exclusively by the proprietor or caretaker of the use and their immediate family.

r. Nurseries and garden supply.

s. Car and truck washes.

t. Truck and trailer sales and rental.

u. Feed and grain sales.

v. Signs, on-site advertising.

w. Mobilehome sales lots.

x. Recycling collection facilities.

y. Churches, temples and other places of religious worship.

Amended Effective:
10-21-99 (Ord. 348.3888)

C. The following uses are permitted provided a conditional use permit has been granted pursuant to Section 18.28. of this ordinance:

1. Auto wrecking and junk yards.

2. Abattoirs.

3. Cemeteries, crematories and mausoleums.

4. Paper storage and recycling, not within a building.

5. Cotton ginning.

6. Acid and abrasives manufacturing.

7. Fertilizer production, and processing organic or inorganic.

8. Petroleum and bulk fuel storage, above ground, pursuant to County Ordinance No. 546.

9. Paints and varnishes manufacturing and incidental storage.

10. Concrete batch plants and asphalt plants.

11. Disposal service operations.

12. Drive-in theaters.

13. Airports.

14. Dump sites.

15. Recycling of wood, metal, and construction wastes.

16. Sand blasting.

17. Gas, steam, and oil drilling operations.

18. Sewerage treatment plants.

19. Swap meets.

20. Smelting metal and foundries.

21. Recycling processing facilities.

22. Solar power plant on a lot 10 acres or larger.

Amended Effective:
Ord. 348.4705 Item 16.2 of 11/8/11 (Effective Date: 12/8/11)

D. Any mining operation that is subject to the California Surface Mining and Reclamation Act of 1975 provided a valid surface mining permit has been granted pursuant to County Ordinance No. 555.

E. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

F. Sex-oriented businesses, subject to the provisions of County Ordinance No. 743. The uses listed in Subsections A., B. and C. do not include sex-oriented businesses.

Amended Effective:
03-01-94 (Ord. 348.3584)

G. Any use that is not specifically listed in Subsections B. and C. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls.

H. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., or C. in Section 11.26 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.

Amended Effective:
07-16-85 (Ord. 348.2496)
04-04-87 (Ord. 348.2669)
06-30-88 (Ord. 348.2856)
05-04-89 (Ord. 348.3023)
06-20-89 (Ord. 348.3043)
07-11-89 (Ord. 348.3047)
03-01-94 (Ord. 348.3584)
Ord. 348.4931 Item 21.1 of 11/10/2020 (Effective Date 12/10/2020)

## SECTION 11.27. PLANNED INDUSTRIAL DEVELOPMENTS.

Planned industrial developments are permitted provided a land division has been approved pursuant to Riverside County Ordinance No. 460.

## SECTION 11.28. DEVELOPMENT STANDARDS.

The following development standards shall apply in the M-M Zone.

A. Lot Size. The minimum lot size shall be 10,000 square feet with a minimum average width of 75 feet, except that a lot size not less than 7,000 square feet and an average width of not less than 65 feet may be permitted when sewers are available and will be utilized for the development.

B. Setbacks.

1. Where the front, side, or rear yard adjoins a lot zoned R-R, R-1, R-A, R-2, R-3, R-4, R-6, R-T, R-T-R, or W-2-M, the minimum setback shall be 25 feet from the property line.

2. Where the front side, or rear yard adjoins a lot with a zoning classification other than those specified in paragraph (1) above, there is no minimum setback.

3. (Misprint)

4. With the exception of those portions of the setback area for which landscaping is required by Subsection e. below, the setback area may only be used for driveways, automobile parking, or landscaping. A setback area which adjoins a street separating it from a lot with zoning classification other than those zones specified in paragraph (1) above, may also be used for loading docks.

C. Height Requirements. The height of structures, including buildings, shall be as follows:

1. Structures shall not exceed 40 feet at the yard setback line.

2. Buildings shall not exceed 50 feet unless a height up to 75 feet is approved pursuant to Section 18.34. of this ordinance.

3. Structures other than buildings shall not exceed 50 feet unless a height up to 105 feet is approved pursuant to Section 18.34. of this ordinance.

4. Broadcasting antennas shall not exceed 50 feet unless a greater height is approved pursuant to Section 18.34. of this ordinance.

D. Masonry Wall. 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, unless otherwise approved by the hearing officer or body.

E. Landscaping.

1. A minimum of ten percent of the site proposed for development shall be landscaped and irrigated.

2. A minimum of ten foot strip adjacent to street right-of-way lines shall be appropriately landscaped and maintained, except for designated pedestrian and vehicular access way. Said landscaping strip shall not include landscaping located within the street right-of-way.

3. A minimum 20 foot strip adjacent to lots zoned R-R, R-1, R-A, R-2, R-3, R-4, R-6, R-T, R-T-R, or W-2-M 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.

F. Parking Areas. Parking areas shall be provided as required by Section 18.12. of this Ordinance.

G. 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.

H. Outside Storage and Service Areas. Outside storage and service areas may be required to be screened by structures or landscaping.

I. Utilities. Utilities shall be installed underground except electrical lines rated at 33kV or greater.

J. Mechanical Equipment. Mechanical equipment used in the manufacturing process shall be required to be enclosed in a building, and roof- mounted accessory equipment may be required to be screened from view.

K. 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.

Amended Effective:
10-05-89 (Ord. 348.3053)

## SECTION 11.29. EXCEPTIONS TO DEVELOPMENT STANDARDS.

The development standards contained herein, except lot size, setbacks and height may be waived or modified as part of the plot plan or conditional use permit process if it is determined that the

standard is inappropriate for the proposed use, and that the waiver or modification of the standard will not be contrary to the public health and safety.

## SECTION 11.30. MANUFACTURING PLOT PLAN.

Applications for a plot plan shall be made pursuant to the provisions of Section 18.30. of this ordinance and in addition to the requirements of that section, the application shall contain:

A. A description of the proposed operation in sufficient detail to fully describe the nature and extent of the proposed use.

B. Plans or reports showing proposed method for treatment and disposal of sewage and industrial waste.

Amended Effective:
01-15-64 (Ord. 348.251)
11-10-65 (Ord. 348.401)
01-19-66 (Ord. 348.422)
05-14-69 (Ord. 348.628)
10-02-69 (Ord. 348.666)
11-25-71 (Ord. 348.953)
05-04-72 (Ord. 348.1023)
11-07-72 (Ord. 348.1377)
03-20-75 (Ord. 348.1429)
12-10-75 (Ord. 348.1481)
09-08-77 (Ord. 348.1588)
08-29-78 (Ord. 348.1664)
07-21-83 (Ord. 348.2202)
06-30-88 (Ord. 348.2856)
09-05-89 (Ord. 348.3053)
03-01-94 (Ord. 348.3584)
05-06-99 (Ord. 348.3857)
09-10-99 (Ord. 348.3883)

# ARTICLE XII M-H ZONE (MANUFACTURING - HEAVY)

## SECTION 12.1. INTENT.

A. It is the intent of the Board of Supervisors in amending this article to:

1. Promote and attract industrial and manufacturing activities which will provide jobs to local residents and strengthen the County's economic base;

2. Provide the necessary improvements to support industrial growth;

3. Insure that new industry is compatible with uses on adjacent lands; and,

4. Protect industrial areas from encroachment by incompatible uses that may jeopardize industry.

## SECTION 12.2. USES PERMITTED.

A. Agricultural uses of the soils for crops including the grazing of not more than two mature farm animals per acre and their immature offspring.

B. The following uses are permitted provided a plot plan is approved pursuant to the provisions of Section 18.30. of this ordinance:

1. The following industrial and manufacturing uses:

a. Food Products:

1) Meat and poultry products, including meat packing but not including slaughtering.

2) Dairy products, not including dairies.

3) Canning and preserving fruits and vegetables.

4) Grain and bakery products.

5) Sugar and confectionery products.

6) Beverages, including alcoholic beverages.

7) Wineries, distilleries, and breweries.

8) Ice.

b. Textile Products:

1) Cotton, wool, and synthetic weaving and finishing mills.

2) Wearing apparel and accessory products.

3) Knitting mills.

4) Floor coverings mills.

5) Yarn and thread mills.

c. Lumber and Wood Products:

1) Saw and planing mills.

2) Manufacture of containers and creates.

3) Fabrication of wood buildings and structures.

4) Lumber yards.

5) Manufacture of furniture and fixtures including cabinets, partitions, and similar items.

d. Paper Products:

1) Paper and paperboard mills.

2) Manufacture of containers and boxes.

3) Paper shredding.

4) (Deleted)

5) Printing and publishing of newspaper, periodicals, books, forms cards and similar items.

6) Binding of books and other publications.

e. Chemicals and related products:

1) Manufacture of organic and inorganic compounds, not including those of a hazardous nature.

2) Manufacture of drugs and pharmaceuticals.

3) Soaps, cleaners, and toiletries.

4) Manufacture of agricultural chemicals, not including pesticides and fertilizers.

5) Paints and varnishes.

f. Rubber and Plastic and Synthetic Products:

1) Manufacture of tires and tubes.

2) Fabrication of rubber, plastics, and synthetic products.

g. Leather Products:

1) Tanning and finishing of leather.

2) Manufacture of handbags, luggage, footwear, and other personal leather goods.

h. Stone, Clay, Glass, and Concrete Products:

1) Stone cutting and related activities.

2) Pottery and similar items.

3) Glass blowing, pressing and cutting.

4) Glassware products.

5) Manufacture of concrete, gypsum, plaster and mineral products.

i. Metal Products:

1) Manufacture of cans and containers.

2) Cutlery, tableware, hand tools, and hardware.

3) Plumbing and heating items.

4) Wrought iron fabrication.

5) Manufacture and assembly of fencing.

6) Machine, welding, and blacksmith shops.

7) Metal stamps and forged metal products.

8) Fabrication of metal buildings.

9) Manufacture of ordnance and firearms, not including explosives.

10) Jewelry.

j. Primary Metal Industries:

1) Foundries.

2) Rolling and drawing metals.

3) Casting metals.

4) Blast furnaces.

5) Smelting of metals.

k. Machinery:

1) Engines, turbines, and parts.

2) Farm, garden construction, and industrial machinery.

3) Office and computing machines.

4) Refrigeration and heating equipment.

5) Equipment sales, rental, and storage.

l. Electrical Equipment:

1) Electrical and electronic apparatus and components.

2) Appliances.

3) Lighting and wiring.

4) Radio, television, and communications equipment.

5) Musical and recording equipment.

m. Transportation and Related Industries:

1) Vehicles, aircraft, boats and parts manufacture.

2) Railroad equipment.

3) Motorcycles, bicycles, and parts.

4) Travel trailers and recreational vehicles manufacture.

5) Draying, freighting, and trucking operations.

6) Railroad yards and stations.

7) Vehicle storage and impoundment.

8) Trailer and boat storage.

n. Engineering and Scientific Instruments:

1) Measuring devices, watches, clocks, and related items.

2) Optical goods, medical instruments, supplies, and equipment, and photography equipment.

o. Industrial Uses:

1) Laboratories and research centers.

2) Cotton ginning.

3) Public utility substations and storage yards.

4) Heliports.

5) Building movers storage yard.

6) Mini warehouses.

7) Warehousing and distribution.

8) Communications and microwave installations.

9) Cold storage plant.

10) Sand blasting.

11) Recycling collection facilities.

12) (Deleted)

13) Natural gas, above ground storage.

14) Recycling of wood, metal and construction wastes.

15) Airports.

16) Contractor storage yards.

2. The following service and commercial uses:

   a. Banks and financial institutions.

   b. Blueprint and duplicating services.

   c. Gasoline and diesel service stations, not including the concurrent sale of beer and wine for off-premises consumption.

   d. Laboratories, film, medical, research, or testing.

   e. Office equipment sales and service.

   f. Offices, professional sales and service, including business, law, medical dental, chiropractic, architectural, and engineering.

   g. Parking lots and parking structures.

   h. Restaurants and other eating establishments.

   i. Vehicle and motorcycle repair.

   j. Barber and beauty shops.

   k. Body and fender shops, and spray painting.

   l. Building materials sales yard.

   m. Day care centers.

   n. Health and exercise centers.

   o. Hardware and home improvement centers.

   p. Mobilehomes, provided they are kept mobile and licensed pursuant to State law, when used for: sales offices on mobilehome sales lots; construction offices and caretaker's quarters on construction sites for the duration of a valid building permit, agricultural worker employment offices for a maximum of 90 days in any calendar year; caretaker's quarters and office, in lieu of any other one-family dwelling, located on the same parcel as a permitted industrial use.

   q. One-family dwellings on the same parcel as the industrial or commercial use provided such dwellings are occupied exclusively by the proprietor or caretaker of the use and their immediate family.

r. Nurseries and garden supply.

s. Trailer and truck sales and rentals.

t. Signs, on-site advertising.

u. Feed and grain sales.

v. Mobilehome sales lots.

w. Churches, temples and other places of religious worship.

Amended Effective:
09-10-99 (Ord. 348.3883) 10-21-99 (Ord. 348.3888)

C. The following uses are permitted provided a conditional use permit has been granted pursuant to Section 18.28. of this ordinance:

1. Auto wrecking and junk yards.

2. Abattoirs.

3. Petroleum refineries.

4. Cotton ginning.

5. Acid and abrasives manufacturing.

6. Fertilizer production, and processing organic or inorganic.

7. Petroleum and bulk fuel storage, above ground, pursuant to County Ordinance No. 546.

8. Concrete batch plants and asphalt plants.

9. Disposal service operations.

10. Drive-in theaters.

11. Dump sites.

12. Explosives manufacturing and testing.

13. Gas, steam, and oil drilling operations.

14. Sewerage treatment plants.

15. Swap meets.

16. Processing and rendering of fats and oils.

17. Recycling processing facilities.

18. Solar power plant on a lot 10 acres or larger.

Amended Effective:
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date 12/08/11)

D. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

E. Any mining operation that is subject to the California Surface Mining and Reclamation Act of 1975 provided a valid surface mining permit has been granted pursuant to County Ordinance No. 555.

F. A hazardous waste facility provided a hazardous waste facility siting permit has been granted pursuant to Section 18.44. of this ordinance.

G. Sex-oriented businesses, subject to the provisions of County Ordinance No. 743. The uses listed in Subsections B. and C. do not include sex-oriented businesses.

Amended Effective:
03-301-94 (Ord. 348.3584)

H. Any use that is not specifically listed in Subsections B. and C. may be considered a permitted or conditionally permitted use providing that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls.

I. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., or C. in Section 12.2 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.

Amended Effective:
07-16-85 (Ord. 348.2496)
04-04-87 (Ord. 348.2669)
06-30-88 (Ord. 348.2856)
05-04-89 (Ord. 348.3023)
07-10-89 (Ord. 348.3043)
06-20-89 (Ord. 348.3047)
03-01-94 (Ord. 348.3584)
Ord. 348.4931 Item 21.1 of 11/10/2020 (Effective Date 12/10/2020)

## SECTION 12.3. PLANNING INDUSTRIAL DEVELOPMENTS.

Planned industrial developments are permitted provided a land division has been approved pursuant to County Ordinance No. 460.

## SECTION 12.4. DEVELOPMENT STANDARDS.

The following development standards shall apply in the M-H Zone.

A. Lot Size. The minimum lot size shall be 10,000 square feet with a minimum average width of 75 feet, except that a lot size not less than 7,000 square feet and an average width of not less than 65 feet may be permitted when sewers are available and will be utilized for the development.

B. Setbacks.

1. Where the front, side, or rear yard adjoins a lot zoned R-R, R-1, R-A, R-2, R-3, R-4, R-6, R-T, R-T-R, or W-2-M, the minimum setback shall be 25 feet from the property line.

2. Where the front, side, or rear yard adjoins a lot with a zoning classification other than those zones specified in paragraph (1) above, there is no minimum setback.

3. Where the front, side, or rear yard adjoins a street, the minimum setback shall be 25 feet from the property line.

C. With the exception of those portions of the setback area for which landscaping is required by Subsection e. below, the setback area may only be used for driveways, automobile parking, or landscaping. A setback area which adjoins a street separating it from a lot with a zoning classification other than those zones specified in paragraph (1) above, may also be used for loading docks. Height Requirements. The height of structures, including buildings, shall be as follows:

1. Structures shall not exceed 40 feet at the yard setback line.

2. Buildings shall not exceed 50 feet unless a height up to 75 feet is approved pursuant to Section 18.34. of this ordinance.

3. Structures other than buildings shall not exceed 50 feet unless a height up to 105 feet is approved pursuant to Section 18.34. of this ordinance.

D. Masonry Wall. 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, unless otherwise approved by the hearing officer or body. Salvage yards or vehicle dismantling yards, including storage, shall be enclosed by a solid masonry wall or combination landscaped earthen berm and masonry wall, not less than eight feet in height. Materials within the enclosed yard shall not be placed so as exceed the height of the surrounding wall, or berm and wall.

E. Landscaping.

1. A minimum of ten percent of the site proposed for development shall be landscaped and irrigated.

2. A minimum ten foot strip adjacent to street right-of-way lines shall be appropriately landscaped and maintained, except for designated pedestrian and vehicular accessways, Said landscaping strip shall not include landscaping located within the street right-of-way.

3. A minimum 20 foot strip adjacent to lots zoned R-R, R-1, R-A, R-2, R-3, R-4, R-6, R-T, R-T-R, or W-2-M, 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.

F. Parking Areas. Parking areas shall be provided as required by Section 18.12. of this ordinance.

G. 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.

H. Outside Storage and Service Areas. Outside storage and service areas may be required to be screened by structures or landscaping.

I. Utilities. Utilities shall be installed underground except electrical lines rated at 33kV or greater.

J. 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.

K. 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.

Amended Effective:
10-05-89 (Ord. 348.3053)

## SECTION 12.5. EXCEPTIONS TO DEVELOPMENT STANDARDS.

The development standards contained herein, except lot size, setbacks, and height, may be waived or modified as part of the plot plan or conditional use permit process if it is determined

that the standard is inappropriate for the proposed use and that the waiver or modification of the standard will not be contrary to the public health and safety.

## SECTION 12.6. MANUFACTURING PLOT PLAN.

Applications for a plot plan shall be made pursuant to the provisions of Section 18.30. of this ordinance and in addition to the requirements of that section, the application shall contain:

A. A description of the proposed operation in sufficient detail to fully describe the nature and extent of the proposed use.

B. Plans or reports showing proposed method for treatment and disposal of sewage and industrial waste.

Amended Effective:
02-19-62
11-10-65 (Ord. 348.401)
01-19-66 (Ord. 348.422)
08-02-67 (Ord. 348.518)
06-10-70 (Ord. 348.737)
05-04-72 (Ord. 348.1023)
01-07-74 (Ord. 348.1377)
03-20-75 (Ord. 348.1429)
12-10-75 (Ord. 348.1481)
09-08-77 (Ord. 348.1588)
08-29-78 (Ord. 348.1664)
01-18-79 (Ord. 348.1674)
07-21-83 (Ord. 348.2202)
06-30-88 (Ord. 348.2856)
06-20-89 (Ord. 348.3043)
10-05-89 (Ord. 348.3053)
03-01-94 (Ord. 348.3584)
09-10-99 (Ord. 348.3883)

## ARTICLE XIIa M-R ZONE (MINERAL RESOURCES)

### SECTION 12.50. USES PERMITTED.

A. Uses Permitted. Notwithstanding the requirements of Section 12.51. of this ordinance, the following uses are permitted on parcels not less than 20,000 square feet in area:

1. Agricultural use of the soils for crops, orchards, grazing and forage.

2. Electric and gas distribution, transmission substations, telephone and microwave stations.

3. Water well and any use appurtenant to the storage and distribution of water.

4. Riding and hiking trails, recreation lakes, and camp grounds.

B. The following uses are permitted in conformance with the development and performance standards of this article provided that the operator thereof holds a permit to conduct surface mining operations, issued pursuant to County Ordinance No. 555, which has not been revoked or suspended:

1. Mining, quarrying, excavating, beneficiating, concentrating, processing, and stockpiling of rock, sand, gravel, decomposed granite, clay gypsum, limestone, metallic ores, and similar materials, and the rehabilitation of the resulting excavations.

2. Rock crushing plants, aggregate washing, screening and drying facilities and equipment, and concrete batching plants.

The uses permitted in this Subsection and any accessory use established as a part thereof, shall assume a nonconforming status pursuant to the provisions of Section 18.6. of this ordinance on the date that the mineral resource on the site of such use or structure is depleted.

C. Accessory Uses Permitted. Premises in the M-R Zone may be used for accessory uses provided such uses are established on the same parcel of land, are incidental to, and do not substantially alter the character of any permitted use, including but not limited to:

1. Retail and wholesale distribution of materials produced on the site.

2. Storage of trucks and excavating vehicles.

3. Storage of materials and machinery used in the operation.

4. Scales and weighing equipment.

5. Offices and maintenance shop structures, including use of mobilehomes.

6. Residences and mobilehomes for caretakers or watchmen and their families provided no compensation is received for the use of any such residence, mobilehome or mobilehome space.

7. Maximum of two on-site signs, each not over 1,000 square feet in area, advertising the products being produced on the site.

D. (Deleted)

Amended Effective:
11-11-82 (Ord. 348.2104) 08-02-84 (Ord. 348.2338)

E. The following uses are permitted provided a conditional use permit has been granted pursuant to Section 18.28. of this ordinance:

1. Sewage sludge/organic waste composting facilities.

2. Solar power plant on a lot 10 acres or larger.

Added Effective:
11-29-96 (Ord. 348.3780) Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date 12/08/11)

## SECTION 12.51. DEVELOPMENT STANDARDS.

Premises in the M-R Zone shall be subject to the following development standards.

A. Lot Area. Not less than five acres gross.

B. Lot Width. Not less than 200 feet.

C. Yards. Front, rear, and side, not less than 50 feet for any use permitted, except those uses permitted in Section 12.50.A. of this ordinance; provided further, however, that any structure exceeding 50 feet in height shall have front, side, and rear yard spaces equal to the height of said structure.

D. Structure Height. No building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building exceed seventy-five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.

Amended Effective:
05-24-01 (Ord. 348.3990)

E. Off-Street Parking. Off-street parking shall be provided and improved as required in Section

18.12.

Amended Effective:
11-11-82 (Ord. 348.2104) 08-02-84 (Ord. 348.2338)

## SECTION 12.52. SPECIAL DEVELOPMENT AND PERFORMANCE STANDARDS.

Premises in the M-R Zone used for any mining and quarry operations, rock crushing and aggregate dryers shall be subject to the following standards.

A. Noise Suppression. All equipment and premises employed in conjunction with any of the uses permitted in the M-R Zone shall be constructed, operated and maintained so as to suppress noise and vibrations which are or may be injurious to persons living on adjoining property.

B. Roads and Driveways. All roads and driveways shall be kept wetted while being used or shall be treated with oil, asphaltic concrete or concrete, or other palliative to prevent the emission of dust.

C. Access Roads. All private access roads leading off any paved public street onto property used for any purpose permitted in Section 12.50.B. or C. of this ordinance shall be paved to a minimum width of 24 feet with asphaltic concrete or equal, not less than three inches in thickness with adequate compacted base material for not less than the first 100 feet of said access road.

D. Air and Water Pollution. All operations shall be conducted in compliance with the requirements of the Riverside County Air Pollution Control District and the State Water Quality Control Board.

E. Slopes of Excavations. No production from an open pit quarry shall be permitted which creates an average slope steeper than one foot horizontal to one foot vertical; provided however, that a steeper slope may be permitted where the soil content or material is such that a vertical-cut excavation is safe in the opinion of the Division of Industrial Safety, Department of Industrial Relations of the State of California.

F. Landscaping and Fencing. Excavation operations which are located at any time within 500 feet of at least ten buildings or mobilehomes used or designed for dwelling purposes, shall be screened to a height of at least six feet by either landscaping, berms, walls or solid fencing and the outer boundaries of the area being excavated shall be enclosed with a six foot high chain link fence, including all necessary gates, except where such a fence would be impracticable as in the bed or flood channel of a wash or watercourse.

G. Hours of Operation. All uses shall confine operations on the property, other than maintenance, to the hours between 6:00 a.m. and 10:00 p.m. of any day, except those operations that are located not less than 300 feet from the outer boundary of such property.

H. Insurance. Before commencing operation in any quarry, the owner or operator shall show

continuing evidence of insurance against liability in tort in the amount of $300,000,000 arising from the production activities, or operations incident thereto, conducted or carried on under or by virtue of any law or ordinance. Such insurance shall be kept in full force and effect during the period of such operations.

I. Ponding. Where practicable, all excavation operations shall be conducted in such a manner as to prevent unnecessary ponding or accumulation of storm or drainage water.

J. Rehabilitation. All property partially or totally depleted of its mineral resources as a result of a use permitted by this article shall be rehabilitated in accordance with a mining reclamation plan which has been approved pursuant to the provisions of County Ordinance No. 555.

Amended Effective:
03-12-69 (Ord. 348.612)
05-04-72 (Ord. 348.1023)
09-13-73 (Ord. 348.1201)
12-10-75 (Ord. 348.1481)
09-08-77 (Ord. 348.1588)
11-11-82 (Ord. 348.2104)
11-29-96 (Ord. 348.3780)

## ARTICLE XIIb M-R-A ZONE (MINERAL RESOURCES AND RELATED MANUFACTURING)

### SECTION 12.60. USES PERMITTED.

A. Uses Permitted. Notwithstanding the requirements of Section 12.61. of this ordinance the following uses are permitted on parcels not less than 20,000 square feet in area:

1. Agricultural use of the soils for crops, orchards, grazing and forage.

2. Electric and gas distribution, transmission substations, telephone and microwave stations.

3. Water well and any use appurtenant to the storage and distribution or water.

4. Riding and hiking trails, recreation lakes, and camp grounds.

B. The following uses are permitted in conformance with the development and performance standards of this article provided that the operator thereof holds a permit to conduct surface mining operations, issued pursuant to County Ordinance No. 555, which has not been revoked or suspended:

1. Mining, quarrying, excavating, beneficiating, concentrating, processing, and stockpiling of rock, sand, gravel, decomposed granite, clay, gypsum, limestone, metallic ores, and similar materials, and the rehabilitation of the resulting excavations.

2. Rock crushing plants, aggregate washing, screening and drying facilities and equipment, and concrete batching plants.

3. Ore reduction plants, and specialty plants for processing mineral products; and the manufacture of block, pipe, tile, bricks, cement, plaster, and asphaltic concrete, provided that such plants and manufacturing operations observe a minimum setback of 300 feet from any zone, other than the M-R, M-R-A, M-H and M-M Zones.

The uses and structures permitted in this Subsection and any accessory use established as a part thereof shall assume a nonconforming status pursuant to the provisions of Section 18.6. of this ordinance on the date that the mineral resource on the site of such use or structure is depleted.

C. Accessory Uses Permitted. Premises in the M-R-A Zone may be used for accessory uses provided such uses are established on the same parcel of land, are incidental to, and do not substantially alter the character of any permitted use, including but not limited to:

1. Retail and wholesale distribution of materials produced on the site.

2. Storage of trucks and excavating vehicles.

3. Storage of materials and machinery used in the operation.

4. Scales and weighing equipment.

5. Offices and maintenance shop structures, including use of mobilehomes.

6. Residences and mobilehomes for caretakers or watchmen and their families provided no compensation is received for the use of any such residence, mobilehome or mobilehome space.

7. Sign, on-site advertising.

D. (Deleted)

Amended Effective:
11-11-82 (Ord. 348.2104) 08-02-84 (Ord. 348.2338)

E. The following uses are permitted provided a conditional use permit has been granted pursuant to Section 18.28. of this ordinance:

1. Sewage sludge/organic waste composting facilities.

2. Solar power plant on a lot 10 acres or larger.

Added Effective:
11-29-96 (Ord. 348.3780) Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)

## SECTION 12.61. DEVELOPMENT STANDARDS.

Premises in the M-R-A Zone shall be subject to the following development standards.

A. Lot Area. Not less than five acres gross.

B. Lot Width. Not less than 200 feet.

C. Yards. Front, rear, and side, not less than 50 feet for any use permitted except those uses permitted in Section 12.60.A. of this ordinance; provided further, however, that any structure exceeding 50 feet in height shall have front, side, and rear yard spaces equal to the height of said structure.

D. Structure Height. No building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building exceed seventy-five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.

Amended Effective:
05-24-01 (Ord. 348.3990)

E. Off-Street Parking. Off-street parking shall be provided and improved as required in Section 18.12. of this ordinance.

Amended Effective:
11-11-82 (Ord. 348.2104) 08-02-84 (Ord. 348.2338)

## SECTION 12.62. SPECIAL DEVELOPMENT AND PERFORMANCE STANDARDS.

Premises in the M-R-A Zone used for any mining and quarry operations, and related manufacturing shall be subject to the following standards:

A. Noise Suppression. All equipment and premises employed in conjunction with any of the uses permitted in the M-R-A Zone shall be constructed, operated and maintained so as to suppress noise and vibrations which are or may be injurious to persons living on adjoining property.

B. Roads and Driveways. All roads and driveways shall be kept wetted while being used or shall be treated with oil, asphaltic concrete or concrete, or other palliative to prevent the emission of dust.

C. Access Roads. All private access roads leading off any paved public street onto property used for any purpose permitted in Section 12.60.B. or C. of this ordinance shall be paved to a minimum width of 24 feet with asphaltic concrete or equal, not less than three inches in thickness with adequate compacted base material for not less than the first 100 feet of said access road.

D. Air and Water Pollution. All operations shall be conducted in compliance with the requirements of the Riverside County Air Pollution Control District and the State Water Quality Control Board.

E. Slopes of Excavations. No production from an open pit quarry shall be permitted which creates an average slope steeper than one foot horizontal to one foot vertical; provided, however, that a steeper slope may be permitted where the soil content or material is such that a vertical-cut excavation is safe in the opinion of the Division of Industrial Safety, Department of Industrial Relations of the State of California.

F. Landscaping and Fencing. Excavation operations which are located at any time within 500 feet of at least ten buildings or mobilehomes used or designed for dwelling purposes shall be screened to a height of at least six feet by either landscaping, berms, walls or solid fencing and the outer boundaries of the area being excavated shall be enclosed with a six foot high chain link fence, including all necessary gates, except where such a fence would be impracticable as in the bed or flood channel of a wash or watercourse.

G. Hours of Operation. All uses shall confine operations on the property, other than maintenance, to the hours between 6:00 a.m. and 10:00 p.m. of any day, except those operations that are located not less than 300 feet from the outer boundary of such property.

H. Insurance. Before commencing operation in any quarry, the owner or operator shall show continuing evidence of insurance against liability in tort in the amount of $300,000.00 arising from the production activities, or operations incident thereto, conducted or carried on under or by virtue of any law or ordinance. Such insurance shall be kept in full force and effect during the period of such operations.

I. Ponding. Where practicable, all excavation operations shall be conducted in such a manner as to prevent unnecessary ponding or accumulation of storm or drainage water.

J. Rehabilitation. All property partially or totally depleted of its mineral resources as a result of a use permitted by this Article shall be rehabilitated in accordance with the mining reclamation plan which has been approved pursuant to the provisions of County Ordinance No. 555.

Added Effective:
03-12-69 (Ord. 348.612)
11-11-82 (Ord. 348.2104)
05-04-72 (Ord. 348.1023)
11-29-96 (Ord. 348.3780)
08-14-73 (Ord. 348.1201)
12-10-75 (Ord. 348.1481)
09-08-77 (Ord. 348.1588)

## ARTICLE XIII A-1 ZONE (LIGHT AGRICULTURE)

### SECTION 13.1. USES PERMITTED.

A.

1. One-family dwellings.

2. Water works facilities, both public and private, intended primarily for the production and distribution of water for irrigation purposes.

Amended Effective:
05-03-94 (Ord. 348.3571) 07-16-98 (Ord. 348.3828)

3. Nurseries, greenhouses, orchards, aviaries, apiaries, field crops, tree crops, berry and bush crops, vegetable, flower and herb gardening on a commercial scale; the drying, packing, canning, freezing and other accepted methods of processing the produce resulting from such permitted uses, when such processing is primarily in conjunction with a farming operation and further provided that the permanent buildings and structures used in conjunction with such drying, packing and processing operations are not nearer than 20 feet from the boundaries of the premises.

Amended Effective:
07-16-98 (Ord. 348.3828)

4. The grazing of cattle, horses, sheep, goats or other farm stock or animals, not including hogs, including the supplementary feeding thereof, not to exceed five animals per acre of all the land available; provided however, the systematic rotation of animals with more than five animals per acre is permitted so long as the total number of permitted animals is not exceeded. For the grazing of sheep or goats, the permissible number of animals per acre may be multiplied by three, except that there shall be no limit to the permissible number of sheep which may be grazed per acre when the grazing is for the purpose of cleaning up unharvested crops, provided that such grazing is not conducted for more than four weeks in any six month period. The provisions of this paragraph apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept, fed or maintained solely for sale, marketing or slaughtering at the earliest practical age of maturity. In all cases the permissible number of animals per acre shall be computed upon the basis of the nearest equivalent ratio.

5. Farms for rabbits, fish, frogs, chinchilla, or other small animals (excluding crowing fowl).

Amended Effective:
07-16-98 (Ord. 348.3828) 09-15-00 (Ord. 348.3954)

6. Farms or establishment for the selective or experimental breeding and raising of cattle, sheep, goats, and horses, subject to the limitations set forth in Subsection A.4. of this section.

7. The noncommercial raising of hogs, not to exceed five animals; provided, however, that the total number of animals permitted on parcels of less than one acre shall not exceed two animals except that no animals shall be permitted on lots of less than 20,000 square feet. For the purposes of determining the number of hogs on a parcel, both weaned and unweaned hogs shall be counted. (See County Ordinance No. 431 regarding hog ranches).

8. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

Amended Effective:
09-15-00 (Ord. 348.3954) 12-21-00 (Ord. 348.3966)

9. A temporary stand for the display and sale of the agriculture produce of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises. Off-street parking shall be as required in Section 18.12. of this ordinance, except that no paving shall be required.

Amended Effective:
07-16-98 (Ord. 348.3828)

10. A sign, single or double faced, not exceeding 12 square feet in area per face, advertising only the sale of the services or the products produced on the premises. The sign shall not be lighted or have flashing objects or banners.

11. Public parks and playgrounds, golf courses with standard length fairways, and country clubs.

Amended Effective:
07-23-99 (Ord. 348.3881)

12. Home occupations.

13. The keeping or raising of not more than 12 mature female crowing fowl on lots or parcels between 20,000 square feet and 39,999 square feet or not more than 50 mature female crowing fowl and 10 mature male crowing fowl on lots of 40,000 square feet or more for the use of the occupants of the premises. 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.

Amended Effective:
09-15-00 (Ord. 348.3954)

14. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

15. Mining operation that is subject to the California Surface Mining and Reclamation Act of 1975 is a permitted provided that the operator thereof holds a permit to conduct surface mining operations issued pursuant to County Ordinance No. 555, which has not been revoked or suspended.

Amended Effective:
07-16-98 (Ord. 348.3828)

16. The noncommercial raising of not more than raising of not more than (5) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:

    a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.

    b. Any miniature pig kept or maintained on a lot with a use permitted under Section 13.1.A.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.

    c. No miniature pig may weigh more than two hundred (200) pounds.

    d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.

    e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.

Added Effective:
02-12-99 (Ord. 348.3857)

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

Added Effective:
02-24-04 (Ord. 348.4087)

18. Employee housing meeting the requirements, as determined by the Planning Director, set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by single family or household. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the Planning Commission in accordance with Health and Safety Code section 17021.8.(c).

Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

B. The following uses are permitted subject to the approval of a plot plan pursuant to Section 18.30. of this ordinance. The plot plan approval may include conditions requiring fencing and landscaping of the parcel to assure that the use is compatible with the surrounding area.

1. Fraternal lodge halls, including grange halls.

2. Churches, temples, or other structures used primarily for religious worship.

3. Private schools.

4. Libraries.

5. Public utility facilities.

6. A permanent stand for the display and sale of the agriculture product of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises.

7. An additional one family dwelling (including mobilehomes), excluding the principal dwelling, shall be allowed for each ten acres gross being farmed. Said additional dwelling units shall be located on a parcel being farmed and occupied by the owner, operator or employee of the farming operation as a one family residence provided that:

   a. The dwellings are not rented or held out for lease.

   b. The dwellings are located not less than 50 feet from any property line.

   c. The dwellings are screened from view from the front property line by shrubs or trees.

d. The arrangement of the dwellings, sanitary facilities and utilities conforms with all of the requirements of the Health Department, the County Building and Safety Department and State law.

e. The number of dwellings for employees shall not exceed four per established farming operation.

8. Beauty shops, including beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.

9. Real estate offices, including temporary real estate tract offices, located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of two years in any event.

10. Winery and appurtenant and incidental uses with established on-site vineyard.

11. Feed and grain sales.

12. Child Day Care Center.

Added Effective:
10-10-02 (Ord. 348.4081)

Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

C. The following uses are permitted provided a conditional use permit is granted:

1. Any mining operation which is exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 and County Ordinance No. 555.

2. Community auction and sales yards.

3. Employee housing not meeting the requirements set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of more than 36 beds in a group quarters or 12 units or spaces for use by a single family or household.

Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

4. Repealed.

Effective:
10-10-02 (Ord. 348.4081)

5. Packaged dry fertilizer storage, not including processing.

6. Menageries.

7. Oil production, not including refining or processing.

8. Mink farms.

9. Commercial stables and riding academies.

10. Commercial breeding operations.

11. Mobilehome parks, developed pursuant to Section 19.92. of this ordinance.

12. Solar power plant on a lot 10 acres or larger.

Amended Effective:
07-16-98 (Ord. 348.3828)
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)

D. Any use that is not specifically listed in Subsections A. and B. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls.

E. Subject to the provisions of Section 18.28.B., the number of mature crowing fowl may be increased up to 50% over each (male and female) of the permitted numbers.

F. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., or C. in Section 13.1 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.

Amended Effective:
11-23-82 (Ord. 348.2140)
05-19-83 (Ord. 348.2162)
08-29-85 (Ord. 348.2510)
04-04-87 (Ord. 348.2669)
06-20-89 (Ord. 348.3043)
04-25-94 (Ord. 348.3571)
07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
09-15-00 (Ord. 348.3954)
Ord. 348.4931 Item 21.1 of 11/10/2020 (Effective Date 12/10/2020)

## SECTION 13.2. DEVELOPMENT STANDARDS.

A. Lot size shall not be less than 20,000 square feet, with a minimum average lot width of 100 feet and a minimum average lot depth of 150 feet, unless larger minimum lot area and dimensions are specified for a particular area or use, except as follows:

1. (Deleted)

2. The uses listed in Section 13.1.B. 1., 2., 3., 4. and 5. of this ordinance shall not be required to have a lot area in excess of 20,000 square feet or an average lot width in excess of 100 feet, irrespective of the minimum zone requirements for a particular area.

B. Minimum yard requirements shall be 20 feet front yard, five feet side yard, and ten feet rear yard.

C. One family residences shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building exceed seventy-five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.

Amended Effective:
05-24-01 (Ord. 348.3990)

D. Animals on existing lots less than 100 feet in width. If the average lot width of an existing lot is less than 100 feet, animals shall be kept a minimum of 100 feet from the principal street frontage. If such lot is a corner lot, animals shall also be kept not less than 20 feet from the rear lot line. For purposes of this section, the principal street frontage is the street frontage with the shortest dimension.

E. Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Amended Effective:
01-15-64 (Ord. 348.251)
06-16-65 (Ord. 348.371)
09-15-65 (Ord. 348.391)
01-19-66 (Ord. 348.422)
07-27-66 (Ord. 348.459)
12-06-67 (Ord. 348.534)
07-16-69 (Ord. 348.638)
04-15-70 (Ord. 348.710)
09-16-70 (Ord. 348.773)
03-11-71 (Ord. 348.859)
08-11-71 (Ord. 348.905)
05-04-72 (Ord. 348.1023)
10-19-72 (Ord. 348.1091)
02-01-74 (Ord. 348.1281)
05-30-74 (Ord. 348.1327)
03-20-75 (Ord. 348.1429)
12-10-75 (Ord. 348.1481)
09-08-77 (Ord. 348.1588)
11-29-79 (Ord. 348.1729) operative 01-01-80
04-12-79 (Ord. 348.1688)
12-23-82 (Ord. 348.2140)
05-19-83 (Ord. 348.2162)
04-26-94 (Ord. 348.3571)
02-12-99 (Ord. 348.3857)
07-23-99 (Ord. 348.3881)
09-15-00 (Ord. 348.3954)
12-21-00 (Ord. 348.3966)
05-24-01 (Ord. 348.3990)

## ARTICLE XIIIa A-P ZONE (LIGHT AGRICULTURE WITH POULTRY)

### SECTION 13.51. USES PERMITTED.

A. One-family dwellings.

B. The following agricultural uses:

1. Farms for hatching, raising, butchering or marketing of chickens, turkeys, or other fowl, rabbits, fish, frogs, chinchilla or other small animals; nurseries, greenhouses, orchards, aviaries, apiaries, field crops, tree crops, berry and bush crops, vegetable, flower and herb gardening.

2. The grazing of cattle, horses, sheep, goats or other farm stock or animals, not including hogs, including the supplementary feeding thereof, not to exceed five animals per acre of all the land available; provided however, the systematic rotation of animals with more than five animals per acre is permitted so long as the total number of permitted animals is not exceeded. For the grazing of sheep or goats, the permissible number of animals per acre may be multiplied by three, except that there shall be no limit to the permissible number of sheep which may be grazed per acre when the grazing is for the purpose of cleaning up unharvested crops. The provisions of this paragraph apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept, fed or maintained solely for sale, marketing or slaughtering at the earliest practical age. The earliest practical age of maturity for colts shall be two years. In all cases the permissible number of animals per acre shall be computed upon the basis of the nearest equivalent ratio. Livestock shall not be kept or maintained within 50 feet of any residence in existence at the time such use is established.

3. Farms or establishments for the selective or experimental breeding and raising of cattle, sheep or goats, and horses, subject to the limitations set forth in Subsection B.2. of this section.

4. Processing of waste products produced on the property.

5. Future Farmers, 4-H, or similar projects.

6. Farms for commercial egg production, including the ancillary activities of grading, washing, and packing of whole eggs, and the containerizing of those eggs incidentally broken during such ancillary activities. No permanent building or structure used in conjunction with such processing operations shall be located closer than 20 feet from the exterior boundaries of the property.

7. The breaking, separation, pasteurization, containerizing, and freezing of eggs; provided, however, that such processing shall not be allowed except in conjunction with a farm for commercial egg production. The processing operations listed above shall be limited to the eggs produced on-site or from other farms owned by the same property owners. No permanent building or structure used in conjunction with such

processing operations shall be located closer than 20 feet from the exterior boundaries of the property.

C. A sign, single or double faced, not exceeding 12 square feet in area per face, advertising only the sale of the services or the products produced on the premises. The sign shall not be lighted or have flashing objects or banners.

D. A temporary stand for the display and sale of the agriculture produce of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises.

E. Public utility facilities.

F. Water works facilities, both public and private intended primarily for the production and distribution of water for irrigation purposes.

G. The following uses are permitted subject to the approval of a plot plan pursuant to Section 18.30. of this ordinance. The plot plan approval may include conditions requiring fencing and landscaping of the parcel to assure that the use is compatible with the surrounding area.

1. A permanent stand for the display and sale of the agriculture produce of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises.

2. An additional one family dwelling (including mobilehomes), excluding the principal dwelling, shall be allowed for each ten acres gross being farmed. Said additional dwelling units shall be located on a parcel being farmed and occupied by the owner, operator or employee of the farming operation as a one family residence, not to exceed two in number, provided that:

   a. The dwellings are not rented or held out for lease to anyone other than an employee of the farming operation.

   b. The dwellings are located not less than 50 feet from any property line.

   c. The dwellings are screened from view from the front property line by shrubs or trees.

   d. The arrangement of the dwellings, sanitary facilities and utilities conforms with all of the requirements of the County Health Department, the County of Building and Safety Department and State Law.

   e. The area of the parcel being farmed is not less than ten acres gross, and in the event of a poultry operation, the number of birds is not less than 15,000.

H. The uses listed below are permitted provided a conditional use permit is granted. In addition to the notice of hearing provided in Section 18.26. of this ordinance, notice of hearing on

any such conditional use permit shall be given by mail to all owners of real property which is located within one-half mile of the exterior boundaries of the project upon which the proposed project is located, as such owners are shown on the last equalized assessment roll and any update.

1. Packaging of poultry waste products, marketing of packaged waste poultry products, or the processing of waste poultry products other than those produced on the property.

2. The drying, packing, canning, freezing and other accepted methods of processing the produce resulting from the uses permitted by Section 13.51.B.1., when such processing is primarily in conjunction with a farming operation. No permanent building or structure used in conjunction with such processing operations shall be located closer than 20 feet from the exterior boundaries of the property.

3. The breaking, separation, pasteurization, containerizing, and freezing of eggs produced by farms for commercial egg production under different property ownership, the processing in any manner of purchased broken eggs, and the drying and other accepted methods for the processing of eggs not specifically permitted in Sections 13.51.B.6. and 13.51.B.7.; provided, however, that such processing shall not be allowed except in conjunction with a farm for commercial egg production. No permanent building or structure used in conjunction with such processing operations shall be located closer than 20 feet from the exterior boundaries of the property.

4. Solar power plant on a lot 10 acres or larger.

I. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

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

K. Industrial Hemp Activities are permitted or conditionally permitted in subsections B., G., or H. in Section 13.51 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.

L. Employee housing meeting the requirements, as determined by the Planning Director, set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of no more than 36 beds in a group quarters or 12 units or spaces for use by a single family or household. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the

Planning Commission in accordance with Health and Safety Code section 17021.8.(c).

M. Employee housing not meeting the requirements set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of more than 36 beds in group quarters or 12 units or spaces designed for use by a single family or household.

Amended Effective:
05-19-83 (Ord. 348.2162)
04-04-87 (Ord. 348.2669)
06-30-88 (Ord. 348.2856)
02-24-04 (Ord. 348.4087)
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)
Ord. 348.4931 Item 21.1 of 11/10/2020 (Effective Date 12/10/2020)
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## SECTION 13.52. STRUCTURE HEIGHT.

One family residences shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building exceed seventy-five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.

Amended Effective:
05-19-83 (Ord. 348.2162)
05-24-01 (Ord. 348.3990)

## SECTION 13.53. MINIMUM LOT FRONTAGE.

200 feet abutting on a street; utility uses, 100 feet.

## SECTION 13.54. MINIMUM FRONT YARD.

20 feet. 50 feet for commercial poultry operations and all other agricultural operations involving the keeping of poultry or animals.

## SECTION 13.55. MINIMUM SIDE YARDS.

Ten feet. 25 feet for commercial poultry operations and all other agricultural operations involving the keeping of poultry or animals.

## SECTION 13.56. MINIMUM REAR YARD.

Ten feet. 25 feet for commercial poultry operations and other agricultural uses relating to the keeping of poultry or animals.

## SECTION 13.57. MINIMUM LOT AREA

Five acres including portions included in public roads and other publicly owned facilities, except utility uses which may have a minimum area of 10,000 square feet.

## SECTION 13.58.

Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Amended Effective:
09-15-65 (Ord. 348.391)
08-11-71 (Ord. 348.905)
05-30-74 (Ord. 348.1327)
12-10-75 (Ord. 348.1481)
01-13-76 (Ord. 348.1489)
07-02-81 (Ord. 348.1965)
05-19-83 (Ord. 348.2162)
06-30-88 (Ord. 348.2856)
05-24-01 (Ord. 348.3990)

## ARTICLE XIV A-2 ZONE (HEAVY AGRICULTURE)

### SECTION 14.1. USES PERMITTED.

A.

1. One-family dwellings.

2. Water works facilities, both public and private, intended primarily for the production and distribution of water for irrigation purposes.

3. Nurseries, greenhouses, orchards, aviaries, apiaries, field crops, tree crops, berry and bush crops, vegetable, flower and herb gardening on a commercial scale; the drying, packing, canning, freezing and other accepted methods of processing the produce resulting from such permitted uses, when such processing is primarily in conjunction with a farming operation and further provided that the permanent buildings and structures used in conjunction with such drying, packing and processing operations are not nearer than 20 feet from the boundaries of the premises.

4. The grazing of cattle, horses, sheep, goats or other farm stock or animals, not including hogs, including the supplementary feeding thereof, not to exceed five animals per acre of all the land available; provided however, the systematic rotation of animals with more than five animals per acre is permitted so long as the total number of permitted animals is not exceeded. For the grazing of sheep or goats, the permissible number of animals per acre may be multiplied by three, except that there shall be no limit to the permissible number of sheep which may be grazed per acre when the grazing is for the purpose of cleaning up unharvested crops, provided that such grazing is not conducted for more than four weeks in any six month period. The provisions of this paragraph apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept, fed or maintained solely for sale, marketing or slaughtering at the earliest practical age of maturity. In all cases the permissible number of animals per acre shall be computed upon the basis of the nearest equivalent ratio.

5. Farm for rabbits, fish, frogs, chinchilla, or other small animals (excluding crowing fowl).

Amended Effective:
09-15-00 (Ord. 348.3954)

6. Farms or establishment for the selective or experimental breeding and raising of cattle, sheep, goats, and horses, subject to the limitations set forth in Subsection A.4. of this section.

7. The noncommercial raising of hogs, not to exceed five animals; provided, however, that the total number of animals permitted on parcels of less than one acre shall not exceed two animals except that no animals shall be permitted on lots of less than 20,000 square feet. For the purposes of determining the number of hogs on a parcel,

both weaned and unweaned hogs shall be counted. (See County Ordinance No. 431 regarding hog ranches).

8. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

Amended Effective:
09-15-00 (Ord. 348.3954) 12-21-00 (Ord. 348.3966)

9. A temporary stand for the display and sale of the agriculture produce of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises. Off-street parking shall be as required in Section 18.12. of this ordinance, except that no paving shall be required.

10. A sign, single or double faced, not exceeding 12 square feet in area per face, advertising only the sale of the services or the products produced on the premises. The sign shall not be lighted or have flashing objects or banners.

11. The keeping or raising of not more than 50 mature female crowing fowl and 10 mature male crowing fowl on lots or parcels between 20,000 square feet and 39,999 square feet or not more than 100 mature female crowing fowl and 20 mature male crowing fowl on lots of 40,000 square feet or more for the use of the occupants of the premises. 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.

Amended Effective:
09-15-00 (Ord. 348.3954)

12. Home occupations.

13. Repealed.

Amended Effective:
07-23-99 (Ord. 348.3881)

14. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

15. A mining operation that is subject to the California Surface Mining and Reclamation Act of 1975 is permitted provided that the operator thereof holds a permit to conduct surface mining operations issued pursuant to County Ordinance No. 555, which has not been revoked or suspended:

16. Both large and small animal hospitals.

17. Commercial stables and riding academies.

18. Mink farms.

19. Signs, on-site advertising.

20. Public fairgrounds including usual commercial uses appurtenant thereto.

21. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

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

23. Employee housing meeting the requirements, as determined by the Planning Director, set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the Planning Commission in accordance with Health and Safety Code section 17021.8.(c).

Amended Effective:
02-24-04 (Ord. 348.4087)

Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

B. The following uses are permitted subject to the approval of a plot plan pursuant to Section 18.30. of this ordinance. The plot plan approval may include conditions requiring fencing and landscaping of the parcel to assure that the use is compatible with the surrounding area:

1. A permanent stand for the display and sale of the agriculture produce of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises.

2. Canning, freezing, packing plants and drying yards that are not in conjunction with a farming operation.

3. Churches, temples, or other structures used primarily for religious worship.

4. Fraternal lodge halls, including grange halls.

5. Libraries.

6. An additional one family dwelling (including mobilehomes), excluding the principal dwelling, shall be allowed for each ten acres gross being farmed. Said additional dwelling units shall be located on a parcel being farmed and occupied by the owner, operator or employee of the farming operation as a one family residence provided that:

    a. The mobilehome shall have a floor area of not less than 450 square feet.

    b. The dwellings are not rented or held out for lease to anyone other than an employee of the farming operation.

    c. The dwellings are located not less than 50 feet from any property line.

    d. The dwellings are screened from view from the front property line by shrubs or trees.

    e. The arrangement of the dwellings, sanitary facilities and utilities conforms with all of the requirements of the County Health Department, the County of Building and Safety Department, and State law.

    f. The number of dwellings for employees shall not exceed four per established farming operation.

7. Private schools.

8. Public utility facilities.

9. Truck transfer stations and depots for use in the cartage, storage, maintenance, weighing and transfer of agricultural commodities.

10. Meat cutting and packaging plants, provided there is no slaughtering of animals or rendering of meat.

11. Agricultural equipment sales and repair yards.

12. Commercial fertilizer operations-the stockpiling, drying, mechanical processing and sale of farm animal manure produced on and off the premises.

13. Feed store.

14. Real estate office.

15. Expansion of an existing dairy farm provided that:

    a. The total number of animals permitted on expansion shall not exceed 150 percent of the total number of animals which were permitted for the original dairy farm.

    b. Notwithstanding anything to the contrary, applications for plot plans submitted pursuant to Section 18.30. of this ordinance shall show the entire dairy farm as proposed after expansion.

16. Beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.

17. Expansion of an existing commercial poultry operation provided that:

    a. The total number of fowl permitted on expansion shall not exceed 150 percent of the total number of fowl which were permitted for the original commercial poultry operation.

    b. Notwithstanding anything to the contrary, applications for plot plans submitted pursuant to Section 18.30. of this ordinance shall show the entire poultry operation as proposed after expansion.

18. Public parks and public playgrounds, golf courses with standard length fairways, and country clubs.

19. Child Day Care Center.

Added Effective:
07-23-99 (Ord. 348.3881)

Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

C. The following uses are permitted provided a conditional use permit is granted:

1. Any mining operation which is exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 and County Ordinance No. 555.

2. Community auction and sales yards.

3. Employee housing not meeting the requirements set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of more than 36 beds in a groups quarters or 12 units or spaces designed for use by a single family or household.

Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

4. Oil production, not including refining or processing.

5. Pen fed beef cattle operations.

6. Hunting clubs, skeet, trap, rifle and pistol ranges.

7. Abattoirs.

8. Hog ranches.

9. Livestock sales yards.

10. Commercial poultry operations, or the expansion of an existing commercial poultry operation, where the total number of fowl permitted on expansion will exceed 150 percent of the total number of fowl which were permitted for the original operation.

11. Landing strip or heliport pad for use in conjunction with agricultural operation.

12. Winery not associated with a vineyard.

13. Menageries.

14. Dairy farms, or the expansion of an existing dairy farm, where the total number of animals permitted on expansion will exceed 150 percent of the total number of animals which were permitted for the original operation.

15. Sewage sludge/organic waste composting facilities.

16. Solar power plant on a lot 10 acres or larger.

Added Effective:
11-19-96 (Ord. 348.3780)
Amended Effective:
07-16-98 (Ord. 348.3828)
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)

D. Any use that is not specifically listed in Subsections E. and F. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls.

Amended Effective:
07-16-98 (Ord. 348.3828)

E. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

F. Subject to the provisions of Section 18.28.B., the number of mature crowing fowl may be

increased up to 50% over each (male and female) of the permitted numbers.

G. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., or C. in Section 14.1 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.

Amended Effective:
05-19-83 (Ord. 348.2162)
01-02-86 (Ord. 348.2540)
04-04-87 (Ord. 348.2669)
06-20-89 (Ord. 348.3043)
11-29-96 (Ord. 348.3780)
07-16-98 (Ord. 348.3828)
09-15-00 (Ord. 348.3954)
Ord. 348.4931 Item 21.1 of 11/10/2020 (Effective Date 12/10/2020)

## SECTION 14.2. DEVELOPMENT STANDARDS.

A. The uses permitted in the A-2 Zone shall be subject to the following development standards:

1. Lot size shall not be less than 20,000 square feet, with a minimum average lot width of 100 feet and a minimum average lot depth of 150 feet, unless larger minimum lot area and dimensions are specified for a particular area or use, except as follows:

   a. The uses listed in Section 14.1.B. 3., 4., 5., 7. and 8. of this ordinance shall not be required to have a lot area in excess of 20,000 square feet or an average lot width in excess of 100 feet, irrespective of the minimum zone requirements for a particular area.

2. Minimum yard requirements shall be 20 feet front yard, ten feet side and rear yard.

3. One family residences shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building exceed seventy-five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.

Amended Effective:
05-24-01 (Ord. 348.3990)

4. Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Amended Effective:
12-18-63 (Ord. 348.242)
12-22-65 (Ord. 348.414)
07-27-66 (Ord. 348.459)
12-06-67 (Ord. 348.534)
07-10-70 (Ord. 348.737)
08-25-71 (Ord. 348.910)
10-10-71 (Ord. 348.935)
12-02-71 (Ord. 348.952)
09-13-73 (Ord. 348.1201)
01-02-74 (Ord. 348.1281)
05-30-74 (Ord. 348.1327)
03-20-75 (Ord. 348.1429)
12-10-75 (Ord. 348.1481)
09-08-77 (Ord. 348.1588)
11-29-79 (Ord. 348.1729) operative 1-1-80
05-19-83 (Ord. 348.2162)

11-29-96 (Ord. 348.3780)
07-23-99 (Ord. 348.3881)
09-15-00 (Ord. 348.3954)
05-24-01 (Ord. 348.3990)

## SECTION XIVa A-D ZONE (AGRICULTURE-DAIRY)

### SECTION 14.51. INTENT.

The Board of Supervisors finds that because of the importance of the dairy industry to the economy of the County, the need to protect dairies from urban encroachment, and the need to encourage dairies to locate in established rural and agricultural areas to minimize incompatibilities between dairy operations and urbanizing communities, it is desirable to establish a zone classification which will preserve dairy operations.

Amended Effective:
07-31-84 (Ord. 348.2358)

### SECTION 14.52. PERMITTED USES.

A. The following uses are permitted to the A-D Zone:

1. One-family dwellings in conjunction with a dairy operation.

2. Dairy farms and dairy calf, heifer, dry cow and herd replacement operations including the selective or experimental breeding and raising of cattle, the grazing of cattle and, as an accessory use, the processing, packaging and marketing of waste products produced on the premises.

3. Farms for rabbits, fish, frogs, worms, chinchilla or other small animals (excluding crowing fowl); nurseries, greenhouses, orchards, aviaries, apiaries, field crops, tree crops, berry and bush crops, vegetable flower and herb gardening. The drying, packing, canning, freezing and other accepted methods of processing the produce resulting from such permitted uses, when such processing is primarily in conjunction with a farming operation and further provided that the permanent buildings and structures used in conjunction with such processing operations are not nearer than 20 feet from the boundaries of the premises.

Amended Effective:
09-15-00 (Ord. 348.3954)

4. The grazing of horses, sheep, goats or other farm stock or animals, not including hogs, including the supplementary feeding thereof, not to exceed five animals per acre of all the land available; provided however, the systematic rotation of animals with more than five animals per acre is permitted so long as the total number of permitted animals is not exceeded. For the grazing of sheep or goats, the permissible number of animals per acre may be multiplied by three, except that there shall be no limit to the permissible number of sheep which may be grazed per acre when the grazing is for the purpose of cleaning up unharvested crops. The provisions of this paragraph apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept, fed or maintained solely for sale, marketing or slaughtering at the earliest practical age of

maturity. In all cases the permissible number of animals per acre shall be computed upon the basis of the nearest equivalent ratio.

5. Farms or establishments for the selective or experimental breeding and raising of sheep, goats, and horses, subject to the limitations set forth in Subsection A.4. of this section.

6. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

Amended Effective:
09-15-00 (Ord. 348.3954) 12-21-00 (Ord. 348.3966)

7. A temporary stand for the display and sale of the agriculture produce of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises.

8. Water work facilities, both public and private intended primarily for the production and distribution of water for irrigation purposes.

9. A sign, single or double faced, not exceeding 12 square feet in area per face, advertising only the sale of services or the products produced on the premises. The sign shall not be lighted or have flashing objects or banners.

10. The keeping or raising of not more than 50 mature female crowing fowl and 10 mature male crowing fowl on lots or parcels between 20,000 square feet and 39,999 square feet or not more than 100 mature female crowing fowl and 20 mature male crowing fowl on lots of 40,000 square feet or more for the use of the occupants of the premises. 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.

Amended Effective:
09-15-00 (Ord. 348.3954)

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

12. Employee housing meeting the requirements, as determined by the Planning Director, set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household. Review of determinations that employee

housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the Planning Commission in accordance with Health and Safety Code section 17021.8.(c).

Amended Effective:
02-24-04 (Ord. 348.4087)

Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

B. The following uses are permitted subject to the approval of a plot plan pursuant to Section 18.30. of this ordinance. The plot plan approval may include conditions to assure that the use is compatible with the surrounding area.

1. A permanent stand for the display and sale of the agricultural produce of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises.

2. An additional one-family dwelling (including mobilehomes), excluding the principal dwelling, shall be allowed for each ten acres gross being farmed. Said additional dwelling units shall be located on a parcel being farmed and occupied by the owner, operator or employee of the farming operation as a one-family residence provided that:

   a. The dwellings are not rented or held out for lease.

   b. The dwellings are located not less than 50 feet from any property line.

   c. The dwellings are screened from view from the front property line by shrubs or trees.

   d. The arrangement of the dwellings, sanitary facilities and utilities conforms with all of the requirements of the County Health Department, the County of Building and Safety Department and State law.

   e. The number of dwellings for employees shall not exceed four per established farming operation.

C. The following uses are permitted provided a conditional use permit is granted pursuant to Section 18.28. of this ordinance:

1. Abattoirs.

2. Solar power plant on a lot 10 acres or larger.

3. Employee housing not meeting the requirements set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household.

Amended Effective:

Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

D. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

E. Subject to the provisions of Section 18.28.B., the number of mature crowing fowl may be increased up to 50% over each (male and female) of the permitted numbers.

F. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., or C. in Section 14.52 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.

Amended Effective:
07-31-84 (Ord. 348.2358)
04-04-87 (Ord. 348.2669)
09-15-00 (Ord. 348.3954)
Ord. 348.4705 Item of 11/08/11 (Effective Date: 12/08/11)
Ord. 348.4931 Item 21.1 of 11/10/2020 (Effective Date 12/10/2020)

## SECTION 14.53. DEVELOPMENT STANDARDS.

A. Minimum lot size shall be 20 acres.

B. One family residences shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building exceed seventy-five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.

Amended Effective:
05-24-01 (Ord. 348.3990)

C. Minimum front yard requirements shall be 20 feet. 50 feet for dairy operations, including the processing, packaging and marketing of waste products produced on the premises, and all other agricultural operations involving the keeping of animals.

D. Minimum side and rear yard requirements shall be ten feet. 25 feet for dairy operations, including the processing, packaging and marketing of waste products produced on the premises, and all other agricultural operations involving the keeping of animals.

E. Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Amended Effective:
07-31-84 (Ord. 348.2358)
01-29-85 (Ord. 348.2443)
09-15-00 (Ord. 348.3954)
05-24-01 (Ord. 348.3990)

## ARTICLE XIVb C/V ZONE (CITRUS/VINEYARD)

### SECTION 14.71. INTENT.

The Board of Supervisors ("Board") finds that there is a need in the County of Riverside for a zone classification within the "Citrus Vineyard Rural Policy Area" of the Riverside County General Plan that would encourage agricultural cultivation, vineyards, and wineries, that would preserve the rural lifestyle, wine-making atmosphere and long term viability of the wine-industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization within the policy area.

The Citrus/Vineyard (C/V) zone classification is intended to meet the above-referenced objectives. Limited incidental commercial uses, such as wine sales, sampling rooms, restaurants, delicatessens, bed and breakfast inns, hotels and special occasion facilities shall be permitted only when they are secondary, and directly related, to the agricultural operations as defined in Section 14.72. The intent of allowing limited incidental commercial uses is to provide economic viability to the primary vineyard and winery operations. In conjunction with development, the use of rural road standards as outlined on Ordinance No. 460 (Regulating the Division of Land) shall be implemented so as to reinforce the rural intent of this zone classification. The introduction of curbs, gutters, and streetlights shall be discouraged.

In addition, the Board finds that there is a need for additional development standards within the "Citrus Vineyard Policy Area" of the Riverside County General Plan that would enhance winemaking atmosphere and long-term viability of the wine-industry. The Board further finds that there is a need for allowing clustering of residential density to encourage permanent preservation of vineyards and innovation in design, planning, and management of new tract maps and parcel maps within the Citrus Vineyard Policy Area of the General Plan.

Amended Effective:
04-14-00 (Ord. 348.3928)
12-16-03 (Ord. 348.4147)
02-09-06 (Ord. 348.4321)
Ord. 348.4638 Item 16.5 of 04/14/09 (Effective Date: 05/14/09))

### SECTION 14.72. DEFINITION.

For purposes of this article (relating to Citrus Vineyard Zone) only, the following terms are defined as:

A. "BED AND BREAKFAST INN". Usually a dwelling unit, but sometimes a small facility, with 10 or fewer rooms, which provides lodging and breakfast for temporary overnight occupants, in return for compensation.

B. "CLUSTERED DEVELOPMENT". A Development, in which the allowed number of dwelling units (density yield) are placed in closer proximity than usual, with a purpose of permanently preserving vineyards.

C. "COUNTRY INN". A mid-size facility, usually an extension of the main dwelling unit, with 11 to 20 rooms, which provides lodging, and breakfast for temporary overnight occupants,

in return for compensation.

D. GRAPES. A smooth-skinned fruit that grows in clusters on vines, the juice of which is fermented to make grape wine.

E. GRAPEVINES. Vines used to grow grapes.

F. "HOTEL". A large separate facility, with 21 or more rooms or suites, which provides lodging and breakfast (but no provision for cooking in rooms or suites) for temporary overnight occupants, in return for compensation.

G. "PRODUCTION LOT". An independent lot of twenty (20) acres gross or more that is set-aside for planting vineyards through a deed-restriction, fee-title purchase, or other conservation mechanism.

H. "SPECIAL OCCASION FACILITY". An outdoor facility, in conjunction with a dwelling unit or a winery, which may include a structure or building, which is used on special occasions for public assembly for a specific period of time in return for compensation. Special occasions may involve, but not be limited to, weddings, concerts, parties, spectator oriented events or other celebrations.

I. VINEYARD. A farm where grapevines are planted, grown, raised or cultivated for the purpose of producing grape wine.

J. "WINERY". An agricultural facility designed and used to crush, ferment, and process grapes into wine.

Amended Effective:
04-14-00 (Ord. 348.3928)
12-16-03 (Ord. 348.4147)
02-09-06 (Ord. 348.4321)
Ord. 348.4638 Item 16.5 of 04/14/09 (Effective Date: 05/14/09)

## SECTION 14.73. USES PERMITTED.

A. The following uses are permitted in the C/V Zone:

1. One-family dwellings.

2. Vineyards; groves; field crops; flower, vegetable, and herb gardening; orchards; apiaries; the drying, processing and packing (other than canning) of fruits, nuts, vegetables and other horticultural products where such drying, processing or packing is primarily in conjunction with an agricultural operation or an incidental commercial use as defined by Riverside County General Plan policies and the provisions of this zone, and provided that the permanent buildings and structures used in conjunction with such drying, processing, and packing operations are not nearer than fifty feet (50') from the boundaries of the premises.

3. The grazing of horses, cattle, sheep, goats or other farm stock, excluding hogs, including the supplementary feeding thereof, not to exceed five (5) animals per gross acre of all the land available; provided however, the systematic rotation of animals with more than five (5) animals per gross acre is permitted so long as the total number of permitted animals is not exceeded. For the grazing of sheep or goats, the permissible number of animals per gross acre may be multiplied by three (3), except that there shall be no limit to the permissible number of sheep which may be grazed per gross acre when the grazing is for the purpose of cleaning up unharvested crops, provided that such grazing is not conducted for more than four (4) weeks in any six (6) month period. The provisions of this paragraph apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept, fed or maintained solely for sale, marketing or slaughtering at the earliest practical age of maturity. In all cases, the permissible number of animals per gross acre shall be computed upon the basis of the nearest equivalent ratio.

4. Farms or establishments for the selective or experimental breeding and raising of horses, cattle, sheep, and goats subject to the limitations set forth in Subsection (3) above.

5. The outside storage of materials such as irrigation equipment and farming machinery is allowed provided the materials are used in conjunction with a farm. Otherwise, the amount of outside storage materials is limited to one hundred (100) square feet with a maximum height of three feet (3') on parcels less than one-half (½) acre and two hundred (200) square feet with a maximum height of three feet (3') for parcels on one-half (½) acre or more.

6. Employee housing meeting the requirements, as determined by the Planning Director, set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the Planning Commission in accordance with Health and Safety Code section 17021.8.(c).

Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

B. The following uses are permitted in the C/V Zone provided a plot plan has first been obtained pursuant to Section 18.30. The plot plan may include conditions of approval to assure that the uses proposed are compatible with the surrounding area.

1. An additional one-family dwelling, including mobile homes on permanent foundations, excluding the principal dwelling, shall be allowed for each ten (10) gross acres being farmed. Said additional dwelling units shall be located on a parcel being farmed and occupied by the owner, operator or employee of the farming operation as a one-family residence provided:

a. The dwelling units are located not less than fifty feet (50') from any property line.

b. The dwelling units are screened from view at the front property line by shrubs or trees.

c. The number of dwelling units per parcel for employees shall not exceed four (4) per established farming operation.

d. The arrangement of the dwelling units, sanitary facilities and utilities conform to all of the requirements of the County Health Department, County Building and Safety Department and State Law.

2. Public utility facilities, including water works facilities, both public and private, intended primarily for the production and distribution of water for irrigation purposes.

3. The following appurtenant and limited incidental commercial uses, only with an established on-site vineyard and a minimum gross parcel size of five (5) acres: Bed and breakfast inns, and day spas and cooking schools only in conjunction with a bed and breakfast inn.

4. The following appurtenant and limited incidental commercial uses, only with an established on-site vineyard and a minimum gross parcel size of ten (10) acres:

   a. Special occasion facility; or,

   b. Country inns, and day spas and cooking schools only in conjunction with a country inn.

5. Wineries, in conjunction with the following appurtenant and incidental commercial uses, only with an established on-site vineyard and a minimum gross parcel size of ten (10) acres.

   a. Wine sampling room.

   b. Retail wine sale and/or gift sale.

   c. Special occasion facility

   d. Bed and breakfast inns or Delicatessens and/or restaurants; however, drive-thru restaurants are not permitted.

6. Wineries, in conjunction with the following appurtenant and incidental commercial uses, only with an established on-site vineyard and a minimum gross parcel size of fifteen (15) acres.

   a. Wine sampling room.

b. Retail wine sale and/or gift sale.

c. Special occasion facility.

d. Country inns or Delicatessens and/or restaurants; however, drive-thru restaurants are not permitted.

7. Wineries, in conjunction with the following appurtenant and incidental commercial uses, only with an established on-site vineyard and a minimum gross parcel size of twenty (20) acres:

a. Wine sampling room

b. Retail wine sale and/or gift sale.

c. Special occasion facility.

d. Hotels and day spas and cooking schools only in conjunction with hotels.

e. Delicatessens and/or restaurants; however, drive-thru restaurants are not permitted.

8. A permanent stand for the display and sale of agricultural products of any permitted use provided that production occurred on the premises where such stand is located, or upon contiguous lands owned or leased by the owner or occupant of the premises.

9. Eighteen (18)-hole Golf Courses.

10. Child Day Care Center.

Amended Effective:
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

C. The following uses are permitted in the C/V Zone provided a conditional use permit has first been obtained pursuant to Section 18.28.:

1. Commercial stables and equestrian training facilities.

2. Commercial horse, sheep, goat and/or cattle breeding operations.

3. Employee housing not meeting the requirements set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household.

Amended Effective:
04-14-00 (Ord. 348.3928)
12-16-03 (Ord. 348.4147)
02-09-06 (Ord. 348.4321)
Ord. 348.4638 Item 16.5 of 04/14/09 (Effective Date: 05/14/09)
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## SECTION 14.74. DEVELOPMENT STANDARDS.

A. The following general standards shall apply to all development in the C/V zone:

1. Lots shall have a minimum average width of two hundred feet (200').

2. Lots shall be provided with adequate water service by either a district water system or by individual wells.

3. Adequate soil percolation for septic use shall be required.

4. The circulation system within the area shall be able to accommodate the projected increase in traffic from the proposed land use.

5. Roads crossing drainage channels shall be constructed so as to provide for proper drainage, and drainage channels shall be constructed so as to avoid undermining or eroding the roadbed. For parcel and tract maps, minimum road improvements shall be as follows: roads shall have a minimum width of twenty-four feet (24') with four (4') foot shoulders, graded with road base material applied; and "Arizona Crossings" shall be allowed for unpaved roads subject to review and approval by the Riverside County Transportation and Fire Departments and compliance with applicable requirements of Ordinance Nos. 460 and 461.

6. Curbs, and gutters and streetlights shall be discouraged.

7. Development shall be coordinated with existing and planned recreational trails and bike paths, when appropriate.

8. All new utilities shall be installed underground except electrical lines rated at 33kV or greater.

9. All exterior lighting shall comply with applicable requirements of Ordinance No. 655 to ensure a clear nighttime view for Mt. Palomar Observatory. Compliance with the low-sodium lighting provisions of Ordinance No. 655 shall be required.

10. All exterior lighting, including spotlights, floodlights, electric reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar area, shall be focused, directed, and arranged to prevent glare and direct illumination of streets or adjoining property. All non-essential lighting shall be operated by a timer and shall be turned off at the close of business.

11. On-site advertising signs shall be compatible with the wine-making atmosphere established by the "Citrus Vineyard Rural Policy Area" policies of the Riverside County General Plan and shall be in compliance with County requirements concerning signage.

B. The following standards shall apply to all residential developments in the C/V zone:

1. The minimum lot size shall be ten (10) gross acres except for existing non-conforming parcels and residential developments that cluster their density.

2. Minimum front yard requirements shall be fifty feet (50'); except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Pauba Road, De Portola Road, Buck Road, Borel Road, or Butterfield Stage Road, the minimum front yard requirement shall be three hundred feet (300') for new parcel and tract maps.

3. Minimum side and rear yard requirements shall be thirty feet (30').

4. The maximum height for a dwelling unit on a single level building pad shall be thirty feet (30'). For a terraced building pad, the maximum height of tallest elevation shall not exceed forty feet (40') when measured from the lowest finished floor level.

5. The arrangement of the dwelling units, sanitary facilities and utilities conform to all of the requirements of the County Health Department, County Building and Safety Department and State Law.

6. All subdivisions residential developments shall record a "Right-to-Farm" covenant, pursuant to Ordinance No. 625 to protect the vineyard uses from residential encroachment and conflicting land uses.

C. The following standards for clustering shall apply to residential developments that propose to cluster their density yield in the C/V zone:

1. Unique site characteristics, such as natural topography, soil quality, drainage patterns, scenic vistas etc. shall be identified and considered in site planning.

2. One (1) dwelling unit shall be allowed for every five (5) gross acres.

3. The minimum lot size shall be one (1) gross acre.

4. At least fifty percentage (50%) of net project area shall be set-aside for planting vineyards through either a production lot and/or deed-restricted easements (depending upon the scale of the project) prior to tentative approval of the subdivision map.

5. The set-aside areas (production lot and/or deed-restricted easements) shall be planted in vineyards prior to issuance of building permit for dwelling units. The planting of vineyards shall be phased in conjunction with issuance of building permits.

6. A clustered development for a tract map consisting forty (40) gross acres or more, shall provide at least one (1) production lot, in conjunction with deed-restricted easements if need be.

7. A Production lot that provides 25 gross acres or more shall be allowed a winery facility. However, any other incidental commercial uses, such as eating, living or lodging establishments, shall not be allowed in conjunction with the winery or the production lot.

8. The set-aside areas (production lot and/or deed-restricted easements) shall be maintained for production of grapes in perpetuity by a property owner, Home Owners Association, the county, or a county authorized entity, as defined in the Conditions of Approval.

9. A clear indication of anticipated uses for every lot (e.g. residential lot, winery lot, production lot, residential or winery lot in conjunction with deed-restricted easement etc.) of a clustered development shall be outlined in the development proposal, and shall be recorded in the Conditions of Approval.

10. On-site improvements for clustered lots, such as roads, signage, parking, street furniture, exterior lighting, etc. shall be compatible with the wine-making atmosphere established by the "Citrus Vineyard Rural Policy Area" policies of the Riverside County General Plan and shall be in compliance with other County requirements.

11. On-site improvements for production lots and/or deed-restricted easements shall be discouraged / minimized.

D. The following standards shall apply to all wineries in the C/V zone:

1. The minimum lot size shall be ten (10) gross acres for wineries.

2. Seventy-five percent (75%) of the net lot area shall be planted in vineyards prior to issuance of a building permit.

3. At least 75% of the grapes utilized in wine production and retail wine sales shall be grown or raised on site or within the county except in the following situations:

   a. A project proponent for a new winery shall be able to request an exemption for the first three years, and two one year extension of time, after the issuance of building permit.

   b. The Temecula Valley Winegrowers Association shall be able to request a revocation for a specific amount of time for all the wineries within the policy area during adverse environmental circumstances or extreme economic conditions.

4. A winery facility shall have a capacity to produce at least 3,500 gallons of wine annually.

5. A winery facility (buildings or structures) shall be at least fifteen hundred (1,500) square feet in size.

6. Buildings and structures shall be designed in a "rural" or "wine country" theme.

7. Minimum front, side and rear yard requirements shall be fifty feet (50'); except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Pauba Road, De Portola Road, Buck Road, Borel Road, or Butterfield Stage Road, the minimum front yard requirement shall be one hundred feet (100').

8. No building or structure shall exceed fifty feet (50') in height unless a greater height is specifically permitted pursuant to Section 18.34.

9. Automobile parking spaces shall be provided as required by Section 18.12. and shall be consistent with the rural standards of the "Citrus Vineyard Rural Policy Area" of the Riverside County General Plan.

10. 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 nuisances to adjacent properties.

11. Outside storage areas shall be screened from view by structures or landscaping.

12. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').

E. The following standards shall apply to all special occasion facilities in the C/V zone where a winery is not located on the same or a contiguous parcel:

1. The minimum lot size for a special occasion facility shall be ten (10) gross acres in conjunction with on-site vineyards.

2. Seventy-five percent (75%) of the net lot area shall be planted in vineyards prior to issuance of a building permit.

3. Buildings and structures shall be designed in a “rural” or “wine country” theme.

4. Minimum front, side and rear yard requirements shall be one hundred feet (100’); except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Pauba Road, De Portola Road, Buck Road, Borel Road, or Butterfield Stage Road, the minimum front yard requirement shall be three hundred feet (300’).

5. Maximum height for special occasion facilities shall be thirty feet (30’) on a single level building pad and forty feet (40’) on a terraced building pad, when the tallest elevation is measured from the lowest finished floor level.

6. Loading, trash, and service areas shall be screened by structures or landscaping and shall also be located and designed in such a manner as to minimize noise and odor issues to adjacent properties.

7. Automobile parking spaces shall be provided as required by Section 18.12. and shall be consistent with the rural standards of the “Citrus Vineyard Rural Policy Area” of the Riverside County General Plan.

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 a minimum sight distance of thirteen hundred twenty feet (1,320’).

F. The following standards shall apply to all lodging facilities (bed and breakfast inns, country inns, and hotels) in the C/V zone:

1. The minimum lot size for bed and breakfast inns shall be five (5) gross acres in conjunction with on-site vineyards and ten (10) gross acres in conjunction with an established winery.

2. The minimum lot size for country inns shall be ten (10) gross acres in conjunction with on-site vineyards and fifteen (15) gross acres in conjunction with an established winery.

3. The minimum lot size for hotels shall be twenty (20) gross acres in conjunction with an established on-site winery.

4. A maximum of two (2) bedrooms shall be permitted per gross acre for a lodging facility as defined in Section 14.72.

5. Seventy-five percent (75%) of the net lot area shall be planted in vineyards prior to issuance of a building permit.

6. Buildings and structures shall be designed in a "rural" or "wine country" theme.

7. Minimum front, side and rear yard requirements shall be fifty feet (50'); except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Pauba Road, De Portola Road, Buck Road, Borel Road, or Butterfield Stage Road, the minimum front yard requirement shall be one hundred feet (100').

8. Hotels shall be located along Rancho California Road, Monte De Oro Road, Anza Road, Pauba Road, De Portola Road, Buck Road, Borel Road, or Butterfield Stage Road.

9. Maximum height for bed and breakfast inns and country inns shall be thirty feet (30') on a single level building pad and forty feet (40') on a terraced building pad, when the tallest elevation is measured from the lowest finished floor level. Hotels shall be maximum three-storied high and shall not exceed fifty feet (50') in height unless a greater height is specifically permitted pursuant to Section 18.34.

10. Loading, trash, and service areas shall be screened by structures or landscaping and shall also be located and designed in such a manner as to minimize noise and odor issues to adjacent properties.

11. Automobile parking spaces shall be provided as required by Section 18.12. and shall be consistent with the rural standards of the "Citrus Vineyard Rural Policy Area" of the Riverside County General Plan.

12. Outside storage areas and the material therein shall be screened with structures or landscaping.

13. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').

G. The following standards shall apply to all 18-hole golf course developments in the C/V zone:

1. An area equal to fairways, tee boxes and greens, clubhouse and parking lot shall be committed to vineyards within the project site.

2. The acreage for 18-hole golf courses and its required agricultural uses may be part of deed-restricted easements integrated into residential parcels within the project site.

H. Design Guidelines.

In deciding whether to approve an application for a conditional use permit, a plot plan, or other land-use permits, the County shall consider the extent to which the application complies with the provisions of this article and the Citrus Vineyard Policy Area Design Guidelines (the Guidelines). Applicants are strongly advised to consider the County approved C/V Zone Guidelines in formulating the above-referenced applications.

Added Effective:
02-09-06 (Ord. 348.4321)

Ord. 348.4638 Item 16.5 of 04/14/09 (Effective Date: 05/14/09)

## SECTION 14.75. EFFECTIVE DATE.

The provisions of this article shall take effect thirty (30) calendar days after their adoption.

Added Effective:
02-09-06 (Ord. 348.4321)

## ARTICLE XIVc C-C/V ZONE (COMMERCIAL CITRUS/VINEYARD)

### SECTION 14.81. INTENT.

The Board of Supervisors ("Board") finds that there is a need in the County of Riverside for a zone classification within the "Citrus Vineyard Rural Policy Area" of the Riverside County General Plan that would encourage agricultural cultivation, vineyards, and wineries that would preserve the rural lifestyle, wine-making atmosphere and long term viability of wine-industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization within the policy area. The Board further finds that there is a need in the County of Riverside for small-scale, commercial uses that would not require a high level of public services and that would enhance the agricultural activities occurring in the policy area. The Commercial-Citrus/Vineyard (C-C/V) zone classification is intended to meet the above-referenced objectives and is used very meticulously.

In conjunction with development, the use of rural road standards as outlined in Ordinance No. 460 (Regulating the Division of Land) shall be implemented so as to reinforce the intent of this zone classification. The introduction of curbs, gutters, and streetlights shall be discouraged.

Amended Effective:
04-14-00 (Ord. 348.3928)
12-16-03 (Ord. 348.4147)
02-09-06 (Ord. 348.4321)

### SECTION 14.82. USES PERMITTED.

A. The following uses are permitted in the C-C/V zone provided a plot plan has first been obtained pursuant to Section 18.30. of this ordinance:

1. Bakery shops.
2. Confectionary and candy stores.
3. Florist shops.
4. Gift, antique, curio, and art supply shops.
5. Ice cream shops.
6. Museums.
7. One on-site operator's residence, which may be located in a commercial building.
8. Produce markets.
9. Tourist information centers.
10. Day spas.

11. Coffee and Donut shops.

12. Restaurants, excluding drive-thru restaurants.

13. Real estate offices.

14. Feed and grain sales.

15. Retail nurseries, horticultural, and garden supply stores.

16. The outside storage of materials, such as irrigation equipment and farm machinery, is allowed provided the materials are used in conjunction with a farm. Otherwise, the amount of outside storage materials is limited to one hundred (100) square feet with a maximum height of three feet (3') on parcels less than one-half (½) acre and two hundred (200) square feet with a maximum height of three feet (3') for parcels on one-half (½) acre or more.

17. Child Day Care Center.

Amended Effective:
02-24-04 (Ord. 348.4087)
12-16-03 (Ord. 348.4147)
02-09-06 (Ord. 348.4321)
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

## SECTION 14.83. DEVELOPMENT STANDARDS.

A. The following standards shall apply to all development within the C-C/V zone:

1. The minimum lot size shall be two and one half (2½) acres.

2. Building and structures shall be designed in a "rural" or "wine country" theme.

3. The minimum front setback shall be ten feet (10').

4. Side and rear setbacks shall be five feet (5').

5. No building or structure shall exceed forty feet (40') in height unless a greater height is specifically permitted pursuant to Section 18.34.

6. Lots shall be provided with adequate water service by either a district water system or by individual wells.

7. Adequate soil percolation for septic use shall be required.

8. The circulation system within the area shall be able to accommodate the projected increase in traffic from the proposed land use.

9. Roads crossing drainage channels shall be constructed so as to provide for proper drainage, and drainage channels shall be constructed so as to avoid undermining or eroding the roadbed.

10. Curbs, gutters and streetlights shall be discouraged.

11. Development shall be coordinated with existing and planned recreational trails and bike paths, when appropriate.

12. All new utilities shall be installed underground except electrical lines rated at 33kV or greater.

13. 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. All non-essential lighting shall be operated by a timer and shall be turned off after the close of business operations. Compliance with the low-sodium lighting provisions of Ordinance No. 655 is required.

14. On-site advertising signs shall be compatible with the wine-making atmosphere established by the "Citrus Vineyard Rural Policy Area" policies of the Riverside County General Plan and be in compliance with County requirements concerning signage.

15. Automobile parking spaces shall be provided as required by Section 18.12. and shall be consistent with the rural standards of the "Citrus Vineyard Rural Policy Area" of the Riverside County General Plan.

16. Landscaping, in excess of that specified in Section 18.12., shall be required. The use of grapevine material shall be encouraged.

17. 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 nuisances to adjacent properties.

18. Outside storage areas and the materials therein shall be screened from view by structures or landscaping.

19. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty (1,320) square feet.

B. Design Guidelines.

In deciding whether to approve an application for a conditional use permit, a plot plan, or other land-use permits, the County shall consider the extent to which the application complies with the provisions of this article and the Commercial Citrus Vineyard Policy Area Design Guidelines (the Guidelines). Applicants are strongly advised to consider the County approved CC/V Zone Guidelines in formulating the above-referenced applications.

Amended Effective:
04-14-00 (Ord. 348.3928)
12-16-03 (Ord. 348.4147)
02-09-06 (Ord. 348.4321)

## SECTION 14.84. EFFECTIVE DATE.

The provisions of this article shall take effect thirty (30) calendar days after their adoption.

Added Effective:
02-09-06 (Ord. 348.4321)

## ARTICLE XIVd WINE COUNTRY ZONES (WC)

INTENT. The Wine Country Zones are established to implement the Temecula Valley Wine Country Policy Area of the Riverside County General Plan within the area shown on Figure 4a attached hereto. The purpose of these zones is to encourage agricultural cultivation, vineyards, wineries, equestrian uses, preserve the wine-making atmosphere, estate living, equestrian life-style, and protect this area and its residents from incompatible uses which could result in reduced agricultural productivity and increased urbanization within the policy area. Incidental commercial uses, such as winery operations and equestrian establishments shall be authorized only when they are secondary, and directly related, to the agricultural or equestrian operations. The intent of allowing the incidental commercial uses is to provide economic viability to the principal agricultural or equestrian operations.

### SECTION 14.91. DEFINITIONS.

As used in this article, the following terms shall have the following meanings:

A. BED AND BREAKFAST INN.

A dwelling unit or other facility with 10 or fewer guest rooms, which provides lodging and breakfast for temporary overnight occupants in return for compensation. Cooking provisions, such as a stove, oven or grill, are prohibited in the guest rooms, adjoining patios, balconies, and decks.

B. CLASS I EQUESTRIAN ESTABLISHMENT.

An equestrian facility where horses, donkeys, mules and ponies are kept, sheltered, trained, nursed, or boarded. Additionally, such facility may provide on-site activities such as, but not limited to, horse training, guided trail rides, riding lessons, schooling shows and horse day camps. The limitation of the number of animals allowed at a Class I Equestrian Establishment is the same as the noncommercial keeping of animals standard in the Wine Country-Equestrian Zone.

C. CLASS II EQUESTRIAN ESTABLISHMENT.

An equestrian facility where horses, donkeys, mules and ponies are kept, sheltered, trained, nursed or boarded. In addition to the conditionally permitted uses set forth in the Wine Country-Equestrian Zone, a Class II Equestrian Establishment may provide on-site activities such as but not limited to, horse training, guided trail rides, riding lessons, schooling shows and horse day camps. A Class II Equestrian Establishment may have a special occasion facility that is appurtenant and incidental to the equestrian facility provided the facility is located on a parcel one hundred (100) or more gross acres in size. The number of animals allowed at a Class II Equestrian Establishment is the same as the noncommercial keeping of animals standard in the Wine Country-Equestrian Zone.

D. CLASS I WINERY.

A winery with an established on-site vineyard that only crushes, ferments, bottles and processes grapes into wine. Such winery shall be located on a minimum gross parcel size of five (5) acres within the WC-W, WC-WE, WC-E and WC-R zones and on a minimum gross parcel size of twenty-five (25) acres when in conjunction with a clustered subdivision in the WC-W and WC-R zones. No appurtenant or incidental commercial uses are allowed with this winery.

E. CLASS II WINERY.

A winery with 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. Wine club activity;
3. Wine club event;
4. Retail wine sales;
5. Eight (8) Winegrowers Trade Association Events per year;
6. Gift sales within the tasting area only;
7. Delicatessen not to exceed 500 square feet in size

F. CLASS III WINERY.

A winery with 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. Wine club activity;
3. Wine club event;
4. Retail wine sales;
5. Eight (8) Winegrowers Trade Association Events per year;
6. Gift sales within the tasting area only;
7. Special occasion facility;
8. And one of the following: Bed and Breakfast Inn, delicatessen not to exceed 500 square feet, or restaurant. Drive - thru restaurants shall not be permitted.

Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

G. CLASS IV WINERY.

A winery 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. Wine club activity;
3. Wine club event;
4. Retail wine sales;
5. Eight (8) Winegrowers Trade Association Events per year;
6. Gift sales within the wine tasting area only;
7. Special occasion facility;
8. And one of the following: Country-Inn, delicatessen not to exceed 500 square feet, or restaurant. Drive-thru restaurants shall not be permitted

Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

H. CLASS V WINERY.

A winery with 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. Wine club activity;
3. Wine club event;
4. Retail wine sales;
5. Eight (8) Winegrowers Trade Association Events per year;
6. Gift sales within the wine tasting area only;
7. Special occasion facility;

8. Bed and Breakfast Inn;

9. Country Inn;

10. Wine Country Hotel;

11. Spa or professional culinary academy in conjunction with Wine Country Hotel;

12. Delicatessen not to exceed 1,500 square feet; and,

Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

13. Restaurant; drive-thru restaurants shall not be permitted.

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I. CLASS VI WINERY.

A winery with 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;

2. Wine club activity;

3. Wine club event;

4. Retail wine sales;

5. Eight (8) Winegrowers Trade Association Events per year

6. Gift sales within the wine tasting area only;

7. Special occasion facility;

8. Wine Country Resort;

9. Golf courses and daytime driving ranges in conjunction with Wine Country Resorts;

10. Spa or professional culinary academy in conjunction with Wine Country Resorts; and,

11. Delicatessen not to exceed 1,500 square feet; and,

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12. Restaurant; Drive-thru restaurants shall not be permitted.

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J. CLUSTERED SUBDIVISION.

A development within the WC- W and WC- R Zones in which the allowed number of dwelling units (density yield) are placed in close proximity with the purpose of creating the largest potential development envelope for vineyards.

K. COTTAGE INDUSTRY.

A home-based occupation or service carried on by a resident within the principle dwelling in return for compensation, provided such use, occupation or service is incidental and secondary to the principal use of the dwelling as a residence and is conducted in a manner not to give an outward appearance or manifest any characteristics of a business.

L. COTTAGE INN.

A dwelling unit with five (5) or fewer guest rooms, which provides lodging and breakfast for temporary overnight occupants in return for compensation and is solely owned and operated by the property owner. Cooking provisions, such as a stove, oven or grill, are prohibited in the guest rooms, adjoining patios, balconies, and decks.

M. COUNTRY INN.

A facility, which may be an extension of the main dwelling unit, with 11 to 20 guest rooms that provides lodging and meals for temporary overnight occupants in return for compensation. Cooking provisions, such as a stove, oven or grill, are prohibited in the guest rooms, adjoining patios, balconies, and decks.

N. EQUINE LAND.

A fenced-in open area that is actively managed to control weeds and used for, but not limited to, grazing of equine or other livestock, equine holding areas, open corrals, exercise areas, riding area, or equestrian racing rings. Only buildings or structures related to the care of equine or other livestock shall be allowed in equine land, all other buildings or structures shall be prohibited.

O. GUEST ROOM.

A room without cooking facilities rented to transient visitors for a period not to exceed 30 days.

P. GUEST SUITES.

A series of attached rooms without cooking facilities rented to transient visitors for a period not to exceed 30 days.

Q. HABITABLE STORY.

The portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. It is measured as the vertical distance from top to top of two

successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists, or where there is not a ceiling, to the top of the roof rafters. Further, the space is designed for human occupancy and the space is equipped with means of egress and light and ventilation facilities.

R. HORSE SHOW FACILITY.

A facility that holds a maximum of one hundred (100) people that provides a venue for judged equestrian exhibition events, training events, competitive horse or equestrian sport activities.

S. INCIDENTAL COMMERCIAL USE.

A commercial use that is directly related and secondary to the principal agricultural or equestrian use located on the same parcel or project site.

T. LODGING FACILITIES.

Bed and Breakfast Inns, Country-Inns, Wine Country Hotels and Wine Country Resorts.

U. NET PROJECT AREA.

The portion of a site that can actually be built upon. The following are not included in the net project area: public or private road rights-of-way, riparian and riverine areas, conservation easements, waterways, bodies of water and flood ways.

V. PRODUCTION LOT.

A legal lot that is set-aside for planting vineyards through a deed restriction or other conservation mechanism.

W. SET ASIDE AREA.

An area that is restricted for the specific use of planting vineyards or equine lands.

X. SPECIAL OCCASION FACILITY.

An indoor or outdoor facility or area which is used for special occasions such as weddings, parties, concerts, conferences, charity events, and fundraiser events for a specific period of time in return for compensation.

Y. VINEYARD.

A farm where grapevines are planted and cultivated for the purpose of producing grape wine.

Z. WINE CLUB ACTIVITY.

A social occasion in which wine club members come to pick up their membership wine bottles, at which time they may engage in wine tasting and further purchase of wine and wine products. Attendance is limited to wine club members and their guests.

AA. WINE CLUB EVENT.

A social occasion held by Class II, Class III, Class IV, Class V and Class VI wineries for wine club members and their guests.

BB. WINE COUNTRY HOTEL.

A facility with more than 20 guest rooms or guest suites within a conventional hotel building(s) or in detached units, which provides lodging and meals for temporary overnight occupants, in return for compensation. Such facility may provide additional commercial uses such as spas, a professional culinary academy, conference rooms and banquet-halls in conjunction with the facility. Cooking provisions, such as a stove, oven or grill, are prohibited in guest rooms, guest suites, adjoining patios, balconies and decks.

Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

CC. WINE COUNTRY RESORT.

A facility with more than 20 guest rooms or guest suites that provides food and lodging to transient visitors in which the guest rooms or guest suites are within a conventional hotel building(s) or in detached units. Such facility may provide additional commercial and recreational uses such as spas, a professional culinary academy, amphitheaters, conference rooms, golf courses, daytime driving ranges and banquet halls in conjunction with the facility.

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DD. WINE TASTING AREA.

A permanent area associated with a winery where visitors taste wine.

EE. WINEGROWERS TRADE ASSOCIATION EVENT.

A fundraising effort conducted by one or several member wineries of a local winegrowers trade association, including but not limited to, region-wide barrel tastings, where food and wine samplings are provided to participants.

FF. WINERY.

An agricultural facility designed and used to crush, ferment, distill and process grapes into wine or wine related product.

GG. WINERY SITE.

The land upon which a winery is constructed as well as the winery's buildings and structures as provided in the approved land use entitlement.

Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

## SECTION 14.92. AUTHORIZED USES. WINE COUNTRY – WINERY (WC-W) ZONE.

The following provisions shall apply to the WC-W Zone:

A. ALLOWED USES.

The following uses are allowed:

1. One-family dwelling.

2. Cottage Industry provided activities are limited to knitting, basket making, sewing, quilting, pottery, scrap booking and cooking classes or services; no more than one full-time employee engages in cottage industry activities on site at any one time; no more than 10 customers visit the site at any given time; no customer lodging occurs on site without an approved Cottage Inn, Bed and Breakfast Inn or Country Inn.

3. Vineyards; groves; equine lands; field crops; flower; vegetable, and herb gardening; orchards; apiaries, the drying, processing and packing (other than canning) of fruits, nuts, vegetables and other horticultural products where such drying, processing or packing is in conjunction with an agricultural operation or an incidental commercial use as defined in this ordinance and further provided that the permanent buildings and structures used in conjunction with such processing operations are constructed in compliance with the requirements of Ordinance No. 457.

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4. The systematic rotation of animals for grazing is allowed so long as the total number of animals does not exceed the maximum allowed pursuant to Section 14.92.a.(5) herein. Notwithstanding the foregoing, there shall be no limit to the allowable number of sheep, goats or cattle which may be temporarily grazed on any premises when the grazing is for the purpose of cleaning up unharvested crops, provided that such grazing is not conducted for more than four weeks in any six month period and that the total number of sheep, goats or cattle permanently kept on the premises does not exceed the maximum allowed.

5. The non-commercial keeping, raising or boarding of horses, cattle, sheep and goats on lots 20,000 square feet or larger and 100 feet in width, provided they are kept not less than 50 feet from any dwelling units other than a dwelling unit located on the same lot. The number of such animals is not to exceed five (5) animals per gross acre of all the land available. The provisions of this section apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept solely for sale, marketing or slaughtering prior to the age of maturity. In all cases the allowable number of animals per acre shall be rounded to the nearest whole number.

6. Future Farmers of America or 4-H projects.

7. Outside storage of materials, such as irrigation equipment and farming machinery, is allowed as an accessory use with no limit provided the materials are used in conjunction with a farm. Otherwise, the outside storage of materials is allowed as an accessory use on lots smaller than one-half acre provided the amount is limited to 100 square feet with a maximum height of six feet and is allowed as an accessory use on lots one-half acre or larger provided the amount is limited to 200 square feet with a maximum height of six feet.

8. Employee housing meeting the requirements, as determined by the Planning Director, set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the Planning Commission in accordance with Health and Safety Code section 17021.8.(c).

Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

B. CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.

The following uses are permitted provided a plot plan has been approved pursuant to Section 18.30 of this ordinance:

1. In addition to the principal dwelling, an additional one family dwelling may be permitted for each ten acres of a farm. Any such additional dwelling shall be located on a lot being farmed and may be occupied by the owner, operator or employee of the farming operation as a one family dwelling provided that:

   a. The dwelling is not rented or offered for lease.

   b. The dwelling is located not less than 50 feet from any lot line.

   c. The dwelling is screened from view from the front lot line by shrubs or trees.

   d. The arrangement of the dwelling, sanitary facilities and utilities conforms with all requirements of law including requirements of the County Public Health Department and the County Building and Safety Department.

   e. The total number of such additional dwellings for any farm shall not exceed four.

2. A temporary stand for the display and sale of agricultural products of any authorized use that are produced on the lot where such stand is located or are produced on contiguous lots owned or leased by the owner or occupant of the premises. The temporary stand shall be operated by the producer of the agricultural products. The duration of sales from the temporary stand shall not exceed a period of three continuous months or a total of six months during any calendar year. The stand shall

not exceed 300 square feet and shall not include any permanent building or structure. Off-street parking shall be provided as required in Section 18.12 of Ordinance No. 348, except that no paving shall be required.

3. Cottage Inn provided the use is conducted within a one family dwelling unit, is secondary to the principal use of the one family dwelling as a residence and employs no more than two persons who are not residents of the one family dwelling.

4. Class I, II, and V winery.

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C. CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE PERMIT.

The following uses are permitted provided a conditional use permit has been approved pursuant to Section 18.28 of this ordinance:

1. Employee housing not meeting the requirements set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of more than 36 beds in group quarters or 12 units or spaces designed for use by a single family or household.

2. Class VI winery.

Amended Effective:
Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

D. Wine Country Clustered subdivision that complies with Ordinance No. 460 and the development standards set forth in the WC-W zone.

## SECTION 14.93. DEVELOPMENT STANDARDS.

A. General Standards.

The following standards shall apply to all uses and development in the WC-W Zones, except for residential subdivisions tentatively approved prior to the effective date of Ordinance No. 348.4729. Such subdivisions shall comply with the development standards of their previous zoning classifications in Ordinance No. 348.

Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

1. LOT SIZE. Except for Wine Country Clustered Subdivisions, the minimum lot size for subdivisions shall be 10 gross acres. On flag lots, the minimum lot size shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site.

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2. LOT WIDTH. Except for Wine Country Clustered Subdivisions, lots shall have a minimum average width of two hundred feet (200').

3. LOT DEPTH. Except for Wine Country Clustered Subdivisions, the minimum average lot depth shall be two hundred feet (200').

4. SETBACKS. The following setback requirements shall apply.

    a. The minimum front setback for buildings and structures shall be fifty feet (50') from the property line.

    b. The minimum side setback for buildings and structures shall be thirty feet (30') from the property line.

    c. The minimum rear setback for buildings and structures shall be thirty feet (30') from the property line.

    d. The minimum road right of way setback for 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 road right of way setback shall be one hundred feet (100'). The minimum one hundred foot (100') setback requirement does not apply when it makes a single lot undevelopable for a one family dwelling. In such an event, the minimum fifty foot (50') setback requirement shall apply to the lot.

    e. The minimum road right of way setback for permanent buildings and structures used in conjunction with drying, processing, and packing operations 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').

    f. 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').

    g. 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').

5. HABITABLE STORIES. 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 Wine Country Hotel or Wine Country Resort 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 Wine Country Hotel or Wine Country Resort 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 Wine Country Hotel or Wine Country Resort 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.

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6. HEIGHT.

   a. The maximum height for a building shall not exceed forty feet (40'). Architectural elements such as spires, minarets, chimneys or similar structures may exceed the prescribed height limits where such structures do not provide additional floor space.

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   b. The maximum height for a structure shall not exceed fifty feet (50'), unless a greater height is approved pursuant to Section 18.34 of this ordinance. In no event, however, shall a structure exceed seventy-five feet (75') in height, unless a variance is approved pursuant to Section 18.27 of this ordinance.

7. Site layouts and building designs shall minimize noise impacts on surrounding properties and comply with Ordinance No. 847.

8. Drainage channels shall be constructed to avoid undermining or eroding the roadbed.

9. Curbs, gutters and streetlights shall be constructed in accordance with Temecula Valley Wine Country Design Guidelines.

10. Site layout and design shall be consistent with existing and planned recreational trails and bike paths set forth in the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.

11. All utilities shall be installed underground except electrical lines rated at 33kV or greater which may be installed above ground.

12. All exterior lighting shall comply with applicable requirements of Ordinance Nos. 655 and 915.

13. 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 properties.

14. On-site advertising signs shall be consistent with Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.

15. All residential developments shall record a Right-to-Farm covenant, pursuant to Ordinance No. 625 to protect the vineyard uses from residential encroachment and conflicting land uses.

B. Wine Country Clustered Subdivision Development Standards.

In addition to the General Standards, the following standards shall apply to wine country clustered subdivisions in the WC-W Zone:

1. Site layout and design shall be consistent with the Temecula Valley Wine Country Design Guidelines to maximize unique site characteristics including, but not limited to, the natural topography, scenic vistas, soil quality and drainage patterns.

2. The minimum residential lot size shall be one (1) gross acre.

3. Prior to tentative approval of an applicable subdivision map, at least seventy five percent (75%) of net project area shall be set-aside for planting vineyards through production lots or deed restriction.

4. Fifty percent (50%) of the set-aside area shall be planted prior to issuance of the building permit for the first dwelling unit and the remaining twenty five percent (25%) prior to final inspection for the first dwelling unit.

5. A wine country clustered subdivision consisting of forty (40) gross acres or more shall provide at least one (1) production lot.

6. A wine country clustered subdivision that includes a production lot of at least 25 gross acres may have a Class I winery.

7. Set-aside areas shall be maintained for production of grapes in perpetuity by any of the following: property owner's association, home owner's association or County Service Area.

8. On-site improvements for clustered lots including, but not limited to, roads, signage, parking, street furniture and exterior lighting shall be consistent with the Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.

9. On-site improvements for production lots and deed restricted areas including, but not limited to, lighting, ingress and egress shall be limited to improvements necessary to maintain the production lots and deed restricted areas.

10. Wine Country Clustered Subdivisions shall include an established on-site vineyard and comply with Ordinance No. 460.

C. Special Occasion Facility Standards.

In addition to the General Standards, the following standards shall apply to all special occasion facilities in the WC-W zone:

1. Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

2. 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.

3. Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and 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.

4. No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.

5. All special occasion facilities shall conduct a noise study or an acoustical analysis if an outdoor facility is proposed. Based on such study or analysis, the Planning Director may require as a condition of approval that the project applicant enter into a good neighbor agreement with the surrounding neighbors.

6. Outside storage areas and the material therein shall be screened with structures or landscaping.

7. All roof mounted mechanical equipment shall be screened from the ground elevation view to minimum sight distance of thirteen hundred twenty feet (1,320').

D. Lodging Facility Standards.

In addition to the General Standards, the following standards shall apply to all lodging facilities in the WC-W zone:

1. A maximum of two (2) guest rooms or guest suites per gross acre shall be permitted for a lodging facility.

2. Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

3. 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.

4. Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and 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.

5. Outside storage areas and the material therein shall be screened with structures or landscaping.

6. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').

E. Winery Standards.

In addition to the General Standards, the following standards shall apply to all wineries in the WC-W zone:

1. 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.

2. 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.

3. The seventy-five (75%) planting requirement shall not include water features, natural or manmade 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.

4. 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.

5. The seventy-five (75%) planting requirement shall be maintained for the life of the permit.

6. No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.

7. 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.

8. 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 plot plan's or conditional use permit's effective date.

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9. 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.

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10. A Class I Winery shall be less than 1,501 square feet in size.

11. A Class II Winery 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 Commission.

12. 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.

13. 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.

14. Prior to the issuance of a building permit for any incidental commercial use, the winery shall be constructed.

15. Prior to the issuance of a certificate of occupancy for any incidental commercial use, the winery shall be operational.

16. Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

17. Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and 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.

18. 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.

19. Outside storage areas shall be screened from view by structures or landscaping.

20. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').

## SECTION 14.94. AUTHORIZED USES. WINE COUNTRY – WINERY EXISTING (WC-WE) ZONE.

A. ALLOWED USES for the thirty one (31) existing wineries as set forth in Figure 4A of the Wine Country Policy Area attached hereto:

1. One-family dwelling.

2. Cottage Industry provided activities are limited to knitting, basket making, sewing, quilting, pottery, scrap booking and cooking classes or services; no more than one full-time employee engages in cottage industry activities on site at any one time; no more than 10 customers visit the site at any given time; no customer lodging occurs on site without an approved Cottage Inn, Bed and Breakfast Inn or Country Inn.

3. Vineyards; groves; equine lands; field crops; flower, vegetable, and herb gardening; orchards; apiaries; the drying, processing and packing (other than canning) of fruits, nuts, vegetables and other horticultural products where such drying, processing or packing is in conjunction with an agricultural operation or an incidental commercial use as defined in this ordinance and further provided that the permanent buildings and structures used in conjunction with such processing operations are constructed in compliance with the requirements of Ordinance No. 457.

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4. The systematic rotation of animals for grazing is allowed so long as the total number of animals does not exceed the maximum allowed pursuant to Section 14.94.a.(5) herein. Notwithstanding the foregoing, there shall be no limit to the allowable number of sheep, goats or cattle which may be temporarily grazed on any premises when the grazing is for the purpose of cleaning up unharvested crops, provided that such grazing is not conducted for more than four weeks in any six month period and that the total number of sheep, goats or cattle permanently kept on the premises does not exceed the maximum allowed.

5. The non-commercial keeping, raising or boarding of horses, cattle, sheep, and goats on lots 20,000 square feet or larger and 100 feet in width, provided they are kept not less than 50 feet from any dwelling units other than a dwelling unit located on the same lot. The number of such animals is not to exceed five (5) animals per gross acre of all the land available. The provisions of this subsection apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept solely for sale, marketing or slaughtering prior to the age of maturity. In all cases the allowable number of animals per acre shall be rounded to the nearest whole number.

6. Future Farmers of America or 4-H projects.

7. Outside storage of materials, such as irrigation equipment and farming machinery, is allowed as an accessory use with no limit provided the materials are used in

conjunction with a farm. Otherwise, the outside storage of materials is allowed as an accessory use on lots smaller than one-half acre provided the amount is limited to 100 square feet with a maximum height of six feet and is allowed as an accessory use on lots one-half acre or larger provided the amount is limited to 200 square feet with a maximum height of six feet.

8. Employee housing meeting the requirements, as determined by the Planning Director, set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the Planning Commission in accordance with Health and Safety Code section 17021.8.(c).

Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

B. CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.

The following uses are permitted provided a plot plan has first been approved pursuant to Section 18.30 of this ordinance.

1. In addition to the principal dwelling, an additional one family dwelling may be permitted for each ten acres of a farm. Any such additional dwelling shall be located on a lot being farmed and may be occupied by the owner, operator or employee of the farming operation as a one family dwelling provided that:

   a. The dwelling is not rented or offered for lease.

   b. The dwelling is located not less than 50 feet from any lot line.

   c. The dwelling is screened from view from the front lot line by shrubs or trees.

   d. The arrangement of the dwelling, sanitary facilities and utilities conforms with all requirements of law including requirements of the County Public Health Department and the County Building and Safety Department.

   e. The total number of such additional dwellings for any farm shall not exceed four.

2. A temporary stand for the display and sale of agricultural products of any authorized use that are produced on the lot where such stand is located or are produced on contiguous lots owned or leased by the owner or occupant of the premises. The temporary stand shall be operated by the producer of the agricultural products. The duration of sales from the temporary stand shall not exceed a period of three continuous months or a total of six months during any calendar year. The stand shall not exceed 300 square feet and shall not include any permanent building or structure.

Off-street parking shall be provided as required in Section 18.12 of Ordinance No. 348, except that no paving shall be required.

3. Cottage Inn provided the use is conducted within a one family dwelling unit, is secondary to the principal use of the one family dwelling as a residence and employs no more than two persons who are not residents of the one family dwelling.

4. The following appurtenant and limited incidental commercial uses, only in conjunction with an established on-site vineyard and a minimum parcel size of five (5) gross acres:

    a. Wine tasting area;

    b. Restaurant not to exceed three thousand two hundred (3,200) square feet;

    c. An outdoor patio area and ancillary uses in conjunction with the restaurant;

    d. Bed and Breakfast Inn;

    e. Spa and cooking school only in conjunction with a Bed and Breakfast Inn.

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5. The following appurtenant and limited incidental commercial uses, only in conjunction with an established on-site vineyard and a minimum parcel size of ten (10) gross acres:

    a. Special Occasion Facility or Country Inn;

    b. Spa and cooking school in conjunction with a Country Inn

6. Class I, II, III and IV winery

C. CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE PERMIT.

The following uses are permitted provided a conditional use permit has been approved pursuant to Section 18.28 of this ordinance:

1. Employee housing meeting the requirements, as determined by the Planning Director, set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the Planning Commission in accordance with Health and Safety Code section 17021.8.(c).

Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## SECTION 14.95. DEVELOPMENT STANDARDS.

A. General Standards. The following standards shall apply to all uses and development in the WC-WE Zone, except for residential subdivisions tentatively approved prior to the effective date of Ordinance No. 348.4729. Such subdivisions shall comply with the development standards of their previous zoning classifications in Ordinance No. 348:

Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

1. LOT SIZE. The minimum lot size for subdivisions shall be ten (10) gross acres. On flag lots, the minimum lot size shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site.

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2. LOT WIDTH. Lots shall have a minimum average width of two hundred feet (200').

3. LOT DEPTH. The minimum average lot depth shall be 100 feet.

4. SETBACKS. The following setback requirements shall apply.

   a. The minimum front setback for buildings and structures shall be fifty feet (50') from the property line.

   b. The minimum side setback for buildings and structures shall be thirty feet (30') from the property line.

   c. The minimum rear setback for buildings and structures shall be thirty feet (30') from the property line.

   d. The minimum road right of way setback for buildings and structures shall be fifty feet (50') from the road right of way, 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 road right of way setback requirement shall be one hundred feet (100'). The minimum one hundred foot (100') setback requirement does not apply when it makes a single lot undevelopable for a one family dwelling. In such an event, the minimum fifty foot (50') setback requirement shall apply to the lot.

   e. The minimum road right of way setback for permanent buildings and structures used in conjunction with drying, processing, and packing operations shall 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').

f. 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').

g. 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').

5. HABITABLE STORIES. The number of habitable stories above a building's lowest above ground finished floor shall not exceed two (2).

6. HEIGHT.

a. The maximum height for a building shall not exceed forty feet (40'). Architectural elements such as spires, minarets, chimneys or similar structures may exceed the prescribed height limits where such structures do not provide additional floor space.

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b. The maximum height for a structure shall not exceed fifty feet (50'), unless a greater height is approved pursuant to Section 18.34 of this ordinance. In no event, however, shall a structure exceed seventy-five (75') in height, unless a variance is approved pursuant to Section 18.27 of this ordinance.

7. Site layouts and building designs shall minimize noise impacts on surrounding properties and comply with Ordinance No. 847.

8. Drainage channels shall be constructed to avoid undermining or eroding the roadbed.

9. Curbs, gutters and streetlights shall be constructed in accordance with Temecula Valley Wine Country Design Guidelines.

10. Site layout and design shall be consistent with existing and planned recreational trails and bike paths set forth in the General Plan and the Temecula Valley Wine Country Design Guidelines.

11. All utilities shall be installed underground except electrical lines rated at 33kV or greater which may be installed above ground.

12. All exterior lighting shall comply with applicable requirements of Ordinance Nos. 655 and 915.

13. 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.

14. On-site advertising signs shall be consistent with Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.

15. All residential developments shall record a Right-to-Farm covenant, pursuant to Ordinance No. 625 to protect the vineyard uses from residential encroachment and conflicting land uses.

B. Special Occasion Facility Standards. In addition to the General Standards, the following standards shall apply to all special occasion facilities in the WC-WE zone:

1. Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

2. 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.

3. Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and 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.

4. No amplified sound shall be permitted, except when an exception to Ordinance No. 847 has been applied for and approved.

5. All special occasion facilities shall conduct a noise study or an acoustical analysis if an outdoor facility is proposed. Based on such study or analysis, the Planning Director may require as a condition of approval that the project applicant enter into a good neighbor agreement with the surrounding neighbors.

6. Outside storage areas and the material therein shall be screened with structures or landscaping.

7. All roof mounted mechanical equipment shall be screened from the ground elevation view to minimum sight distance of thirteen hundred twenty feet (1,320').

C. Lodging Facility Standards. In addition to the General Standards, the following standards shall apply to all lodging facilities in the WC-WE zone:

1. A maximum of two (2) guest rooms or guest suites per gross acre shall be permitted for a lodging facility.

2. Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

3. 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.

4. Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and 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.

5. Outside storage areas and the material therein shall be screened with structures or landscaping.

6. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').

D. Winery Standards. In addition to the General Standards, the following standards shall apply to all wineries in the WC-WE zone:

1. 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.

2. 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.

3. 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.

4. 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.

5. The seventy-five (75%) planting requirement shall be maintained for the life of the permit.

6. No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.

7. 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.

8. 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 plot plan's or conditional use permit's effective date.

Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

9. 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.

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10. A Class I Winery shall be less than 1,501 square feet in size.

11. Class II, III and 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.

12. Prior to the issuance of a building permit for any incidental commercial uses, the winery shall be constructed.

13. Prior to the issuance of a certificate of occupancy for any incidental commercial uses, the winery shall be operational.

14. Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

15. Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and 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.

16. 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.

17. Outside storage areas shall be screened from view by structures or landscaping.

18. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').

## SECTION 14.96. AUTHORIZED USES. WINE COUNTRY – EQUESTRIAN (WC-E) ZONE.

A. ALLOWED USES. The following uses are allowed:

1. One-family dwelling.

2. Cottage Industry provided activities are limited to knitting, basket making, sewing, quilting, pottery, scrap booking and cooking classes or services; no more than one full-time employee engages in cottage industry activities on site at any one time; no more than 10 customers visit the site at any given time; no customer lodging occurs on site without an approved Cottage Inn.

3. Class I Equestrian Establishment provided the facility's average daily visitor trips do not exceed one hundred (100) per day.

4. Vineyards, equine lands, nurseries (wholesale only), greenhouses, orchards, aviaries, apiaries, field crops, tree crops, berry and bush crops, vegetable, flower and herb gardening on a commercial scale. The drying, packing (other than canning), freezing and other accepted methods of processing the produce resulting from such allowed uses, when such processing is primarily in conjunction with a farming operation and further provided that the permanent buildings and structures used in conjunction with such processing operations are constructed in compliance with the requirements of Ordinance No. 457.

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5. The noncommercial keeping or raising of not more than 12 mature female crowing fowl on lots from 20,000 square feet to 40,000 square feet. The noncommercial keeping or raising of not more than 50 mature female crowing fowl and ten mature male crowing fowl on lots 40,000 square feet or larger.

6. The noncommercial keeping or raising of cattle, horses, sheep, goats including the grazing and supplementary feeding of such animals, provided they are kept, fed and maintained a minimum of 50 feet from any property line. The maximum number of animals allowed, except for sheep and goats, shall be five (5) per acre of the total area of the premises. The maximum number of sheep or goats shall be 15 per acre of the total area of the premises. The provisions of this subsection apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept solely for sale, marketing or slaughtering prior to the age of maturity. In all cases the allowable number of animals per acre shall be rounded to the nearest whole number.

7. The systematic rotation of animals for grazing is allowed so long as the total number of animals does not exceed the maximum allowed pursuant to Section 14.96.a.(6) herein. Notwithstanding the foregoing, there shall be no limit to the allowable number of sheep which may be temporarily grazed on any premises when the grazing is for the purpose of cleaning up unharvested crops, provided that such grazing is not

conducted for more than four weeks in any six month period and that the total number of sheep permanently kept on the premises does not exceed the maximum allowed.

8. Poultry (excluding crowing fowl) and rabbits for the use of the occupants of the premises only. All poultry and rabbits shall be kept in an enclosed area located not less than 50 feet from any lot line.

9. On lots 20,000 square feet or larger, the noncommercial keeping, raising or breeding of guinea pigs, parakeets, chinchillas, or other similar small fowl or animals (excluding crowing fowl and mink), provided that all such uses are kept and maintained in an enclosed area located not less than 50 feet from any lot line.

10. On lots of not less than 20,000 square feet or larger, the noncommercial keeping or raising of not more than two (2) miniature pigs.

11. Farms or facilities for the selective or experimental breeding and raising of horses, cattle, sheep, and goats subject to the limitations set forth in subsection a.(6) herein.

12. Future Farmers of America or 4-H projects.

13. Outside storage of materials, such as irrigation equipment and farming machinery, is allowed as an accessory use with no limit provided the materials are used in conjunction with a farm. Otherwise, the outside storage of materials is allowed as an accessory use on lots smaller than one-half acre provided the amount is limited to 100 square feet with a maximum height of six feet and is allowed as an accessory use on lots one-half acre or larger provided the amount is limited to 200 square feet with a maximum height of six feet.

14. Employee housing meeting the requirements, as determined by the Planning Director, set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the Planning Commission in accordance with Health and Safety Code section 17021.8.(c).

Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

B. CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.

The following uses are permitted provided a plot plan has first been approved pursuant to Section 18.30 of this ordinance.

1. In addition to the principal dwelling, an additional one family dwelling may be permitted for each ten acres of a farm. Any such additional dwelling shall be located

on a lot being farmed and may be occupied by the owner, operator or employee of the farming operation as a one family dwelling provided that:

a. The dwelling is not rented or offered for lease.

b. The dwelling is located not less than 50 feet from any lot line.

c. The dwelling is screened from view from the front lot line by shrubs or trees.

d. The arrangement of the dwelling, sanitary facilities and utilities conforms with all requirements of law including requirements of the County Public Health Department and the County Building and Safety Department.

e. The total number of such additional dwellings for any farm shall not exceed four.

2. A temporary stand for the display and sale of agricultural products of any authorized use that are produced on the lot where such stand is located or are produced on contiguous lots owned or leased by the owner or occupant of the premises. The temporary stand shall be operated by the producer of the agricultural products. The duration of sales from the temporary stand shall not exceed a period of three continuous months or a total of six months during any calendar year. The stand shall not exceed 300 square feet and shall not include any permanent building or structure. Off-street parking shall be provided as required in Section 18.12 of Ordinance No. 348, except that no paving shall be required.

3. Cottage Inn provided the use is conducted within a one family dwelling unit, is secondary to the principal use of the one family dwelling as a residence and employs no more than two persons who are not residents of the one family dwelling.

4. Class I, II winery

5. A Class II Equestrian Establishment that includes one or more of the following appurtenant and incidental equestrian uses only in conjunction with an established onsite equine land and a minimum parcel size of ten (10) gross acres:

a. Petting Zoo;

b. Polo-grounds;

c. Horse show facility

6. A Class II Equestrian Establishment that includes one or more of the following appurtenant and incidental equestrian uses only in conjunction with an established onsite equine land and a minimum parcel size of twenty (20) gross acres:

a. Petting Zoo;

b. Polo-grounds;

c. Horse show facility;

d. Western style store, such as but not limited to, saddle and harness shop, tack shop, feed and grain store, custom-crafted equestrian goods shop; and,

e. Delicatessen or restaurant; drive thru restaurants shall not be permitted.

C. CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE PERMIT.

The following uses are permitted provided that a conditional use permit has first been approved pursuant to Section 18.28 of this ordinance.

1. Employee housing meeting the requirements, as determined by the Planning Director, set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the Planning Commission in accordance with Health and Safety Code section 17021.8.(c).

Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

2. A Class II Equestrian Establishment that includes one or more of the following appurtenant and incidental equestrian uses only in conjunction with an established onsite equine land and a minimum parcel size of fifty (50) gross acres:

   a. Petting Zoo;

   b. Polo-grounds;

   c. Horse show facility;

   d. Western style store, such as but not limited to, saddle and harness shop, tack shop, feed and grain store, custom-crafted equestrian goods shop;

   e. Delicatessen or restaurant; drive thru restaurants shall not be permitted;

   f. Horse racing track or rodeo arena;

   g. Animal hospital that provides temporary boarding facilities for the purposes of boarding sick or injured animals.

3. A Class II Equestrian Establishment that includes one or more of the following appurtenant and incidental equestrian uses only in conjunction with an established onsite equine land and a minimum parcel size of hundred (100) gross acres:

a. Petting Zoo;

b. Polo-grounds;

c. Horse show facility;

d. Equine equipment, service and supply store, such as but not limited to, saddle and harness shop, tack shop, feed and grain store, custom-crafted equestrian goods shop;

e. Delicatessen or restaurant; drive thru restaurants shall not be permitted;

f. Horse racing track or rodeo arena;

g. Animal hospital that provides temporary boarding facilities for the purposes of boarding sick or injured animals;

h. Special Occasion Facility

## SECTION 14.97. DEVELOPMENT STANDARDS.

A. General Standards. The following standards shall apply to all uses and development in the WC-E Zone:

1. LOT SIZE. The minimum lot size for subdivisions shall be ten (10) gross acres. On flag lots, the minimum lot size shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site.

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2. LOT WIDTH. Lots shall have a minimum average width of two hundred feet (200').

3. LOT DEPTH. The minimum average lot depth shall be 100 feet.

4. SETBACKS. The following setback requirements shall apply.

a. The minimum front setback for buildings and structures shall be fifty feet (50') from the property line.

b. The minimum side setback for buildings and structures shall be thirty feet (30') from the property line.

c. The minimum rear setback for buildings and structures shall be thirty feet (30') from the property line.

d. The minimum road right of way setback for 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 road right of way setback shall be one hundred feet (100'). The minimum one hundred foot (100') setback requirement does not apply when it makes a single lot undevelopable for a one family dwelling. In such an event, the minimum fifty foot (50') setback requirement shall apply to the lot.

e. The minimum road right of way setback for permanent buildings and structures used in conjunction with drying, processing, and packing operations 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').

f. 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').

g. 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').

5. HABITABLE STORIES. The number of habitable stories above a building's lowest above ground finished floor shall not exceed two (2).

6. HEIGHT.

a. The maximum height for a building shall not exceed forty feet (40'). Architectural elements such as spires, minarets, chimneys or similar structures may exceed the prescribed height limits where such structures do not provide additional floor space.

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b. The maximum height for a structure shall exceed fifty feet (50') in height, unless a greater height is approved pursuant to Section 18.34 of this ordinance. In no

event, however, shall a structure exceed seventy-five (75') feet in height, unless a variance is approved pursuant to Section 18.27 of this ordinance.

7. Site layouts and building designs shall minimize noise impacts on surrounding properties and comply with Ordinance No. 847.

8. Drainage channels shall be constructed to avoid undermining or eroding the roadbed.

9. Site layout and design shall be consistent with existing and planned recreational trails and bike paths set forth in the General Plan and the Temecula Valley Wine Country Design Guidelines.

10. All utilities shall be installed underground except electrical lines rated at 33kV or greater which may be installed above ground.

11. All exterior lighting shall comply with applicable requirements of Ordinance Nos. 655 and 915.

12. 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.

13. On-site advertising signs shall be consistent with Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.

14. All residential developments shall record a Right-to-Farm covenant, pursuant to Ordinance No. 625 to protect the vineyard and equine uses from residential encroachment and conflicting land uses.

B. Special Occasion Facility Standards. In addition to the General Standards, the following standards shall apply to all special occasion facilities in the WC-E zone:

1. Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

2. 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.

3. Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and 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.

4. No amplified sound shall be permitted outdoors, except for the following:

   a. Polo grounds;

b. Horse racing track;

c. Rodeo arena; or,

d. An Exception to Ordinance No. 847 has been applied for and approved.

5. All special occasion facilities shall conduct a noise study or an acoustical analysis if an outdoor facility is proposed. Based on such study or analysis, the Planning Director may require as a condition of approval that the project applicant enter into a good neighbor agreement with the surrounding neighbors.

6. Outside storage areas and the material therein shall be screened with structures or landscaping.

7. All roof mounted mechanical equipment shall be screened from the ground elevation view to minimum sight distance of thirteen hundred twenty feet (1,320').

C. Class II Equestrian Establishment Standards. In addition to the General Standards, the following standards shall apply to all Class II Equestrian Establishments in the WC-E zone:

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 comply with Section 18.12 of this ordinance and 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. Corrals, exercise rings, arenas, and any other disturbed soil area shall be regularly watered or otherwise treated to prevent the emanation of dust.

5. Manure disposal shall be managed to discourage breeding grounds for flies and pests.

6. If on-site compositing can be achieved, the compost area shall be sited at least fifty feet (50') from waterways and hundred feet (100') from any property line.

D. Winery Standards. In addition to the General Standards, the following standards shall apply to all wineries in the WC-E zone:

1. 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.

2. 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.

3. 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.

4. 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.

5. The seventy-five (75%) planting requirement shall be maintained for the life of the permit.

6. No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.

7. 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.

8. 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 plot plan's or conditional use permit's effective date.

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9. 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.

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10. A Class I Winery shall be less than 1,501 square feet in size.

11. A Class II Winery 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.

12. Prior to the issuance of a building permit for any incidental commercial uses, the winery shall be constructed.

13. Prior to the issuance of a certificate of occupancy for any incidental commercial uses, the winery shall be operational.

14. Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

15. Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and 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.

16. 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.

17. Outside storage areas shall be screened from view by structures or landscaping.

18. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').

## SECTION 14.98. AUTHORIZED USES. WINE COUNTRY – RESIDENTIAL (WC-R) ZONE

A. ALLOWED USES. The following uses are allowed:

1. One-family dwelling.

2. Cottage Industry provided activities are limited to knitting, basket making, sewing, quilting, pottery, scrap booking and cooking classes or services; no more than one full-time employee engages in cottage industry activities on site at any one time; no more than 10 customers visit the site at any given time; no customer lodging occurs on site without an approved Cottage Inn.

3. Vineyards; groves; equine lands; field crops; flower, vegetable, and herb gardening; orchards; apiaries; the drying, processing and packing (other than canning) of fruits, nuts, vegetables and other horticultural products where such drying, processing or packing is in conjunction with an agricultural operation or an incidental commercial use as defined in this ordinance and further provided that the permanent buildings and structures used in conjunction with such processing operations are constructed in compliance with the requirements of Ordinance No. 457.

Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

4. The systematic rotation of animals for grazing is allowed so long as the total number of animals does not exceed the maximum allowed pursuant to Section 14.98.a.(5) herein. Notwithstanding the foregoing, there shall be no limit to the allowable number of sheep, goats or cattle which may be temporarily grazed on any premises when the grazing is for the purpose of cleaning up unharvested crops, provided that such grazing is not conducted for more than four weeks in any six month period and that the total number of sheep, goats or cattle permanently kept on the premises does not exceed the maximum allowed.

5. The noncommercial keeping, raising or boarding of horses, cattle, sheep, and goats on lots 20,000 square feet or larger and 100 feet in width, provided they are kept not less than 50 feet from any dwelling unit other than a dwelling unit located on the same lot. The number of such animals is not to exceed five (5) animals per gross acre of all the land available. The provisions of this subsection apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept solely for sale, marketing or slaughtering prior to the age of maturity. In all cases the allowable number of animals per acre shall be rounded to the nearest whole number.

6. Farms or establishments for the selective or experimental breeding and raising of horses, cattle, sheep, and goats subject to the limitations set forth in section a.(5) herein.

7. Future Farmers of America or 4-H projects.

8. Outside storage of materials, such as irrigation equipment and farming machinery, is allowed as an accessory use with no limit provided the materials are used in conjunction with a farm. Otherwise, the outside storage of materials is allowed as an accessory use on lots smaller than one-half acre provided the amount is limited to 100 square feet with a maximum height of six feet and is allowed as an accessory use on lots one-half acre or larger provided the amount is limited to 200 square feet with a maximum height of six feet.

9. Employee housing meeting the requirements, as determined by the Planning Director, set forth in Health and Safety Code section 17021.8, as may be amended, or consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the Planning Commission in accordance with Health and Safety Code section 17021.8.(c).

Amended Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

B. CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.

The following uses are permitted provided a plot plan has first been approved pursuant to Section 18.30 of this ordinance.

1. In addition to the principal dwelling, an additional one family dwelling may be permitted for each ten acres of a farm. Any such additional dwelling shall be located on a lot being farmed and may be occupied by the owner, operator or employee of the farming operation as a one family dwelling provided that:

   a. The dwelling is not rented or offered for lease.

   b. The dwelling is located not less than 50 feet from any lot line.

   c. The dwelling is screened from view from the front lot line by shrubs or trees.

   d. The arrangement of the dwelling, sanitary facilities and utilities conforms with all requirements of law including requirements of the County Public Health Department and the County Building and Safety Department.

   e. The total number of such additional dwellings for any farm shall not exceed four.

2. A temporary stand for the display and sale of agricultural products of any authorized use that are produced on the lot where such stand is located or are produced on contiguous lots owned or leased by the owner or occupant of the premises. The temporary stand shall be operated by the producer of the agricultural products. The duration of sales from the temporary stand shall not exceed a period of three continuous months or a total of six months during any calendar year. The stand shall

not exceed 300 square feet and shall not include any permanent building or structure. Off-street parking shall be provided as required in Section 18.12 of Ordinance No. 348, except that no paving shall be required.

3. Cottage Inn provided the use is conducted within a one family dwelling unit, is secondary to the principal use of the one family dwelling as a residence and employs no more than two persons who are not residents of the one family dwelling

4. Class I, II winery.

C. Wine Country Clustered subdivision that complies with Ordinance No. 460 and the development standards set forth in the WC-R zone.

## SECTION 14.99. DEVELOPMENT STANDARDS.

A. General Standards. The following standards shall apply to all uses and development in the WC-R Zone, except for residential subdivisions tentatively approved prior to the effective date of Ordinance No. 348.4729. Such subdivisions shall comply with the development standards of their previous zoning classifications in Ordinance No. 348:

Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

1. LOT SIZE. Except for Wine Country Clustered Subdivisions, the minimum lot size for subdivisions shall be five (5) gross acres. On flag lots, the minimum lot size shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site.

Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

2. LOT WIDTH. Except for Wine Country Clustered Subdivisions, lots shall have a minimum average width of two hundred feet (200').

3. LOT DEPTH. Except for Wine Country Clustered Subdivisions, the minimum average lot depth shall be 100 feet.

4. SETBACKS. The following setback requirements shall apply.

   a. The minimum front setback for buildings and structures shall be fifty feet (50') from the property line.

   b. The minimum side setback for buildings and structures shall be thirty feet (30') from the property line.

   c. The minimum rear setback for buildings and structures shall be thirty feet (30') from the property line.

d. The minimum road right of way setback for all 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'). The minimum one hundred foot (100') setback requirement does not apply when it makes a single lot undevelopable for a one family dwelling. In such an event, the minimum fifty foot (50') setback requirement shall apply to the lot.

e. The minimum road right of way setback for permanent buildings and structures used in conjunction with drying, processing, and packing operations 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').

f. 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').

5. HABITABLE STORIES. The number of habitable stories above a building's lowest above ground finished floor shall not exceed two (2).

6. HEIGHT

a. The maximum height for a building shall not exceed forty feet (40'). Architectural elements such as spires, minarets, chimneys or similar structures may exceed the prescribed height limits where such structures do not provide additional floor space.

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b. The maximum height for a structure shall not exceed fifty feet (50') in height, unless a greater height is approved pursuant to Section 18.34 of this ordinance. In no event, however, shall a structure exceed seventy-five (75') feet in height, unless a variance is approved pursuant to Section 18.27 of this ordinance.

7. Site layouts and building designs shall minimize noise impacts on surrounding properties and comply with Ordinance No. 847.

8. Drainage channels shall be constructed to avoid undermining or eroding the roadbed.

9. Curbs, gutters and streetlights shall be constructed in accordance with Temecula Valley Wine Country Design Guidelines.

10. Site layout and design shall be consistent with existing and planned recreational trails and bike paths set forth in the General Plan and the Temecula Valley Wine Country Design Guidelines.

11. All utilities shall be installed underground except electrical lines rated at 33kV or greater which may be installed above ground.

12. All exterior lighting shall comply with applicable requirements of Ordinance Nos. 655 and 915.

13. 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.

14. On-site advertising signs shall be consistent with Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.

15. All residential developments shall record a Right-to-Farm covenant, pursuant to Ordinance No. 625 to protect the vineyard uses from residential encroachment and conflicting land uses.

B. Wine Country Clustered Subdivision Development Standards.

In addition to the General Standards, the following standards shall apply to wine country clustered subdivision in the WC-R Zone:

1. Site layout and design shall be consistent with the Temecula Valley Wine Country Design Guidelines to maximize unique site characteristics including, but not limited to, the natural topography, scenic vistas, soil quality and drainage patterns.

2. The minimum residential lot size shall be one (1) gross acre.

3. Prior to tentative approval of an applicable subdivision map, at least seventy five percent (75%) of net project area shall be set-aside for planting vineyards through production lots or deed restriction.

4. Fifty percent (50%) of the set-aside area shall be planted prior to issuance of the building permit for the first dwelling unit and remaining twenty five percent (25%) prior to finalization of the building permit for the first dwelling unit.

5. A wine country clustered subdivision consisting of forty (40) gross acres or more shall provide at least one (1) production lot.

6. A wine country clustered subdivision that includes a production lot of at least 25 gross acres may have a Class I winery.

7. Set-aside areas shall be maintained for production of grapes in perpetuity by any of the following: property owner's association, home owner's association or County Service Area.

8. On-site improvements for production lots and deed restricted areas including, but not limited to, lighting, ingress and egress shall be limited to improvements necessary to maintain the production lots and deed restricted areas.

9. On-site improvements for clustered lots including, but not limited to, roads, signage, parking, street furniture and exterior lighting shall be consistent with the Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.

10. Wine Country Clustered subdivisions shall include an established on-site vineyard and comply with Ordinance No. 460.

C. Winery Standards. In addition to the General Standards, the following standards shall apply to all wineries in the WC-R zone:

1. 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.

2. 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.

3. The seventy-five (75%) planting requirement shall not include water features, natural or manmade 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.

4. 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.

5. The seventy-five (75%) planting requirement shall be maintained for the life of the permit.

6. No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.

7. 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.

8. 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 plot plan's or conditional use permit's effective date.

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9. 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.

Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

10. A Class I Winery shall be less than 1,501 square feet in size.

11. A Class II Winery 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.

12. Prior to the issuance of a building permit for any incidental commercial uses, the winery shall be constructed.

13. Prior to the issuance of a certificate of occupancy for any incidental commercial uses, the winery shall be operational.

14. Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

15. Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and 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.

16. 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.

17. Outside storage areas shall be screened from view by structures or landscaping.

18. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').

Amended Effective:
Ord. 348.4729 Item 3.28 of 03/11/14 (Effective Date: 04/10/14)

## ARTICLE XV W-2 ZONE (CONTROLLED DEVELOPMENT AREAS)

### SECTION 15.1 USES PERMITTED IN W-2 ZONE.

A. When the gross area of a lot is less than one acre, the following uses shall be permitted:

1. One-family dwellings.

2. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products.

3. The noncommercial keeping of horses on lots not less than 20,000 square feet in area and 100 feet in width, provided they are kept not less than 100 feet from any street and 20 feet from any property line. A maximum of two horses per 20,000 square feet and, in any event, not more than four horses on a lot will be permitted.

4. Home occupations.

5. The noncommercial raising of not more than raising of not more than (5) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:

   a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.

   b. Any miniature pig kept or maintained on a lot with a use permitted under Section 15.1.A.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.

   c. No miniature pig may weigh more than two hundred (200) pounds.

   d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.

   e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.

6. The keeping or raising of not more than 12 mature female crowing fowl on lots or parcels not less than 20,000 square feet for the use of the occupants of the premises. 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.

Amended Effective:
09-15-00 (Ord. 348.3954)

7. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

8. The outside storage of materials on improved lots or parcels of one-half acre to one acre provided the amount is limited to one hundred (100) square feet with a maximum height of three (3) feet.

Amended Effective:
09-15-00 (Ord. 348.3954)
12-21-00 (Ord. 348.3966)

Added Effective:
02-24-04 (Ord. 348.4087)

B. When the gross area of a lot is one acre or greater, the following uses are permitted:

1. One-family dwellings.

2. Water works facilities, both public and private, intended primarily for the production and distribution of water for irrigation purposes.

3. Nurseries, greenhouses, orchards, aviaries, apiaries, field crops, tree crops, berry and bush crops, vegetable, flower and herb gardening on a commercial scale; the drying, packing, canning, freezing and other accepted methods of processing the produce resulting from such permitted uses, when such processing is primarily in conjunction with a farming operation and further provided that the permanent buildings and structures used in conjunction with such drying, packing and processing operations are not nearer than 20 feet from the boundaries of the premises.

4. The grazing of cattle, horses, sheep, goats or other farm stock or animals, not including hogs, including the supplementary feeding thereof, not to exceed five animals per acre of all the land available; provided however, the systematic rotation of animals with more than five animals per acre is permitted so long as the total number of permitted animals is not exceeded. For the grazing of sheep or goats, the permissible number of animals per acre may be multiplied by three, except that there shall be no limit to the permissible number of sheep which may be grazed per acre when the grazing is for the purpose of cleaning up unharvested crops, provided that such grazing is not conducted for more than four weeks in any six month period. The provisions of this paragraph apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept, fed or maintained solely for sale, marketing or slaughtering at the earliest practical age of maturity. In all cases the permissible number of animals per acre shall be computed upon the basis of the nearest equivalent ratio.

5. Farm for rabbits, fish, frogs, chinchilla, and other small animals (excluding crowing fowl).

Amended Effective:
09-15-00 (Ord. 348.3954)

6. Farms or establishment for the selective or experimental breeding and raising of cattle, sheep, goats, and horses, subject to the limitations set forth in Subsection A.4. of this section.

7. The noncommercial raising of hogs, not to exceed five animals; provided, however, that the total number of animals permitted on parcels of less than one acre shall not exceed two animals except that no animals shall be permitted on lots of less than 20.000 square feet. For the purposes of determining the number of hogs on a parcel, both weaned and unweaned hogs shall be counted. (See County Ordinance No. 431 regarding hog ranches).

8. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

Amended Effective:
09-15-00 (Ord. 348.3954) 12-21-00 (Ord. 348.3966)

9. A temporary stand for the display and sale of the agriculture produce of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises. Off-street parking shall be as required in Section 18.12 of this ordinance, except that no paving shall be required.

10. A sign, single or double faced, not exceeding 12 square feet in area per face, advertising only the sale of the services or the products produced on the premises. The sign shall not be lighted or have flashing objects or banners.

11. Home occupations.

12. The noncommercial raising of not more than raising of not more than (5) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:

    a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.

    b. Any miniature pig kept or maintained on a lot with a use permitted under Section 15.1.B.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig

presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.

c. No miniature pig may weigh more than two hundred (200) pounds.

d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.

e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.

13. The keeping or raising of not more than 50 mature female crowing fowl and 10 mature male crowing fowl on lots or parcels not less than 1 acre for the use of the occupants of the premises. 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.

Added Effective:
09-15-00 (Ord. 348.3954)

14. The outside storage of materials on improved lots or parcels of one acre or more provided the amount is limited to two hundred (200) square feet with a maximum height of three (3) feet.

Added Effective:
02-24-04 (Ord. 348.4087)

C. The following uses shall be permitted provided approval of a plot plan shall first have been obtained pursuant to the provisions of Section 18.30:

1. Guest ranches.

2. Educational institutions, libraries, museums and post offices.

3. Tennis and polo clubs.

4. Meat cutting and packaging plants, provided there is no slaughtering of animals or rendering of meat.

5. An additional one-family dwelling (including mobilehomes), excluding the principal dwelling, shall be allowed for each ten acres being farmed. Said additional dwelling units shall be located on a parcel being farmed and occupied by the owner, operator or employee of the farming operation as a one family residence provided that:

a. The mobilehome shall have a floor area of not less than 450 square feet.

b. The dwellings are not rented or held out for lease to anyone other than an employee of the farming operation.

c. The dwellings are located not less than 50 feet from any property line.

d. The dwellings are screened from view from the front property line by shrubs or trees.

e. The arrangement of the dwellings, sanitary facilities and utilities conforms with all of the requirements of the County Health Department, the County Building and Safety Department and State law.

f. The number of dwellings for employees shall not exceed four per established farming operation.

6. Radio and television broadcasting stations, antennas, cable installations, and microwave relay stations and towers in accordance with Section 18.30.A.3.

7. Churches, temples and other places of religious worship.

8. Beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.

9. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period sale of two years in any event.

10. Public parks and public playgrounds, golf courses with standard length fairways, and country clubs.

11. Child Day Care Center.

Amended Effective:
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

D. The following uses are permitted provided a conditional use permit has been granted:

1. Airport or landing field.

2. A mining operation which is exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 and County Ordinance No. 555.

3. Cemetery, pet or human.

4. Commercial fairgrounds and exhibitions.

5. Drive-in theaters.

6. Dune buggy parks.

7. Fruit and vegetable packing plants and similar uses.

8. Hog ranches, subject to the provisions of County Ordinance No. 431.

9. Hunting clubs.

10. Lumber mill.

11. Lumber production of a commercial nature, including commercial logging or commercial development of timber.

12. The manufacture of: (a) Brick, tile or terra-cotta, (b) Cement and cement products, (c) Gypsum and (d) Lime or lime products.

13. Menageries.

14. Migrant agricultural worker mobilehome parks.

15. Mobilehome parks, developed pursuant to Section 19.93. of this ordinance.

16. Pen fed cattle operations, livestock sales yards, livestock auction yards, and dairy farms.

17. Race tracks, including but not limited to contests between automobiles, horse, go-carts, and motorcycles, but not including contests between human beings only.

18. Recreational vehicle parks.

19. Rifle, pistol, skeet, or trapshooting ranges.

20. Rodeo arenas.

21. Trail bike parks.

22. Trailer and boat storage.

23. Commercial stables and riding academies.

24. Recreational lakes.

25. Disposal service operations.

26. Auction houses and yards.

27. Printers, publishers, film studios, or recording studios as accessory uses to an educational institution, church, temple or other place of religious worship.

28. Extraction and bottling of well water including the incidental manufacturing of bottles solely for use in the permitted extraction and bottling operation.

29. Outdoor film studios.

30. Camps.

31. Both large and small animal hospitals.

32. Solar power plant on a lot 10 acres or larger.

Amended Effective:
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)

E. Public Utilities Uses.

1. Structures and installations necessary to the conservation and development of water such as dams, pipe lines, water conduits, tanks, reservoirs, wells and the necessary pumping and water production facilities.

2. Structures and the pertinent facilities necessary and incidental to the development and transmission of electrical power and gas such as hydroelectric power plants, booster or conversion plants, transmission lines, pipe lines and the like.

3. Telephone transmission lines, telephone exchanges and offices.

4. Railroads, including the necessary facilities in connection therewith.

F. A mining operation that is subject to the California Surface Mining and Reclamation Act of 1975 is permitted provided that the operator thereof holds a permit to conduct surface mining operations issued pursuant to County Ordinance No. 555 which has not been revoked or suspended.

G. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

H. Subject to the provisions of Section 18.28.B., the number of mature crowing fowl may be increased up to 50% over each (male and female) of the permitted numbers.

I. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., C., or D. in Section 15.1 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.

Amended Effective:
11-11-82 (Ord. 348.2104)
11-23-82 (Ord. 348.2140)
07-03-84 (Ord. 348.2338)
04-04-87 (Ord. 348.2669)
03-12-87 (Ord. 348.2670)
03-29-88 (Ord. 348.2848)
06-30-88 (Ord. 348.3856)
06-20-89 (Ord. 348.3043)
09-05-89 (Ord. 348.3053)
10-06-92 (Ord. 348.3447)
07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
07-23-99 (Ord. 348.3881)
Added Effective:
09-15-00 (Ord. 348.3954)

## SECTION 15.2. DEVELOPMENT STANDARDS.

Where a structure is erected or a use is made in the W-2 Zone that is first specifically permitted in another zone classification, such structure or use shall meet the development standards and regulations of the zone in which such structure or use is first specifically permitted, unless such requirements are hereafter modified.

A. One family residences shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building exceed seventy-five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.

Amended Effective:
05-24-01 (Ord. 348.3990)

B. Lot size shall not be less than 20,000 square feet, with a minimum average lot width of 100 feet and a minimum average lot depth of 150 feet, unless larger minimum lot area and dimensions are specified for a particular area or use.

C. Animals are not permitted on existing substandard lots that are less than 20,000 square feet in size.

D. Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Amended Effective:
09-04-62
06-16-65 (Ord. 348.371)
03-23-66 (Ord. 348.427)
07-27-66 (Ord. 348.459)
04-17-68 (Ord. 348.556)
07-16-69 (Ord. 348.637)
06-10-70 (Ord. 348.737)
10-10-71 (Ord. 348.935)
05-04-72 (Ord. 348.1023)
05-30-74 (Ord. 348.1327)
06-20-74 (Ord. 348.1340)
11-07-74 (Ord. 348.1377)
03-20-75 (Ord. 348.1429)
10-02-75 (Ord. 348.1470)
12-10-75 (Ord. 348.1481)
04-21-77 (Ord. 348.1564)
09-08-77 (Ord. 348.1588)
11-29-79 (Ord. 348.1729)
03-05-81 (Ord. 348.1925)
07-02-81 (Ord. 348.1968)
11-11-82 (Ord. 348.2104)
12-23-82 (Ord. 348.2140)
05-19-83 (Ord. 348.2162)
07-03-84 (Ord. 348.2338)
09-05-89 (Ord. 348.3053)
10-06-92 (Ord. 348.3447)
07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
05-24-01 (Ord. 348.3990)

## ARTICLE XVa R-D ZONE (REGULATED DEVELOPMENT AREAS)

### SECTION 15.101. USES PERMITTED.

A.

1. One-family dwellings.

2. Field crops, and vegetables gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products.

3. The noncommercial raising of not more than (5) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:

   a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.

   b. Any miniature pig kept or maintained on a lot with a use permitted under Section 6.50.A.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.

   c. No miniature pig may weigh more than two hundred (200) pounds.

   d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.

   e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.

4. Home occupations.

5. The noncommercial keeping of horses, cattle sheep, and goats on lots or parcels over 20,000 square feet in area and 100 feet in width, provided they are kept, fed and maintained not less than 50 feet from any residence existing at the time such use is established. Two such animals may be kept on each 20,000 square feet up to one acre and two such animals for each additional acre.

6. Poultry, crowing fowl and rabbits on single family residential lots or parcels for the use of the occupants of the premises only. All poultry, crowing fowl and rabbits 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 existing at the time such use is established.

Amended Effective:
09-15-00 (Ord. 348.3954)

7. Wholesale nurseries, greenhouses, orchard, aviaries, apiaries (subject to County Ordinance No. 551), the raising of field crops and tree crops, berry and bush crops, and vegetable, flower and herb gardening on a commercial scale; the drying, packing and processing of fruits (other than canning), nuts, vegetables and other horticultural products where such drying, packing or processing is primarily in conjunction with a farming operation and provided the permanent buildings and structures used in conjunction with such drying, packing and processing operations are not nearer than 20 feet from the boundaries of the premises.

8. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

Amended Effective:
09-15-00 (Ord. 348.3954) 12-21-00 (Ord. 348.3966)

9. The raising or breeding of guinea pigs, parakeets, chinchillas, or similar small fowl or animals (excluding crowing fowl), provided that all such uses are kept and maintained at least 20 feet from any property line and at least 50 feet from any residence existing at the time such use is established.

Amended Effective:
09-15-00 (Ord. 348.3954)

10. A temporary stand, not exceeding 200 square feet in area, used exclusively for the sale of products grown on the premises, and a sign, not to exceed six square feet, advertising the sale of said product. Off-street parking shall be as required in Section 18.12. of this ordinance, except than no paving shall be required.

11. Farms or establishments for the selective or experimental breeding and raising of cattle, sheep, goats, and other farm stock or animals subject to the permissible number, conditions, and provisions set forth in Subsection A.7. of this section.

12. One mobilehome, as a principal residence only, provided:

    a. The minimum lot size shall be 22 acres.

    b. The mobilehome shall have a floor area of not less than 750 square feet.

    c. The area between the ground level and the floor of the mobilehome shall be screened from view by an opaque skirt which shall be securely fastened to the

mobilehome in a manner which insures that the skirting is rigid and not movable. The skirting shall be the same material and color as the siding on the mobilehome although other materials may be used if they are weather-resistant.

d. The location of the mobilehome, sanitary facilities and utilities shall conform with all of the requirements of the County Health Department, County Building and Safety Department and State law.

13. The grazing of sheep where such grazing operation is conducted on fields for the purpose of clearing stubble or unharvested crops, without limit as to the number of animals per acre, for a period of not more than 30 days in any six-month period for each parcel.

14. (Deleted)

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

15. An additional one family mobilehome, excluding the principal dwelling, shall be allowed for each ten acres being farmed. Said additional mobilehomes shall be located on a parcel being farmed and occupied by the owner, operator or employee of the farming operation as a one family residence provided:

a. The mobilehome shall have a floor area of not less than 750 square feet.

b. The mobilehome is not rented or held out for lease.

c. The mobilehome is located not less than 50 feet from any property line.

d. The mobilehome is screened from view from the front property line by shrubs or trees and has a sprinkler system installed to insure the proper maintenance of plant materials.

e. The number of dwellings for employees shall not exceed two per established farming operation.

f. The arrangement of the mobilehomes, sanitary facilities and utilities conforms with all of the requirements of the County Health Department, County Building and Safety Department and State law.

16. The keeping or raising of not more than 12 mature female crowing fowl on single family residential lots or parcels between 20,000 square feet and 39,999 square feet or not more than 50 mature female crowing fowl and 10 mature male crowing fowl on single family residential lots of 40,000 square feet or more for the use of the occupants of the premises. 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.

Added Effective:
09-15-00 (Ord. 348.3954)

17. The outside storage of materials on improved lots or parcels of one-half acre to one acre provided the amount is limited to one hundred (100) square feet with a maximum height of three (3) feet and on improved lots or parcels of one acre or more provided the amount is limited to two hundred (200) square feet with a maximum height of three (3) feet.

Added Effective:
02-24-04 (Ord. 348.4087)

B. The following uses are allowed providing a plot plan shall first have been obtained pursuant to the provisions of Section 18.30. of Ordinance No. 348 is approved:

1. Public parks and public playgrounds, golf courses with standard length fairways, and country clubs.

2. Two family dwellings, multiple family dwellings, bungalow courts and apartment houses.

3. Boarding, rooming and lodging houses.

4. (Deleted)

Amended Effective:
10-21-99 (Ord. 348.3888)

5. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of two years in any event.

6. Congregate care residential facilities.

7. Beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.

8. Nurseries, horticultural.

9. Nonprofit clubs and lodge halls.

10. Fraternity and sorority houses.

11. Hotels, resort hotels, and motels.

12. Nursery schools for preschool day care.

13. Institutions for the aged licensed by the California State Department of Social Welfare or the County Department of Public Welfare.

14. Offices, including medical, dental, chiropractic law offices, architectural, engineering, community planning and real estate; provided there is no outdoor storage of materials, equipment, or vehicles, other than passenger cars.

15. The noncommercial raising of not more than one (1) miniature pig on lots from 7,200 to 19,999 square feet or not more than two (2) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:

    a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.

    b. Any miniature pig kept or maintained on a lot with a use permitted under Section 7.25.A.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.

    c. No miniature pig may weigh more than two hundred (200) pounds.

    d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.

    e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.

16. Child Day Care Center.

Amended Effective:
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

C. The following uses shall be permitted provided a conditional use permit is obtained pursuant to this ordinance:

1. Mobilehome parks, developed pursuant to Section 19.92 of this ordinance.

2. Recreational vehicle parks and recreational vehicle storage areas, only if such use or uses are developed in conjunction with a mobilehome park.

3. Solar power plant on a lot 10 acres or larger.

Amended Effective:
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)

D. The following uses are permitted provided a public use permit has been granted pursuant to the provisions of Section 18.29. of this ordinance:

1. Churches, temples and other places of religious worship.

Amended Effective:
09-10-99 (Ord. 348.3883)
10-21-99 (Ord. 348.3888)

E. Subject to the provisions of Section 18.28b, the number of mature crowing fowl may be increased up to 50% over each (male and female) of the permitted numbers.

Added Effective:
11-15-67 (Ord. 348.532)
Amended Effective:
02-26-69 (Ord. 348.609)
05-30-74 (Ord. 348.1327)
03-16-82 (Ord. 348.2074)
12-23-82 (Ord. 348.2140)
Added Effective:
07-23-99 (Ord. 348.3881)

Amended Effective:
09-10-99 (Ord. 348.3883)
10-21-99 (Ord. 348.3888)
12-21-00 (Ord. 348.3966)
Added Effective:
09-15-00 (Ord. 348.3954)
03-12-09 (Ord. 348.4596)

## ARTICLE XVb N-A ZONE (NATURAL ASSETS)

### SECTION 15.200. USES PERMITTED.

A. Uses Permitted.

1. One-family dwellings, guest dwellings, automobile storage garages, accessory buildings.

2. Field and tree crops.

3. The grazing only of cattle, horses, sheep or goats, subject to the following restrictions:

   a. Not more than two animals for each acre shall be permitted.

   b. The limitation on the amount of animals shall apply to mature breeding stock and maintenance stock, and shall not apply to the offspring of such stock, if such offspring are being kept, fed and maintained solely for sale, marketing or slaughtering at the earliest practical age. The permissible number of animals per parcel of land shall be computed upon the basis of the nearest equivalent ratio.

4. Apiaries.

5. (Deleted)

6. (Deleted)

7. (Deleted)

8. (Deleted)

9. On-site signs, affixed to building walls, stating the name of the structure, use, or institution, not to exceed five percent of the surface area of the exterior face of the wall upon which the sign is located.

B. Uses Permitted Subject to Approval of a Plot Plan. The following uses are permitted, upon approval of a plot plan pursuant to Section 18.30, on parcels of land not less than 7,200 square feet in size, with a minimum front yard depth of 20 feet and minimum side and rear yard depth of 10 feet:

1. Public utility substations.

2. Water wells and appurtenant pump houses.

3. Picnic grounds for day use only.

4. Museums and menageries, commercial and non-commercial.

5. An additional one family mobilehome, excluding the principal dwelling, shall be allowed with a Section 18.30 plot plan approval for each ten acres gross being farmed. Said additional mobilehome shall be located on a parcel being farmed and occupied by the owner, operator, or employee of the farming operation as a one family residence provided that:

    a. The mobilehome shall each have a floor area of not less than 450 square feet.

    b. The mobilehomes are not rented or held out for lease.

    c. The mobilehomes are located not less than 50 feet from any property line.

    d. The mobilehomes are screened from view from the front property line by shrubs or trees and have a sprinkler system installed to insure the proper maintenance of plant materials.

    e. The arrangement of the mobilehomes, sanitary facilities and utilities conforms with all of the requirements of the County Health Department, the County Building and Safety Department, and State law.

    f. The number of dwellings for employees shall not exceed two per established farming operation.

6. Churches, temples and other places of religious worship.

7. Child Day Care Center.

Amended Effective:
09-10-99 (Ord. 348.3883)
10-21-99 (Ord. 348.3888)
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

C. Uses permitted by Conditional Use Permit.

The following uses are permitted provided a conditional use permit has been granted:

1. Recreational vehicle parks.

2. (Deleted)

3. Migrant agricultural worker mobilehome parks.

4. Resort hotels.

5. Any mining operation which is exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 and County Ordinance No. 555.

6. Rock crushing plants, aggregate washing, screening and drying facilities and equipment.

7. Extraction and bottling of well water including the incidental manufacturing of bottles only for use for the permitted extraction and bottling operation.

8. Golf courses with standard length fairways and customary appurtenant facilities, including club houses, restaurants, and retail shops.

9. Riding academies and stables, commercial and noncommercial.

10. Fishing lakes, commercial and noncommercial.

11. Outdoor film studios.

12. Airport or landing field.

13. Camps.

14. Guest ranch.

15. Solar power plant on a lot 10 acres or larger.

Amended Effective:
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)

D. The following uses are permitted provided that the operator thereof holds a permit to conduct surface mining operations issued pursuant to County Ordinance No. 555 which has not been revoked or suspended:

1. Any mining operation that is subject to the California Surface Mining and Reclamation Act of 1975.

E. (Deleted)

Amended Effective:
11-11-82 (Ord. 348.2104)
07-03-84 (Ord. 348.2338)
04-04-87 (Ord. 348.2669)
12-18-88 (Ord. 348.2452)
06-20-89 (Ord. 348.3043)
09-05-89 (Ord. 348.3053)
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

## SECTION 15.201. DEVELOPMENT STANDARDS.

The following shall be the standards of development in the N-A Zone, except for the above-listed uses that are specifically allowed a lesser standard:

A. Minimum lot size. 20 acres with a minimum gross width of 400 feet.

B. Minimum yard depths. Front 100 feet, sides 50 feet, rear 50 feet.

C. No building shall exceed 20 feet in height.

D. Automobile storage space shall be provided as required by Section 18.12 of this ordinance.

Added Effective:
04-17-68 (Ord. 348.557)
07-24-73 (Ord. 348.1190)
09-13-73 (Ord. 348.1201)
05-30-74 (Ord. 348.1327)
06-20-74 (Ord. 348.1340)
09-08-77 (Ord. 348.1588)
07-02-81 (Ord. 348.1968)
11-11-82 (Ord. 348.2104)
07-03-84 (Ord. 348.2338)
11-18-86 (Ord. 348.2452)
09-10-99 (Ord. 348.3883)

## ARTICLE XVc W-2-M ZONE (CONTROLLED DEVELOPMENT AREA WITH MOBILEHOMES)

### SECTION 15.300. USES PERMITTED.

A. All uses permitted in the W-2 Zone, subject to all the provisions and development standards of the W-2 Zone.

B. Mobilehome used as a one-family residence, provided that the unit has a floor living area of 450 square feet or more, excluding patios and porches, the area between the ground level and floor level is screened from view with an opaque skirt, and the unit is set back 25 feet from the front and rear property lines and ten from the side property lines.

### SECTION 15.301.

Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Added Effective:
09-03-69 (Ord. 348.658)
11-23-82 (Ord. 348.2140)
Amended Effective:
05-30-74 (Ord. 348.1327)
09-16-70 (Ord. 348.773)

## ARTICLE XVI W-1 ZONE (WATERCOURSE, WATERSHED AND CONSERVATION AREAS)

### SECTION 16.1. W-1 ZONE (WATERCOURSE AREA) STATEMENT OF POLICY.

There are some areas of the County which under present conditions are not suited for permanent occupancy or residency by persons for the reason that they are subject to periodic flooding and other hazards.

The provisions of this article are temporary in nature, awaiting detailed plans of development for the lands and areas so classified. The regulations of this article shall apply to lands so classified until either (1) a drainage and storm water control plan approved by the Planning Commission and the Board of Supervisors shall have been carried out and put into effect, or (2) the lands have been subdivided and a final subdivision map placed on record in accordance with the applicable state and county regulations, including approval by the Planning Commission and Board of Supervisors. In either of these two instances, the property may thereafter be reclassified into any other zone pursuant to regular zoning procedure.

### SECTION 16.2. USES PERMITTED.

A. The following uses are permitted in the W-1 Zone:

1. Field, tree and bush crops; flower and herb gardening.

2. Apiaries.

3. The grazing only, of cattle, horses, sheep and goats and similar livestock, subject to the restrictions as to the number of animals per acre set forth in Section 13.1.A.4. of this ordinance.

4. Golf courses, not including the construction of buildings.

5. Water works facilities, both public and private intended primarily for the production and distribution of water for agricultural purposes.

6. Utilities, both public and private.

7. Aquaculture.

B. The following uses are permitted provided a conditional use permit has been granted:

1. Airports and heliports.

2. Any mining operation which is exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 and County Ordinance No. 555.

3. Exploratory oil drilling, producing oil wells, oil storage tanks and appurtenant facilities, but not including refineries.

4. Racing and competition events other than between humans.

5. Hunting clubs, skeet, trap, rifle and pistol ranges.

6. Recreational vehicle parks.

7. (Deleted)

8. Tennis, badminton, volleyball, squash, lacrosse, handball, baseball, racquetball and football, courts and sport recreational fields and uses.

9. Buildings and structures in conjunction with any use that is permitted under Section 16.2.A. of this ordinance.

10. Solar power plant on a lot 10 acres or larger.

Amended Effective:
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)

C. The following uses are permitted upon approval of a plot plan pursuant to Section 18.30. of this ordinance:

1. Signs, on-site advertising, unless previously approved as a part of a granted conditional use permit.

2. Meteorological towers.

D. The following uses are permitted provided that the operator thereof holds a permit to conduct surface mining operations issued pursuant to County Ordinance No. 555, which has not been revoked or suspended:

1. Any mining operation that is subject to the California Surface Mining and Reclamation Act of 1975.

E. Commercial WECS and WECS arrays with no limit as to rated power output are permitted provided a commercial WECS permit has been granted pursuant to the provisions of Section 18.41. of this ordinance.

Amended Effective:
11-11-82 (Ord. 348.2104)
08-28-86 (Ord. 348.2612)
07-20-89 (Ord. 348.3043)

**SECTION 16.3.**

Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

## SECTION 16.4. STRUCTURE HEIGHT.

No commercial WECS shall exceed four hundred (400') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall any building or structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.

Amended Effective:
02-19-62
05-04-72 (Ord. 348.1023)
07-24-73 (Ord. 348.1190)
09-13-73 (Ord. 348.1201)
05-30-74 (Ord. 348.1327)
03-04-75 (Ord. 348.1435)
12-10-75 (Ord. 348.1481)
09-08-77 (Ord. 348.1588)
11-11-82 (Ord. 348.2104)
05-24-01 (Ord. 348.3990)

## ARTICLE XVII W-E ZONE (WIND ENERGY RESOURCE ZONE)

### SECTION 17.1. W-E ZONE (WIND ENERGY RESOURCE ZONE) INTENT.

There are some areas of the County which by virtue of strong prevailing winds and the absence of extensive development are ideally suited for large scale development of wind energy. The Riverside County General Plan provides the basis for the development of this resource.

The provisions of this article are intended to recognize this unique wind resource in the County and the need for the development of alternative energy sources.

Added Effective:
11-11-82 (Ord. 348.2104)

### SECTION 17.2. USES PERMITTED.

A. Public Utility Uses.

1. Structures necessary to the conservation and development of water such as dams, pipelines, and pumping facilities.

2. Transmission facilities for gas.

3. Transmission facilities for electricity which are subject to the jurisdiction of the California Public Utilities Commission.

4. Electrical substations.

5. Railroads, including the necessary facilities in connection therewith.

6. Cable television transmission facilities.

B. Meteorological Towers

1. Towers under 50 feet high.

2. Towers 50 feet and higher provided approval of a plot plan shall first have been granted pursuant to the provisions of Section 18.30.A.1. of this ordinance. Such a plot plan shall be valid for a period of two years unless a WECS permit is approved on the underlying property within the two-year period, in which case the plot plan shall be valid as long as the WECS permit is valid.

Amended Effective:
10-05-93 (Ord. 348-3567)

C. (Deleted)

Amended Effective:

10-05-93 (Ord. 348-3567)

D. Commercial WECS and WECS arrays with no limit as to rated power output are permitted provided a commercial WECS permit has been granted pursuant to the provisions of Section 18.41. of this ordinance.

E. Accessory WECS are permitted provided an accessory WECS permit has been granted pursuant to the provisions of Section 18.42. of this ordinance.

F. The following uses are permitted provided approval of a plot plan shall first have been granted pursuant to the provisions of Section 18.30. of this ordinance:

1. Electrical transmission facilities which are not subject to the jurisdiction of the California Public Utilities Commission and are not included in a commercial WECS permit application.

2. Electrical storage facilities for the temporary storage of power primarily produced upon the land where a permitted WECS or public utility use is established.

3. Storage of trucks and other vehicles, machinery and materials on land where a permitted WECS or public utility use is established.

4. Offices and maintenance shop buildings and structures on land where a permitted WECS or public utility use is established.

5. One family dwellings for caretakers or watchmen and their families on land where a permitted WECS or public utility use is established, provided no compensation is received for the use of any such dwellings."

Amended Effective:
10-05-93 (Ord. 348.3567)

G. The following uses are permitted provided a conditional use permit has been granted pursuant to the provisions of Section 18.28. of this ordinance:

1. Mining operations which are exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 and County Ordinance No. 555.

2. Solar power plant on a lot 10 acres or larger.

Amended Effective:
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)

H. Mining operations which are subject to the California Surface Mining and Reclamation Act of 1975 are permitted provided the operator holds a valid permit pursuant to County Ordinance No. 555.

Added Effective:
11-11-82 (Ord. 348.2104)

## SECTION 17.3. DEVELOPMENT STANDARDS.

The following development standards shall apply in the W-E Zone:

A. Height Limits:

1. No commercial WECS shall exceed 500 feet in height.

2. No other building or structure shall exceed 20 feet in height unless a height up to 75 feet for buildings or 400 feet for other structures is specifically permitted under the provisions of Section 18.34. of this ordinance.

B. Setbacks. Minimum setbacks are as follows:

1. No building or structure shall be closer than 50 feet from any lot line.

2. Setbacks for accessory WECS shall be as prescribed by Section 18.42. of this ordinance.

3. Setbacks for commercial WECS and WECS arrays of all sizes shall be as prescribed by Section 18.41. of this ordinance.

4. Setbacks for a commercial WECS or WECS array used primarily for research or experimentation shall be as prescribed by Section 18.41. of this ordinance.

5. No solar power plants shall be closer than 10 feet from any lot line.

Amended Effective:
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)

C. Automobile storage space shall be provided as required by Section 18.12. of this ordinance.

Added Effective:
11-11-82 (Ord. 348.2104)
03-29-88 (Ord. 348.2848)
10-05-93 (Ord. 348.3567)

## ARTICLE XVIIa SP ZONE (SPECIFIC PLAN)

### SECTION 17.25. INTENT.

The Board of Supervisors hereby finds that it is in the best interest of the County to encourage specific plans of land use for the development of large property holdings, which are otherwise eligible for development under the Riverside County General Plan. The Board further finds that land use allocations assigned to property under a specific plan are based on a variety of environmental and planning factors that may provide for balanced development but may not conform entirely to the zoning classifications contained in this ordinance. It is the intent of the Board in adopting this article to provide a zoning classification tailored to specific plans of land use, and require implementing development to comply with the development standards contained in the adopted specific plan text.

### SECTION 17.26. APPLICATION OF ZONE.

The Specific Plan Zone shall be applied only to property for which a specific plan of land use has been adopted; provided, however, that the Specific Plan Zone may be adopted concurrently with a specific plan. The zone shall be applied only upon a finding that the specific plan of land use contains definitive development standards and requirements relating to land use, density, lot size and shape, siting of buildings, setbacks, circulation, drainage, landscaping, architecture, water, sewer, public facilities, grading, maintenance, open space, parking, and other elements deemed necessary for the proper development of the property.

### SECTION 17.27. USES PERMITTED.

A. The following uses may be permitted in the SP Zone, subject to the zoning requirements contained in the adopted specific plan and the procedural requirements of Subsection b. below:

1. Residential uses including single-family and multi-family dwellings.

2. Commercial and office uses.

3. Manufacturing uses and industrial parks.

4. Open space, recreation areas, and parks.

5. Public facilities, including but not limited to, schools, libraries, government buildings, and water and sewer facilities.

6. Health and community service facilities.

7. Other uses adopted within the specific plan.

8. Dry farming and field crops as interim uses.

9. Uses incidental to the above.

10. Child Day Care Center.

Amended Effective:
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09))

B. Any use permitted within a specific plan shall be subject to the permit requirements specified in the plan. Whenever the specific plan does not specify a procedure or lacks specificity with respect to the requirements for approval of any use, the use shall be subject to the most restrictive permit procedures contained in any zoning classification in which the use is listed.

## SECTION 17.28. DEVELOPMENT STANDARDS.

Uses shall conform to the development standards, conditions and any special restrictions contained in the adopted specific plan and any amendments thereto; provided, however, that if the specific plan lacks one or more standards, the applicable standards from the zoning classification which most closely fits the land use assigned to the site shall be utilized.

Added Effective:
06-30-88 (Ord. 348.2856)

A. NOTICE OF HEARING.

Notice of time, date and place of the hearing, the identity of the hearing body and a general description of the location of the real property, which is the subject of the hearing, shall be given at least ten days prior to the hearing by all of the following procedures:

1. Publication once in a newspaper of general circulation in the County.

2. Mailing or delivering to the owner of the subject real property or the owner's duly authorized agent, and to the project applicant.

3. Mailing or delivering to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project whose ability to provide those facilities and services may be significantly affected.

4. Mailing or delivering to all owners of real property which is located within 300 feet of the exterior boundaries of the subject property, as such owners are shown on the last equalized assessment roll and any update.

5. Mailing by first class mail to any person who has filed a written request with the Planning Department and has provided that department with a self-addressed stamped envelope for that purpose.

6. If the number of owners to whom notice would be mailed or delivered pursuant to paragraphs (2) or (4) herein is greater than 1,000, in lieu of mailed or delivered notice, notice may be provided by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation at least ten days prior to the hearing.

7. The Planning Director may require that additional notice of the hearing be given in any other manner he deems necessary or desirable.

B. ADMINISTRATION OF OATHS. The Chairman may require that witnesses be sworn.

C. HEARING AND NOTICE OF DECISION.

The hearing body shall hear relevant testimony from interested persons and make its decision within a reasonable time after the close of the public hearing. Notice of the decision shall be filed by the Planning Director with the Clerk of the Board of Supervisors, together with a report of the proceedings, not more than 15 days after the decision. A copy of the notice of decision shall be mailed to the applicant and to any person who has made a written request for a copy of the decision. If the hearing body is unable to make a decision, that fact shall be filed with the Clerk of the Board in the same manner for reporting decisions and shall be considered as a notice of denial of the application by the hearing body. The Clerk of the Board shall place the notice of the decision on the next agenda of the Board of Supervisors held five or more days after the Clerk receives the notice from the Planning Director.

D. PROCEEDINGS BEFORE THE BOARD OF SUPERVISORS.

The decision of the hearing body is considered final and no action by the Board of Supervisors is required unless, within ten days after the notice of decision appears on the Board's agenda, the applicant or an interested person files an appeal, accompanied by the fee set forth in County Ordinance No. 671, with the Clerk of the Board or unless the Board assumes jurisdiction by ordering the matter set for public hearing. If a timely appeal is filed or the Board assumes jurisdiction, the Clerk of the Board shall set the matter for public hearing before the Board not less than 13 nor more than 60 days thereafter and shall give notice of the time and place of the hearing in the same manner as notice was given of the hearing before the hearing body.

E. HEARING BEFORE THE BOARD OF SUPERVISORS.

The Board of Supervisors shall hear the matter de novo; however, the documents and the minutes of the hearing before the hearing body shall be a part of the Board's record at its hearing on the matter. The Board shall hear relevant testimony from interested persons and within a reasonable time after the close of the hearing, make its decision sustaining, reversing or modifying the decision of the hearing body.

F. TRANSCRIPTS.

1. Whenever any person desires to obtain a transcript of the oral proceedings of a public hearing before the Board of Supervisors, Planning Commission or the East Area Planning Council, or desires to have a record made of such proceedings, he shall, not less than seven days before the hearing, notify in writing the Clerk of the Board,

if the hearing is before the Board, or the Secretary of the Planning Commission if the hearing is before the Planning Commission or the East Area Planning Council. The written request shall be accompanied by a deposit of a sum equal to one day's fee for a Court Reporter. The Clerk or Secretary shall thereupon arrange to have a Court Reporter present at the hearing. If the hearing is thereafter continued to another day, a like request, deposit and arrangement for a Court Reporter shall be made, if the record is desired. Such a person may directly arrange for attendance and payment of a Court Reporter instead of making such arrangements through the Clerk or Secretary by the person desiring the same.

2. Whenever any person desires to obtain a Clerk's transcript of the documents involved in a proceeding before the Board of Supervisors, the Planning Commission or East Area Planning Council, he shall make a written request to the Clerk of the Board, if the matter is before the Board of Supervisors or to the Secretary of the Planning Commission, if the matter is before the Planning Commission or the East Area Planning Council. The Clerk or Secretary shall determine the number of pages involved and require payment in advance for the transcript at the current rate.

Amended Effective:
11-11-82 (Ord. 348.2104)
05-31-83 (Ord. 348.2156)
07-03-84 (Ord. 348.2338)
01-03-85 (Ord. 348.2430)
03-12-87 (Ord. 348.2670)
09-08-95 (Ord. 348.3727)

# ARTICLE XVIII GENERAL PROVISIONS

## SECTION 18.1. CONFLICTING REGULATIONS.

If any section of this ordinance is in conflict with any other section thereof, or another County ordinance, then the more stringent requirements shall apply.

## SECTION 18.2.a. SCOPE OF REGULATIONS.

All land, buildings and structures in the unincorporated area of the County of Riverside shall be used only as hereinafter provided.

Amended Effective:
06-06-95 (Ord. 348.3677)

A. Private Projects.

1. No land, building or structure shall be used, constructed, altered or maintained except in conformance with the provisions of this ordinance.

2. No use that requires a permit or approval of any kind under the provisions of this ordinance shall be established or operated until the permit or approval is finally granted and all required conditions of the permit or approval have been completed.

3. No use that requires a permit or approval of any kind under the provisions of this ordinance shall be established or operated in violation of, or contrary to, any of the terms and conditions of the granted permit or approval.

4. The term "private project" shall include those projects of local agencies which are subject to County regulation under Government Code Sections 53090 to 53095, and shall also include any project proposed to be established or operated on government lands if the project is not primarily for a governmental purpose unless the government agency involved has exclusive jurisdiction or the field of regulation has been preempted by law.

B. Public Projects.

1. No federal, state, county or city governmental project shall be subject to the provisions of this ordinance, including such projects operated by any combination of these agencies or by a private person for the benefit of any such government agency, unless the agency provides by contract or otherwise that the project shall be constructed or operated in compliance with any or all provisions of this ordinance.

## SECTION 18.2.b. PRE-APPLICATION REVIEW.

Any person who seeks a permit or approval of any kind under this ordinance, shall comply with the pre-application review procedure described in County Ordinance No. 752 to the extent that such procedure is applicable.

Amended Effective:
06-06-95 (Ord. 348.3677)

## SECTION 18.3. COUNTY TO BE HELD HARMLESS.

Any person who obtains, or files an application to obtain, a permit or approval of any kind under the provisions of this ordinance, shall hold the County harmless from any liability or claim of liability, including any claims of the applicant, arising out of the issuance of the permit or approval, or the denial thereof, or arising out of any action by any person seeking to have a granted permit or approval held void by a court of law.

## SECTION 18.4. SPECIAL STUDIES ZONES - GEOLOGIC REPORT REQUIREMENTS.

A. In addition to the requirements of this ordinance, all applicants, for a specific plan of land use, conditional use permit, public use permit, plot plan or development plan or certificate of occupancy approval, for a project, as defined in County Ordinance No. 547, within a special studies zone delineated by the State Geologist pursuant to Section 2621 et seq. of the Public Resources Code, shall comply with all of the provisions of County Ordinance No. 547, and no permit or approval subject thereto shall be granted except in accordance with the provisions thereof.

B. No application subject to the provisions of this section shall be considered as completed for filing, and the time limitations for processing an application shall not begin to run, until all requirements under County Ordinance No. 547 have been completed.

## SECTION 18.5. STANDARDS FOR PLANNED RESIDENTIAL DEVELOPMENTS.

Planned residential developments shall be constructed in accordance with the hereinafter listed requirements. In addition thereto, planned residential developments shall be subject to, and shall comply with, such additional conditions and requirements as are determined to be necessary in approving the development to make it compatible with the community in which it is proposed to be located.

A. A subdivision map, prepared substantially in accordance with the conditions of approval thereof and the requirements of this section, shall be recorded pursuant to County Ordinance No. 460.

B. DENSITY, OPEN AREAS AND HEIGHT LIMITATIONS.

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, drives and automobile storage areas. The total number of dwelling units in a project shall not exceed that which would be permitted if the project were a standard lot development. The height of buildings shall not exceed that which is permitted in the zone in which the project is located. The maximum permitted density and height limits may be reduced if it is determined to be necessary for a planned development to achieve compatibility with the area in which the development 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. In no case shall such building setbacks for any project be less than those prescribed in the R-3 Zone. The minimum building setback from interior drives shall be ten feet.

D. STREETS.

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

E. RESIDENTIAL STRUCTURES.

The number of dwelling units in one building shall not exceed two in the R-1 Zone and all other zones that permit planned residential developments as an R-1 use, or eight dwelling units in one building in the R-2 and R-2-A Zones. The number of dwelling units in a building in the R-3 Zone and all other zones that permit planned residential developments as an R-3 use shall not exceed that permitted by the R-3 Zone development standards. Residential buildings shall have a minimum ground floor living area of 1,000 square feet and each dwelling unit in a building shall have the minimum floor living area required by Section 18.11. of this ordinance.

F. 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.

G. 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.

H. TRASH AREAS.

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

I. 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.

J. WALKWAYS.

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

K. 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.

L. PARKING.

Refer to Section 18.12. of this ordinance.

Amended Effective:
07-04-96 (Ord. 348.3773)

## SECTION 18.6. PLANNED RESIDENTIAL DEVELOPMENTS - SENIOR CITIZENS.

A. When it is proposed by an applicant that occupancy of a planned residential development be limited to senior citizens, the application for the land division shall include the statement that the development is proposed to be limited to a senior citizen residential development.

B. Senior citizen planned residential developments shall be constructed in accordance with all of the development requirements of Section 18.5. of this ordinance, except as modified herein:

1. DESIGN.

The overall development shall be designed for ease of use by persons of advanced age. Not less than one accessible route for the handicapped to all on-site facilities shall be provided. Where public facilities exist, such as bus stops, sidewalks and drop-off zones, accessible routes for the handicapped shall be provided.

2. LOCATION.

Developments shall be located in areas which offer services to the aged, such as transportation, shopping, recreation and nutrition programs.

3. ELEVATORS.

No building shall be constructed that exceeds one story in height unless it contains elevators for the use of the occupants. Residential buildings which exceed one story shall provide additional elevators if they are needed due to the number of units or project design proposed. Elevators shall be spaced in order to minimize the walking distance from the elevators to the residential units.

4. RECREATION.

Common recreational facilities or buildings designed for senior citizen use shall be provided for the use of the occupants.

5. MEDICAL.

Medical offices and convalescent facilities, not including hospitals, may be required for the use of the occupants.

6. PARKING.

Refer to Section 18.12. of this ordinance.

Amended Effective:
07-04-96 (Ord. 348.3773)

7. HANDICAPPED PARKING.

Refer to Section 18.12. of this ordinance.

Amended Effective:
07-04-96 (Ord. 348.3773)

8. (Deleted)

9. HANDICAPPED UNITS.

At least ten percent of the residential units shall be adaptable for the handicapped. Those units shall meet the standards set forth by the Department of Housing and Community Development, Title 24, Part II of the California Administrative Code.

Amended Effective:
06-28-84 (Ord. 348.2341)
08-13-91 (Ord. 348.3341)
07-04-96 (Ord. 348.3773)

## SECTION 18.7. (Deleted.)

Amended Effective:
08-13-91 (Ord. 348.3341)
04-13-93 (Ord. 348.3503)
11-26-00 (Ord. 348.3962)

## SECTION 18.8. NONCONFORMING STRUCTURES AND USES.

The following provisions shall apply to all nonconforming structures and uses:

A. Any nonconforming structure or use may be continued and maintained for the periods of time hereinafter set forth, provided there are no structural alterations except as hereinafter allowed. Agricultural crops are not subject to the provisions of this section; agricultural uses that involve permanent structures are subject to this section, however such uses shall be permitted to make any changes or improvements that are required by any County or State law, including structural alterations that are necessary as a part thereof.

B. VERIFICATION OF NONCONFORMING STRUCTURE OR USE.

When it is necessary to obtain from the County a written verification of the nonconforming status of a structure or use the following procedure shall apply:

1. APPLICATION.

Every application for a determination of nonconforming use status shall be made in writing to the Planning Director on the forms provided by the Planning Department, shall be accompanied by the filing fee as set forth in County Ordinance No. 671, and shall include the following information:

a. Name, address and phone number of applicant [or representative] and the property owner.

b. Assessor's Parcel Number of premises involved.

c. A site plan drawn in sufficient detail to clearly describe the following:

1) Physical dimensions of property.

2) Location and dimensions of all existing structures.

3) Setback dimensions.

4) Location and dimensions of all driveways, parking areas, landscape areas, fences, and walls.

5) Location and dimensions of all adjacent roadways showing location of street centerline and all existing improvements such as sidewalks, curbs, gutters, or curb cuts.

d. Panoramic photographs showing all sides of the on-site property, and adjacent off-site properties.

e. Current zoning (with change of zone case number) and date it was adopted and became effective.

f. Prior zoning designation.

g. Written statement of justification for the nonconforming subject use of the property.

h. Supporting documentation showing that the site has been in continuous use. Documentation may include, but is not limited to: bills of sale, bills of lading, utility bills, property tax records, Board of Equalization records, Employment Development Department records, fictitious business statement, Articles of Incorporation, canceled business checks, sales receipts, Rental or lease agreements, or licenses.

i. Such other information as determined necessary by the Planning Department.

2. REVIEW AND NOTICE OF DECISION.

Not less than 30 days from acceptance of an application as complete, the Planning Department shall verify the current zoning and supporting documentation. If the nonconforming use or structure is substantiated, the Planning Department shall complete a "Certificate of Nonconforming Use" which shall include the following information: Assessor's Parcel Number, situs address, nature of nonconforming use, expiration date, and such other information as deemed appropriate. If the subject use or structure is not able to be substantiated the Planning Department shall prepare a letter of denial of the nonconforming use to include the following information: Assessor's Parcel Number, nature of nonconforming use, and justification for the denial of the request.

C. A nonconforming structure or use may be maintained for the following periods of time:

| | | |
|---|---|---|
| 1. | Where the property is unimproved: | 1 year. |
| 2. | Where the only improvements are structures, the replacement of which would not require a building permit: | 3 years. |
| 3. | Outdoor advertising: | 5 years. |
| 4. | General commercial uses, such as those primarily permitted in C Zones: | 1 year. |
| 5. | General manufacturing uses, such as those primarily permitted in M Zones: | 40 years. |
| 6. | Kennels and catteries: | 20 years |

Provided, however, that the nonconforming right shall be lost upon a transfer of ownership which occurs five years or more after the building or use becomes nonconforming.

7. Commercial agricultural operations:

| | | | |
|---|---|---|---|
| | a. | Dairy farms: | 30 years. |
| | b. | Goat, sheep and other small animal farms: | 10 years. |
| | c. | Hog ranches: | 10 years. |
| | d. | Horse ranches: | 20 years. |
| | e. | Menageries: | 5 years. |
| | f. | Pen fed cattle operations: | 30 years. |
| | g. | Poultry: | 20 years. |
| | h. | Rabbits: | 10 years. |
| 8. | Noncommercial agricultural operations: | | |
| | a. | Goats, sheep and other small animals: | 3 years. |
| | b. | Hogs: | 3 years. |
| | c. | Horses and cattle: | 3 years. |
| | d. | Menageries: | 3 years. |
| | e. | Poultry: | 3 years. |
| | f. | Rabbits: | 3 years. |
| | g. | Crowing fowl: | 18 months |
| 9. | Parolee-Probationer Home | | 1 year |

D. EXTENSION OF AMORTIZATION PERIOD.

Whenever a commercial or industrial structure or use has exceeded the time periods specified in Section 18.8.C. of this ordinance an extension to a time certain may be granted. The total time allowed for the extension shall not exceed ten years. The following procedure shall apply to all applications for approval of Nonconforming Use Extensions for commercial or industrial uses only.

1. APPLICATION.

Every application for a Nonconforming Use Extension shall be made in writing on the forms provided by the Planning Department, shall be accompanied by the filing fee as set forth in Ordinance No. 671, and shall include the following information:

a. Name, address and phone number of applicant [or representative] and the property owner.

b. Assessor's Parcel Number of premises involved.

c. A site plan drawn in sufficient detail to clearly describe the following:

1) Physical dimensions of property.

2) Location and dimensions of all existing structures.

3) Setback dimensions.

4) Location and dimensions of all driveways, parking areas, landscape areas, fences, and walls.

5) Location and dimensions of all adjacent roadways showing location of street centerline and all existing improvements such as sidewalks, curbs, gutters, or curb cuts.

d. Panoramic photographs showing all sides of the on-site property and improvements as well as adjacent off-site properties.

e. Current zoning [with change of zone case number] and date it was adopted and became effective.

f. Prior zoning designation.

g. Written statement of justification for continued nonconforming use of the property.

h. Supporting documentation showing that the site has been in continuous use. Documentation may include, but is not limited to: bills of sale, bills of lading, utility bills, property tax records, Board of Equalization records, Employment Development Department records, fictitious business statement, Articles of Incorporation, canceled business checks, sales receipts, rental or lease agreements, or licenses.

i. Such other information as determined necessary by the Planning Department.

2. PUBLIC HEARING.

A public hearing shall be held on the application for a Nonconforming Use Extension in accordance with the provisions of Section 18.26. and all the procedural requirements and rights of appeal as set forth therein shall govern the hearing.

3. CONDITIONS.

A Nonconforming Use Extension shall not be granted unless the applicant demonstrates that the proposed use will not be detrimental to the health, safety, or general welfare of the community. Any extension that is granted shall be subject to such conditions as shall be necessary to protect the health, safety, or general welfare of the community.

E. EXPANSION OF NONCONFORMING USE.

The total square footage of an existing nonconforming structure or use, excluding mobilehomes, may be expanded a maximum of 25 percent on the same parcel of land from the time the use was deemed nonconforming. Such expansion shall require issuance of a building permit only and shall not extend the period of nonconforming time in which the use must be eliminated.

F. Any part of a structure or land occupied by a nonconforming use which is changed to or replaced by a use that conforms to the provisions of this ordinance as they apply to the particular zone shall not thereafter be used or occupied by a nonconforming use.

G. Any part of a structure or land occupied by a nonconforming use, which use is discontinued for one year or more, shall thereafter be used in conformity with the provisions of this ordinance and the nonconforming right shall be lost.

H. Any structure for which a permit has been legally issued, and on which substantial construction has been performed on the site before an amendment to the ordinance making the use nonconforming, may nevertheless be continued and completed in accordance with the plans and specifications upon which the permit was issued.

I. The provisions of this section shall not prevent the reconstruction, repairing, rebuilding, or replacement and continued use of any nonconforming structure that is damaged by fire, explosion or acts of God; provided, however, any such rebuilding, reconstruction, or repairing shall not extend the period of nonconforming time in which the use must be eliminated.

J. Whenever dwelling units in an area are zoned, as part of a senior citizen development, for permanent occupancy only by persons above a minimum age, any person below the minimum age requirement residing in a dwelling unit in the area at the time the zone classification becomes effective is not subject to the age restriction and may continue residency in the dwelling unit for an unlimited period of time. The right to continue such occupancy is not transferable to any other person.

K. The provisions of this section apply to structures and uses which become nonconforming by reason of the adoption of this ordinance or any amendment thereof, as of the effective date of such adoption or amendment. No use shall be deemed to have become nonconforming by virtue of decreased lot size resulting solely from the acquisition of any portion of the lot for public road or storm or drainage channel purposes or the adoption of any specific plan for such purpose.

Ord. 348.4806 Item 3-33 of 08/20/15 (Effective Date: 09/19/15)

## SECTION 18.9. DIVISION OF LAND.

Whenever a division of land is proposed, the total number of lots or density permitted shall be determined pursuant to the Riverside County General Plan, any applicable adopted specific plan and Section 66474 of the Government Code. In any event, no parcel shall be created that is below the minimum size allowed by the zoning classification that has been applied to the parcel of land unless a variance has been granted that allows smaller parcel sizes, or a planned residential development has been approved that allows smaller lot sizes as part of an overall development.

## SECTION 18.10. 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.

## SECTION 18.11. SIZE OF DWELLINGS.

No dwelling shall be constructed unless it has a minimum floor living area of not less than 750 square feet, provided, however, a larger minimum size dwelling may be specifically required in any area of the County by an official zoning plan map pursuant to Section 18.35. of this ordinance. Porches, garages, patios and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.

## SECTION 18.12. OFF-STREET VEHICLE PARKING.

The purpose of this section is to provide sufficient off-street parking and loading spaces for all land uses in the unincorporated area of the County of Riverside and to assure the provision and maintenance of safe, adequate and well-designed off-street parking facilities. It is the intent of this section that the number of required parking and loading spaces will meet the needs created by the particular uses. The standards for parking facilities are also intended to reduce street congestion and traffic hazards, promote vehicular and pedestrian safety and efficient land use.

Off-street vehicle parking shall be provided in accordance with this section when the associated building or structure is constructed or the use is established. Additional off-street parking shall be provided in accordance with this section when an existing building is altered or dwelling units, apartments or guest rooms are added, or a use is intensified by the addition of floor space or seating capacity, or there is a change of use.

A. PARKING DESIGN STANDARDS.

1. APPROVAL OF OFF-STREET PARKING PLAN.

A plot plan, pursuant to the provisions of Section 18.30. of this ordinance, shall be filed for approval of all off-street parking facilities, except for one and two-family residences and additional residential accommodations, unless the off-street parking facilities are approved as a part of a design review, plot plan, conditional use permit or public use permit approval.

2. 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:

| GENERAL COMMERCIAL/RETAIL USES | PER SQUARE FOOT OR UNIT | PER EMPLOYEE OR STUDENT | OTHER CRITERIA | FOR VEHICLE STACKING |
|---|---|---|---|---|
| auditoriums, exhibition halls, theaters, movie theaters and similar places with fixed seats | 1 space/3 seats | | | |
| auditoriums, exhibition halls, theaters, movie theaters, and similar places without fixed seats: | 1 space/30 sq. ft. of net assembly area | | | |
| automobile repair and service shops: | 1 space/150 sq. ft. gross floor area | | | |
| automobile service stations: | 4 spaces | | 4 spaces/service bay | |

| GENERAL COMMERCIAL/RETAIL USES | PER SQUARE FOOT OR UNIT | PER EMPLOYEE OR STUDENT | OTHER CRITERIA | FOR VEHICLE STACKING |
|---|---|---|---|---|
| automobile washing and cleaning establishments except self-serve: | | 1 space/3 employees of largest shift | 2 spaces/stall | |
| automobile washing and cleaning establishments - self-serve: | | | 2 spaces/stall | |
| banks, savings and loans, and other financial institutions: | 1 space/250 sq. ft. gross floor area | | | stacking for 6 vehicles prior to the drive-up window |
| barber and beauty shops and similar uses: | 1 space/150 sq. ft. gross floor area | | | |
| bingo game operations: | | | Ord. No. 558 | |
| clubs, discos, ballrooms, cabarets, cocktail lounges, dance halls, lodges & incidental dancing areas, and similar facilities where dancing is the principal use | 1 space/30 sq. ft. of dance floor area | | | |
| general retail; including, but not limited to, freestanding convenience markets, liquor stores and supermarkets: | 1 space/200 sq. ft. of gross floor area | | | |
| general retail; including but not limited to, neighborhood, community and regional shopping centers, including those with restaurants: | 5½ spaces/1,000 sq. ft. of net leasable floor area | | | |
| furniture, drapery, plumbing, floor covering, and appliance stores: | 1 space/750 sq. ft. of sale or display area | | | |
| laundries, self-serve: | 1 space/250 sq. ft. of gross floor area | | | |
| mini-warehouses, self storage: | | 2 spaces/3 employees | | |
| professional business office: | 1 space/200 sq. ft. of net leasable floor area | | | |
| restaurants, drive-thrus, walk-ups, cafes, lounges, bars and other establishments for the sale and consumption on the premises of food and beverages: | 1 space/45 sq. ft. of serving area | 1 space/2 employees | | stacking for 6 vehicles prior to the menu board |
| uncovered sales area, including areas for new or used automobiles, boat or trailer sales, lumber or building materials yards, plant nurseries or similar uses: | 1 space/1,000 sq. ft. of uncovered sales area to a maximum of 20 spaces | 1 space/employee | | |
| video arcades: | 1 space/250 sq. ft. of gross floor area | | | |
| NOTES: The columns, working left to right, are generally additive unless otherwise indicated. | | | | |

| GENERAL COMMERCIAL/RETAIL USES | PER SQUARE FOOT OR UNIT | PER EMPLOYEE OR STUDENT | OTHER CRITERIA | FOR VEHICLE STACKING |
|---|---|---|---|---|
| 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.<br><br>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. | | | | |

| COMMERCIAL CANNABIS ACTIVITIES | PER SQUARE FOOT OR UNIT | PER EMPLOYEE | OTHER CRITERIA | FOR VEHICLE STACKING |
|---|---|---|---|---|
| Indoor Cannabis Cultivation | | 2 spaces / 3 employees | | |
| Mixed Light Cultivation | | 2 spaces / 3 employees | | |
| Cannabis Wholesale Nursery | | 1 space / 2 employees | | |
| Cannabis Distribution Facility | | 2 spaces / 3 employees / largest shift | | |
| Cannabis Manufacturing Facility | | 2 spaces / 3 employees / largest shift | | |
| Cannabis Testing Facility | | 2 spaces / 3 employees / largest shift | | |
| Cannabis Retailer | 15 spaces or 1 space/200 sq. ft. of gross floor area, whichever is greater | | | |
| Cannabis Microbusiness Facility engaged as a Cannabis Retailer | 15 spaces or 1 space/200 sq. ft. of gross floor area, whichever is greater | | | |
| Cannabis Microbusiness Facility not engaged as a Cannabis Retailer | | 2 spaces / 3 employees | | |

Amended Effective:
)
Ord. No. 348.4898 Item 19.1 of 10.23.2018 (Effective Date: 12.23.18)

Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

| RECREATIONAL USES | PER SQUARE FOOT OR UNIT | OTHER CRITERIA | FOR VEHICLE STACKING |
|---|---|---|---|
| billiard and pool rooms: | 1 space/250 sq. ft. of gross floor area | | |

| RECREATIONAL USES | PER SQUARE FOOT OR UNIT | OTHER CRITERIA | FOR VEHICLE STACKING |
|---|---|---|---|
| bowling alleys: | | 4 spaces/alley | |
| driving ranges: | | 1 space/tee | |
| game courts, tennis courts, racquetball clubs: | | 1 space/court | |
| golf courses: | | 6 spaces/hole | |
| golf course, miniature: | | 3 spaces/hole | |
| gymnasiums, spas and health studios: | 1 space/200 sq. ft. of gross floor area | | |
| parks and recreational uses: | 1 space/8,000 sq. ft. of active recreational area within a park or playground | 1 space/acre of passive recreational area within a park or playground | |
| skating rinks, ice and roller: | 1 space/20 sq. ft. of seating area, AND 1 space/250 sq. ft. of skating area | | |
| stadiums and sport arenas: | 1 space/30 sq. ft. of net assembly area | | |
| swimming pools, commercial: | 1 space/250 sq. ft. of pool area | | |

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.

| INDUSTRIAL USES | PER SQUARE FOOT OR UNIT | PER EMPLOYEE OR STUDENT | OTHER CRITERIA | FOR VEHICLE STACKING |
|---|---|---|---|---|
| industrial uses: | If number of workers cannot be determined: 1 space/250 sq. ft. of office area, PLUS 1 space/500 sq. ft. of fabrication area, PLUS 1 space/1,000 sq. ft. of storage area, AND 1 space/500 sq. ft. of floor plan which is uncommitted to any type of use | If number of workers can be determined: 1 space/2 employees of largest shift, AND 1 space/vehicle kept in connection with the use | | |
| manufacturing or repair plants maintaining more than one shift of workers: | | 2 spaces/3 employees on each of the two largest shifts | 1 space/company operated vehicle | |
| salvage and junk yards, including but not limited to automobile dismantling, auto wrecking yards, storage yards, scrap metal | 1 space/5,000 sq. ft. of lot area | | | |

| INDUSTRIAL USES | PER SQUARE FOOT OR UNIT | PER EMPLOYEE OR STUDENT | OTHER CRITERIA | FOR VEHICLE STACKING |
|---|---|---|---|---|
| processing and similar uses: | | | | |
| warehouses and wholesaling: | 1 space/2,000 sq. ft. of gross floor area | | | |

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.

| **RESIDENTIAL USES** **(Parking must be located on-site conveniently distributed throughout the project. For multiple family residences, condominiums, planned residential developments and senior citizen planned residential developments, 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.)** | PER SQUARE FOOT OR UNIT | PER EMPLOYEE OR STUDENT | OTHER CRITERIA |
|---|---|---|---|
| Single family: | 2 spaces/dwelling unit | | |
| **Multiple family:** | | | |
| single bedroom or studio dwelling unit: | 1.25 spaces/unit | | |
| two bedrooms/dwelling unit: | 2.25 spaces/unit | | |
| three or more bedrooms/dwelling unit: | 2.75 spaces/unit | 1 space/employee | |
| **Planned residential development:** | | | |
| single bedroom dwelling unit: | 1.5 spaces/unit | | |
| two or more bedroom dwelling unit: | 2.5 spaces/unit | | |
| senior citizen: (Parking spaces shall be located no more than 150 feet from the unit they serve.) | Refer to single family and multiple family residential requirements stated above. | | |
| Mobilehome parks: | 2 spaces/travel trailer or mobilehome space- spaces may be tandem | | 1 guest space/8 mobilehome spaces |

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.

| LODGING USES (All parking must be within 150 feet of the use served.) | PER SQUARE FOOT OR UNIT | PER EMPLOYEE OR STUDENT | OTHER CRITERIA |
|---|---|---|---|
| boarding houses, lodging or rooming houses, dormitories, fraternity and sorority houses: | | | 1 space/2 beds |
| hotels and motels: | | | 1 space/room, AND 2 spaces/resident manager |
| recreational vehicle parks: | 1space/recreation vehicle site | | 1 visitor space/5 recreational vehicle sites |
| MEDICAL USES | | | |
| home for the aged, sanitariums, convalescent homes, children's homes, asylums, and nursing homes or similar institutions: | | 1 space/3 employees | 1 space/3 beds, AND 1 space/vehicle owned and operated by the institution |
| hospitals and clinics: (A hospital may have a parking area more than 150 feet from the building to be served as long as an automatic parking gate or similar method of vehicular control is installed.) | | 1 space/staff member of largest shift | 1 space/2 patient's beds, AND 1 space/vehicle owned and operated by hospital or clinic |
| medical and dental offices, clinics, and medical business offices: | 1 space/200 sq. ft. of net leasable floor area | | |
| veterinary hospitals and clinics: | 1 space/300 sq. ft. of gross floor area | | |

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.

| CIVIC/RELIGIOUS INSTITUTIONS | PER SQUARE FOOT OR UNIT | PER EMPLOYEE OR STUDENT | OTHER CRITERIA |
|---|---|---|---|
| auditoriums with fixed seats: | 1 space/3 seats | | |
| auditoriums without fixed seats: | 1 space/30 sq. ft. of net assembly area in the assembly hall | | |
| cemeteries and crematories, mausoleums, columbariums and funeral establishments when incidental to a cemetery: | 1 space/30 sq. ft of net assembly room area | 1 space/employee | 1 space/vehicle operated on the grounds by the proprietary institution |
| churches, chapels and other places of worship: | 1 space/35 sq. ft. of net assembly area used simultaneously for assembly purposes | | When a school bus is kept, there can be a reduction of 2 spaces/bus |
| libraries, museums, art galleries or similar uses: | 1 space/300 sq. ft. of gross floor area | 1 space/2 employees | |
| mortuary and funeral homes: | 1 space/35 sq. ft. of net assembly area | 1 space/employee | |

| CIVIC/RELIGIOUS INSTITUTIONS | PER SQUARE FOOT OR UNIT | PER EMPLOYEE OR STUDENT | OTHER CRITERIA |
|---|---|---|---|
| PUBLIC UTILITIES/TELECOMMUNICATIONS | | | |
| public utility facilities, including but not limited to, electric, gas, telephone, and telecommunication facilities not having business offices on the premises: | | 1 space/2 employees | 1 space/vehicle kept in connection with the use |

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.

| EDUCATIONAL INSTITUTIONS | PER SQUARE FOOT OR UNIT | PER EMPLOYEE OR STUDENT | OTHER CRITERIA | FOR VEHICLE STACKING |
|---|---|---|---|---|
| day care centers, including nurseries and pre-schools | 1 space/500 sq. ft. of gross floor area | | When a school bus is kept, there can be a reduction of 2 spaces/bus | |
| elementary and intermediate: | Whichever is greater: 1 space/classroom, OR 1 space/3 seats in the auditorium or multi-purpose room. | | When a school bus is kept, there can be a reduction of 2 spaces/bus | Loading/unloading space for at least 2 school buses |
| high schools: | | 1 space/employee, PLUS 1 space/faculty member, AND 1 space/8 students | When a school bus is kept, there can be a reduction of 2 spaces/bus | Loading/unloading space for at least 2 school buses |
| colleges and universities: | Whichever is greater: 1 space/30 sq. ft. of net assembly area of main auditorium or stadium OR | 1 space/employee, PLUS 1 space/faculty member, AND 1 space/2 students | | |
| trade schools, business colleges and commercial schools | | 1 space/employee, PLUS 1 space/2 students | | |
| private schools: | | 1 space/employee, PLUS 1 space/2 students | | Loading / unloading space for at least 10 cars |

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.

c. ELECTRIC VEHICLE PARKING AND CHARGING STATIONS.

1) Requirements.

a. Development projects for Multiple Family Dwellings that require two (2) to twenty-four (24) parking spaces shall designate one (1) parking space for electrical vehicles.

b. All development projects that require twenty-five (25) to forty-nine (49) parking spaces shall designate two (2) parking spaces for electrical vehicles.

c. All development projects that require fifty (50) or more parking spaces shall designate three (3) spaces for electrical vehicles, and designate one (1) additional space for electrical vehicles for each additional fifty (50) parking spaces.

d. All electrical vehicle parking spaces shall be serviced by an electrical vehicle charging station. If capable, a charging station may service more than one electrical vehicle parking space.

e. All electrical vehicle parking spaces shall be shown on parking site plans.

2) Signage and Charging Station Location

a. Signage shall be installed designating spaces for electric vehicles only.

b. Charging stations shall be installed in locations easily accessible to service an electrical vehicle.

c. Charging stations and associated equipment or materials shall not encroach into the minimum required areas for driveways, parking spaces, garages or vehicle maneuvering.

Added Effective:
Ordinance No. 348.4885 Item 18.1 of 7/17/18 (Effective: 8.16.18)

d. 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.

e. 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.

f. 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.

Amended Effective:
11-28-97 (Ord. 348.3804)

g. For projects within the "Rubidoux Village Policy Area" of the Jurupa Community Plan which are zoned R-VC (Rubidoux-Village Commercial), the Planning Director may, upon application by the owner or the lessee of any property, having 50 feet or more of street frontage or 7,500 square footage in building area, authorize shared use of parking facilities under the following conditions:

1) Individual lots of less than 50 feet in width or 7,500 square feet in area are exempt from the on-site parking requirement.

2) Individual lots with areas between 7,500 and 15,000 square feet may use street and public parking to meet no more than 75 percent of the parking requirement.

3) Individual lots in excess of 15,000 square feet may use street and public area parking to meet no more than 50 percent of the parking requirement.

4) When street parking is used to meet the parking requirement, all regular and handicap stalls on the street within 600 feet of the boundaries of the project may be counted. This provision applies to parking along Mission Boulevard as well as the local streets that serve Mission Boulevard.

5) Parking within public parking lots created as a function of the Jurupa Valley Redevelopment Plan (JVRP) already in existence may also be counted toward the shared parking allowance if located within 600 feet of the boundaries of the parcel in question.

6) An exemption from the off-street parking requirements is granted for all existing uses and structures undergoing remodeling or improvements that do not propose to alter the existing permitted uses, expand the area devoted to such uses or alter the existing parking arrangement.

7) Parking area improvement standards: In situations where off-street parking is required, the design of the parking area must respond to the following criteria:

a) Access to parking areas over public or private sidewalks must be indicated by a change in paving texture.

b) A landscape buffer of a minimum five feet in width must separate the parking area from a public right-of-way or the building setback line.

Added Effective:
11-28-97 (Ord. 348.3804)

h. 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.

i. 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/STACKING SPACES AND AISLES**

| *PARKING SPACES:* | | | |
|---|---|---|---|
| **ANGLE OF PARKING SPACE** | ***SIZE*** | ***AISLE WIDTH*** | ***WIDTH OF DOUBLE ROW AND AISLE*** |
| 0 degree (parallel parking) | 9 ft. x 23 ft.; end stall: 9 ft. x 30 ft. | 12 feet | 30 feet |
| 45 degrees | 9 ft. x 19 ft.; end stall: 12.8 ft x 19 ft. | 14 feet | 52 feet |
| 60 degrees | 9 ft. x 20 ft.; end stall: 10 ft. x 20 ft. | 18 feet | 58 feet |
| 90 degrees | 9 ft. x 18 ft.; end stall: 11 ft. x 18 ft | 24 feet | 60 feet |
| Herringbone | 9 ft. x 18 ft. | 14 feet | between 45.6 feet & 48.8 feet |
| STACKING SPACES: | | | |
| N/A | 25 ft. in length per vehicle | 12 feet | N/A |

NOTES: Parking spaces next to a wall, building, fence or other obstructions shall be three feet wider than the required width as listed above.

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.

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

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.

| SURFACING STANDARDS | |
|---|---|
| **TYPE OF USE** | **SURFACING MATERIALS** |
| One and two family residences<br>• less than 2 acre parcel<br><br>• equal to or greater than 2 acre parcel | •concrete, asphaltic concrete, brick or equivalent<br><br>•at least three inches of decomposed granite or equivalent |
| • Multiple family residences | • concrete, asphaltic concrete, brick or equivalent<br><br>• driveways with an inverted section shall be constructed with a concrete ribbon gutter |
| • 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.<br><br>• Other cases where the aforementioned circumstances do not apply or as determined by the Planning Director. | • concrete surfacing with a minimum thickness of 32 inches, with expansion joints; or,<br><br>• asphaltic concrete paving compacted to a minimum thickness of three inches on four inches of Class 2 base<br><br>• 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.

h) Walls. All paved parking areas, other than those required for single family residential uses, which adjoin property zoned R-1, R-1A, R-2, R-2A, R-3, R-3A, R-4, R-5, R-6, R-A, R-R or R-T, shall have a six-foot high solid masonry wall provided with an anti-graffiti coating installed to preclude a view of the parking area from such adjoining property. However, any walls within ten feet of any street or alley shall be 30 inches high.

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.

| TABLE OF NUMBER 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 |
| 76 to 100 | 4 |
| 101 to 150 | 5 |
| 151 to 200 | 6 |
| 201 to 300 | 7 |
| 301 to 400 | 8 |
| 401 to 500 | 9 |
| 501 to 1,000 | two percent of total number of required parking spaces |
| over 1,000 | 20 plus one for each 100, or fraction thereof over 1001 |
| NOTES: A higher percentage of accessible parking spaces is required for medical care outpatient facilities as follows:<br><br>Ten percent of the total number of parking spaces provided for outpatient facilities.<br><br>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. 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.

a. Industrial developments shall provide one (1) bicycle space for every twenty-five (25) parking spaces required, with a minimum of two (2) bicycle spaces provided for the development. The bicycle spaces may include either Class I or Class II bicycle parking facilities.

b. Restaurant and cocktail lounge developments shall provide one (1) bicycle space for every fifty (50) parking spaces required, with a minimum of two (2) bicycle spaces provided for the development. The bicycle spaces may include either Class I or Class II bicycle parking facilities.

c. Commercial, office, service and other similar developments shall provide one (1) employee bicycle space for every twenty-five (25) parking spaces required, and one (1) patron or visitor bicycle space for every thirty-three (33) parking spaces required, with a minimum of four (4) bicycle spaces provided for the development. The bicycle spaces may include either Class I or Class II bicycle parking facilities.

d. Mixed use development including a combination of residential, retail, or office uses shall provide the following:

i. One (1) bicycle space for each residential dwelling 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 dwelling units.

ii. One (1) bicycle space for every twenty-five (25) parking spaces required for the development's non-residential uses, with a minimum of four (4) bicycle spaces provided. The non-residential bicycle spaces may include either Class I or Class II bicycle parking facilities.

e. Multiple family dwelling developments shall provide one (1) bicycle space for each residential dwelling 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 dwelling units.

f. Where the application of the above results in the requirement for a fraction of a bicycle parking space, the space need not be provided unless the fraction exceeds 50 percent.

Amended Effective:
Ordinance No. 348.4885 Item 18.1 of 7/17/18 (Effective: 8.16.18)

E. LANDSCAPING, GENERAL PROVISIONS.

1. APPLICATION REQUIREMENTS. A landscaping plan, landscaping grading plan, irrigation plan and shading plan shall be required for all plot plans, conditional use permits, public use permits, surface mining permits, subdivisions, and any other permit when the Planning Director deems it necessary.

a. 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. (Classification of Plot Plans) of this ordinance.

b. The landscaping plan, landscaping grading plan, irrigation plan and shading plan may be submitted on four separate exhibits or may be combined on one to three exhibits, provided that the information required to be displayed for each plan is legible and clearly discernible.

c. No less than the number of copies as determined by the Planning Director of the landscaping plan, landscaping grading plan, irrigation plan and shading plan shall be submitted for approval by the Planning Director.

d. All landscaping shall comply with County Ordinance No. 859 in regard to water-efficient landscaping.

e. All plans shall show the following information:

1) The first sheet of a multiple sheet set shall contain a title block with the name and address of the project, sheet number, and numbers of sheets and a revision block to indicate date and type of revisions.

2) Each sheet shall show the required technical data, including scale of drawing, North arrow, date drawn, and dates of revisions (if applicable), all property lines and project limits, if other than property limits, all easements, fences, walls, curbs, roads, walks, structures, mounds, swales, manholes, banks, and all plant and landscaping materials, grading, irrigation and other exterior elements proposed. A legend shall also be included for each symbol used.

2. LANDSCAPING PLAN REQUIREMENTS.

a. The location of all existing landscaping materials, and where proposed landscaping material is to be placed shall be shown. Existing trees shall be preserved whenever it is practical to do so, and shall be shown on the landscaping plan. Any existing trees to be removed pursuant to County Ordinance No. 559 shall also be shown on the landscaping plan.

b. The quantities, sizes and locations of all trees, shrubs and ground cover, hydroseed and wildflower mixtures, etc. shall be indicated. Trees shall be a minimum 15 gallon size. Shrubs shall be a minimum five gallon size; however, the use of smaller plants may be approved for areas where color or growth habits make it suitable.

c. All trees and shrubs shall be drawn to reflect the average specimen size at 15 years of age. Trees shall be drawn to size as indicated on the shade tree list as provided in the "Riverside County Guide to Trees, Shrubs and Ground Covers".

d. All plants shall be listed by correct botanical name and common name.

e. The soil surface of all planters shall be shown planted or covered with suitable material.

f. Lawns shall be indicated by common name of species and method of installation (seeding, hydromulching or sodding).

g. Proposed treatment of all ground surfaces, including paving, turf, and gravel.

h. Planting details and methods of application shall be shown.

i. Complete construction detail referencing (fencing, walls, etc.) shall be indicated.

3. LANDSCAPING GRADING PLAN REQUIREMENTS. The grading plan shall show the drainage of all planting areas and the heights of mounds. Mounds shall not exceed 3:1 slope, and no mound over 30 inches high shall be placed within ten feet of any street and/or alley intersections.

4. IRRIGATION PLAN REQUIREMENTS. An irrigation plan shall show the following:

a. Locations of all irrigation components, such as sprinkler heads, valves, pipes, backflow prevention devices and water taps, and if applicable, automatic controllers, quick couplers, hose bibs and washer boxes.

b. Proposed radius or diameter of throw (sprinkler coverage) at a stated pressure (P.S.I.) for each sprinkler head.

c. Worst case irrigation system pressure loss calculations.

d. Static water pressure PSI (pounds per square inch), available GPM (gallons per minute), water pressure zone, agency reading locations and source of information for each one.

e. County required water budget calculations based on the "Riverside County Guide to Trees, Shrubs and Ground Covers".

5. SHADING PLAN REQUIREMENTS.

a. Parking area landscaping shall include shade trees from the "Riverside County Guide to Trees, Shrubs and Ground Covers", unless otherwise approved by the Planning Director, so as to provide for adequate shade canopies within 15 years of age as follows:

| **PERCENTAGE OF TOTAL PARKING AREA REQUIRED TO BE SHADED** | |
|---|---|
| **NUMBER OF PARKING SPACES** | **PERCENTAGE OF PARKING AREA TO BE SHADED** |
| 05 - 24 spaces | 30% minimum |
| 25 - 49 spaces | 40% minimum |
| 50+ spaces | 50% minimum |

| PERCENTAGE OF TOTAL PARKING AREA REQUIRED TO BE SHADED | |
|---|---|
| **NUMBER OF PARKING SPACES** | **PERCENTAGE OF PARKING AREA TO BE SHADED** |
| NOTE: The percentage of parking area required to be shaded shall be based on the number of uncovered parking spaces; driveways and aisles are excluded. Multi-level parking structures are exempt from shading requirements. | |

b. Trees shall be a minimum 15 gallon size at planting.

c. 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". 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.

6. LANDSCAPING DESIGN STANDARDS. Landscaping shall be incorporated into the design of all off-street parking areas, including covered and decked, as follows:

a. GENERAL LANDSCAPING PROVISIONS.

1) These provisions apply to:

a) Landscaping throughout and immediately surrounding parking areas; and,

b) Additional landscaping as required by a zone classification.

2) Landscaped areas shall be distributed throughout the entire off-street parking area as evenly as is appropriate in the design of the parking facility.

3) 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.

4) Any open areas in the interior shall be landscaped with appropriate plant materials and maintained in good condition as provided in this article.

5) All landscaped areas shall be designed so that plant materials are protected from vehicle damage, encroachment or overhang.

6) 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.

7) No trees shall be planted within ten feet of driveways, alleys and/or street intersections.

8) All landscaping shall be within planters bounded by a curb at least six inches high.

9) 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.

10) 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.

11) In addition to the perimeter landscaping required by this article, parking areas of five spaces or more shall be required to provide additional landscaped areas within the parking area. A minimum percentage of the total parking area shall be landscaped as follows:

| MINIMUM PERCENTAGE OF TOTAL INTERIOR PARKING AREA TO BE LANDSCAPED | | | |
|---|---|---|---|
| PARKING SPACES REQUIRED | 5-24 SPACES | 25-49 SPACES | 50 + SPACES |
| PERCENTAGE TO BE LANDSCAPED | 5.0 % | 7.5 % | 10.0 % |
| PERCENTAGE TO BE LANDSCAPED - ALONG STATE AND COUNTY SCENIC HIGHWAYS | 6.0 % | 8.5 % | 11.0 % |

12) At the discretion of the appropriate authority, 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.

a) Such a walkway shall be located so as to facilitate the most direct movement of persons using sidewalk curb ramps, if provided.

b) 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.

b. 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 R-1, R-2, R-2A, R-3, R-3A, R-4, R-6, R-A, R-R or R-T. Within this planter, one screen tree from the "Riverside County Guide to Trees, Shrubs and Ground Covers" 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 least 45 feet apart for every 150 feet of frontage along a public road right-of-way. Within this planter, trees from the "Riverside County Guide to Trees, Shrubs and Ground Covers" 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.

7) All planters located adjacent to end parking spaces shall have a six inch high and 12 inch wide concrete walkway.

c. 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, non-drought 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 order to conserve water, alternative types of low volume irrigation concepts may be used, including, but not limited to, drip/trickle, rotary spray, mini-spray, bubbler, and perforated soaker tubing.

d. GENERAL IRRIGATION PROVISIONS.

1) An automatic irrigation system for all planted areas shall be required.

a) The layout of the system should consider meter water pressure, pipe size and length, and type of heads (sprinkler, bubbler or rainbird).

b) Hose bibs shall be located in each tree well site as may be considered adequate for irrigation of said trees.

2) Sprinkler spacing shall not exceed the manufacturer's recommended spacing or, if no spacing is recommended, spacing shall not exceed 60 percent of the diameter of throw (sprinkler coverage).

3) No sprinklers on risers shall be installed next to walks, streets and/or pavement. Sprinklers in hazardous locations shall be flush mounted on high pop models only.

4) Backflow prevention devices for sprinklers shall comply with the latest edition of the Uniform Plumbing Code as adopted by the County.

7. 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.

8. ENFORCEMENT OF LANDSCAPING DESIGN STANDARDS.

a. Prior to the issuance of a final building occupancy certificate, all required landscape planting and irrigation shall have been installed and be in a condition acceptable to the Planning Director.

1) The plants shall be healthy and free of weeds, disease or pests.

2) The irrigation system shall be properly constructed and in good working order.

b. Prior to the issuance of a building permit, performance securities in an amount to be determined by the Building and Safety Director shall be filed with said director, so as to guarantee:

1) The installation of plantings, walls, and fences in accordance with the approved landscaping plan when the total uncovered parking area on the property, including adjoining parcels over which the property has a shared parking agreement, and/or any other parking agreement exceeds 3,600 square feet; and,

2) The adequate maintenance of the planting for one year.

c. The Building and Safety Director shall be authorized to execute, on behalf of the County, the required agreements and bonds and those forms and terms approved by the Board of Supervisors.

1) Acceptable forms of security shall be limited to the following:

a) A bond from a duly authorized corporate surety,

b) A deposit of cash with the County,

c) An irrevocable instrument of credit from a regulated financial institution; or,

d) An irrevocable letter of credit issued by a regulated financial institution, provided that a cash bond is required to guarantee the installation of plantings, walls and fences when the estimated cost is equal to or less than the cost determined by the County Building and Safety Department. The remaining performance surety shall be released one year after installation is approved, provided that the planting has been adequately maintained.

F. ADDITIONAL RESIDENTIAL ACCOMMODATIONS.

Additional requirements for off-street parking associated with additional residential accommodations are provided in Article XIXj of this ordinance.

Amended Effective:
05-29-84 (Ord. 348.2341)
05-29-84 (Ord. 348.2342)
12-12-85 (Ord. 348.2533)
08-28-86 (Ord. 348.2612)
06-30-88 (Ord. 348.2856)
06-06-89 (Ord. 348.3032)
06-06-89 (Ord. 348.3032)
06-06-89 (Ord. 348.3032)
07-04-96 (Ord. 348.3773)
07-04-96 (Ord. 348.3773)

## SECTION 18.13 (Repealed 07-04-96.)

Amended Effective:
11-12-85 (Ord. 348.2533)

## SECTION 18.14. 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.

## SECTION 18.15. YARD REQUIREMENTS.

No required yard or other open space around an existing building, or any building hereafter erected, shall be considered as providing a yard or open space for any other building on an adjoining lot or building site, except in the case of zero lot line residential projects pursuant to an overall development.

Amended Effective:
06-28-84 (Ord. 348.2342)

## SECTION 18.16. 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. This general provision shall prevail over any specific setback stated in the C-1/C-P, M-SC, A-1, A-2 Zones.

## SECTION 18.17. ACCESSORY USES.

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 18.18.

Amended Effective:
Ord. 348.4481 Item 2.16 of 02/26/08 (Effective Date: 03/27/08)
Ord. 348.4791 Item 16-1 of 12/02/14 (Effective Date: 01/01/15)

## SECTION 18.18. DETACHED ACCESSORY BUILDINGS AND STRUCTURES.

A. INTENT. The Board of Supervisors has adopted the following provisions to establish minimum development requirements for the erection of detached accessory buildings and structures in the unincorporated areas of Riverside County. These requirements are intended to provide for the appropriate construction of detached accessory buildings and structures, enhance the aesthetic appearance of the community, preserve property values and protect the public health, safety and welfare.

B. APPLICABILITY. This article applies only to non-habitable detached accessory buildings and structures. Article XIXj for additional residential accommodations applies to all habitable detached accessory buildings and structures or structures with portions of habitable space. This section shall not apply to agricultural structures in the A-1, A-P, A-2 or A-D zones.

Added Effective:
Ord. No. 348.4997 Item 21.1 of 3.14.2023 (Effective Date: 4.28.23)

C. DETACHED ACCESSORY BUILDINGS AND STRUCTURES.

1. ALLOWED USE. Subject to the provisions provided in this Section, detached accessory buildings and structures are allowed on lots where the principal use of the lot is a one family dwelling.

2. PLOT PLAN REQUIREMENT.

a. Notwithstanding the above Section 18.18.C.1., the Planning Director may, based on a determination of potential environmental concerns, require the submittal of a plot plan including the preparation of an environmental assessment pursuant to Section 18.30 of this ordinance if either:

i. A detached accessory building or structure on a lot equals or exceeds five thousand (5,000) square feet in size; or,

ii. The total square footage of all detached accessory buildings or structures of a lot equal or exceed five thousand (5,000) square feet. Said determination of potential environmental concerns shall be made by the Planning Director and is within his or her sole discretion.

b. If a plot plan is required for a detached accessory building or structure, a public hearing shall be held in accordance with Section 18.30 of this ordinance and the plot plan shall only be approved if it complies with the requirements of this Section and the requirements of Section 18.30 of this ordinance.

3. DEVELOPMENT STANDARDS. In addition to the development standards of the applicable zone, a detached accessory building or structure shall comply with the following:

a. Where a rear yard is required by this ordinance, a detached accessory building or structure shall not be less than the requirement of the zone.

b. In areas of altitudes above four thousand (4,000) 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.

c. Detached accessory buildings or structures shall not be located closer to the front lot line than the principal dwelling on the same lot, except the Planning Director may, based on a determination that this standard is infeasible for the lot, allow detached accessory buildings or structures to be setback a minimum of 25 feet from the front lot line.

d. No detached accessory building shall be nearer to the one family dwelling, or other building or structure than is permitted by Ordinance No. 457 and Ordinance No 787.

e. The building height of a detached accessory building or structure shall not exceed two stories or forty feet, unless a greater height is approved pursuant to Section 18.34 of this ordinance.

f. Bare metal buildings and structures without paint or exterior architectural coatings or treatments shall not be located on a lot one (1) acre or smaller.

g. 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.

h. 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.

i. No detached accessory building or structure shall be used for overnight accommodations.

j. No detached accessory building or structure shall contain a kitchen.

k. 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.

l. 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.

m. Notwithstanding the above, in areas of altitudes below four (4,000) thousand feet and where the slope of the front twenty (20) feet of the lot is greater than one (1) foot rise or fall in a seven (7) foot run from the established street elevation, or where the frontage of the lot is more than four (4) feet above or below such established street elevation, a private garage may be built to the front 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, in areas of altitudes above four thousand (4,000) feet and where the slope of the front twenty (20) feet of a lot is greater than one (1) foot rise or fall in a seven (7)foot run from the established street elevation, or where the frontage of the lot is more than four (4) feet above or below such established street elevation, a private garage or carport may be built to the front or side lot lines.

Amended Effective:
Ord. 348.4481 Item 2.16 of 02/26/08 (Effective Date: 03/27/08)
Ord. 348.4703 Item 16.1 of 10/19/10 (Effective Date: 11/18/10)
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/2023)

D. EXCEPTIONS.

1. This section shall not apply to agricultural structures in the A-1, A-P, A-2 or A-D zones.

Amended Effective:
07-31-1984 (Ord. 348.2358)
03-27-2008 (Ord. 348.4481)
08-20-2009 (Ord. 348.4647)
11-19-2010 (Ord. 348.4703)
Ord. 348.4791 Item 16-1 of 12/02/14 (Effective Date: 01/01/15)
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/2023)

## SECTION 18.19. YARD ENCROACHMENTS.

Where yards are required by this ordinance, they shall be open and unobstructed from the ground to the sky and kept free of all structural encroachments, except as follows:

A. Outside stairways or landing places, if unroofed and unenclosed, may extend into a required side yard for a distance of not to exceed three feet and/or into the required rear yard a distance of not to exceed five feet.

B. Cornices, canopies, and other similar architectural features not providing additional floor space within the building may extend into a required yard not to exceed one foot. Eaves may extend three feet into a required yard. One pergola or one covered but unenclosed passenger landing may extend into either side yard provided it does not reduce the side yard below five feet and its depth does not exceed 20 feet.

Amended Effective:
08-29-85 Ord. 348.2510

## SECTION 18.20. HEIGHT EXCEPTIONS.

A. Public or semipublic buildings in the R-1 and R-2 Zones may be erected to a height not exceeding four stories or 60 feet when the required yards are increased by an additional two feet for each foot by which the height exceeds 35 feet.

B. Structures necessary for the maintenance and operation of a building and flagpoles, chimneys or similar structures that exceed the prescribed height limits may exceed the prescribed height limits where such structures do not provide additional floor space. This exception shall not apply to wireless facilities subject to Article XIXg of this ordinance.

Amended Effective:
Ord. No. 348.4947 Item 21.4 of 3/2/21 (Effective Date: 4/1/21)

## SECTION 18.21. THROUGH LOTS, REGULATIONS.

On through lots, either lot line separating such lot from a street may be designated as the front lot line. In such cases, the minimum rear yard shall not be less than a required front yard in the zone in which such lot is located.

Amended Effective:
05-29-84 (Ord. 348.2342)

## SECTION 18.22. LOTS RECORDED.

Any lot shown upon an official subdivision map or record of survey map duly approved and recorded or any lot for which a bona fide deed has been used as a building site, provided the required yard setbacks are maintained.

## 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 |

## SECTION 18.24. WATER WORK FACILITIES.

Water works facilities, both public and private, intended primarily for the production and distribution of water for irrigation purposes, shall not be subject to any of the provisions of this ordinance.

## SECTION 18.25. 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.

## SECTION 18.26. PERMIT APPLICATIONS.

The following procedures shall apply to applications for any permit or variance described herein unless otherwise specified.

Amended Effective:
09-08-95 (Ord. 348.3727) 04-19-95 (Ord. 348.3770)

A. APPLICATIONS.

Permit applications shall be filed with the Planning Director, accompanied by the fees as set forth in County Ordinance No. 671, in accordance with the provisions of the ordinance for the type of permit requested.

B. SETTING HEARING.

A public hearing upon an application shall be set before the appropriate hearing body when:

1. The Planning Director has determined that the application complies with all ordinance requirements; and,

2. All procedures required by Riverside County Rules Implementing the California Environmental Quality Act to hear a matter have been completed.

C. NOTICE OF HEARING.

Notice of time, date and place of the hearing, the identity of the hearing body and a general description of the location of the real property, which is the subject of the hearing, shall be given at least ten days prior to the hearing by all of the following procedures:

1. Publication once in a newspaper of general circulation in the County.

2. Mailing or delivering to the owner of the subject real property or the owner's duly authorized agent, and to the project applicant.

3. Mailing or delivering to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project whose ability to provide those facilities and services may be significantly affected.

4. Mailing or delivering to all owners of real property which is located within 300 feet of the exterior boundaries of the subject property, as such owners are shown on the last equalized assessment roll and any update.

5. Mailing by first class mail to any person who has filed a written request with the Planning Department and has provided the Department with a self-addressed stamped envelope for that purpose.

6. If the number of owners to whom notice would be mailed or delivered pursuant to paragraphs (2) or (4) herein is greater than 1,000, in lieu of mailed or delivered notice, notice may be provided by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation at least 10 days prior to hearing.

7. The Planning Director may require that additional notice of the hearing be given in any other manner he deems necessary or desirable.

D. ADMINISTRATION OF OATHS. The Chairman may require that witnesses be sworn.

E. PUBLIC HEARINGS AND NOTICE OF DECISION.

The hearing body or officer shall hear relevant testimony from interested persons and make its decision within a reasonable time after the close of the public hearing. A notice of the decision shall be mailed to the applicant and to any person who has made a written request for a copy of the decision. In a reasonable time the Planning Director shall report to the Board of Supervisors all final decisions made at a public hearing either at Planning Commission or by the Planning Director or the Planning Director's designee. The Planning Director shall report in the same way on the inability of the Planning Commission to make a decision on a public hearing item, which shall be considered a denial of the application.

F. PROCEEDING BEFORE THE BOARD OF SUPERVISORS.

The decision of the hearing body is considered final and no action by the Board of Supervisors is required unless, within ten (10) calendar days from the date of the decision, either: an appeal therefrom is filed, accompanied by the fee set forth in County Ordinance No. 671, with the Clerk of the Board; or a member of the Board of Supervisors submits a request to the Planning Director that the decision be set for public hearing before the Board of Supervisors. The Clerk of the Board shall set the matter for public hearing before the Board not less than thirteen (13) nor more than sixty (60) days thereafter and shall give notice of the time and place of the public hearing in the same manner as notice was given of the public hearing before the hearing body.

G. HEARING BEFORE THE BOARD OF SUPERVISORS.

The Board of Supervisors shall hear the matter de novo; however, the documents and the minutes of the hearing before the hearing body shall be a part of the Board's record at its hearing on the matter. The Board shall hear relevant testimony from interested persons and within a reasonable time after the close of the hearing, make its decision sustaining, reversing or modifying the decision of the hearing body.

H. TRANSCRIPTS.

1. Whenever any person desires to obtain a transcript of the oral proceedings of a public hearing before the Board of Supervisors, Planning Commission or the East Area Planning Council, or desires to have a record made of such proceedings, he shall, not less than seven days before the hearing, notify in writing the Clerk of the Board, if the hearing is before the Board, or the Secretary of the Planning Commission if the hearing is before the Planning Commission or the East Area Planning Council. The

written request shall be accompanied by a deposit of a sum equal to one day's fee for a Court Reporter. The Clerk or Secretary shall thereupon arrange to have a Court Reporter present at the hearing. If the hearing is thereafter continued to another day, a like request, deposit an arrangement for a Court Report shall be made, if the record is desired. Such a person may directly arrange for attendance and payment of a Court Reported instead of making such arrangements through the Clerk of Secretary by the person desiring the same.

2. Whenever any person desires to obtain a Clerk's transcript of the documents involved in a proceeding before the Board of Supervisors, the Planning Commission or East Area Planning Council, he shall make a written request to the Clerk of the Board, if the matter is before the Board of Supervisors or to the Secretary of the Planning Commission, if the matter is before the Planning Commission, if the matter is before the Planning Commission or the East Area Planning Council. The Clerk or Secretary shall determine the number of pages involved and require payment in advance for the transcript at the current rate.

Amended Effective:
11-11-82 (Ord. 348.2104)
03-12-87 (Ord. 348.2670)
05-31-83 (Ord. 348.2156)
09-08-95 (Ord. 348.3727)
07-03-84 (Ord. 348.2338)
04-19-96 (Ord. 348.3770)
01-03-85 (Ord. 348.2430)
Ord. No. 348.4947 Item 21.4 of 3/2/21 (Effective Date: 4/1/21)

## SECTION 18.26a. FAST TRACK PROJECT PROCEDURES.

The following procedures shall apply to applications for any permit or approval included in a fast track project as defined in Section 21.34.D. of this ordinance.

A. AUTHORITY OF BOARD OF SUPERVISORS.

Notwithstanding any other provision of this ordinance or of County Ordinance No. 460, the Board of Supervisors hereby deems it appropriate and necessary to reserve to itself the functions of the planning agency with respect to hearing any permit or approval included in a fast track project. The Board of Supervisors shall have exclusive authority to hear, approve, conditionally approve or disapprove any permit or approval included in a fast track project. Notwithstanding any other provision of this ordinance or of County Ordinance No. 460, no hearing before the Planning Commission or the Planning Director shall be required with respect to any permit or approval included in a fast track project.

B. APPLICATIONS.

The application for each permit or approval included in a fast track project shall be filed with the Planning Director, shall include all information required by the applicable ordinance for the type of permit or approval, and shall be accompanied by the fees set forth in County Ordinance No. 671 for the type of permit or approval.

C. INITIATION OF GENERAL PLAN AMENDMENT PROCEEDINGS.

Whenever a fast track project includes an application for a General Plan amendment, the Planning Director shall process the General Plan amendment application in accordance with all of the applicable procedures for the initiation of General Plan amendment proceedings set forth in Article II of this ordinance.

D. SETTING FOR HEARING.

Unless otherwise ordered by the Board of Supervisors, the applications for all permits and approvals included in a fast track project shall be heard concurrently in a single consolidated hearing before the Board of Supervisors. The Planning Director shall set for hearing the applications for all permits and approvals included in a fast track project when he has determined that all such applications comply with all ordinance requirements.

E. NOTICE OF HEARING.

The Board of Supervisors shall hold a public hearing on all applications for permits and approvals included in the fast track project. Notice of the hearing shall be given as provided in Section 1.6. and Section 1.7. of this ordinance.

F. ADMINISTRATION OF OATHS.

The Chairman of the Board of Supervisors may require that witnesses at the public hearing be sworn.

G. HEARING AND DECISION.

The Board of Supervisors shall hear relevant testimony from all interested persons and make its decision within a reasonable time after the close of the public hearing. The Board of Supervisors may approve, conditionally approve or disapprove each application for a permit or approval included in the fast track project. The decision with respect to each application for a permit or approval included in the fast track project shall be in the form required by ordinance for that type of permit or approval. Within ten business days of the decision, the Clerk of the Board of Supervisors shall prepare and transmit notice of the decision to the Planning Director, the Assistant County Executive Officer/Economic Development Agency (the EDA Director), the applicant, and any person who has submitted a written request for notice of the decision.

H. TRANSCRIPTS.

1. Whenever any person desires to obtain a transcript of the oral proceedings of a public hearing before the Board of Supervisors or desires to have a record made of such proceedings, he shall, not less than seven days before the hearing, notify in writing the Clerk of the Board. The written request shall be accompanied by a deposit of a sum equal to one day's fee for a court reporter. The Clerk shall thereupon arrange to have a court reporter present at the hearing. If the hearing is thereafter continued to another day, a like request, deposit and arrangement for a court reporter shall be made, if the record is desired. Alternatively, any person may directly arrange for attendance and payment of a court reporter instead of making such arrangements through the Clerk.

2. Whenever any person desires to obtain a transcript of the documents involved in a proceeding before the Board of Supervisors, he shall make a written request to the Clerk of the Board. The Clerk shall determine the number of pages involved and require payment in advance for the transcript at the current rate.

Amended Effective:
09-08-1995 (Ord. 348.3727)
04-19-1996 (Ord. 348.3770)
Ord. 348.4680 Item 3.47 of 04/20/10 (Effective Date: 05/20/10
Ord. 348.4750 Item 3.27 of 10/02/12 (Effective Date: 11/01/12)

## SECTION 18.26b. DEVELOPMENT AGREEMENT PROCEDURES AND REQUIREMENTS.

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.

Amended Effective:
Ord. 348.4741 Item 3.42 of 04/10/12 (Effective Date: 05/10/12)

## SECTION 18.27. VARIANCES.

A. BASIS FOR VARIANCE.

Variances from the terms of this ordinance may be granted when, because of special circumstances applicable to a parcel of property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification.

A variance shall not be granted for a parcel of property which authorizes a use or activity that is not otherwise expressly authorized by the zone regulation governing the parcel of property, but shall be limited to modifications of property development standards, such as lot size, lot coverage, yards, and parking and landscape requirements.

B. APPLICATION.

Application for a variance shall be made in writing to the Planning Director on the forms provided by the Planning Department and shall be accompanied by the fees set forth in County Ordinance No. 671. If the use for which the variance is sought also requires approval of a conditional or public use permit pursuant to the land division ordinance, the two applications shall be filed concurrently.

1. Applications for a variance that do not require an approval of a conditional or public use permit or land division ordinance approval shall supply the following information:

    a. Name and address of the applicant.

    b. Evidence of ownership of the premises or written permission of the owner to make the application.

    c. A statement of the specific provisions of the ordinance for which the variance is requested and the variance that is requested.

    d. A plot and development plan drawn in sufficient detail to clearly describe the following:

        1) Physical dimensions of property and structures.

        2) Location of existing and proposed structures.

        3) Setbacks.

        4) Methods of circulation.

        5) Ingress and egress.

        6) Utilization of property under the requested permit.

e. Such additional information as shall be required by the application form.

2. Applications for a variance that also require approval of a permit or land division, shall be accepted for filing only if the principal application is accepted, and shall set for the specific provisions of the ordinance for which the variance is being requested.

3. If the application for a variance is in connection with a land division pursuant to the land division ordinance, the application shall be construed to be a waiver of any shorter time limitations on processing both a variance and a land division; including time limitations on appeals of either application, so that both applications are processed in the public hearing held under Section 18.26. of this ordinance as one unit to final decision.

C. PUBLIC HEARING.

A public hearing shall be held on all variance applications in accordance with the provisions of Section 18.26. of this ordinance, and all the procedural requirements and rights of appeal as set forth therein shall govern the hearing. All public hearings on variances which require approval of a permit or land division shall be heard by the hearing body which has jurisdiction of the principal application. All public hearings on variances which do not require approval of a permit or land division within the area of jurisdiction of the East Area Planning Council shall be heard by the Council, and all public hearings on variances which do not require approval of a permit or land division outside the area jurisdiction of the East Area Planning Council shall be heard by the Planning Commission.

D. CONDITIONS.

Any variance granted shall be subject to such conditions as are necessary so that the adjustment does not constitute a grant of special privileges that is inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated, and which are necessary to protect the health, safety and general welfare of the community.

E. USE OF VARIANCE.

Any variance that is granted shall be used within one year 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 three years, except that a variance in connection with a land division may be used during the same period of time that the land division approval may be used; otherwise the variance shall be null and void. Notwithstanding the foregoing, if a variance is required to be used within less than three years, the permittee may, prior to its expiration, request an extension of time in which to use the variance. A request for extension of time shall be made to the Board of Supervisors, on forms provided by the Planning Department and shall be filed with the Planning Director, accompanied by a fee as 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 to the Clerk of the Board, who shall place the matter on the regular agenda of the Board. An extension of time may be granted by the Board upon a determination that valid reason exists for permittee not using the variance within the required period of time. If an extension is granted, the total time allowed for use of the variance shall not

exceed a period of three years, calculated from the effective date of the issuance of the variance. The term "use" shall mean the beginning of substantial construction for which the variance has been granted, which construction must thereafter be pursued diligently to completion, or the actual occupancy of existing buildings or land under the terms of the authorized variance, or the recording of the final or parcel map in connection with an approved land division. The effective date of a variance shall be determined pursuant to Section 18.26. of this ordinance.

F. REVOCATION OF VARIANCE.

Any variance granted may be revoked upon the findings and procedure contained in Section 18.31. of this ordinance.

Amended Effective:
08-28-86 (Ord. 348.2612)

## SECTION 18.28. CONDITIONAL USE PERMITS.

Whenever any section of this ordinance requires that a conditional use permit be granted prior to the establishment of a use, the following provisions shall apply:

A. APPLICATION.

An application for a conditional use permit shall be made in writing to the Planning Director on the forms provided by the Planning Department, shall be accompanied by an initial payment of a deposit based fee as set forth in Ordinance No. 671.

B. ADDITIONAL INFORMATION.

When the application is for a conditional use permit to establish a mobilehome park or recreational trailer park, the following additional information is required as part of the application:

1. A written statement from the Health Department stating that a water company has agreed in writing to serve all spaces within the park or that the applicant has an acceptable application for a water company permit on file with the State Department of Public Health or the Department of Public Health, or the applicant has agreed in writing to form a domestic water company to serve the mobilehome park or recreational park.

2. A written statement from the Health Officer stating the type of sewage disposal that will be permitted. To aid in this determination, the Health Officer may require soil percolation tests or other pertinent information.

C. PUBLIC HEARING.

A public hearing shall be held on the application for a conditional use permit in accordance with the provisions of either Section 18.26. or 18.26.a. of this ordinance, whichever is applicable, and all of the procedural requirements and rights of appeal as set forth therein shall govern the hearing. Notwithstanding the above, or any other provision herein to the contrary, the hearing of any conditional use permit that requires approval of a general plan amendment, a specific plan amendment, a change of zone or development agreement shall be heard in accordance with the provisions of Section 2.5., 2.6., 20.3.a. or 18.26b of this ordinance, whichever is applicable, and all of the procedural requirements and rights of appeal as set forth therein shall govern the hearing.

Amended Effective:
09-08-95 (Ord. 348.3727) 04-19-96 (Ord. 348.3770)
Ord. No. 348.4898 Item 19.1 of 10.23.2018 (Effective Date: 12.23.18)

D. CONDITIONS.

A conditional use permit shall not be granted unless the applicant demonstrates that the proposed use will not be detrimental to the health, safety or general welfare of the community. Any permit that is granted shall be subject to such conditions as shall be necessary to protect the health, safety or general welfare of the community.

E. REVOCATION OF PERMIT.

Any conditional use permit granted may be revoked upon the findings and procedures set forth in Section 18.31. of this ordinance.

Amended Effective:
03-12-87 (Ord. 348.2670)
06-30-88 (Ord. 348.2856)
Ord. 348.4791 Item 16-1 of 12/02/14 (Effective Date: 01/01/15)

**SECTION 18.28a. (**Rescinded in its entirety)

Ord. 348.4791 Item 16-1 of 12/02/14 (Effective Date: 01/01/15)

## SECTION 18.28b.CROWING FOWL PERMIT.

Whenever a request is made to increase the permitted numbers of mature crowing fowl, in zones where such requests are allowed, the following provisions shall take effect:

A. APPLICATION.

Every application for a crowing fowl permit shall be made in writing to the Planning Director on the minor plot plan or crowing fowl permit forms provided by the Planning Department, shall be accompanied by the appropriate filing fee as set forth in County Ordinance No. 671 and shall include the following information:

1. Name and address of the applicant, and evidence that the applicant resides at the premises involved and is either the owner of the premises involved or has the written permission of all the owners to secure the permit.

2. Assessor's parcel number of premises involved.

3. A plot and development plan drawn in sufficient detail to clearly describe the following:

    a. Physical dimensions of property.

    b. Location and dimensions of all existing and proposed structures, including all enclosures proposed for crowing fowl.

    c. Location, dimensions, and names of all adjacent roads, whether public or private, showing the location of the street centerline and all existing improvements such as sidewalks, curbs, gutters and curb cuts.

    d. Proposed setbacks for crowing fowl enclosures from existing on-site structures and structures on adjacent properties.

    e. Driveway location(s).

4. Panoramic photographs showing all sides of the on-site property and adjacent off-site properties.

5. A description of walls, landscaping, and other methods which will be used to ensure that the use will be compatible with the neighborhood.

6. A statement that the proposed use is for the occupants of the premises only.

7. A list of the names and addresses of all owners of real property within 600 feet of the exterior boundaries of the property as shown on the last equalized assessment roll and any update issued by the County Assessor.

8. Such additional information as shall be required by the application form.

9. A clearance letter from the Animal Control Services and Licensing Division of the Health Services Agency verifying that the property has not had prior complaints or violations associated with the proposed use.

B. DECISION AND NOTICE OF DECISION.

Upon acceptance of an application as complete, the Planning Department shall transmit a copy of the application to the Environmental Health Department and Animal Control Services and Licensing Division of the Health Services Agency for review and comment.

1. Not less than thirty (30) days after acceptance of an application as complete, the Planning Director shall schedule the time and date on which the Planning Director's decision on the application is to be made. Not less than ten (10) days prior to the date on which the decision is to be made, the Planning Director shall give notice of the proposed use by mail or delivery to all owners shown on the last equalized assessment roll and any updates as owning real property within a 600-foot radius of the exterior boundaries of the proposed project. Notice of the proposed use shall also be given by publication in a newspaper of general circulation in the County. The notice shall include the statement that no public hearing will be held unless a public hearing is requested in writing before the date scheduled for the decision to be made.

2. No public hearing on the application shall be held before a decision is made unless a public hearing is requested in writing by the applicant or other interested person, or if the Planning Director determines that a public hearing should be required. The Planning Director shall give notice of the decision to the applicant and to any other person who requests notice of the decision.

3. If a public hearing is required under the provisions of this Subsection, notice of the time, date and place of the public hearing before the Planning Director, and a general description of the location of the real property which is the subject of the public hearing, shall be given at least ten (10) days prior to the public hearing as follows:

   a. Mailing or delivering to the owner of the subject real property or the owner's duly authorized agent.

   b. Mailing or delivering to all owners of real property which is located within a 600 foot radius of the exterior boundaries of the subject property, as such owners are shown on the last equalized assessment roll and any updates.

   c. The Planning Director may require that additional notice be given in any other matter the Director deems necessary or desirable.

   d. At the public hearing, the Planning Director shall hear relevant testimony from interested persons and make a decision within a reasonable time after the close of the public hearing.

Ord. No. 348.4947 Item 21.4 of 3/2/21 (Effective Date: 4/1/21)

C. 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.

D. CONDITIONS.

Any crowing fowl permit granted shall be subject to such conditions as are necessary to protect the health, safety and general welfare of the public. In addition, a permit shall be subject to the following conditions:

1. In general, the life of the permit shall be unlimited provided the applicant continues to reside at and is the owner of the premises involved and the permit is being used in compliance with the provisions of Subsection 18.28b., as well as any conditions of approval imposed in connection with the permit, and that all construction permits and inspections which may be required pursuant to the provisions of Ordinance No. 457 have been obtained. However, if the Planning Director finds that there is sufficient reason, such as neighborhood concern, to limit the life of the permit, such limitation may be established by addition of condition of approval. Non-compliance with the conditions of approval and/or construction permits may result in the revocation of the permit in accordance with Subsection 18.31.

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 keeping or raising of crowing fowl is for the use of the occupants of the premises only.

E. APPEAL.

An applicant or any interested person may appeal a decision by the following procedure:

1. Initial Appeal. The decision of the Planning Director is considered final and no further action is required unless, within ten (10) calendar days from the date of the decision, either: an appeal therefrom is filed, accompanied by the fee set forth in County Ordinance No. 671, with the Clerk of the Board; or a member of the Board of Supervisors or Planning Commission submits a request to the Planning Director that the decision be set for public hearing before the Planning Commission. The appeal shall be set for public hearing before the Planning Commission not less than thirteen (13) nor more than sixty (60) days thereafter. If the permit did not require a public hearing, the Planning Director shall mail notice of the public hearing to the applicant and the appellant. If the permit required a public hearing, notice of the appeal shall be given in the same manner that notice was given for the original public hearing.

2. Appeal from Planning Commission. The decision of the Planning Commission is considered final and no further action is required unless, within ten (10) calendar days from the date of the Planning Commission's decision, either: an appeal therefrom is filed, accompanied by the fee set forth in County Ordinance No. 671, with the Clerk of the Board; or a member of the Board of Supervisors submits a request to the Planning Director that the decision be set for public hearing before the Board of Supervisors. The Clerk of the Board shall set the public hearing before the Board of Supervisors not less than five (5) days nor more than sixty (60) days thereafter. If the permit did not require a public hearing, the Planning Director shall mail notice of the public hearing on the appeal to the applicant and the appellant. If the permit required a public hearing, notice of the appeal shall be given in the same manner that notice was given for the original public hearing. The Board of Supervisors shall render its decision within thirty (30) days following the close of the public hearing on the appeal. The decision of the Board of Supervisors shall be final.

Added Effective:
09-15-00 (Ord. 348.3954) Ord. No. 348.4947 Item 21.4 of 3/2/21 (Effective Date: 4/1/21)

## SECTION 18.29. PUBLIC USE PERMITS.

A. Notwithstanding any other provisions of this ordinance, the following uses may be permitted in any zone classification provided that a public use permit is granted pursuant to the provisions of this section:

1. Educational institutions.

2. Facilities for the storage or transmission of electrical energy where the County is not preempted by law from exercising jurisdiction. This subsection shall take precedence over and supersede any conflicting provision in any zone classification. Facilities for the storage or transmission of electrical energy shall not be subject to the development standards of the zone classification in which they are located.

Amended Effective:
09-10-99 (Ord. 348.3883) repealed.
10-21-99 (Ord. 348.3888)
Ord. 348.4690 Item 16.4 pf 12/14/10 (Effective Date: 01/13/11)

3. Government uses.

4. Any hospital or other facility that is licensed by the California Department of Public Health, or by the California Department of Mental Hygiene, not including a family care, foster home, Residential Facility, Residential Care Facility, Residential Care Facilities for the Elderly, Alcohol or Drug Abuse Treatment Facility or Congregate Living Health Facility that serves six or fewer persons.

5. Half way house.

6. Public utilities.

Amended Effective:
Ord. 348.4835 Item 16.2 of 06/21/16 (Effective Date: 07/21/16)

B. APPLICATION.

An application for a public use permit shall be made in writing to the Planning Director on the forms provided by the Planning Department, shall be accompanied by an initial payment of the deposit based fee as set forth in Ordinance No. 671.

C. PUBLIC HEARING.

A public hearing shall be held on the application for a public use permit in accordance with the provisions of Section 18.26. of this ordinance and all of the procedural requirements and rights of appeal as set forth therein shall govern the hearing.

D. CONDITIONS.

A public use permit shall not be granted unless the applicant demonstrates that the proposed use will not be detrimental to the health, safety or general welfare of the community. Any permit that is granted shall be subject to such conditions as shall be necessary to protect the health, safety or general welfare of the community.

E. REVOCATION OF PERMIT.

Any public use permit granted may be revoked upon the findings and procedures set forth in Section 18.31. of this ordinance.

Amended Effective:
06-30-88 (Ord. 348.2856)

Ord. 348.4791 Item 16-1 of 12/02/14 (Effective Date: 01/01/15)

## SECTION 18.29a. FAMILY DAY CARE HOMES.

A. STATE PREEMPTION. Pursuant to the California Child Day Care Facilities Act, Health and Safety Code sections 1597.30 through 1597.622, the California Legislature has declared that it is the public policy of the State of California to locate family day care homes for children in normal residential surroundings so as to give children a home environment which is conducive to healthy and safe development. It is the declared public policy of the State to provide children the same environment as would be found in a dwelling unit. Pursuant to Health and Safety Code Section 1597.40.(b), the Legislature has further declared that this policy is a matter of statewide concern with the purpose of occupying and shall preempt local laws, regulations and rules governing the use and occupancy of family daycare homes. Additionally, in accordance with Health and Safety Code section 1597.45.(a), the use of a home as a small or large family daycare home shall be considered a residential use of property and a use by right.

B. SMALL FAMILY DAY CARE HOMES. In accordance with the above-referenced State policies, the use of a lawfully occupied one-family dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multiple family dwelling as a small family day care home for up to seven (7) children, including children under ten (10) years of age who reside at the home, shall be a permitted use in all zones where such dwelling unit types are permitted, and shall not require any permit pursuant to this ordinance.

C. LARGE FAMILY DAY CARE HOMES. In accordance with the above-referenced State policies, the use of a lawfully occupied detached one-family dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multiple family dwelling as a large family day care home is permitted in any zone where single-family dwellings are permitted or conditionally for eight (8) to fourteen (14) children, including children under ten (10) years of age who reside at the home shall be a permitted use in all zones where such dwelling unit types are permitted, and shall not require any permit pursuant to this ordinance.

D. D. SECOND UNITS/GUEST QUARTER. No second unit or guest quarter may be used as a family day care home.

E. E. FAMILY DAY CARE HOME OPERATIONAL REQUIREMENTS. A family day care home operator shall obtain all necessary building permits in accordance with Ordinance No. 457 and comply with the following operational standards::

1. A family day care home shall obtain a valid state license in accordance with Section 1597.54 of the Health and Safety Code, as may be amended, and upon receipt provide a certified copy of the state license to the Planning Director.

2. A family day care home shall provide off-street parking as provided in Section 18.12 of this ordinance as required for similar residential uses. These parking spaces may include spaces provided to meet residential requirements.

3. The unloading and loading of vehicle occupants shall be done in a manner that does not impede the flow of traffic on the adjacent roadways and does not allow for the stacking of vehicles on adjacent roadways.

4. To ensure the health and safety of children, family day care homes shall comply with applicable Fire and Building Code regulations pursuant to Section 1597.46 of the Health and Safety Code, as may be amended.

5. Family day care homes shall comply with the development standards for one family or multiple family dwellings, as applicable, located within the same zone.

6. Family day care homes shall comply with all applicable State Fire Marshall regulations.

7. 7. An on-site identification sign may be installed in accordance with this ordinance.

F. SUSPENSION OF OPERATION. If the family day care operator fails to comply with any requirement of this section, the family day care home shall suspend operations until corrective action(s) are taken pursuant to Section 1597.58 of the Health and Safety Code, as may be amended.

Amended Effective:
09-29-00 (Ord. 348.3955)
02-03-05 (Ord. 348.4232)
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## SECTION 18.30. PLOT PLANS.

The following procedures shall apply to all applications for approval of a plot plan that is required by any section of this ordinance:

A. CLASSIFICATION OF PLOT PLANS. Plot plans are classified as follows:

1. Plot plans that are not subject to the California Environmental Quality Act and are not transmitted to any governmental agency other than the Planning Department for review and comment.

2. Plot plans that are not subject to the California Environmental Quality Act and are transmitted to one or more governmental agencies other than the Planning Department.

3. Plot plans that are subject to the California Environmental Quality Act.

4. Plot plans for outdoor advertising displays that require field checking by the Land Use Division of the Department of Building and Safety.

B. APPLICATIONS.

1. An application for a plot plan shall be made to the Planning Director on the forms provided by the Planning Department and shall be accompanied by an initial payment of the deposit based fees set forth in Ordinance No. 671.

2. Environmental Clearance. No application that requires compliance with the Riverside County Rules Implementing the California Environmental Quality Act shall be considered at a public hearing until all procedures required by the rules to hear a matter are completed.

C. REQUIREMENTS FOR APPROVAL.

No plot plan shall be approved unless it complies with the following standards:

1. The proposed use must conform to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County.

2. The overall development of the land shall be designed for the protection of the public health, safety and general welfare; to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property. The plan shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion; and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof.

3. All plot plans which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel.

D. ACTION ON PLOT PLANS

1. Plot Plans Not Requiring Public Hearing. The Planning Director shall approve, conditionally approve or disapprove a plot plan based upon the standards in Subsection C. of this Section within thirty days after accepting a completed application and give notice of the decision, including any required conditions of approval, by mail, to the applicant and any other persons requesting notice.

2. Plot Plan Requiring Hearing. The Planning Director shall hold a public hearing on all plot plans for which a negative declaration or an EIR is prepared pursuant to the Riverside County Rules Implementing the California Environmental Quality Act. Notice of the time, date and place of the public hearing shall be given as provided in Section 18.26.C. of this ordinance.

3. Plot Plans for Large Commercial Developments. Notwithstanding any other provision in this Section to the contrary, a noticed public hearing shall be held on a plot plan for a commercial development of thirty acres or larger. Such Plot plans shall be heard by the Planning Commission. Notice of the time, date and place of the hearing shall be given as provided in Section 18.26.C. of this ordinance. Any appeal of the Commission decision shall be to the Board of Supervisors as provided in Section 18.30.E. of this ordinance.

4. Plot Plans for Class V Wineries. Notwithstanding any other provision in this subsection to the contrary, a noticed public hearing shall be held on a plot plan for a Class V Winery and heard by the Planning Commission. Notice of the time, date and place of the hearing shall be given as provided in Section 18.26.c of this ordinance. Any appeal of the Planning Commission decision shall be to the Board of Supervisors as provided in Section 18.30.e. of this ordinance.

Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

5. Notwithstanding the above or any other provision herein to the contrary, a plot plan application which:

   a. Requires the approval of a general plan amendment, a specific plan amendment or a change of zone shall be heard in accordance with the provisions of this ordinance, whichever is applicable, and all of the procedural requirements and rights of appeal as set forth therein shall govern the hearing.

   b. Requires the approval of a land division map or is being processed concurrently with a land division map, but is not included in a fast track project and does not

require the approval of a general plan amendment, a specific plan amendment, or a change of zone, shall be heard in accordance with the provisions of Sections 6.5., 6.6. and 6.7. of Ordinance No. 460, and all of the procedural requirements and rights of appeal as set forth therein shall govern the hearing.

Amended Effective:
04-19-1996 (Ord. 348.3770) Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)
Ord. 348.4688 Item 3.72 of 05/04/10 (Effective Date: 06/03/10)

E. APPEALS - (PLOT PLANS NOT INCLUDING WIRELESS FACILITIES).

An applicant or any other interested party may appeal from a decision on a plot plan not including wireless facilities by the following procedure:

1. Initial Appeal. The decision of the Planning Director is considered final and no further action is required unless, within ten (10) calendar days from the date of the decision, either: an appeal therefrom is filed, accompanied by the fee set forth in County Ordinance No. 671, with the Clerk of the Board; or a member of the Board of Supervisors or Planning Commission submits a request to the Planning Director that the decision be set for public hearing before the Planning Commission. The appeal shall be set for public hearing before the Planning Commission not less than thirteen (13) nor more than sixty (60) days thereafter. If the permit did not require a public hearing, the Planning Director shall mail notice of the public hearing on the appeal to the applicant and the appellant. If the permit required a public hearing, notice of the appeal shall be given in the same manner that notice was given for the original public hearing.

Amended Effective:
09-08-95 (Ord. 348.3727) 04-19-96 (Ord. 348.3770)

2. Appeal from Planning Commission. The decision of the Planning Commission is considered final and no further action is required unless, within ten (10) calendar days from the date of the Planning Commission's decision, either: an appeal therefrom is filed, accompanied by the fee set forth in County Ordinance No. 671, with the Clerk of the Board; or a member of the Board of Supervisors submits a request to the Planning Director that the decision be set for public hearing before the Board of Supervisors. The Clerk of the Board shall set the appeal for public hearing before the Board of Supervisors not less than five (5) days nor more than sixty (60) days thereafter. If the plot plan did not require a public hearing, the Planning Director shall mail notice of the public hearing on the appeal to the applicant and the appellant. If the plot plan required a public hearing, notice of the appeal shall be given in the same manner that notice was given for the original public hearing. The Board of Supervisors shall render its decision within thirty (30) days following the close of the public hearing on the appeal. The decision of the Board of Supervisors shall be final.

Amended Effective:
09-08-95 (Ord. 348.3727) 12-16-03 (Ord. 348.4147)
Ord. No. 348.4947 Item 21.4 of 3/2/21 (Effective Date: 4/1/21)

F. APPEALS - (WIRELESS FACILITY PLOT PLANS).

An applicant or any other interested party may appeal from a decision on a wireless facility plot plan by the following procedure:

1. Appeal to the Board of Supervisors. The decision of the Planning Director is considered final and no further action is required unless, within ten (10) calendar days from the date of the Planning Director's decision, either: an appeal therefrom is filed, accompanied by the fee set forth in County Ordinance No. 671, with the Clerk of the Board; or a member of the Board of Supervisors submits a request to the Planning Director that the decision be set for public hearing before the Board of Supervisors. The Clerk of the Board shall set a public hearing before the Board of Supervisors not less than five (5) nor more than sixty (60) days thereafter. If the permit did not require a public hearing, the Planning Director shall mail notice of the public hearing on the appeal to the applicant and the appellant. If the permit required a public hearing, notice of the appeal shall be given in the same manner that notice was given for the original public hearing. The Board of Supervisors shall render its decision within thirty (30) days following the close of the public hearing on the appeal. The decision of the Board of Supervisors shall be final.

Amended Effective:
12-16-03 (Ord. 348.4147) Ord. No. 348.4947 Item 21.4 of 3/2/21 (Effective Date: 4/1/21)

G. Notwithstanding the specific requirements of the zoning classification and this Section, no plot plan is required to establish a proposed use when the proposed use is replacing an existing use provided that:

1. The existing and proposed use are conforming uses;

2. The existing use was subject to a plot plan approval;

3. The proposed use will not require the construction of a building, or the reconstruction or expansion of an existing building,

4. The proposed use complies with the parking and landscaping requirements of Section 18.12. of this ordinance; and,

5. The proposed site has adequate road and other improvements required for the implementation of the proposed use available on site.

Amended Effective:
09-23-82 (Ord. 348.2103)
06-30-83 (Ord. 348.2156)
07-21-83 (Ord. 348.2202)
02-02-85 (Ord. 348.2430)
04-04-85 (Ord. 348.2444)
07-16-85 (Ord. 348.2496)
08-29-85 (Ord. 348.2510)
10-18-85 (Ord. 348.2516)
08-07-86 (Ord. 348.2591)
03-12-87 (Ord. 348.2670)
08-13-91 (Ord. 348.3305)
05-05-92 (Ord. 348.3420)
01-19-93 (Ord. 348.3489)
09-08-95 (Ord. 348.3727)
04-19-96 (Ord. 348.3770)
Ord. 348.4791 Item 16-1 of 12/02/14 (Effective Date: 01/01/15)

## SECTION 18.31. FINDINGS AND PROCEDURE FOR REVOCATION OF VARIANCES AND PERMITS.

A. Any conditional use permit, public use permit, variance, commercial WECS permit, or accessory WECS permit may be revoked by the Director of the Building and Safety Department upon finding that one or more of the following conditions for revocation exist.

1. That the use is detrimental to the public health, safety or general welfare, or is a public nuisance.

2. That the permit was obtained by fraud or perjured testimony.

3. That the use is being conducted in violation of the terms and conditions of the permit.

4. That the use for which the permit was granted has ceased or has been suspended for one year or more.

B. Upon a determination by the Director of the Building and Safety Department that grounds for revocation exist, the following procedure shall take effect:

1. NOTICE OF REVOCATION.

Notice of revocation and a copy of the findings of the Director of the Building and Safety Department shall be mailed by the Director by certified mail to the owner of the property to which the permit or variance applies, as shown by the records of the Assessor of Riverside County. The decision of the Director of the Building and Safety Department shall be final unless a notice of appeal is timely filed.

2. NOTICE OF APPEAL.

Within ten days following the mailing of the notice of revocation, the owner of the property to which the permit or variance applies may file with the Planning Director a notice of appeal from the decision of the Director of the Building and Safety Department. A notice of appeal shall be accompanied by the filing fee set forth in County Ordinance No. 671. A notice of appeal not accompanied by such fee shall be deemed null and void and shall not be processed.

3. SETTING HEARING; COSTS.

Appeals within the area jurisdiction of the East Area Planning Council, with the exception of appeals concerning commercial WECS permits, shall be heard by the Council or, if the Council so elects, shall be heard by a County Hearing Officer pursuant to and in accordance with County Ordinance No. 643. All other appeals, including appeals concerning commercial WECS permits, shall be heard by the Planning Commission, of if the Commission so elects, shall be heard by a County Hearing Officer pursuant to and in accordance with County Ordinance No. 643. Notice of the time, date and place of the hearing shall be given as provided in Section 18.26.C. of this ordinance. In the event that an appeal is heard by a County Hearing Officer and the owner of the property to which the permit or variance applies does not prevail in the appeal, the owner shall not be obligated to pay any hearing costs. In the event that an appeal is heard by a County

Hearing Officer and the owner of the property to which the permit or variance applies prevails in the appeal, the owner shall not be obligated to pay all hearing costs.

4. TESTIMONY UNDER OATH.

All testimony at the hearing shall be taken under Oath.

5. NOTICE OF DECISION.

Notice of the Planning Commission or Planning Council's decision and a report of the proceedings shall be filed with the Clerk of the Board of Supervisors not later than 15 days following the date the decision is adopted. A copy of the notice and the report shall be mailed to the applicant and proof of such mailing shall be indicated on the original notice filed with the Clerk of the Board of Supervisors. If the County Planning Commission or Planning Council does not reach a decision due to a tie vote, such fact shall be reported to the Board of Supervisors in the same manner and within the same time for reporting decisions and such a failure to reach a decision shall constitute affirmation of the Building Director's revocation of the permit or variance.

6. PLACEMENT OF MATTER ON BOARD'S AGENDA.

The Clerk of the Board of Supervisors shall place the notice of decision on the Board of Supervisors' agenda for the next regular meeting to be held following the lapse of five days after the Notice is filed with the Board.

7. TRANSFER TO BOARD OF SUPERVISORS ON APPEAL.

The revocation or non-revocation of a permit or variance by the Planning Commission or Planning Council shall be final unless, within ten days following the matter at which the notice of decision was on the agenda of the Board of Supervisors, the following occurs:

a. An appeal to the Board of Supervisors is made by the owner of the property which is the subject of the revocation proceedings; or,

b. The Board of Supervisors orders the matter transferred to it for further proceedings.

8. FURTHER PROCEEDINGS BEFORE THE BOARD OF SUPERVISORS

If either of the actions mentioned in paragraphs A. and B. of Subsection seven above are taken, the Board of Supervisors may:

a. Refuse to review the Planning Commission or Planning Council's decision, in which case the decision shall be final; or,

b. Review a transcript or recording of the testimony and all other evidence introduced before the Planning Commission or Planning Council, and based upon that record, affirm or reverse the decision of the Planning Commission or Planning Council or refer the matter back to the Planning Commission or

Planning Council for the taking of further evidence or hearing additional argument in which case notice shall be given to the owner of the property which is the subject of the proceedings; or,

c. Set the matter for hearing before itself. At such hearing the Board of Supervisors shall hear and decide the matter de novo as if no prior hearing had been held. Notice of the time, date and place of the public hearing shall be given as provided in Section 18.26.C. of this ordinance.

9. ACTION BY THE BOARD OF SUPERVISORS.

The decision of the Board of Supervisors on revocation of a permit or variance is final.

Amended Effective:
11-11-82 (Ord. 348.2104)
07-03-84 (Ord. 348.2338)
01-03-85 (Ord. 348.2430)
03-05-85 (Ord. 348.2444)
03-12-87 (Ord. 348.2670)
05-04-89 (Ord. 348.3018)
09-26-89 (Ord. 348.2937)

## SECTION 18.32. TIME LIMIT.

Whenever by the terms of this ordinance or a provision of any permit or variance thereunder, a period is fixed within which an act is required or permitted to be performed and the last day of such period falls on a Saturday, Sunday, or holiday, then the next succeeding day which is not a Saturday, Sunday, or holiday shall be deemed the last day of such period. If, by such provisions, any document is required to be filed with the Board of Supervisors, the Planning Commission or other body or officer, filing the same with the Clerk of the Board of Supervisors shall be deemed filing with said Board, filing in the office of the Planning Director shall be deemed filing with said Board, filing in the office of the Planning Director shall be deemed filing with said Commission, filing with the Secretary of such other body or in its office shall be deemed filing with such body, and filing in the office of such officer shall be deemed filing with him. If by any such provision a time limit for the performance of an act is permitted to be extended or the period renewed, such renewal or extension, to be effective, must be sought and obtained prior to the expiration of the time limit.

## SECTION 18.33. SETBACK ADJUSTMENTS AND 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 in accordance with the following procedure:

A. The Planning Director may approve, conditionally approve or deny:

1. SETBACK ADJUSTMENTS.

   Modifications of the front, rear or side yard minimum setback requirements of the various zone classifications in the ordinance.

2. TEMPORARY USES.

   The temporary use of land in any zone classification, when such temporary use is in conjunction with the repair or construction of streets, highways, or public utilities, for a period of time not to exceed six months.

B. The Planning Commission may approve, conditionally approve or deny:

1. TEMPORARY USES.

   The temporary use of land in any zone classification, when such temporary use is in conjunction with the repair or construction of streets, highways, or public utilities, for a period of time in excess of six months.

C. Applications, containing all required information, shall be filed with the Planning Director, upon the forms provided by the Planning Department, shall be accompanied by the filing fee set forth in County Ordinance No. 671, and shall be processed pursuant to the provisions of Section 18.30. of this ordinance, including the appeal provisions thereof, except that when the application is for a temporary use for a period of time in excess of six months, the Planning Director shall make a recommendation only, which shall be submitted to the Planning Commission for decision.

D. No request for a setback adjustment shall be granted unless it is determined that the adjustment is consistent with the intent and purposes of this ordinance; that there are special circumstances applicable to the property, including such factors as size, shape, topography, location or surroundings that justify the approval of the adjustment of the setback requirement, and that the adjustment 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 adjustment is requested.

E. 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.

F. As a condition to approval of a setback adjustment or a temporary use of land, the performance of such conditions 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.

## SECTION 18.34. STRUCTURE HEIGHT.

When any zone classification provides that an application for a greater height limit may be made pursuant to this section, the following alternative procedures may be used to determine if the request shall be granted:

A. An application for a zone change may request a greater height limit in accordance with the limitations of the zone classification. The specific height limit requested shall be included in all notices regarding the zone change and, if granted, the zoning placed upon the land shall specifically state the allowed height limit.

B. An application for a conditional use permit, public use permit, commercial WECS permit or accessory WECS permit may include a request for a greater height limit in accordance with the limitations of the zone classification. The specific height limit requested shall be included in all notices regarding the permit, and if granted, the permit shall specifically state the allowed height limit.

C. For structures other than buildings, an application for a greater height limit in accordance with the limitations of the zone classification may be made to the Planning Director pursuant to the provisions of Section 18.30. of this ordinance. If granted, the approved plot plan shall specifically state the allowed height limit.

Amended Effective:
11-11-82 (Ord. 348.2104)

## SECTION 18.35. ASTERISK.

When an asterisk (*) or any other character follows the zoning symbol on any official zoning plan map, the required minimum lot area, minimum area per dwelling unit, lot frontage, size of dwelling, yard requirement, and structure height, or any of such requirements, for the areas upon the map so marked, shall be as set forth in the legend upon such map, notwithstanding any other provisions of this ordinance.

## SECTION 18.36. 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 plot plan is granted pursuant to Section 18.30. 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 18.12. 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 plot plan, 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 Road Commissioner 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.

D. All the provisions of Section 18.30. of this ordinance relating to appeals from a plot plan decision shall apply to permits to construct improvements within planned right of way lines.

**SECTION 18.37. (Deleted).**

See County Ordinance No. 671.

Deleted Effective: 04-27-89 (Ord. 348.3018)

**SECTION 18.38. (Deleted).**

Deleted Effective: 04-27-89 (Ord. 348.3018)

## SECTION 18.39. COMMERCIAL FERTILIZER OPERATIONS (ON-SITE MANURE).

The following regulations shall apply to the commercial stockpiling, drying, mechanical processing and sale of farm animal manure (with the exception of poultry operations) produced on the premises, in any zone that permits such use:

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.

## SECTION 18.40 (Repealed).

Amended Effective:
01-15-64 (Ord. 348.251)
03-10-64 (Ord. 348.261)
04-15-64 (Ord. 348.265)
11-10-65 (Ord. 348.401)
01-19-66 (Ord. 348.422)
06-16-66 (Ord. 348.446)
07-06-66 (Ord. 348.455)
09-27-67 (Ord. 348.528)
10-16-67 (Ord. 348.531)
11-15-67 (Ord. 348.532)
12-06-67 (Ord. 348.533)
12-06-67 (Ord. 348.534)
02-21-68 (Ord. 348.545)
04-17-68 (Ord. 348.556)
01-27-69 (Ord. 348.609)
07-16-69 (Ord. 348.638)
10-15-69 (Ord. 348.636)
04-15-70 (Ord. 348.709)
09-23-70 (Ord. 348.777)
09-30-70 (Ord. 348.783)
03-24-71 (Ord. 348.861)
07-11-71 (Ord. 348.905)
08-25-71 (Ord. 348.910)
03-30-72 (Ord. 348.1009)
05-04-72 (Ord. 348.1023)
01-25-73 (Ord. 348.1125)
04-05-73 (Ord. 348.1173)
09-13-73 (Ord. 348.1201)
07-09-74 (Ord. 348.1348)
11-07-74 (Ord. 348.1377)
03-04-75 (Ord. 348.1435)
03-06-75 (Ord. 348.1411)
06-03-75 (Ord. 348.1457)
12-10-75 (Ord. 348.1481)
10-02-75 (Ord. 348.1469)
10-23-75 (Ord. 348.1468)

11-11-76 (Ord. 348.1536)
01-20-77 (Ord. 348.1540)
02-03-77 (Ord. 348.1545)
04-21-77 (Ord. 348.1564)
02-14-78 (Ord. 348.1626)
06-27-78 (Ord. 348.1658)
08-29-78 (Ord. 348.1664)
09-19-78 (Ord. 348.1667)
03-13-79 (Ord. 348.1688)
07-05-79 (Ord. 348.1697)
08-21-79 (Ord. 348.1717)
05-08-80 (Ord. 348.1785)
09-25-80 (Ord. 348.1855)
01-08-81 (Ord. 348.1901)
01-22-81 (Ord. 348.1908)
07-02-81 (Ord. 348.1951)
07-02-81 (Ord. 348.1965)
08-28-81 (Ord. 348.1989)
09-18-81 (Ord. 348.2001)
03-16-82 (Ord. 348.2074)
06-25-82 (Ord. 348.2087)
07-22-82 (Ord. 348.2088)
09-24-82 (Ord. 348.2103)
11-11-82 (Ord. 348.2104)
02-08-83 (Ord. 348.2160)
05-31-83 (Ord. 348.2156)
09-22-83 (Ord. 348.2219)
06-05-86 (Ord. 348.2580)

## SECTION 18.41. COMMERCIAL WIND ENERGY CONVERSION SYSTEMS PERMITS (COMMERCIAL WECS PERMITS):

A. APPLICABILITY.

1. Notwithstanding any other provision of this ordinance, commercial WECS or WECS arrays having a total rated power output of 100 KW or less are permitted in all zoning classifications provided a commercial WECS permit is granted pursuant to this section.

2. Commercial WECS or WECS arrays having a total rated power output of more than 100 KW are permitted in the W-E Zone, and in the W-1 Zone provided a commercial WECS permit is granted pursuant to this section.

B. PROCEDURE.

A public hearing shall be held on an application for commercial WECS permit in accordance with the provisions of Section 18.26. of this ordinance and all of the procedural requirements and rights of appeal as set forth therein shall apply. In addition to the notice of hearing provided under Section 18.26. of this ordinance, notice of hearing shall be given by mailing to all owners of real property which is located within one half mile of the exterior boundaries of the proposed project, as such owners are shown on the last equalized assessment roll and any update. The hearing body shall be the Planning Commission.

C. APPLICATION.

Every application for a commercial WECS permit shall be made in writing to the Planning Director on the forms provided by the Planning Department and shall be accompanied by the filing fee set forth in County Ordinance No. 671. The permit application shall include the following information:

1. Name and address of the applicant.

2. Evidence that the applicant is the owner of the property involved or has written permission of the owner to make such application.

3. A plot and development plan drawn in sufficient detail to clearly describe the following:

   a. Physical dimensions of the property, existing structures, and proposed structures.

   b. Location of existing and proposed structures.

   c. Location of electrical lines and facilities.

   d. Existing topography.

   e. Proposed grading and removal of natural vegetation.

f. Wind characteristics and dominant wind direction is the direction from which 50 percent or more of the energy contained in the wind flows.

g. Setbacks.

h. Methods of circulation.

i. Ingress and egress identifying the following factors:

1) Location and distance to the nearest County maintained road;

2) A description of the access route from the nearest County maintained road to include:

a) Road surface material stating the type and amount of surface cover;

b) Width and length of access route;

c) Dust control procedures;

d) A road maintenance schedule or program.

e) Utilization of the property under the requested permit.

4. Utility interconnection data and a copy of written notification to the utility of the proposed interconnection.

5. Specific information on the type, size, height, rotor material, rated power output, performance, safety, and noise characteristics of each WECS model, tower and electrical transmission equipment.

6. A geotechnical report that shall at a minimum include the following:

a. Soils engineering and engineering geologic characteristics of the site based upon on-site sampling and testing.

b. Foundation design criteria for all proposed structures.

c. Slope stability analysis.

d. Grading criteria for ground preparation, cuts and fills, soil compaction.

e. Detailed fault hazard evaluation prepared by a California registered geologist or certified engineering geologist for WECS located within an Alquist-Priolo Special Studies Zone, County Fault Zone, or within 150 feet of any other active or potentially active fault.

Amended Effective:

11-30-95 (Ord. 348.3752)

f. Seismic hazards evaluation to include regional seismicity, potential for strong groundshaking, and all appropriate primary and secondary seismic hazards.

g. Recommendations regarding the need for automatic shutdown systems in event of groundshaking greater than the seismic design specifications of the WECS and tower.

7. A location map to scale of all dwellings within 2 mile of the boundary of the property upon which the WECS are to be located.

8. An analysis to reduce air navigation clutter on airport radar facilities.

9. If the Planning Director determines it is necessary, the application shall be accompanied by a photograph or detailed drawing of each model of WECS including the tower and foundation; and one or more detailed computer or photographic simulation drawing showing the site fully developed with all proposed WECS and accessory structures.

10. 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, the application shall be accompanied by a copy of written notification to the Federal Aviation Administration.

11. If the application includes any WECS which requires the approval of a greater height limit pursuant to Section 18.34. of this ordinance, the two applications shall be filed concurrently.

12. An application including any WECS which is located within a two miles of any microwave communications link shall be accompanied by a copy of a written notification to the operator of the link.

13. An application including any WECS which is located within a 100-year flood plain area, as such flood hazard areas are shown on the maps designated in County Ordinance No. 458, shall be accompanied by a detailed report which shall address the potential for wind erosion, water erosion, sedimentation and flooding, and which shall propose mitigation measures for such impacts.

14. Such additional information as shall be required by the Planning Director.

D. STANDARDS AND DEVELOPMENT CRITERIA.

No person shall erect or maintain a commercial WECS in the unincorporated area of the County of Riverside except in accordance with the following provisions.

1. Safety Setbacks.

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

| ABOVE GROUND ELECTRICAL TRANS-MISSION 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 or 500 feet whichever greater | 1.1 X TOTAL WECS HEIGHT | 3 X TOTAL WECS HEIGHT or 500 feet whichever greater | 1.1 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 I-10, 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. 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 | | |

NOTES:

* 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.

   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 vertical-axis 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 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.

    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-implusive 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.

Amended Effective:
09-24-99 (Ord. 348.3884)

E. 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.

3. (Deleted – Ord. 348.2686)

F. REVOCATION OF PERMIT. A commercial WECS permit may be revoked pursuant to Section 18.31. of this ordinance.

Added Effective:
11-11-82 (Ord. 348.2104)
05-12-83 (Ord. 348.2174)
10-13-83 (Ord. 348.2218)
08-02-84 (Ord. 348.2338)
08-22-85 (Ord. 348.2500)
11-12-85 (Ord. 348.2534)
06-05-86 (Ord. 348.2592)
07-23-87 (Ord. 348.2686)
05-24-89 (Ord. 348.3029)
10-05-93 (Ord. 348.3567)
09-24-99 (Ord. 348.3884)

NOTE: This ordinance is an urgency ordinance necessary for the immediate preservation of the public peace, health, or safety and shall go into immediate effect pursuant to Section 25123 of the Government Code. It is necessary for this ordinance to take effect immediately in that some may be approved commercial WECS be unable to meet the previously enacted minimum standard for power production even though such commercial WECS are fully operable, thereby impeding the timely development of otherwise acceptable commercial WECS projects.

## SECTION 18.42. ACCESSORY WECS PERMITS.

A. APPLICABILITY.

Notwithstanding any other provision of this ordinance, an accessory wind energy conversion system (WECS) may be permitted in any zone classification provided that an accessory WECS permit is granted pursuant to the provisions of this section.

B. PROCEDURE.

Applications and permit approval for an accessory WECS permit shall be governed by all the provisions of Section 18.30. of this ordinance and of this section.

C. APPLICATION.

Applications for an accessory WECS permit shall be made in writing to the Planning Director on the forms provided by the County Planning Department and shall be accompanied by the filing fee set forth in County Ordinance No. 671. In addition to the information specified in Section 18.30. of this ordinance, the permit application shall include the following:

1. A photograph or detailed drawing of the WECS including the tower.

2. Specific information on the WECS including: type, size, rated power output, rotor material, performance, safety, and noise characteristics.

3. Specific information on the type, height, and material of the tower.

4. Proof of notification to the utility of the proposed interconnection.

5. Dominant wind direction at the site. Dominant wind direction is the direction from which 50 percent or more of the energy contained in the wind flows.

6. If the WECS requires approval of a greater height limit pursuant to Section 18.34. of this ordinance, the two applications shall be filed concurrently.

D. REQUIREMENTS FOR APPROVAL.

No accessory WECS permit shall be approved unless it complies with the following standards:

1. The WECS rotor shall clear the ground by at least 15 feet.

2. Safety Setbacks.

   a. No accessory WECS shall be located where the center of the tower is within the distance indicated in the following table:

| ABOVE-GROUND ELECTRICAL TRANS-MISSION 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 I-10, 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.

Amended Effective:
09-24-99 (Ord. 348.3884)

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.

F. REVOCATION OF PERMIT.

An accessory WECS permit may be revoked pursuant to Section 18.31. of this ordinance.

## SECTION 18.42a. APPLICATIONS FOR MODIFICATIONS TO APPROVED COMMERCIAL AND ACCESSORY WECS PERMITS.

A request for approval of a modification to an approved wind energy conversion system (WECS) permit, shall be made in accordance with the provisions of this section. A modification under this section means a request for a determination of substantial conformance or a revised permit as further defined herein.

A. APPLICATIONS.

Applications for substantial conformance or a revised permit shall be filed in writing with the Planning Director, shall be accompanied by the applicable fee set forth in County Ordinance No. 671, and shall include the following:

1. All information required under this ordinance for the filing of a new WECS permit application, unless the Planning Director determines that the information is duplicative of information previously filed in connection with the approved WECS permit or the Planning Director otherwise waives the information requirement.

2. A statement explaining the proposed modification and the reason the modification has been requested.

3. A list of names and addresses of all owners of real property located within one half mile of the exterior boundaries of the proposed project as shown on the last equalized assessment roll and any update issued by the County Assessor.

4. A study comparing the cumulative effect of the approved WECS permit on surrounding properties and the cumulative effect of the proposed modification on those same properties. The study shall at a minimum discuss the following issues: height, rotor diameter, turbine noise, and total turbine number.

5. An efficiency study comparing the electrical output of the approved WECS permit and the proposed modification.

6. A removal/abandonment plan if the proposed modification calls for the removal of installed WECS.

7. Such additional information as shall be required by the Planning Director.

B. SUBSTANTIAL CONFORMANCE.

Substantial conformance means a modification of an approved WECS permit which does not increase the density or intensity of the approved use, which does not increase the number of WECS, which does not result in more environmental impacts than the approved use and which does not have a greater cumulative effect on surrounding property than the approved use.

The following shall constitute substantial conformance:

1. The replacement of WECS installed or authorized pursuant to an approved WECS permit when:

    a. The replacement WECS meet the noise standards set forth in Resolution No. 93-378;

    b. The total number of replacement WECS will be at least 25 percent less than the number originally permitted;

    c. The replacement WECS will be no greater than 200 feet high measured at the highest point in the arc of the blades; and,

    d. WECS installed or authorized within 1,200 feet of a residence will be removed, or, in the alternative, such residences are within areas designated "Desert" or "Mountainous" on the Western Coachella Valley Plan and the Planning Director determines that the owners of such residences have waived the 1200 foot requirement in writing.

2. The replacement or alteration of all or part of the major component systems of WECS installed or authorized pursuant to an approved WECS permit when:

    a. The modified WECS meet the noise standards set forth in Resolution No. 93-378;

    b. Rotor diameter of the modified WECS will not be increased by more than 50 percent of its prior size;

    c. The replacement WECS will be no greater than 200 feet high measured at the highest point in the arc of the blades; and,

    d. WECS installed or authorized within 1,200 feet of a residence will be removed, or, in the alternative, such residences are within areas designated "Desert" or "Mountainous" on the Western Coachella Valley Plan and the Planning Director determines that the owners of such residences have waived the 1,200 foot requirement in writing. Substantial conformance may also include, but is not limited to, the following:

        1) Other replacement or alteration proposals which fall within the definition of substantial conformance set forth above.

        2) Modifications necessary to comply with final conditions of approval; or,

        3) Modifications to lighting, parking, fencing or landscaping requirements.

C. REVISED PERMITS.

Revised permit means a modification of an approved WECS permit which does not change the basic concept or use allowed by the original approval. A revised permit may include, but is not

limited to, on-site reorientation of structures, replacements of WECS, that do not constitute substantial conformance, movement of or alterations to signs, changes to the original conditions of approval that do not constitute to substantial conformance, including extensions to the overall life of the permitted use, increases in the density or intensity of the permitted use or increases in the number of WECS. Applications for extensions of time shall be subject to any restrictions set forth in this ordinance as to the maximum overall life of the original permit.

D. PROCEDURE.

1. Substantial Conformance.

a. The Planning Director shall approve, conditionally approve or disapprove an application for substantial conformance within 30 days after accepting a completed application. The Planning Director's determination shall be based upon the standards of this section and those standards set forth in the ordinance governing approval of the original application and the conditions of approval applicable to the approved WECS permit. An application for substantial conformance shall not require a public hearing. Notice of the decision shall be filed by the Planning Director with the Clerk of the Board of Supervisors not more than 15 days after the decision. A copy of the notice of decision, including the original conditions of approval which remain in effect unless expressly modified and any additional conditions of approval, shall be mailed to the applicant, and to any person who has made written request for a copy of the decision, and to all owners of real property which is located within one half mile of the exterior boundaries of the project, as such owners are shown on the last equalized tax roll and any update. The Clerk of the Board shall place the notice of decision on the next agenda of the Board of Supervisors held five or more days after the Clerk receives the notice from the Planning Director.

b. The decision of the Planning Director is considered final and no action by the Board of Supervisors is required unless, within ten days after the notice of decision appears on the Board of Supervisors' agenda, the applicant or an interested person files an appeal, accompanied by the fee set forth in County Ordinance No. 671, with the Clerk of the Board or unless the Board of Supervisors assumes jurisdiction by ordering the matter set for public hearing. If a timely appeal is filed or the Board of Supervisors assumes jurisdiction, the Clerk of the Board shall set the matter for public hearing before the Board of Supervisors not less than 13 nor more than 60 days thereafter and shall give notice of the time and place of the hearing in the same manner as the notice was given by the Planning Director of the notice of decision.

c. The Board of Supervisors shall hear the matter de novo; however, the documents and other evidence presented to the Planning Director shall be a part of the Board of Supervisors record at its hearing on the matter. The Board of Supervisors shall hear relevant testimony from interested persons and within a reasonable time after the close of the hearing, make its decision sustaining, reversing or modifying the decision of the Planning Director.

2. Revised Permit.

An application for revised permit shall be approved, conditionally approved or disapproved in accordance with the procedures for processing an original permit, including any requirements for public hearing, notice of hearing, and all rights of appeal. A revised permit shall meet the development standards applicable to a new WECS permit; provided, however, that a revised permit may be approved subject to lower development standards where the applicant demonstrates that such approval will reduce adverse impacts on residential properties.

E. APPROVAL PERIOD.

The approval of an application for substantial conformance or revised permit shall be valid until the expiration of the original permit, unless an extension of time has been granted by an approved revised permit.

F. Notwithstanding any provision herein to the contrary, an application for substantial conformance may be approved only if the proposed modification is exempt from the provisions of the California Environmental Quality Act.

Amended Effective:
11-11-82 (Ord. 348.2104)
04-12-83 (Ord. 348.2174)
08-22-85 (Ord. 348.2500)
07-23-87 (Ord. 348.2686)
10-05-93 (Ord. 348.3567)
10-18-94 (Ord. 348.3613)

## SECTION 18.43. APPLICATIONS FOR MODIFICATIONS TO APPROVED PERMITS.

A request for approval of a modification to an approved plot plan, conditional use permit, public use permit, second unit permit, mobilehome permit under Article XIXb. of this ordinance, or variance, shall be made in accordance with the provisions of this section. A modification under this section means a determination of substantial conformance or a request for a revised permit as further defined herein. These provisions shall not be applicable to wind energy conversion system permits.

A. APPLICATIONS.

Applications for substantial conformance or revised permit shall be filed in writing with the Planning Director, accompanied by the fees as set forth in County Ordinance No. 671, and shall include the following:

1. All information required under this ordinance for the filing of a new application for the permit sought to be modified, unless the requirement is waived by the Planning Director.

2. A statement explaining the proposed modification and the reason the modification has been requested.

3. A list of names and addresses of all owners of real property as required by the County, and such additional names and addresses required in order to conform with the notification requirements for processing a permit if the application requires a public hearing.

4. Such additional information as shall be required by the Planning Director.

B. REQUESTS FOR SUBSTANTIAL CONFORMANCE.

1. A substantial conformance is a request for a non-substantial modification of an approved permit which does not change the original approval or the effect of the approval on surrounding property. A substantial conformance may include, but is not limited to the following:

   a. Modifications for upgrading facilities.

   b. Modifications for compliance with the requirements of other public agencies.

   c. Modifications necessary to comply with the final conditions of approval.

   d. Modifications to on-site circulation and parking, lighting, fencing or walls (placement and/or height), landscaping and/or signage requirements, provided said modifications, as determined by the Planning Director, will have no adverse effect upon public health, safety, welfare, and/or the environment.

2. In the case of wireless communication facilities, a substantial conformance is a request for a non-substantial modification of an existing wireless communication facility that does not do any of the following:

    a. Increase the height of the facility.

    b. Increase the lease area by more than one thousand (1,000) square feet.

    c. Enlarge the lease area such that it is closer than twenty-five (25) feet to the nearest residential property line.

    d. Propose an additional facility that is larger than the existing facility or that is substantially different from the existing facility."

Amended Effective:
12-16-03 (Ord. 348.4147)

3. Notwithstanding any provision herein to the contrary, an application for substantial conformance may be approved only if the proposed modification is exempt from the provisions of the California Environmental Quality Act.

C. REVISED PERMITS.

A revised permit means a modification of an approved permit which does not change the basic concept or use allowed by the original approval. A revised permit may include, but is not limited to, a significant increase in intensity of the approved use, changes resulting in significant adverse effects, expansion within the approved permit area, and changes to the original conditions of approval, including extensions to the overall life of the permitted use, as determined by the Planning Director.

D. PROCESSING PROCEDURES.

1. Substantial Conformance.

The Planning Director shall approve, conditionally approve or disapprove an application for substantial conformance within 30 days after accepting a completed application and give notice by mail of the decision, including any additional conditions of approval, to the applicant and any other person who has filed a written request for notice.

    a. The Planning Director's determination shall be based upon the standards of this section and those standards set forth in this ordinance for the approval of an original application.

    b. An application for substantial conformance shall not require a public hearing.

2. Revised Permit.

An application for a revised permit shall be approved, conditionally approved or disapproved in accordance with the procedures for processing an original permit, including any requirements for public hearing, notice of hearing, and all rights of appeal. A revised permit shall be subject to the development standards applicable to approval of a new permit.

E. APPROVAL PERIOD.

The approval of an application for substantial conformance or revised permit shall be valid until the expiration of the original permit, unless an extension of time has been granted by an approved revised permit.

Added Effective:
10-17-85 (Ord. 348.2516)
07-23-87 (Ord. 348.2687)
07-04-96 (Ord. 348.3773)

## SECTION 18.44. HAZARDOUS WASTE FACILITY SITING PERMIT.

A. STATEMENT OF INTENT AND POLICY.

Because of the increasing problems associated with the disposal of hazardous wastes within the County of Riverside, it is necessary to provide specific requirements applicable to the siting or expansion of a hazardous waste facility in order to safeguard life, health, property and the public welfare.

B. APPLICABILITY.

1. A hazardous waste facility is permitted in the M-H (Manufacturing-Heavy) Zone provided a hazardous waste facility siting permit is first granted pursuant to this section.

2. As used herein, the terms "hazardous waste" and "extremely hazardous waste" shall include any wastes now or hereafter defined as hazardous or extremely hazardous by applicable provisions of the Hazardous Waste Control Law (Health and Safety Code Section 25100 et seq.) and the regulations adopted thereunder. As used herein, the term "hazardous waste" shall not include any "extremely hazardous waste".

3. As used herein, the term "hazardous waste facility" shall include any off-site facility at which hazardous waste is treated, stored, transferred, handled or disposed of, including but not limited to:

   a. Incineration facilities such as rotary kiln or fluidized bed incinerators;

   b. Residuals repositories;

   c. Stabilization or solidification facilities;

   d. Chemical oxidation facilities;

   e. Neutralization or precipitation facilities;

   f. Transfer or storage facilities.

4. No application for a permit to site a hazardous waste facility shall be accepted, which application proposes to treat, store, transfer, handle or dispose of extremely hazardous waste at the proposed facility, nor shall any hazardous waste facility which is issued a siting permit pursuant to this section at any time accept any extremely hazardous waste for treatment, storage, transfer, handling or disposal.

C. PROCEDURE.

1. A public hearing shall be held on an application for a hazardous waste facility siting permit in accordance with the provisions of Section 18.26. of this ordinance, and

except as otherwise expressly provided herein, all of the procedural requirements and rights of appeal as set forth therein shall apply. The hearing body shall be the Planning Commission.

2. In addition to the notice of hearing provided under Section 18.26., 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.

3. No application for a hazardous waste facility siting permit shall be approved unless an environmental impact report is completed in accordance with the California Environmental Quality Act (CEQA) and the Riverside County Rules Implementing CEQA.

D. APPLICATION.

Every application for a hazardous waste facility siting permit shall be made in writing to the Planning Director on the forms provided by the Planning Department and shall be accompanied by the filing fee as set forth in County Ordinance No. 671. The permit application shall include the following information:

1. Name and address of the applicant.

2. Evidence that the applicant is the owner of the property involved or has written permission of the owner to make such application.

3. A plot and development plan drawn in sufficient detail to clearly describe the following:

   a. Physical dimensions of property and structures.

   b. Location of existing and proposed structures.

   c. Setbacks.

   d. Methods of circulation.

   e. Ingress and egress.

   f. Utilization of property under the requested permit.

   g. The distance from the project property line to the nearest residential structure.

h. Proximity of the project to 100-year flood prone areas.

i. Proximity of the project to any known earthquake fault zones.

j. The relationship of the proposed project to all aboveground water supplies and all known underground aquifers that might suffer contamination.

k. Topographic description of the property and surrounding area.

l. A preliminary geological study of the property and the surrounding area including a soils analysis extending to all known aquifers, regardless of the potability of the waters of those aquifers.

m. Existing and proposed utilities which will be required to service the facility.

1) Identification of all wastewater, treated and untreated, which will be generated by the proposed facility and the method and place of final discharge.

2) An analysis of all visual, noise and olfactory impacts associated with the project and proposed mitigation measures.

3) An analysis of all air quality impacts associated with the project and proposed mitigation measures to insure no degradation of air quality in the area.

4. Identification of any rare or endangered species of plants or animals within the project site and proposed impact mitigation measures.

5. Identification of the amounts, sources, and types of hazardous wastes to be treated, stored, transferred, handled or disposed of at the proposed facility; the ultimate disposition of the wastes; and the anticipated life of the facility. Information as to the amounts, sources, and types of hazardous wastes shall be based on an actual survey of the industries to be served and shall be representative of the wastes that will be processed at the facility.

6. Three sets of mailing labels for all owners of real property 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 three sets of mailing labels for all registered voters residing within five miles of the exterior boundaries of the subject property. These mailing labels need not accompany the application but shall be supplied by the applicant prior to the public hearing upon notice from the Planning Director.

7. A risk assessment that analyzes in detail the probability of accidents or discharges both at the facility and in transportation to and from the facility. The risk assessment shall identify mitigation measures to reduce identified risks, and shall identify the routes proposed for transporting hazardous wastes to and from the facility.

8. A plan providing for an ongoing monitoring program to insure no unintentional release of any hazardous substance from the facility. The plan shall include any monitoring required by other permitting agencies.

9. All applications shall contain a designation of at least two reasonable alternative sites which shall be reviewed pursuant to the California Environmental Quality Act.

10. A plan for supplementary public review and comment on the proposed project prior to the public hearing. This plan shall provide for adequate public review and comment on the project in order to reduce public concerns prior to formal public hearing.

11. A contingency plan for emergency procedures designed to minimize hazards to human health or the environment from fires, explosions or any unplanned sudden or non-sudden 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.

12. Such additional information as shall be required by the Planning Director.

E. STANDARDS AND DEVELOPMENT CRITERIA.

No person shall erect, maintain or operate a hazardous waste facility in the unincorporated area of the County of Riverside except in accordance with the following provisions:

1. All internal roads and all access roads to the proposed facility shall be constructed or improved to County standards as approved by the Road Department.

2. Locational Criteria:

   a. No hazardous waste facility, except a transfer facility or a storage facility, shall be located closer than 1,500 feet from any lot line.

   b. 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.

   c. No hazardous waste facility shall be located within a dam inundation zone.

   d. No hazardous waste facility shall be located within a liquefaction area.

3. Safety and Security.

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.

d. 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.

4. Seismic Safety.

A hazardous waste facility shall comply with the requirements of the applicable Seismic zone of the Uniform Building Code, the applicable groundshaking zone in the General Plan, or with the seismic design recommendation in an approved geotechnical report on the project.

5. Monitoring.

a. 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.

b. 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.

6. 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.

7. No hazardous waste facility siting permit shall be granted for the treatment, storage, transfer, handling or disposal of an amount or type of waste beyond that generated within the County of Riverside unless satisfactory compensation is arranged through the Southern California Hazardous Waste Management Authority.

8. 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.

9. 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.

10. Closure.

    a. 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.

    b. 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.

    c. 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.

11. Financial Responsibility.

a. 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.

b. 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.

12. General Conditions.

The County may impose conditions on the granting of a hazardous waste facility siting permit in order to achieve the purposes of this ordinance and the Riverside County General Plan and to protect the health, safety or general welfare of the community.

13. Findings.

The following findings shall be made in writing prior to granting a hazardous waste facility siting permit:

a. The facility will be consistent with the Riverside County General Plan.

b. The facility will not be detrimental to the health, safety or general welfare of the community.

c. The facility site is or will be adequately served by roads and other public or private service facilities.

F. USE OF PERMIT.

1. Any hazardous waste facility siting 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 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 set the matter on the regular agenda of the

Planning Commission which shall review the application, make a recommendation thereon, and forward the matter on the regular agenda of the Board. An extension of time may be granted by the Board 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.

The life of the permit shall be determined at the time of approval and shall not exceed ten years.

G. REVOCATION OF PERMIT.

A hazardous waste facility permit may be revoked pursuant to Section 18.31. of this ordinance.

Added Effective:
08-14-86 (Ord. 348.2613)

## SECTION 18.45. KENNELS AND CATTERIES.

A. INTENT.

The Board of Supervisors has enacted new provisions for the implementation of County Ordinance No. 630 (Regulating the Keeping and Control of Dogs and Cats and Providing for the Control and Suppression of Rabies). County Ordinance No. 630 provides development standards for kennels and catteries proposed within the unincorporated areas of Riverside County. In adopting this Section the Board of Supervisors has enacted provisions which permit, or conditionally permit, kennels and catteries in various agricultural, industrial, residential, rural and open space zone classifications. The kennels and catteries are subject to development standards and requirements, based on the requirements of County Ordinance No. 630 and protection of the public health, safety and welfare.

B. PERMITTED ZONING.

Kennels and catteries as defined within this ordinance shall be permitted in the following zones:

1. A Class I Kennel (5 to 10 dogs) is permitted in the following zones, provided a plot plan has been approved under the provisions of this ordinance: A-1, A-2, A-D, A-P, C-1/C-P, C-R, C-P-S, C/V, I-P, M-H, M-M, M-SC, MU, N-A, R-1, R-1A, R-2, R-2A, R-3, R-3A, R-A, R-D, R-R, R-R-O, R-T-R, W-2, and W-2-M.

2. A Class II Kennel (11 to 25 dogs) is permitted in the following zones, provided a plot plan has been approved under the provisions of this ordinance: A-1, A-P, A-2, A-D, C-1/C-P, C-P-S, C-R, I-P, M-H, M-M, M-SC, MU, and N-A.

3. A Class III Kennel (26 to 40 dogs) is permitted in the following zones, provided a plot plan has been approved under the provisions of this ordinance: A-1, A-2, C-1/C-P, C-P-S, C-R, I-P, M-H, M-M, M-SC, and MU.

4. A Class IV Kennel (41 or more dogs) is permitted in the following zones, provided a conditional use permit has been approved under the provisions of this ordinance: A-1, A-2, C-1/C-P, C-P-S, C-R, I-P, M-H, M-M, M-SC, and MU.

5. A Sentry Dog Kennel is permitted in the following zones, provided a conditional use permit has been approved under the provisions of this ordinance: A-1, A-2, I-P, M-H, M-M, and M-SC.

6. A Class I Cattery (10 to 25 cats) is permitted in the following zones, provided a plot plan has been approved under the provisions of this ordinance: A-1, A-2, A-D, A-P, C-1/C-P, C-P-S, C-R, C/V, I-P, M-H, M-M, M-SC, MU, N-A, R-A, R-D, R-R, R-R-O, R-T-R, W-2, and W-2-M.

7. A Class II Cattery (26 or more cats) is permitted in the following zones, provided a plot plan has been approved under the provisions of this ordinance: A-1, A-2, C-1/C-P, C-P-S, C-R, I-P, M-H, M-M, M-SC, MU, R-R, R-R-O.

Amended Effective:
11-08-94 (Ord. 348.3629)
02-12-99 (Ord. 348.3857)
04-14-00 (Ord. 348.3928)

Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

C. DEVELOPMENT STANDARDS. The following development standards shall apply to kennels and catteries and are in addition to the development standards for the applicable zoning classification. In the case of a conflict between these development standards and the development standards of the applicable zone, the more restrictive development standard shall apply.

1. LOCATION:

   a. Kennels or catteries shall not be placed on any lot with a multiple family dwelling.

   b. All kennels and catteries located in the C-1/C-P, C-P-S, C-R, or MU zones shall be located within a fully enclosed building.

2. LOT SIZE:

   Subject to permitted zoning, a kennel or Class II Cattery shall have a minimum lot size of one gross acre in the following zones: A-1, A-2, A-D, A-P, C/V, N-A, R-1, R-1A, R-2, R-2A, R-3, R-3A, R-A, R-D, R-R, R-R-O, R-T-R, W-2, and W-2-M. There is no minimum lot size for a kennel or cattery in the C-1/C-P, C-P-S, C-R, I-P, M-H, M-M, M-SC, or MU zones other than what is required by the existing zoning classification for the lot.

3. LICENSE:

   The applicant shall obtain and continuously maintain all necessary licenses from the Riverside County Department Animal Services.

4. ORDINANCE NO. 630:

   All kennels and catteries are subject to the provisions of Ordinance No. 630.

5. CARETAKER:

   All kennels and catteries shall have an onsite caretaker.

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

D. APPLICATIONS:

Every application for a kennel or cattery shall be made in writing to the Planning Director on forms provided by the Planning Department and shall be accompanied by the filing fee set forth in County Ordinance No. 671. The permit application shall include the following information:

1. Name and address of the applicant and all persons that own any part of the subject property, including evidence that all owners agree to the application.

2. Location or address and legal description of subject property.

3. A plot plan, drawn to scale, that shows the following:

   a. Boundary and dimensions of property.

   b. Topography for the property.

   c. Location and distance to adjacent streets, drainage structures, utilities, buildings, signs, and other features that may affect the use of the property. Features mapped shall include, but not be limited to, such improvements as patios, swimming pools, and corrals.

   d. Location and setbacks showing the proposed and existing development on the property. Features such as kennels, exercise runs, areas open to the general public and noise control measures shall be shown.

4. Such additional information as shall be required by the Planning Director.

E. PROCESSING OF APPLICATION.

Upon acceptance of an application as complete, the Planning Director shall transmit a copy of the application to the Department of Animal Services and such additional public and private agencies as the Planning Director deems appropriate.

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

F. HEARING AND NOTICE OF DECISION.

1. Not less than 30 days after an application is received as complete, the Planning Director shall schedule the time and date on which the Director's decision on the application is to be made. Not less than ten days prior to the date on which the decision is to be made, the Planning Director shall give notice of the proposed use by mail or delivery to all owners shown on the last equalized assessment roll and any updates as owning real property within a 300 foot radius of the exterior boundaries of the proposed project. Notice of the proposed use shall also be given by publication in a newspaper of general circulation in the County. The notice shall include the statement that no public hearing will be held unless a hearing is requested in writing before the date scheduled for the decision to be made. No public hearing on the application shall be held before a decision is made unless a hearing is requested in writing by the applicant or other affected person, or unless the Planning Director determines that a public hearing should be required. The Planning Director shall give notice of the decision to the applicant and to any other person who requests notice of

the decision. The decision of the Planning Director shall be considered final unless within ten days of the date of mailing of the notice of decision to the applicant an appeal therefrom is filed.

2. If a public hearing is required under the provisions of this Subsection, notice of the time, date, and place of the hearing before the Planning Director, and a general description of the location of the real property, shall be given at least ten days prior to the hearing as follows:

   a. Mailing or delivering to the owner of the subject real property or the owner's duly authorized agent.

   b. Mailing or delivering to all owners of real property which is located within a 300 foot radius of the exterior boundaries of the subject property, as such owners are shown on the last equalized assessment roll and any updates.

   c. The Planning Director may require additional notice be given in any other matter the Director deems necessary or desirable.

3. If a public hearing is required, the Director shall hear relevant testimony from interested persons and make a decision within a reasonable time after the close of the public hearing. The Planning Director shall give notice of the decision to the applicant, and the decision of the Planning Director shall be considered final unless within ten days of the date of mailing of the notice of decision to the applicant an appeal therefrom is filed.

G. APPEAL.

The applicant or any interested person may appeal from the decision of the Planning Director pursuant to the appeal procedures provided fin this ordinance.

Amended Effective:
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

Amended Effective:
04-04-87 (Ord. 348.2669)
02-12-99 (Ord. 348.3857)
04-14-00 (Ord. 348.3928)
Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

## SECTION 18.46. MINI-WAREHOUSES.

A. Intent.

The Board of Supervisors has enacted the following provisions to provide minimum development standards for mini-warehouses in the incorporated areas of Riverside County. These standards are designed to provide for the appropriate development of mini-warehouses and to protect the health, safety and welfare of County residents using such facilities or who live or conduct business adjacent to such facilities.

B. Permitted Zoning. Mini-warehouses shall be allowed in the following zones:

1. C-1/C-P Zone with an approved conditional use permit.

2. I-P, M-SC, M-M, and M-H Zones with an approved plot plan.

C. Permitted Uses. Mini-warehouse facilities shall be designed and operated for the storage of goods in individual compartments or rooms, which are available for use by the general public on a rental or lease basis. In no case shall storage spaces be used for manufacturing, retail or wholesale selling, compounding, office functions, other business or service uses, or human habitation.

D. 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 are.

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. Parking. Parking shall be provided in accordance with the requirements set forth in Section 18.12. of this ordinance.

8. Landscaping. All street setbacks and walls serving as buffers between the mini-warehouse 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 under Section 18.12. of this ordinance.

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 18.12. 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.

13. Additional Development Requirements.

Additional development standards may be required as conditions of approval.

Added Effective:
05-31-88 (Ord. 348.2856)

## SECTION 18.47. RECYCLING FACILITIES.

A. INTENT.

The Board of Supervisors has enacted the following provisions to provide minimum development standards for recycling facilities in the unincorporated areas of Riverside County. These standards are designed to provide appropriate development of recycling facilities pursuant to the 1986 California Beverage Container Recycling and Litter Reduction Act (Public Resources Code Section 14500 et.seq.).

B. PERMITTED ZONING

1. State certified reverse vending machines and mobile recycling units shall be permitted in any in any commercial or industrial zone, provided that the use is located within a convenience zone designated by the State of California Department of Conservation.

2. Recycling collection facilities shall be permitted in the following zones:

   a. C-1/C-P and C-P-S Zones with an approved plot plan pursuant to Section 18.30. of this ordinance, and provided the facility operates within an enclosed building with not more than 200 square feet of outside storage.

   b. I-P Zone with an approved plot plan pursuant to Section 18.30. of this ordinance provided the facility operates totally within an enclosed building with no outside storage.

   c. C-R, M-SC, M-M and M-H Zones with an approved plot plan pursuant to Section 18.30. of this ordinance.

3. Recycling processing facilities shall be permitted in the following zones:

   a. M-SC, M-M, and M-H Zones with an approved conditional use permit pursuant to Section 18.28. of this ordinance.

   b. I-P Zone with an approved conditional use permit pursuant to Section 18.28. of this ordinance, provided the facility operates totally within an enclosed building with no outside storage.

C. 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

a. In the I-P Zone collection facilities shall operate totally within an enclosed building. Outside storage shall not be permitted.

b. Landscaping and Setbacks.

1) In the C-1/C-P and C-P-S Zones, the collection facility area shall at least be enclosed by an opaque block wall or solid wood fence at least six feet in height and landscaped on all street frontages.

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) In the I-P, M-SC, M-M, and M-H Zones, collection facilities shall comply with the setback, landscape, and structural requirements of the zone in which the project is located.

4) 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.

d. 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) In the I-P, M-SC, M-M, and M-H Zones power-driven machinery which is used to briquette, shred, transform, and otherwise process recyclable materials may be approved with a conditional use permit.

i. Additional Development Requirements. Additional development standards may be required as conditions of approval.

4. Recycling Processing Facilities

a. In the I-P Zone, the processing facility shall operate 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.

b. In the M-SC, M-M, and M-H Zones, setbacks, landscaping and structural requirements shall comply with the development standards of the underlying zone.

c. 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.

d. 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.

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. 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.

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. The site shall be maintained in a safe and litter free condition on a daily basis.

i. Additional Development Requirements. Additional development standards may be required as conditions of approval.

Added Effective:
07-11-89 (Ord. 348.3047)

## SECTION 18.48. ALCOHOLIC BEVERAGE SALES.

A. INTENT.

The Board of Supervisors has enacted the following provisions to provide minimum development standards for alcoholic beverage sales in the unincorporated areas of Riverside County. These standards are designed to provide for the appropriate development of alcoholic beverage sales and to protect the health, safety and welfare of County residents by furthering awareness of laws relative to drinking.

B. PERMITTED ZONING.

1. The sale of alcoholic beverages for off-premises consumption shall only be allowed in the following zones provided a conditional use permit has been approved pursuant to Section 18.28. of this ordinance: R-R, C-1/C-P, C-P-S, C-R and MU.

Amended Effective:
11-08-94 (Ord. 348.3629)
Ord. No. 348.4896 Item 19.1 of 12/11/18 (Effective Date: 1/10/19)

2. The sale of alcoholic beverages for off-premises consumption shall only be allowed in the following zone provided a plot plan has been approved pursuant to Section 18.30. of this ordinance: A-1, C/V, WC-W, WC-WE, WC-R and WC-E.

Added Effective:
11-08-94 (Ord. 348.3629)
07-23-99 (Ord. 348.3881)
Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)

C. DEVELOPMENT STANDARDS.

1. A conditional use permit shall be required for the concurrent sale of motor vehicle fuels and beer and wine for off-premises consumption.

2. A conditional use permit shall be required for the sale of alcoholic beverages for off-premises consumption in all zoning classifications, excluding C/V, where such zoning would permit the sale with plot plan approval or conditional use permit approval, however, that the provisions of Subsection B.1. shall not apply to a retail commercial establishment which (1) contains at least 20,000 square feet of interior floor space and is primarily engaged in the sale of groceries and (2) does not sell motor vehicle fuels.

Amended Effective:
11-08-94 (Ord. 348.3629)

3. 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.

Amended Effective:
03-03-98 (Ord. 348.3808)

4. Notice of hearing shall be given to all owners of property within 1,000 feet of the subject facility, to any elementary school or secondary school district within whose boundaries the facility is located and to any public entity operating a public park or playground within 1,000 feet of the subject facility. The Planning Director may require that additional notice be given, in a manner the Director deems necessary or desirable, to other persons or public entities.

5. The following additional development standards shall apply to the concurrent sale of motor vehicle fuels and beer and wine for off-premises consumption:

    a. Only beer and wine may be sold.

    b. 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.

    c. No displays of beer, wine or other alcoholic beverages shall be located within five feet of any building entrance or checkout counter.

    d. Cold beer or wine shall be sold from, or displayed in, the main, permanently affixed electrical coolers only.

    e. No beer, wine or other alcoholic beverages advertising shall be located on gasoline islands; and no lighted advertising for beer, wine, or other alcoholic beverages shall be located on the exterior of buildings or within window areas.

    f. 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.

    g. No sale of alcoholic beverages shall be made from a drive-in window.

D. ADDITIONAL DEVELOPMENT REQUIREMENTS.

Additional development standards may be required as conditions of approval.

Amended Effective:
11-13-90 (Ord. 348.3217)
10-01-91 (Ord. 348.3380)
01-19-93 (Ord. 348.3489)
04-13-93 (Ord. 348.3503)
11-08-94 (Ord. 348.3629)
07-04-96 (Ord. 348.3773)
07-18-96 (Ord. 348.3775)
03-03-98 (Ord. 348.3808)
02-12-99 (Ord. 348.3857)

## SECTION 18.49 FENCES.

A. INTENT.

The Board of Supervisors has enacted the following provision to provide minimum development standards for the construction of fences within the unincorporated areas of Riverside County. These standards are designed to enhance the aesthetic appearance of the community, preserve property values and protect the health, safety and welfare of County residents.

B. PROHIBITED FENCES.

Fences shall not be constructed of garage doors, tires, pallets or other materials not typically used for the construction of fences.

Amended Effective:
11-24-00 (Ord. 348.3961)

## SECTION 18.50 METAL SHIPPING CONTAINERS.

A. INTENT.

The Board of Supervisors has enacted the following provisions to establish minimum development standards for the placement of metal shipping containers within the unincorporated areas of Riverside County. These standards are designed to enhance the aesthetic appearance of the community, preserve property values and protect the public health, safety and welfare.

B. PERMITTED ZONING AND DEVELOPMENT STANDARDS.

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

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 plot plan has been approved pursuant to the provisions of Section 18.30. of this ordinance or the placement of metal shipping containers has been approved as part of an approved plot plan, conditional use permit or public use permit.

4. Except as otherwise provided in subsections B.2, B.3 and B.5 of Section 18.50, 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.

c. 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 10-feet (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 set forth in subsection B.4. of section 18.50 provided a plot plan has been approved pursuant to the provisions of Section 18.30 of this ordinance or the placement of metal shipping containers has been approved as part of an approved plot plan, conditional use permit or public use permit.

C. EXCEPTION.

The provisions of this section shall not apply in the A-2, A-P or A-D zones or to lots 10 gross acres or greater located in the A-1 zone, and the placement of metal shipping containers shall be permitted in these zones and on these lots in the A-1 zone.

Added Effective:
Ord. 348.4481 Item 2.16 of 02/26/08 (Effective Date: 03/27/08)
Amended Effective:
Ord. 348.4856 Item 17.7 of 07/25/17 (Effective Date: 08/24/17)

## SECTION 18.51 SOLAR ENERGY SYSTEMS.

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 plot plan pursuant to section 18.30 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 plot plan 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. For purposes of this section, the following terms shall have the following meanings:

1. A “specific adverse impact” means a significant, quantifiable, direct and unavoidable impact, based on objective, identified and written public health or safety standards, policies or conditions as they existed on the date the application was deemed complete.

2. 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.

Amended Effective:
Ord. 348.4734 Item 16.2 of 11/88/11 (Effective Date: 12/08/11)

## SECTION 18.52 PAROLEE-PROBATIONER HOMES.

A. APPLICATION.

In addition to the application requirements of Section 18.28 of this ordinance, an application for a conditional use permit for a parolee-probationer home shall include the following information:

1. Client profile (the subgroup of the population the parolee-probationer home is intended to serve).

2. Maximum number of occupants and hours of parolee-probationer home operation.

3. Term of client stay.

4. Support services to be provided on-site and projected staffing levels.

5. Business Operations Plan, including, but not limited to the rules of conduct.

6. Such additional information as shall be required by the Planning Director.

B. 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.

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

C. 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.

D. EXISTING PAROLEE-PROBATIONER HOMES REQUIRE A PERMIT.

1. Any existing unpermitted parolee-probationer home that has not complied with these requirements is in violation of this ordinance and is subject to appropriate enforcement, legal procedures and penalties.

2. An existing facility, established pursuant to an active discretionary permit approved under this Ordinance prior to the effective date of Ordinance No. 348.4744, which would now qualify as a parolee-probationer home as defined by this Ordinance shall not be subject to complying with the development standards of this Section. However, any change in operating conditions from what was originally approved and imposed by the County, including, but not limited to, the number of occupants, residents, parolees-probationers, change in size of facility or any modifications to the conditions of approval pursuant to the required discretionary permit shall require the immediate submittal of an application for a revised permit. In all circumstances under this subsection, the application for a revised permit shall be approved, conditionally approved or disapproved in accordance with the procedures for processing a conditional use permit, including any requirements for public hearing, notice of hearing, and all rights of appeal.

E. ABANDONMENT OF USE.

An existing parolee-probationer home established pursuant to any permit discontinued or that discontinues operations for one year or more is deemed abandoned. Any subsequent establishment of a parolee-probationer home at the same location shall be required to first obtain a new conditional use permit.

Amended Effective:
Ord. 348.4744 Item 16.1 of 06/19/12 (Effective Date: 07/19/12)

## SECTION 18.53. COTTAGE FOOD OPERATIONS.

A. INTENT.

The Board of Supervisors has adopted the following provisions to establish minimum development standards and requirements for cottage food operations in residential dwellings in the unincorporated areas of Riverside County. It is the intent of the Board of Supervisors in adopting this Section 18.53 that cottage food operation uses shall not alter or disturb the residential nature of the premises or its surrounding. These requirements are to provide for appropriate land use and zoning standards for cottage food operations and to protect the public health, safety and welfare.

B. PERMITTED ACCESSORY USE.

Subject to the limitations, standards and requirements of this section, cottage food operations are permitted as an accessory use in all lawfully constructed and occupied one family, multiple family, factory built or manufactured dwelling units in any zone. As used in subsection c. hereinafter, dwelling unit is limited to one family, multiple family, factory built or manufactured dwelling units as each are defined in this ordinance.

C. DEVELOPMENT STANDARDS.

Cottage food operations shall be subject to the following standards and requirements:

1. A cottage food operation shall comply with all development standards of the zone where the dwelling unit is located.

2. A 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.

3. The site of the cottage food operation must be a principal residence of a person engaged in and the owner of the cottage food operation.

4. No more than one full-time equivalent cottage food employee may engage in cottage food operation activities on the site of the cottage food operation at any one time.

5. A cottage food operation shall be incidental and accessory to the principal residential use of a dwelling unit.

6. There shall be no outside storage related to the cottage food operation on the site.

7. The cottage food operation activities shall be conducted entirely within a primary dwelling unit.

8. There shall be no outside activities or uses which indicate the presence of a cottage food operation nor shall the cottage food operation alter or disturb the area in which the dwelling unit is located.

9. The residential character of the exterior of the dwelling unit shall not be changed.

10. Notwithstanding subsection (9) hereinabove, no signs other than one unlighted identification sign, not more than two square feet in area, shall be erected on the premises in which the dwelling unit is located and shall only be attached to the dwelling unit or placed in a window the dwelling unit.

11. Except for cottage food products that have been prepared for sale in the kitchen of a cottage food operation, direct retail sales of any other products at the site of the cottage food operation are prohibited.

12. A maximum of one customer vehicle may be parked at the site of a cottage food operation at any given time. A maximum of two customers may visit the site of a cottage food operation at any given time.

13. A maximum of one vehicle not larger than 10,000 pounds gross vehicle weight rating, used in conjunction with a cottage food operation, may be parked at the cottage food operation site.

14. A cottage food operation shall not be conducted so it creates or results in noise, glare, smoke, dust, vibration, fumes, odor, electrical interference, radio interference, television interference, fire hazard, significant vehicular or pedestrian traffic or any other hazard or nuisance disruptive to reasonable use of surrounding properties.

15. The use or storage of any flammable, combustible or toxic material in conjunction with a cottage food operation shall be limited to materials and quantities allowed for a residential use pursuant to applicable law.

D. EXCEPTIONS.

Cottage food operations shall not be permitted in any Second Unit, Guest Quarter, accessory building, ADU or Junior ADU

Amended Effective:
Ord. 348.4755 Item 16-1 of 04/02/13 (Effective Date: 05/02/13)

## SECTION 18.54. DENSITY BONUS.

A. PURPOSE AND INTENT. The Board of Supervisors finds that certain incentives are appropriate and necessary to help increase opportunities for affordable housing in the County and to achieve the goals and policies of the General Plan Housing Element. The purpose of this Section is to facilitate the development of affordable rental and for-sale housing, including inclusionary housing, in accordance with California Government Code sections 65915 through 65918, as may be amended from time to time.

B. DEFINITIONS. As used in this Section, the following terms shall have the following meanings:

1. Density Bonus. An increase over the otherwise maximum allowable residential density set forth in the Riverside County General Plan land use designation for a Housing Development, as defined in this Section.

2. Housing Development. As provided in section 65915(i) of the Government Code, a development project for five (5) or more dwelling units that may include mixed-use developments, a subdivision or common interest development consisting of one family or multiple family dwellings or unimproved residential lots. A Housing Development can also include either a project to substantially rehabilitate and convert an existing commercial building to residential use, or the substantial rehabilitation of

an existing multiple family dwelling, where the result of the rehabilitation would be a net increase in available dwelling units.

3. Target Units. Dwelling units with affordability restrictions for the following:

   a. Very low, low and moderate income households as defined in sections 50105, 50079.5, and 50093, respectively, of the Health and Safety Code;

   b. Transitional foster youth, as defined in section 66025.9 of the Education Code;

   c. Disabled veterans, as defined in section 18541 of the Government Code;

   d. Senior citizens as defined in sections 51.3 and 51.12 of the Civil Code; or

   e. Homeless persons as defined in section 11302 of title 42 of the United States Code, also known as the McKinney-Vento Homeless Assistance Act.

C. ELIGIBILITY. A Housing Development is eligible for a Density Bonus when the Housing Development meets at least one of the following requirements:

1. Ten (10%) percent of the total dwelling units of a Housing Development are for lower income households, as defined in section 50079.5 of the Health and Safety Code;

2. Five (5%) percent of the total dwelling units of a Housing Development are for very low income households, as defined in section 50105 of the Health and Safety Code;

3. The Housing Development includes a senior citizen housing development, as defined in sections 51.3 and 51.12 of the Civil Code, or a mobilehome park that limits residency based on age requirements for housing for older persons pursuant to section 798.76 and 799.5 of the Civil Code;

4. Ten (10%) percent of the total dwelling units in a common interest development, as defined in section 4100 of the Civil Code, are for persons and families of moderate income, as defined in section 50093 of the Health and Safety Code, provided that all dwelling units are offered to the public for purchase; or

5. Ten (10%) percent of the total dwelling units of a Housing Development are for transitional foster youth, as defined in section 66025.9 of the Education Code, disabled veterans, as defined in section 18541 of the Government Code, or homeless persons, as defined in section 11302 of title 42 of the United States Code, also known as the McKinney-Vento Homeless Assistance Act. The dwelling units described in this subparagraph shall be subject to a recorded affordability period of 55 years and shall be provided at the same affordability level as very low income dwelling units, as defined in section 50105 of the Health and Safety Code.

6. Twenty (20%) percent of the total units for lower income students in a student housing development that meets the requirements as provided in section 65915(b)(1)(F) of the Government Code.

7. One hundred percent (100%) of the total units, exclusive of a manager's unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the total units in the development may be for moderate-income households, as defined in Section 50053 of the Health and Safety Code.

D. APPLICATION PROCEDURE.

1. An applicant proposing a Housing Development pursuant to this Section that also requires an approved land use permit may submit a Density Bonus request to the Planning Director or designee in conjunction with the application for the Housing Development project. The request shall be processed concurrently with the Housing Development project application, and heard by the appropriate hearing body for the Housing Development.

2. An applicant proposing a Housing Development pursuant to this Section that does not require an approved land use permit may submit a Density Bonus request to the Planning Director. The request shall be considered by the Planning Director in accordance with subsection F. below and in compliance with the California Environmental Quality Act. The Planning Director shall provide the determination in writing to the applicant.

E. DENSITY BONUS CALCULATIONS. The Density Bonus shall be calculated in accordance with Government Code Sections 65915(f) and 65915(i), as may be amended, or in accordance with Government Code Section 65917.2 as may be amended.

F. DENSITY BONUS APPROVAL. The County shall grant the Density Bonus request for an eligible Housing Development unless the County makes a written finding, based upon substantial evidence, of any of the following:

1. The Density Bonus would have a specific, adverse impact upon public health and safety, or the physical environment or on any historical property as provided in Government Code section 65915(d)(1)(B) as may be amended from time to time.

2. The Density Bonus would be contrary to state or federal law.

G. DENSITY BONUS AGREEMENT. The applicant shall enter into a Density Bonus agreement with the County in a form consistent with Government Code Section 65915, as may be amended from time to time, and approved by the Office of County Counsel. The Density Bonus agreement shall include the applicable affordability period and be recorded on the lot or lots designated for the construction of the Target Units prior to final map approval, or, where a map is not being processed, prior to the issuance of the first building permit.

H. INCENTIVES. In addition to the Density Bonus, an applicant who meets the requirements of this Section may request incentives that result in identifiable and actual cost reductions to provide affordable housing, as provided in section 65915(d)(2) and section 65915(k) of

the Government Code, as may be amended from time to time. Incentive examples include, but are not limited to, modifications to site development standards and architectural design requirements.

I. INCENTIVE APPROVAL. The County shall grant incentives pursuant to the provisions of this Section unless the County makes a written finding, based upon substantial evidence, of any of the following:

1. The incentive does not result in identifiable and actual cost reductions to provide for affordable housing or for the setting of rents for Target Units a as provided in section 65915(d)(1)(A) of the Government Code, as may be amended from time to time.

2. The incentive would have a specific, adverse impact upon public health and safety, or the physical environment or on any historical property as provided in section 65915(d)(1)(B) of the Government Code, as may be amended from time to time.

3. The incentive would be contrary to state or federal law.

J. PROJECT DESIGN. Target Units shall be constructed concurrently with market-rate dwelling units, integrated into the Housing Development and include comparable infrastructure, construction quality and exterior and interior design to the market-rate dwelling units.

K. DEVELOPMENT STANDARDS. The Housing Development shall comply with the development standards of its zoning classification. If a development standard has the effect of physically precluding the construction of a Housing Development meeting the criteria for a Density Bonus or incentive, an applicant may request a development standard modification as provided in section 65915(e) of the Government Code, as may be amended from time to time.

L. PARKING RATIOS. In addition to the Density Bonus, an applicant who meets the requirements of this Section may request parking ratios as provided in section 65915(p) of the Government Code, as may be amended from time to time.

M. ADDITIONAL DENSITY BONUS CREDITS.

1. An applicant who meets the requirements of this Section and includes a child care facility that will be located on the premises of, as part of, or adjacent to the Housing Development may be eligible for an additional Density Bonus or incentive as provided in Government Code section 65915(h) as may be amended from time to time.
The County shall not be required to provide a Density Bonus or incentive for a child care facility if it finds, based upon substantial evidence, that the community has adequate child care facilities. No additional Density Bonus or incentive shall be granted unless the following requirements are met:

a. The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the Target Units are

required to remain affordable pursuant to Government Code section 65915(c) as may be amended from time to time; and

b. Of the children who attend the child care facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income pursuant to Government Code section 65915(h) as may be amended from time to time.

2. An applicant for approval to convert apartments to a condominium project in accordance with Government Code section 65915.5, as may be amended from time to time, may be eligible for a Density Bonus or other incentive as provided in Government Code section 65915.5(a), as may be amended from time to time.

3. An applicant for approval of a commercial development that has entered into an agreement for partnered housing as provided in Government Code section 65915.7, as may be amended from time to time, may be eligible for a development incentive as provided in Government Code section 65915.7, as may amended from time to time.

Added Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## SECTION 18.55. SUPPORTIVE AND TRANSITIONAL HOUSING.

A. Supportive housing as defined in this ordinance that does not meet the requirements provided in Subsection B. below is allowed in all zone classifications where one family dwellings or multiple family dwellings are allowed, and shall be subject to General Plan density requirements, the development standards provided in the zone classification and the permit approval process for the permit category in which the supportive housing falls.

B. Supportive housing as defined in this ordinance meeting the requirements set forth in Government Code Section 65651, as may be amended, is allowed by right in all zone classifications where multiple family and mixed uses are allowed, and shall be subject to General Plan density requirements.

C. Transitional housing as defined in this ordinance is allowed in all zone classifications where one family or multiple family dwellings are allowed, and shall be subject to General Plan density requirements, development standards provided in the zone classification, and the permit approval process which governs the permit category in which the transitional housing falls.

Added Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## ARTICLE XIX ADVERTISING REGULATIONS

### SECTION 19.1. PURPOSE AND INTENT.

Because Riverside County is a large, diverse and rapidly expanding jurisdiction, the Board of Supervisors finds that proper sign control is necessary for aesthetic and safety reasons. More specifically, proper sign control is necessary to provide for the preservation and protection of open space and scenic areas, the many natural and man-made resources, and the established rural communities within Riverside County. Proper sign control also safeguards the life, health, property and public welfare of Riverside County residents by providing the means to adequately identify businesses and other sign users, by prohibiting, regulating and controlling the design, location and maintenance of signs, and by providing for the removal and limitation of sign use. It is the intent of this ordinance to provide for such control. All displays and signs described herein shall conform to the applicable provisions of this article. If any specific zoning classification within this ordinance shall impose more stringent requirements than are set forth within this article, the more stringent provisions shall prevail.

### SECTION 19.2. DEFINITIONS.

For purposes of this ordinance, the following words or phrases shall have the following definitions.

A. "ABANDONED" means either:

1. Any outdoor advertising display that is allowed to continue for more than one year without a poster, bill, printing, painting, or other form of advertisement or message; or,

2. Any outdoor advertising display that does not appear on the inventory required by Section 19.3.B.12.; or,

3. Any on-site advertising structure or sign that is allowed to continue for more than 90 days without a poster, bill, printing, painting, or other form of advertising or message for the purposes set forth in Section 19.2.M. hereof.

B. "DISPLAY FACE" means the surface area of an outdoor advertising display available for the purpose of displaying an advertising message. Display Face does not include the structural supports or lighting.

Amended Effective:
07-23-99 (Ord. 348.3881)

Ord. 348.4641 Item 16.2 of 07/14/09 (Effective Date: 08/13/09)

C. "EDGE OF A RIGHT-OF-WAY" means a measurement from the edge of a right-of-way horizontally along a line normal or perpendicular to the centerline of the freeway or highway.

D. "FREE STANDING SIGN" means any sign which is supported by one or more columns or uprights imbedded in the ground, and which is not attached to any building or structure.

E. "FREEWAY" means a divided arterial highway for through traffic with full control of access and with grade separations at intersections.

F. "HIGHWAY" means roads, streets, boulevards, lanes, courts, places, commons, trails, ways or other rights-of-way or easements used for or laid out and intended for the public passage of vehicles or persons.

G. "ILLEGAL OUTDOOR ADVERTISING DISPLAY" means any of the following:

1. An outdoor advertising structure or outdoor advertising sign erected without first complying with all applicable county ordinances and regulations in effect at the time of its construction, erection or use.

2. An outdoor advertising structure or outdoor advertising sign that was legally erected but whose use has ceased, or the structure upon which the advertising display is placed has been abandoned by its owner, and not maintained or used for a period of not less than one year.

3. An outdoor advertising structure or outdoor advertising sign that was legally erected which later became nonconforming as a result of the adoption of an ordinance; the amortization period for the display provided by the ordinance rendering the display nonconforming has expired; and conformance has not been accomplished.

4. An outdoor advertising structure or outdoor advertising sign which does not comply with this Article, the Outdoor Advertising Display Permit referenced in Section 19.3.A. hereof, the State Outdoor Advertising Permit referenced in Section 19.3.B.4. hereof or any related building permit.

5. An outdoor advertising structure or outdoor advertising sign which is a danger to the public or is unsafe.

H. "ILLEGAL ON-SITE ADVERTISING STRUCTURE OR SIGN" means any of the following.

1. An on-site advertising structure or sign erected without first complying with all applicable County ordinances and regulations in effect at the time of its construction, erection or use.

2. An on-site advertising structure or sign that was legally erected, but whose use has ceased, or the structure upon which the advertising display is placed has been abandoned by its owner, and not maintained or used to identify or advertise an ongoing business for a period of not less than 90 days.

3. An on-site advertising structure or sign that was legally erected which later became nonconforming as a result of the adoption of an ordinance; the amortization period for the display provided by the ordinance rendering the display nonconforming has expired; and conformance has not been accomplished.

I. "MAXIMUM HEIGHT" means the highest point of the structure or sign measured from the average natural ground level at the base of the supporting structure. Provided, however, within the boundaries of the R-VC Zone (Rubidoux-Village Commercial), maximum height shall mean the height measured from the average adjacent finish grade (excluding artificial berms and raised planters) to the uppermost portion of the border of the surface area of the sign, except that:

1. Structural supports and non-sign architectural features may project above the maximum height limit to the limits prescribed in the applicable zoning ordinances and,

2. Signs affixed to the building may be placed at any height as long as the sign conforms to the other regulations of this ordinance.

J. "NOISE ATTENUATION BARRIER" means a sound wall or other structure built by the California Department of Transportation to reduce noise impacts.

K. "NON-COMMERCIAL STRUCTURE OR SIGN" means any structure, housing, sign, device, figure, statuary, painting, display, message, placard or other contrivance, which is designed, constructed, created, engineered, intended or used to provide data or information that does not do any of the following:

1. Advertise a product or service for profit or for a business purpose;

2. Propose a commercial transaction; or,

3. Relate solely to economic interests.

L. "ON-SITE ADVERTISING STRUCTURE OR SIGN" means any structure, housing, sign, device, figure, statuary, painting, display, message placard, or other contrivance, or any part thereof, which is designed, constructed, created, engineered, intended, or used to advertise, or to provide data or information that does either of the following:

1. Designates, identifies, or indicates the name of the business of the owner or occupant of the premises upon which the structure or sign is located.

2. Advertises the business conducted, services available or rendered, or the goods produced, sold, or available for sale, upon the premises where the structure or sign is located.

M. "OUTDOOR ADVERTISING DISPLAY" means an outdoor advertising structure or outdoor advertising sign used for outdoor advertising purposes, not including on-site advertising signs as herein defined and directional sign structures as provided in Riverside County Ordinance No. 679. An outdoor advertising display may be commonly known or referred to as an "off-site" or an "off-premises" billboard.

N. "OUTDOOR ADVERTISING SIGN" means any card, cloth, paper, metal, painted, plastic or wooden sign of any character placed for outdoor advertising purposes and affixed to an outdoor advertising display or structure.

O. "OUTDOOR ADVERTISING STRUCTURE" means a structure of any kind or character erected, used or maintained for outdoor advertising purposes, upon which any poster, bill, printing, painting or other advertisement of any kind whatsoever may be placed, including statuary, for outdoor advertising purposes. Such structure shall be constructed or erected upon a permanent foundation or shall be attached to a structure having a permanent foundation.

P. "SCENIC HIGHWAY" means any officially designated state or county scenic highway as defined in Streets and Highway Code Sections 154 and 261 et seq.

Q. "SHOPPING CENTER" means a parcel of land not less than three acres in size, on which there exists four or more separate business uses that have mutual parking facilities.

R. Repealed.

S. "SIGNIFICANT RESOURCES" means any County, State or Federal site which has significant or potentially significant social, cultural, historical, archaeological, recreational or scenic resources, or which plays or potentially could play a significant role in promoting tourism. For the purposes of this article, the term significant resources shall include, but not be limited to, the following:

1. Riverside National Cemetery. A strip, 660 feet in width, measured from the edge of the right-of-way line on both sides of I-215 from the intersection of Van Buren Boulevard southerly to Nance Road, and on both sides of Van Buren Boulevard from the intersection of I-215 westerly to Wood Road.

2. Scenic Highways.

3. A corridor 500 feet in width adjacent to both sides of all highways within three-tenths (3/10) of a mile of any Regional, State or Federal park or recreation area.

4. A corridor 500 feet in width adjacent to both sides of State Highway 74 (State Route 74) extending from its intersection with Interstate 15 to its intersection with Winchester Road (State Route 79), and from there easterly to the city limits of the City of Hemet, on both sides of the road.

5. A corridor 500 feet in width adjacent to both sides of I-15 from the Riverside/ San Diego County line northerly to the city limits of the City of Temecula.

6. A corridor 500 feet in width adjacent to both sides of Grand Avenue from the city limits of the City of Lake Elsinore, just northerly of Bonnie Lea Drive, to Clinton Keith Road, and adjacent to both sides of Clinton Keith Road from Interstate 15 to the city limits of the City of Murrieta.

7. A corridor 550 feet in width, measured from the edge of the right-of-way line adjacent to both sides of Interstate 15, extending from its intersection with state Highway 60 southerly to the city limits of the City of Norco.

T. Repealed.

Amended Effective:
07-23-99 (Ord. 348.3881)
11-31-00 (Ord. 348.3964)
02-23-04 (Ord. 348.4110)
08-13-09 (Ord. 348.4641)

## SECTION 19.3. OUTDOOR ADVERTISING DISPLAYS.

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. PERMIT PROCEDURE.

1. Application.

In addition to all other applicable Federal, State, and local laws, rules, regulations and ordinances, no outdoor advertising display shall be placed, erected, used or maintained until an Outdoor Advertising Display Permit therefore has been issued by the County Planning Director, on the form provided by the County Planning Department accompanied by the filing fee set forth in Ordinance No. 671. The application shall consist of ten copies of a plot plan drawn to scale, containing the name, address or telephone number of the applicant, a copy of the current valid State Outdoor Advertising Permit referenced in Section 19.3.B.4. hereof and a general description of the property upon which the outdoor advertising display is proposed to be placed. The plot plan shall show the precise location, type, and size of the proposed outdoor advertising display, all property lines, zoning, and the dimensions, location of and distance to the nearest advertising displays, building, business districts, significant resources as defined by Section 19.2.S. of this ordinance, public and private roads, and other rights-of-way, building setback lines, and specifically planned future road right-of-way lines, and any and all other information required by the Planning Director such that the proposed display may be readily ascertained, identified, and evaluated.

2. Issuance/Denial. The Planning Director shall, within forty-five (45) days of the filing of a complete permit application, approve and issue the Outdoor Advertising Display permit if the standards and requirements of this ordinance have been met; otherwise, the permit shall be denied. 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.

3. Assuming the Planning Director 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.

4. Revocation. Any Outdoor Advertising Display Permit which has been issued as a result of a material misrepresentation of fact by the applicant or his agent, whether or not a criminal prosecution is initiated therefore, or which does not comply with this Article, the State Outdoor Advertising Permit referenced in Section 19.3.B.4. hereof or any related building permit may be revoked by the Planning Director. The Planning Director shall forthwith give written notice of revocation to the applicant. Unless the permittee files with the Planning Department a written request for a hearing within 10 days of the date the notice was mailed, the Planning Director's decision to revoke will

be considered final. Failure to timely file a written request for a hearing constitutes a waiver of the right to a hearing. Notice of the hearing shall be given by mail to the permittee. The timely filing of a written notice to appeal shall stay the revocation until such time as the Planning Director issues their decision to grant or deny the appeal. Within 30 days after notice is given, or if a hearing is requested, within 30 days from the date of mailing the Planning Director's decision to deny the appeal, any outdoor advertising display authorized by the Outdoor Advertising Display Permit shall be removed at the permittee's expense. Failure to remove the display within 30 days shall be deemed a separate violation of this ordinance.

B. PERMIT STANDARDS.

1. General Plan. Outdoor advertising displays shall be consistent with the Riverside County Comprehensive General Plan.

2. Zoning. Outdoor advertising displays are permitted only in the C-1/C-P, M-SC, M-M and M-H Zones provided that the display meets all of the other requirements of the zoning classification and this Article. Outdoor advertising displays are expressly prohibited in all other zones.

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.

Amended Effective:
11-24-00 (Ord. 348.3961)

Ord. 348.4641 Item 16.2 of 07/14/09 (Effective Date: 08/13/09)

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. HEIGHT ADJUSTMENTS.

The owner of an existing outdoor advertising display that complied with all applicable federal, state, and local laws, rules and regulations in effect at the time it was erected may apply for a height adjustment on the form provided by the Planning Department accompanied by the filing fee set forth in Ordinance No. 671. The Planning Director shall, within forty-five (45) days of the filing of a complete height adjustment application, approve the height adjustment if the height adjustment standards set forth in Subsection D. are met; otherwise, the height adjustment shall be denied.

D. HEIGHT ADJUSTMENT STANDARDS.

A height adjustment in excess of the maximum height authorized under this ordinance shall be approved if all of the following height adjustment standards are met:

1. The outdoor advertising display is not an illegal outdoor advertising display;

2. The outdoor advertising display is oriented towards a freeway;

3. The outdoor advertising display is within one hundred (100) feet of the nearest edge of a freeway right of way line;

4. A noise attenuation barrier was fully constructed between the outdoor advertising display and the edge of the freeway after the outdoor advertising display was fully constructed;

5. A line of sight study shows that the noise attenuation barrier prevents the display face of the outdoor advertising display from being completely visible to vehicles in one or more approaching freeway traffic lanes at a point six hundred and sixty (660) feet from the outdoor advertising display. The six hundred and sixty (660) feet shall be measured from the middle of the display face to the middle of each approaching freeway traffic lane. The line of sight study shall be prepared at the owner's expense in accordance with the Planning Department's line of sight study protocol;

6. The maximum height adjustment shall be no more than what is required to make the display face of the outdoor advertising display completely visible to vehicles in all approaching freeway traffic lanes at a point six hundred and sixty (660) feet from the display as shown by the line of sight study. In no event, however, shall the maximum height of an outdoor advertising display adjusted under this section exceed a height of forty (40) feet from the roadbed of the adjacent freeway towards which the outdoor advertising display is oriented, or a maximum height of forty (40) feet from the grade on which it is constructed, whichever is greater;

7. The owner of any outdoor advertising display that obtains a height adjustment pursuant to this section shall also obtain a building permit from the Department of Building & Safety before increasing the height of the outdoor advertising display;

8. Other than the increase in height, nothing in this section shall be deemed to allow the relocation or enlargement of an existing outdoor advertising display. Nor shall this section be deemed to allow the angle of orientation of the outdoor advertising display to be altered or to allow an increase in the number of display faces on the existing outdoor advertising display.

Amended Effective:
Ord. 348.4641 Item 16.2 of 07/14/09 (Effective Date 08/13/09)

E. ENFORCEMENT.

Wherever the officials responsible for the enforcement of administration of the County Land Use Ordinance No. 348 or their designated agents, have cause to suspect a violation of this article, or whenever necessary to investigate either an application for the granting, modification, or any action to suspend or revoke an outdoor advertising display permit, or whenever necessary to investigate a possible violation, such persons may lawfully gain access to the appropriate parcel of land upon which a violation is believed to exist. The following provisions shall apply to the violations of this article:

1. All violations of this article committed by any person, whether as agent, employee, officer, principal, or otherwise, shall be a misdemeanor.

2. Every person who knowingly provides false information on an outdoor advertising display permit application shall be guilty of a misdemeanor.

3. Every person who fails to stop work on an outdoor advertising display, when so ordered by the Director of the Building and Safety Department or the Planning Director, or their designees shall be guilty of a misdemeanor.

4. Every person who, having received notice to appear in court to answer a related charge, willfully fails to appear, shall be guilty of a misdemeanor.

5. A misdemeanor may be prosecuted by the County in the name of the People of the State of California, or may be redressed by civil action. Each violation is punishable

by a fine of not more than one thousand dollars (1,000.00), or by imprisonment in the County jail for a term of not more than six months, or by both fine and imprisonment.

6. Every person found guilty of a violation shall be deemed guilty of a separate offense for every day during a portion of which the violation is committed, continued, or permitted by such person.

7. Every illegal outdoor advertising display and every abandoned outdoor advertising display is hereby declared to be a public nuisance and shall be subject to abatement by repair, rehabilitation, or removal in accordance with the procedures contained in Section 3. of County Ordinance No. 457.

Amended Effective:
Ord. 348.4641 Item 16.2 of 07/14/09 (Effective Date: 08/13/09)

F. NONCONFORMING OUTDOOR ADVERTISING DISPLAYS.

Every outdoor advertising display which does not conform to this ordinance shall be deemed to be a nonconforming sign and shall be removed or altered in accordance with this ordinance as follows:

1. Any outdoor advertising display which was lawfully in existence prior to the effective date of the enactment of County Ordinance No. 348.2496 (July 16, 1985) shall be abated or brought into conformance with these provisions by July 17, 1990.

2. Any outdoor advertising display which was lawfully in existence prior to the effective date of the enactment of County Ordinance No. 348.2856 (June 30, 1988) but after the effective date of the enactment of County Ordinance No. 348.2496 (July 16, 1985) shall be abated or brought into conformance with these provisions by July 1, 1993.

3. Any outdoor advertising display which was lawfully in existence prior to the effective date of Ordinance No. 348.2989 but after the effective date of the enactment of County Ordinance No. 348.2856 (June 30, 1988) shall be abated or brought into conformance with these provisions within eleven years of the effective date of County Ordinance No. 348.2989 (June 20, 1989).

4. If Federal or State law requires the County to pay just compensation for the removal of any such lawfully erected but nonconforming outdoor advertising display, it may remain in place until just compensation as defined in the Eminent Domain Law (Title 7, of Part 3 of the Code of Civil Procedure) is paid.

Amended Effective:
Ord. 348.4529 Item 15.2 of 10/16/07 (Effective Date: 11/15/07) Ord. 348.4641 Item 16.2 of 7/14/09 (Effective Date: 08/13/09)

G. ILLEGAL AND ABANDONED OUTDOOR ADVERTISING DISPLAYS.

All illegal outdoor advertising displays and all abandoned outdoor advertising displays shall be removed or brought into conformance with this ordinance immediately. County Ordinance No.

725 applies to all illegal outdoor advertising displays and abandoned outdoor advertising displays. In enforcing Ordinance No. 725 as it relates to illegal outdoor advertising displays and abandoned outdoor advertising displays the Notice required to be given to owner of the property shall also be given to (h) the owner of the sign, if the identification plate required by Business and Professions Code Sections 5362 and 5363 is affixed and (ii) the advertiser, if any, identified on the sign provided the address of the advertiser can reasonably be determined.

Amended Effective:
Ord. 348.4641 Item 16.2 of 07/14/09 (Effective Date: 08/13/09)

## H. 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.

Amended:
07-23-99 (Ord. 348.3881)
11-24-00 (Ord. 348.3961)
Ord. 348.4529 Item 15.2 of 10/16/07 (Effective Date: 11/15/07)
Ord. 348.4641 Item 16.2 of 07/14/09 (Effective Date: 08/13/09)

## SECTION 19.4. ON-SITE ADVERTISING STRUCTURES AND SIGNS.

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 (¼ 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 COMMUNITY PLANS.

1. The provisions of Subsections A., B., C., and D. of Section 19.4. of this ordinance shall apply to areas within the boundaries of the adopted Eastern Coachella Valley Plan (ECVP) and Western Coachella Valley Plan (WCVP), with the following exceptions:

a. In areas adjacent to scenic corridors as designated by the ECVP or WCVP, 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 ECVP or WCVP, 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 ECVP or WCVP, 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 Article XIX, any sign which would otherwise meet the definition of "ON-SITE ADVERTISING STRUCTURE AND SIGNS" in Section 19.2.E. 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.

Added Effective:
05-06-99 (Ord. 348.3868)

## SECTION 19.5. (Repealed.)

Amended Effective:
07-23-99 (Ord. 348.3881)

## SECTION 19.6 (Repealed.)

Amended Effective:
10-15-98 (Ord. 348.3842) 07-23-99 (Ord. 348.3881)

## SECTION 19.7. NON-COMMERCIAL STRUCTURES OR SIGNS.

Anywhere a display, structure or sign is permitted by this ordinance, a non-commercial message may be placed on such display, structure or sign.

Amended Effective:
07-23-99 (Ord. 348.3881)

## SECTION 19.8 RUBIDOUX VILLAGE POLICY AREA SIGNS.

General provisions for advertising signs within the Rubidoux Village Policy Area of the Jurupa Community Plan. No person shall erect an on-site advertising structure or sign in the Designated Rubidoux Village Policy Area of the Jurupa Community Plan zoned as Rubidoux Village-Commercial (R-VC) that is in violation of the provisions contained within any specific zone classification in this ordinance or that is in violation of the following provisions.

A. COMMERCIAL SIGNS.

1. All signs must be mounted on freestanding ground-mounted supports, supported from elements in the landscape such as arbors and arcades, or anchored to the building either with surface mounts, or suspended from walls or ceilings. No roof mounted structures are permitted. Standard pole mounted signs are not permitted.

2. Illuminated signs may be used within the Rubidoux-Village Commercial Zone of the Rubidoux Village Policy Area boundaries of the Jurupa Community Plan. Illuminated signs are permitted under the following criteria:

    a. Internal illumination for text, background or both.

    b. External illumination that does not spill over onto adjacent property or over public rights of way so as to cause a nuisance or a hazard.

    c. Neon type signs in which the sign text and/or graphic design is made up on fluorescent tubes.

    d. All conduits and raceways must be concealed unless appropriate to the architectural design of the sign and its support structure.

3. Murals and Artwork as Signage. Murals and other works of art intended to serve as signage to identify, locate or list the goods and/or services provided must comply with the standards of this ordinance.

4. Projecting signs, cantilevered or supported from a building wall or other structural support may be double sided; however, only one side will be counted in calculating allowable sign area.

5. Landmark Identification. These identifying elements of building architecture or of the landscape are unique features in the urbanscape of the public street. Landmarks are significant only in relation to their unique identity and limited use:

    a. Landmark identification is intended to announce a special place and may not be used for product or service advertising.

    b. Where architectural or landscape landmarks are created on private property, signage may be affixed or suspended.

c. When permitted signage is affixed to a landmark structure, the sign must remain below the eave, cornice, or parapet cap of the structure and in no case may it project over or above the roof plane. In this circumstance, the height limit is determined by the approved height of the landmark structure. Exception: When the landmark structure is higher than an adjoining roof, a permitted sign may project over the lower roof.

d. A landmark architectural element may be used as a double or triple sided sign support and will count only as a single sign.

6. It is required that primary and secondary identification signs, whether free-standing or attached to the building, be designed as a thematically appropriate and compatible component of the building design or of the landscape architecture. Materials, details and colors must be compatible with and appropriate in terms of the overall design of the building's architecture.

7. Copy is limited to the name of the business, a logo or logotype, and standard subtext associated with the name of the business of the logo/logotype and limited to a simple recitation of the general goods or services is not permitted.

8. Posters and other temporary signage may not be permanently affixed to any exterior portion of the buildings or the landscape.

9. Notwithstanding the requirements of the underlying zoning ordinances for the zone classifications, free-standing signs may be placed in setback areas.

10. Commercial buildings shall display at least one street address sign visible from the adjoining streets with numerals/letters a minimum of our inches high.

11. No standard signs such as franchise, major brand or corporate signs, which have not been modified or specifically designed to meet the requirements of this ordinance shall be permitted.

B. SHOPPING CENTER SIGNS.

A shopping center is defined as a minimum six acre development under single ownership or development control having as anchor tenant(s) a major retail user(s).

1. Primary Identification Signs. These are used as the primary identification of the entire shopping center. These signs must be located so as to be read from either Mission Boulevard, Rubidoux Boulevard and/or Riverview Drive. The total number of signs is limited to one per site.

a. Free-standing: Limited in area to 120 square feet or a maximum of .25 percent (¼ of 1 percent) of the approved building area not to exceed 200 square feet and not to exceed 20 feet in height.

b. Building mounted: Limited to 120 square feet in area.

2. Secondary Identification Signs: These signs serve the same purpose as the primary signs except that they may be located along local streets and alleys. The total number of signs per site is limited to one per street frontage for each local street faced by the building.

    a. Free-standing: Limited to 40 square feet in area and may not exceed 12 feet in height.

    b. Building mounted: Limited to 40 square feet in area.

C. LARGE PROJECT IDENTIFICATION SIGNS.

To be regarded as a large project, a project must meet the following criteria: The parcel or combination of parcels must be a minimum of 20,000 square feet; gross tenant space must be a minimum of 12,000 square feet and there must be a minimum of five lease/tenant spaces.

1. Primary Identification. These are used as the primary identification of an entire project or complex of buildings. These signs must be located so as to be read from either Mission Boulevard, Rubidoux Boulevard and/or Riverview Drive. The total number of signs per site is limited to one per street frontage.

    a. Free-standing: Limited to 120 square feet in area and may not exceed 16 feet in height.

    b. Building mounted: Limited to 80 square feet in area.

2. Secondary Identification: The regulations for shopping center secondary identification signage apply.

D. SMALL PROJECT IDENTIFICATION SIGNS.

1. Primary Identification. These area used as the primary identification of an entire project or complex of buildings. These signs must be located so as to be read from either Mission Boulevard, Rubidoux Boulevard and/or Riverview Drive. The total number of signs per site is limited to one per street frontage.

    a. Free-standing: Limited to 80 square feet in area and may not exceed 16 feet in height.

    b. Building mounted. Limited to 80 square feet in area.

2. Secondary Identification. The regulations for shopping center secondary identification signage apply.

E. SINGLE TENANT BUILDINGS AND MAJOR TENANT IDENTIFICATION SIGNS.

Copy is limited to the name of the business, the business owners, the logo or logotype, and a standard subtext associated with the name of the business or the logo/logotype. The total number of signs per site is limited to one per frontage for each local street or alley faced by the building or project. However, one additional sign is permitted per frontage facing an enclosed court not visible from a public street.

1. Free-standing: Limited to 40 square feet in area and may not exceed 12 feet in height.

2. Building mounted: Limited to 40 square feet in area.

F. MINOR TENANTS IDENTIFICATION SIGNS.

Copy is limited to the name of the business, the business owners, the logo or logotype, and a standard subtext associated with the name of the business or the logo/logotype.

1. Free-standing or building mounted: Limited to ten square feet in area.

2. Number of signs: Limited to one. Except: corner suites and spaces may have one additional sign to be displayed on the alternate frontage, and one additional sign is permitted per frontage facing an enclosed court not visible from a public street.

3. Tenant spaces set back under loggias or similar architectural features that serve as pedestrian ways may use one additional sing either on the exterior face of the building (or suspended perpendicular to the building) or under the loggia either building mounted or suspended.

G. DOOR AND WINDOW TENANT IDENTIFICATION SIGNS.

For individual office and small shape identification: These signs are permitted in addition to all other permitted sign under this Section and are mounted or installed on windows and doors visible to passersby.

1. Business name identification: Limited to two square feet in area.

2. Addresses and suite numbers: Limited to one square foot in area.

3. If installed immediately adjacent to the primary entry, this sign may be mounted on the building.

H. SPECIAL PURPOSE SIGNS.

1. Locator Boards and Tenant Directories. Kiosks and free-standing slab type directories are considered architectural features and must comply with the provisions of this Section and the development standards of the zone classification for the property. Building mounted sign boxes or slab type directories need only meet the provisions of this Section.

    a. Signs are limited to 12 square feet per face.

b. Signs shall be designed as a component part of the building design or of the landscape architecture. Materials, details and colors must be compatible with an appropriate in terms of the overall design of the complex.

2. Flagpoles, Banners and Flags. Banners and flags are permitted as follows:

   a. The manner of suspension or support must be compatible with the architectural character of the buildings or the landscape theme.

   b. No single flag or banner shall exceed 64 square feet nor shall the length exceed 15 feet.

   c. Flag poles are not permitted to exceed 70 feet in height.

   d. The copy or message on the flag/banner may be any permitted under the provisions of Subsection G.: Door and Window Tenant Identification Signs.

   e. Banners suspended between buildings must be secured per State Uniform Building Code requirements and adequately secured against wind and gravity loads.

   f. Flags and banners are to be permanent features of the project. No temporary flags or banners are permitted.

3. Special Event and Sale Signage: Special event and sale signage is intended to be temporary, mobile and of short duration.

   a. The signs may be window mounted or painted for no more than three weeks prior to and during the event; thereafter, the sign must be removed within three working days.

   b. These signs may be mounted on kiosks, slabs or wall-mounted announcement boards.

   c. Temporary free-standing signs created specifically to announce an event or a sale are limited to eight square feet in area and may be double sided.

4. Public Facilities Identification and Directional Signs: Special signs for bathrooms. Wheelchair access, elevators, telephones, etc. are limited to two square feet; providing, however, that nothing in this ordinance is to be construed to contravene the dictates of Federal or State legislation with regard to signage for the handicapped.

5. Directional Signs for Access and Loading. These directional and instructional signs are limited to four square feet per sign and must be located so that those requiring the directions can easily find them.

6. Court Name Signs:

a. Limited to 20 square feet per sign.

b. Limited to one sign for each point of access from public right-of-ways.

I. FUTURE FACILITIES SIGNS.

These signs are intended to announce the impending development of a facility. They may be free-standing or building mounted.

1. Maximum Size: 32 square feet in a four foot by eight foot panel.

2. Refer to the "Rubidoux Village Design Workbook" for the design, color and font specifications for the header and footer bands.

   a. Copy is limited to the name of the future facility, logo/logotype, the subtext description of the project, the developer(s), lender, architect, landscape architect and/or engineer and major tenants, the proposed time of opening and a contact name and telephone number to pre-leasing information.

   b. Maximum Height: ten feet.

   c. When smaller signs are utilized, the required header and footer bands must be proportionately sized and incorporated.

J. PROJECT CONSTRUCTION SIGNS.

1. Maximum Size: 32 square feet in a four foot by eight foot panel.

2. Refer to the "Rubidoux Village Design Workbook" for the design, color and font specifications for the header and footer bands.

   a. Copy is limited to the name of the future facility, logo/logotype, the subtext description of the project, the developer(s), the general contractor, the lender, the architect, landscape and/or engineer and major tenants, the proposed time of opening and a contact name and telephone number to pre-leasing information.

   b. Maximum Height: ten feet.

   c. When smaller signs are utilized, the required header and footer bands must be proportionately sized and incorporated.

K. SIGN MATERIALS.

Signs may be constructed of the following materials:

1. Neon. Neon tube lighting, particularly that of an artistic nature, reflecting the new technology and shaping methods of the medium. Restricted to the Rubidoux-Village Commercial area only.

2. Wood. Laser carved, sand blasted and built-up wooden signs, particularly those hanging from wall or ceiling brackets and receiving spotlight illumination.

3. Metal, Brass, Copper, Gold Plate and Brushed Metal Signs. Either plaques or individual letters.

4. Wood Letters. Wood letters and numbers may be used in locations that are sheltered from the weather.

5. Painting Signs. Hand painted signs on walls, wood or other backing material, mounted or free-standing.

6. Plastic, Acrylic and Other Synthetic Materials. Plastic sign bands used in connection with a larger sign board or glazed sign box.

7. Concrete. Concrete may be used as a primary sign material and may be either natural or tinted in color. Any surface treatment consistent with the design of the project and the "Rubidoux Village Design Workbook" may be used. When used as a base or structural support material, the design and finish treatment must be consistent with the overall design statement of the project's architecture.

8. Banner and Flag Material. Banners and flags must be of all-weather fabric treated to withstand both water and solar exposure. Treated canvas, sail cloth and woven nylon are acceptable examples. Samples of the materials must accompany the sign permit application.

L. PROCESSING PROCEDURE

1. For applications within the Rubidoux Village Policy Area of the Jurupa Community Plan, approval of the design and location of said sign shall be obtained from the County Economic Development Agency before the application will be accepted for processing by the County Planning Department.

2. No outdoor advertising sign(s) and/or structure(s) shall be placed or erected until an application has been approved by the County Economic Development Agency, and a permit issued by the County Planning Director on the form provided by the County Planning Department accompanied by the filing fee set forth in Ordinance No. 671 and meeting the requirements of Section 18.30. of this ordinance.

3. Said application shall consist of five copies of a plot plan drawn to scale, containing the name, address or telephone number of the applicant, and a general description of the property and/or structure upon which the outdoor advertising sign(s) and/or structure(s) are proposed to be placed.

4. The plot plan shall show the precise location, type, and size of the proposed outdoor advertising sign(s) and/or structure(s), all property lines, zoning, and the dimension, location of and distance to the nearest building, public and private roads, and other rights-of-way, building setback lines, and specifically planned future road right-of-way lines, and any and all other information required in such a manner that the proposed sign(s) and/or structure(s) may be readily ascertained, identified, and evaluated.

M. APPROVALS AND MODIFICATIONS.

The design of all signs for specific projects must accompany the application for plot plan review, conditional use permit or building permit, depending on the nature and size of the proposed project.

1. Modification. Where a modification is requested that does not exceed a ten percent deviation from the standards contained in this Section, the Planning Director with the consent of the Executive Director of the Redevelopment Agency shall review and approve the request with or without conditions. There shall be a ten day appeal period from the Planning Director's decision which shall then be heard before the Planning Commission within 45 days of the date of appeal.

2. Amendment to the Rubidoux Village Policy Area Sign Program. Any amendment to the "Rubidoux Village Design Workbook" requiring the sign program shall be reflected in Section 19.8. of this ordinance.

3. A specific plan or large project that seeks to adopt its own sign program may do so. The proposed specific plan project must be compatible with an clearly related to the regulations of this ordinance and specific findings must be so made.

Added Effective:
11-28-97 (Ord. 348.3804)
10-15-98 (Ord. 348.3842)
Amended Effective:
05-06-99 (Ord. 348.3857)

## SECTION 19.9 (Repealed.)

Amended Effective:
08-28-03 (Ord. 348.4110)
Ord. 348.4529 Item 15.2 of 10/16/07 (Effective Date: 11/15/07)
Repealed Effective:

## ARTICLE XIXa TEMPORARY EVENTS

### SECTION 19.51. INTENT.

Temporary events held in the unincorporated area of Riverside County generate large gatherings that include guests, participants, vendors and spectators and continue to grow in frequency of occurrence and number of attendees. As a result, these temporary events are increasing the need for County services and resources and intensifying adverse impacts to surrounding neighbors and properties. These adverse impacts include, but are not limited to noise, trash, parking difficulties, and disruption to the normal flow of pedestrian and vehicular traffic. Therefore, in order to minimize these adverse impacts and to protect the public's health, safety and general welfare, the Board of Supervisors has enacted the following provisions to regulate and control, in a content neutral manner, temporary events that are conducted on developed or undeveloped property in the unincorporated area of the County of Riverside that do not constitute a land use of sufficient magnitude or longevity to require permanent land use entitlements.

### SECTION 19.52. DEFINITIONS.

The following terms shall have the following meanings for the purposes of this article:

A. Annual Temporary Event. A temporary event that occurs once a year in succeeding years that takes place solely on private property or a combination of private property and public right-of-way.

B. Attendees. Guests, staff, vendors and any other person present at a temporary event.

C. Tier I Event. A temporary event attended by no more than 50 attendees per day.

D. Tier II Event. A temporary event attended by 51 to 100 attendees per day.

E. Tier III Event. A temporary event attended by 101 to 300 attendees per day.

F. Tier IV Event. A temporary event attended by 301 to 600 attendees per day.

G. Tier V Event. A temporary event attended by 601 to 1,000 attendees per day.

H. Tier VI Event. A temporary event attended by over 1,000 attendees per day.

I. Commercial Temporary Event. A temporary event at any location intended to either generate financial gain for the property owner or temporary event sponsor or to advertise services, products or goods. For the purposes of this Article, a commercial temporary event does not include a temporary event sponsored by or intended to benefit any organization that is exempt from taxation under Section 501(c)(3) or Section 501(c)(4) of the United States Internal Revenue Code.

J. Established Facility. An existing legally permitted facility that is designed and constructed to accommodate events where the public is invited with or without charge.

K. Seasonal Temporary Event. A temporary event occurring on a private lot during a specific season for a specific duration on consecutive or non-consecutive days such as, but not limited to, Christmas tree sales, pumpkin sales, or Halloween events.

L. Temporary Event. An indoor or outdoor event held on privately owned property that is not an established facility, to which attendees are present whether open to the public or a private event, with or without charge. Temporary events include, but are not limited to, festivals, concerts, dances, rallies, stage or theatrical shows, sports events, equine events, fairs, carnivals, rodeos, automobile sales, wedding ceremonies and receptions, off-road vehicle sales, animal sales or events, art shows, heavy equipment auctions, charity events, tent revival meetings, and race events that take place either solely on private property or on private property and within the public right-of-way.

## SECTION 19.53. PROHIBITED TEMPORARY EVENTS.

The following temporary events are prohibited:

A. Any temporary event with more than 100 attendees on lots 10,000 square feet or less.

B. Any temporary event with more than 300 attendees on lots less than 1 gross acre.

C. Any temporary event with more than 600 attendees on lots less than 5 gross acres.

D. Any temporary event with more than 1,000 attendees on lots less than 20 gross acres.

E. Commercial temporary events on lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-5, R-6, R-7, C/V, C-C/V, WC-W, WC-WE, WC-E, R-D, W-2-M, or MU.

F. Commercial temporary events within dwellings located in any zone classification.

## SECTION 19.54. APPLICATION AND LIMITATIONS.

A. A temporary event permit shall not be required for the following:

1. Temporary events held at a legally existing established facility and operating consistent with any approved land use entitlement for the established facility.

2. Temporary events on a lot 1 gross acre or greater attended by less than 100 attendees.

3. Temporary events on a lot greater than 10 gross acres attended by less than 300 attendees.

4. Temporary events taking place entirely on public property or property owned by or leased by a public school district for use as a public school site.

5. Temporary events taking place solely in a public right-of-way, including a funeral procession, a race or parade, provided all other required State and local permits and licenses are obtained, including, but not limited to, encroachment permits, road closures, environmental health permits, and alcoholic beverage control permits.

6. Weddings, birthday parties, graduation parties, or other similar events held at a dwelling, provided that there are no more than 100 attendees and no more than four events occur on the same lot within a twelve-month period.

7. Fund raising events , provided that the events are held on private property other than a dwelling, are limited to a maximum of two days a month for each sponsoring organization, and are sponsored by an educational, charitable, religious, or nonprofit group.

8. Garage sales held at a private dwelling, provided that the events comply with all applicable laws and regulations including, but not limited to, Riverside County Ordinance No. 593.

B. Temporary Events shall comply with the following:

1. Except for seasonal temporary events, temporary events shall occur for no more than four consecutive days with a separation of at least four days between a temporary event and other events held on the same lot.

2. Only a total of four temporary events, including seasonal temporary events, shall occur on the same lot per calendar year.

3. Seasonal temporary events shall not exceed a total of 60 calendar days for each seasonal temporary event.

C. Temporary events that are not required to obtain a temporary event permit pursuant to this ordinance are still required to comply with all other applicable laws and health and safety regulations including, but not limited to, Environmental Health, Fire and Building Code regulations.

D. Unless otherwise provided for in an approved land use permit, when a temporary event permit is not required pursuant to this ordinance only four temporary events shall occur on the same lot within a 12 month period.

## SECTION 19.55. APPLICATION PROCESSING REQUIREMENTS.

A. Applications for seasonal temporary events, tier I, tier II and tier III events shall be made in accordance with Section 18.30 of this ordinance at least 60 days before the temporary event.

B. Applications for annual temporary events, commercial temporary events, tier IV, tier V and

tier VI events shall be made in accordance with Section 18.30 of this ordinance at least 90 days before the event.

C. All of the procedural provisions of Section 18.30 of this ordinance shall apply to the application, except subsection c. thereof related to requirements for approval, subsection e. thereof relating to appeals and subsection f. thereof relating to use of the permit after the application is approved.

D. At the time of filing the application for a temporary event permit on a form provided by the Planning Department, the applicant shall also provide the applicable fee for processing the permit.

E. Action taken on temporary event permit applications shall be ministerial and not subject to the California Environmental Quality Act.

F. Applications for commercial temporary events shall include the name, address and telephone number of the organization, the authorized head of the organization, and, if applicable, a certification that the organization is exempt from taxation under Section 501(c)(3) or Section 501(c)(4) of the United States Internal Revenue Code.

## SECTION 19.56. DENIAL OF PERMIT APPLICATION.

An application for a temporary event permit shall not be processed and shall be summarily denied in the following circumstances:

1. A total of four temporary events, including seasonal temporary events, have already occurred at the subject location in a 12 month period.

2. The County has received five separate substantiated complaints for the subject location within the last twelve months from application submittal date related to noise, odors, outdoor illumination, traffic, parking or rubbish.

3. Within the last twelve months from application submittal date, the applicant violated the terms of an approved temporary event permit resulting in revocation of the approved temporary event permit.

4. The application does not comply with the approval requirements set forth in this Article.

## SECTION 19.57. APPROVAL REQUIREMENTS.

The Planning Director shall approve an application for a temporary event permit if:

1. The number of temporary events occurring at the subject location set forth in in Section 19.56 of this Article has not been exceeded.

2. There is no pending code enforcement action on the lot or lots underlying the proposed temporary event location and the County has not received five separate substantiated for the subject location within the last twelve months from application submittal date related to noise, odors, outdoor illumination, traffic, parking or rubbish.

3. An access and parking plan has been approved by the County Transportation Director and the County Fire Chief or their respective designees. Off-site parking on unpaved sites is only allowed if the following has been approved with the parking plan:

    a. A dust mitigation plan;

    b. A site restoration plan.

4. The temporary event complies with all applicable requirements of Ordinance No. 787 and a fire protection plan has been approved by the County Fire Chief or his designee.

5. If the temporary event includes a display of fireworks, all required permits for the fireworks display has been obtained in accordance with Ordinance No. 858.

6. A security operations plan has been approved by the County Sheriff or his designee.

7. An emergency medical services plan has been approved by the County Fire Department.

8. A sewage disposal, potable water and food service operation plan and all required environmental health permits have been approved by the County Director of Environmental Health or his designee.

9. A noise, dust and lighting mitigation plan has been approved by the County Planning Department.

10. Temporary permits for structures, canopies, and electrical use have been approved by the County Building and Safety Department.

11. All required permits to operate within the public right of way has been obtained by the applicant.

## SECTION 19.58. HOURS OF OPERATION.

Temporary events on lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-5, R-6, R-7, C/V, C-C/V, WC-W, WC-WE, WC-E, R-D, W-2-M, or MU shall not operate between the hours of 10:00 p.m. and 7:00 a.m. All other temporary events shall not operate between the hours of 2:00 a.m. and 7:00 a.m.; however, if located within the Eastern Coachella Valley Area Plan and it's a Tier IV, Tier V, or Tier VI temporary event, it shall not operate between the hours of 4:00 a.m. and 7:00 a.m.

Amended Effective:
Ord. 348.4980 Item 21.3 of 04/05/2022 (Effective Date: 05/04/2022)

## SECTION 19.59. OVERNIGHT STAYS.

As part of an approved temporary event permit, the Planning Director shall allow tents, recreational vehicles or motorhomes to be used during the duration of the temporary event, including overnight stays, if all of the following is met:

1. The approved parking plan demonstrates on-site overnight areas located on paved, turfed or graded lots, emergency access and emergency water supplies.

2. The approved sewer disposal plan includes provisions requiring the use of individually contained sewer waste removal systems.

3. Except for contained propane to be used with barbeque grills and contained gasoline for generators, the approved fire protection plan includes prohibiting hazardous materials from being kept or maintained in the overnight areas.

4. The approved fire protection plan includes allowing only contained propane gas campfires and prohibiting open wood campfires, unless otherwise approved by the County Fire Chief or his designee.

5. Quiet hours for the overnight areas are observed from 10:00 p.m. to 7:00 a.m.

6. The approved noise, dust and lighting plans prohibits amplified sound and requires the overnight areas to be restored to their original condition at the conclusion of the temporary event.

## SECTION 19.60. ADVERTISING AND TICKET SALES.

No person shall advertise, sell or furnish tickets for a temporary event until a permit has been obtained in accordance with this Article.

## SECTION 19.61. BOND AND INSURANCE.

The Planning Director may require an applicant for a temporary 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 services 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 or deposit it with the Transportation and Land Management Agency. The Planning Director may also require an applicant for a temporary event permit to obtain indemnity or liability insurance naming the County as the insured.

## SECTION 19.62. NOTICE OF DECISION AND POSTING OF PERMIT.

A. The Planning Director shall mail the notice of decision for the temporary event permit to the applicant, the Riverside County Sheriff's Department, County Fire Department, Code Enforcement Departments and any person who has made a written request for a copy of the determination.

B. No less than 10 calendar days before the temporary event, the applicant shall mail a notice of the approved temporary event permit to all properties located within 600 feet of the exterior boundaries of the subject location and any associated gathering locations included in the temporary event permit. Such notice shall include the date and time of the temporary event, and contact information for the permittee, the Riverside County Sheriff's Department, the Riverside County Code Enforcement Department and the County Planning Department.

C. Every temporary event permit required by this Article shall be conspicuously posted upon the lot or premises of the temporary event no less than 10 calendar days before the temporary event in a manner specified by the Planning Department.

## SECTION 19.63. FINAL DECISION.

The Planning Director's decision is final.

## SECTION 19.64. PERMITS NONTRANSFERABLE.

Any temporary event permit issued pursuant to this Article shall not be transferable to any other date, organization, person, place, or time.

## SECTION 19.65. PERMIT LIFE.

A. The temporary event permit shall remain in effect for the duration of the temporary event that is the subject of the temporary event permit. The temporary event permit shall become null and void at the conclusion of the temporary event.

B. Except for annual temporary events, a new temporary event permit shall be required for any subsequent temporary event held at the location.

C. Approved annual temporary event permits shall be effective for three years so long as the annual temporary event remains as originally approved and complies with the provisions of the temporary event permit, the provisions of this Article and all applicable laws, regulations and ordinances.

## SECTION 19.66. SUSPENSION AND REVOCATION.

A. A temporary event permit may be immediately suspended upon any of the following conditions:

1. If the Riverside County Sheriff's Department, Fire Department, Code Enforcement Department, Building Official, Planning Director or other County official, or their designated representatives, find that any of the provisions of this ordinance, another County ordinance, the approved temporary event permit or other applicable law is being violated.

2. When, in the judgment of any of the above named County officials, the use is detrimental to the public health, safety or general welfare, or is a public nuisance.

3. The Applicant made or allowed to be made a false or misleading statement or omission of material fact on a temporary event application that was not discovered until after the temporary event permit was approved.

4. The permit holder or property owner refuses to allow representatives from the Riverside County Department of Code Enforcement, Planning Department, Fire Department, Sheriff's Department, Environmental Health Department, Public Health and Agricultural Commissioner's Office to enter the Property to ensure compliance with the approved temporary event permit and all applicable Federal, State and local laws and regulations.

B. Upon suspension of a temporary event permit, the Planning Director or designee shall do the following:

1. Within 24 hours of being notified of the suspension, mail a notice of revocation and findings by certified mail to the property owner and temporary event permittee.

2. The revocation by the Planning Director shall be final unless the property owner or temporary event permittee submits a written appeal of the revocation to the Transportation and Land Management Director within 24 hours of receiving the notice of revocation. Such appeal shall include findings as to why the temporary event permit shall not be revoked.

3. If a complete and timely written appeal is submitted, the Transportation and Land Management Director shall promptly make a determination on the appeal and provide written notice to the Planning Director and appellant. The Transportation and Land Management Director's determination is final.

Adopted:
03-05-81 (Ord. 348.1926) 06-30-88 (Ord. 348.2856)
Amended Effective: 04-20-01 (Ord. 348.3982)
Ordinance No. 348.4966 Item 21.3 of 10.19.21 (Effective Date: 11.18.21)

## ARTICLE XIXb MOBILEHOMES

### SECTION 19.75. INTENT.

The California Legislature has enacted Section 65852.3 of the Government Code (effective July 1, 1981) which provides that counties shall not prohibit the installation of qualified mobilehomes on approved foundation systems on lots that are zoned for single-family dwellings. For the purposes of this ordinance, the term "mobilehome" shall be synonymous with the term "manufactured housing." County Ordinance No. 348 permits the installation of mobilehomes, not on foundations, in several of its existing zone classifications, subject to certain requirements and standards; it further permits for the installation of mobilehomes in the R-T and R-T-R Zones. It is the intent of the Board of Supervisors, in adopting this article, to enact provisions that will allow mobilehomes to be installed on foundations in compliance with Government Code Section 65852.3; to continue to allow the installation of mobilehomes not on foundations in certain zone classifications, and to continue to permit the installation of mobilehomes in the R-T and R-T-R Zones. This article is intended to supplement the provisions of this ordinance relating to mobilehomes, but shall take precedence over any portion of this ordinance that is inconsistent herewith.

Amended Effective:
01-05-84 (Ord. 348.2244)

### SECTION 19.76. FINDINGS.

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

### SECTION 19.77. MOBILEHOMES ON FOUNDATIONS.

A mobilehome may be installed on a foundation on any lot in the unincorporated area of the County of Riverside, that is zoned to permit the construction of a conventional single family dwelling, subject to development standards of that zone, provided that when the subject lot is adjacent to property containing a place, building, structure, or other object listed on the National Register of Historic Places, a mobilehome shall be permitted provided approval of a plot plan shall first have been obtained at a public hearing pursuant to the provisions of Section 18.30. of this ordinance.

### SECTION 19.78.

(Deleted Effective:
10-05-89 (Ord. 348.3053)

### SECTION 19.79. MOBILEHOMES NOT ON FOUNDATIONS.

The provisions in the various zone classifications that allow mobilehomes, subject to conditions and requirements contained therein, shall remain in effect unless amended or repealed. All specific mobilehome provisions in the various zone classifications in County Ordinance No. 348 refer to mobilehomes not on a foundation system and shall continue in effect irrespective of the fact that certain zones may then provide for mobilehomes both on and not on a foundation system. For purposes, of permit issuance, the mobilehome on a foundation is allowed whenever a conventional single-family dwelling is allowed, subject to the requirements of this article. The mobilehome not on a foundation is allowed whenever it is specifically so provided in the various zone classifications in County Ordinance No. 348, subject to any requirements set forth therein. When a mobilehome is not in conformance with the development standards of the zone classification in which it is located, that mobilehome constitutes a nonconforming use, and as such cannot be altered except to comply with the requirements of this article, and as allowed in Subsection G. of Section 18.8. of this ordinance. However, there is no specific time period in which the mobilehome must be removed.

Amended Effective:
03-10-83 (Ord. 348.2160)

## SECTION 19.80.

The Sections in the R-T, R-T-R, R-R, R-R-O and W-2-M Zones which provide for mobilehomes shall remain in effect; however, a person shall be permitted to install a mobilehome in said zones either on or not on a foundation system.

Adopted:
06-02-81 (Ord. 348.1965)
Amended Effective:
02-08-83 (Ord. 348.2160)
01-05-84 (Ord. 348.2244)
07-31-84 (Ord. 348.2358)
09-05-89 (Ord. 348.3053)

## ARTICLE XIXc MOBILEHOME PARKS IN RESIDENTIAL ZONES

### SECTION 19.91. INTENT:

The California Legislature has declared that there is a need to eliminate the distinction between mobilehome development and conventional forms of residential land use, and has enacted Section 65852.7 of the Government Code and amended Section 18300 of the Health and Safety Code to allow for mobilehome parks in residential zones. Section 65852.7 of the Government Code requires that the County permit mobilehome parks in all residential zones subject to the issuance of a conditional use permit. Section 18300 of the Health and Safety Code provides that the County shall not require clubhouses, and recreational facilities unless such facilities are required for other similar residential developments. It is the intent of the Board of Supervisors in adopting this article to enact provisions which will permit mobilehome parks in residential zones in compliance with Government Code Section 65852.7 and Health and Safety Code Section 18300.

### SECTION 19.92. STANDARDS.

A mobilehome park that is permitted with a conditional use permit in a residential zone, not including the R-R, W-2, R-D, W-2-M, and R-T Zone, shall comply with the following requirements:

A. UNIT SIZE.

The mobilehome unit shall have a floor living area of 750 square feet excluding patios, porches, garages, and similar structures.

B. OPAQUE SKIRT.

The area between the ground level and floor level and the unit shall be screened by an opaque skirt.

C. 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.

D. MINIMUM SIZE OF SPACE.

Notwithstanding Subsection C. above, the minimum size of each space shall be 3,600 square feet, provided that a minimum space size of 2,500 square feet may be permitted when deemed compatible with the surrounding development. Each space shall have a minimum width of 30 feet.

E. WALL.

A masonry wall six feet in height shall be erected along the perimeter of the mobilehome park.

F. AUTOMOBILE STORAGE.

Automobile storage shall be provided as required by Section 18.12. of this ordinance.

Added Effective:
11-23-82 (Ord. 348.2140)

## SECTION 19.93. STANDARDS FOR MOBILEHOME PARKS IN THE R-R, W-2, R-D, AND W-2-M ZONES.

A mobilehome park permitted in the R-R, W-2, R-D or W-2-M Zones shall comply with the following requirements:

A. UNIT SIZE.

The mobilehome unit shall have a floor living area of 450 square feet excluding patios, porches, garages, and similar structures.

B. OPAQUE SKIRT.

The area between the ground level and floor level of the unit shall be screened by an opaque skirt.

C. DENSITY.

The overall density of the mobilehome park shall be determined by the physical and service constraints of the parcel being considered, and the compatibility of the proposed mobilehome park with the surrounding development.

D. MINIMUM SIZE OF SPACE.

Notwithstanding Subsection C. above, the minimum size of each space shall be 2,500 square feet. Each space shall have a minimum width of 30 feet.

E. WALL.

A masonry wall six feet in height shall be erected along the perimeter of the mobilehome park.

F. AUTOMOBILE STORAGE.

Automobile storage shall be provided as required by Section 18.12. of this ordinance.

Added Effective:
11-23-82 (Ord. 348.2140)

## SECTION 19.94. RECREATION AND OPEN SPACE.

Open space or recreation facilities are not required for mobilehome parks approved in residential zones.

Added Effective:
11-23-82 (Ord. 348.2140)

## ARTICLE XIXd RECREATIONAL VEHICLE PARKS

### SECTION 19.95. INTENT.

Recreational vehicle parks or resorts are intended to provide for the accommodation of visitors to the unincorporated areas of Riverside County who travel to or within the County by recreational vehicle and reside in a recreational vehicle park. The provisions of this article are intended to create a safe, healthful, and beneficial environment for occupants of the recreation vehicle parks and to protect the character and integrity of surrounding uses.

### SECTION 19.96. INCIDENTAL USES.

A. A recreational vehicle park may include incidental uses operated for the convenience of recreational vehicle park occupants only. No incidental use shall be permitted unless approved as part of the approval of the recreational vehicle park. There shall be no separate sign advertising any such incidental use visible from any street and any such use shall be located no less than one 100 feet from any street. Incidental uses permitted may include the following:

1. Dwellings for owner and/or managers and staff.
2. Food markets.
3. Office.
4. Laundry.
5. Personal services including showers and rest rooms.
6. Indoor and outdoor recreational facilities.
7. Restaurants, including dancing and alcoholic beverage sales.
8. Sales of items related to maintenance and operation of recreational vehicles.
9. Barber and beauty shops.
10. Golf courses and tennis courts.
11. Refreshment stands.
12. Membership sales offices
13. Assembly rooms.
14. Boat storage and launching

15. Horse stables.

16. Storage for recreational vehicles. An area may be provided where recreational vehicles can be stored when not in use. The storage area shall be fully screened on all sides by a six foot high masonry wall or a six foot high fence, and a six-foot high landscape buffer shall be provided around the wall or fence.

B. The County Planning Commission or East Planning Council may, by resolution of record, permit any other incidental use which it determines to be similar to those listed above, operated exclusively for the convenience of recreational vehicle park residents, and not more obnoxious or detrimental to the public health, safety and welfare, or to other uses permitted in the park. All such uses shall be subject to the property development standards contained herein.

## SECTION 19.97 DEVELOPMENT STANDARDS FOR ALL RECREATIONAL VEHICLE PARKS.

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:

A. PARK SITE AND STANDARDS.

1. Density.

a. Where areas are designated or determined for Category I and II land uses in the Riverside County General Plan, an overall density of not more than 20 spaces per acre may be allowed. However, the maximum permitted density may be reduced if it is determined to be necessary to achieve compatibility with the area in which the park is located. In areas where an adopted community plan sets forth recreational park densities, the provided densities in the community plan shall apply.

b. Where areas are designated or determined for Category III, IV, or open space land uses in the Riverside County General Plan, an overall density of not more than eight spaces per acre shall be allowed for vacation recreational vehicle parks and extended occupancy parks. However, the maximum permitted density may be reduced if it is determined to be necessary to achieve compatibility with the area in which the park is located. In areas where an adopted community plan sets forth recreational vehicle park densities, the densities provided in the community plan shall prevail.

c. Where areas are designated or determined for Category III land uses in the Riverside County General Plan, the overall density for permanent occupancy parks shall be not more than that permitted for residential development by the General Plan. In areas where an adopted community plan exists, the residential density provided for the project site in the community plan shall apply.

2. General Plan Land Use Categories.

   a. Vacation recreational vehicle parks and extended occupancy parks shall be allowed in all land use category areas.

   b. Extended occupancy parks may be allowed in all land use category areas.

   c. Permanent occupancy parks may be allowed only in areas designated for Category I, II or III land use in the Riverside County General Plan.

3. 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.

4. 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.

B. SIGNS.

All signs shall comply with the provisions of Article XIX of County Ordinance No. 348.

C. OUTSIDE ACCESS.

1. Principal access shall be from a County maintained road.

2. 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.

D. TRASH REMOVAL.

A trash removal plan for the recreational vehicle park shall be submitted at the time of application. This plan must include the type of trash removal system; location, size, and number of trash receptacles; and frequency of 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.

E. 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.

F. 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.

G. 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.

H. 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.

I. OFF-STREET PARKING.

Parking for recreational vehicle parks shall comply with Section 18.12. of this ordinance. No parking or interior access roads shall be allowed. Visitor parking shall be provided in separate off street parking areas.

J. BUILDING HEIGHT.

Maximum building heights shall be as permitted in the zoning classification in which the recreational vehicle park is located.

K. MANAGEMENT.

1. A caretaker responsible for the management of the park shall be present on the premises of the park at all times when the park is occupied.

2. 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.

L. 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.

M. 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.

N. 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.

O. FRONTAGE.

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

P. 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.

Q. 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.

R. 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.

## SECTION 19.98. DEVELOPMENT STANDARDS FOR VACATION RECREATIONAL VEHICLE PARKS.

A. SIZE OF SPACE.

The minimum area of each recreational vehicle space shall be 1,250 square feet.

B. INDIVIDUAL SPACE IMPROVEMENTS.

1. Recreational vehicle sites 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.

2. A parking space shall be provided for each recreational vehicle site not less than nine feet by 25 feet in size. The parking space may be part of the driveway into or through the site. The parking space may be part of the driveway into or through the site. The parking space shall be of rock, decomposed granite, grass or similar material so as to provide a level surface for car parking and to minimize dust.

3. All areas not in hard surface shall be landscaped pursuant to Section 18.12. of this ordinance unless otherwise approved by the approving body.

C. WATER SERVICES.

Each recreational vehicle space shall be provided with a water service outlet delivering safe, potable water.

D. UTILITY SERVICES.

All utility services within the recreational vehicle park including, but not limited to, electrical, telephone, and television services, shall be underground.

E. MOVEMENT OF RECREATIONAL VEHICLES.

Wheels shall not be removed from recreational vehicles, nor shall any fixture be added which will prevent the recreational vehicle from being moved under its own power or by a passenger vehicle.

F. ACCESSORY STRUCTURES.

1. No accessory structures including, but not limited to, ramadas, cabanas, and storage structures, shall be constructed on individual recreational vehicle spaces except patio covers may be constructed 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. The patio covers are approved as part of the approval of the recreational vehicle park.

2. All awnings shall be supported off the individual recreational vehicle, shall remain attached to the recreational vehicle at all times, and shall not be connected in any way to a permanent structure. Free standing awnings shall not be permitted.

3. Structures to assist the handicapped shall be allowed.

4. The occupied area of the recreational vehicle lot shall not exceed 75 percent of the lot area.

G. RECREATIONAL AREA.

Recreation areas may be provided. Open space, pool areas, game courts, and similar areas, shall be considered recreation areas.

H. WALL AND FENCES.

Each recreational vehicle park shall be screened or fenced as follows:

1. For vacation recreational vehicle parks in Category I or II land use areas, decorative masonry walls or fencing six feet in height, shall be erected on all property lines that do not abut a road. Where the park abuts a road, a six foot high wall or fence shall be combined with an earthen berm and landscaping to provide an eight foot high screen. In all cases walls and fences shall be buffered with appropriate landscape materials as provided by Section 18.12. of this ordinance.

2. For vacation recreational vehicle parks located in Category III or IV, or open space land use areas a decorative masonry wall, earthen berm and block wall, fencing, landscaping screen, or combination thereof shall be provided on all property lines as specified by the approving body. Where walls and fences are utilized, landscape buffer shall be provided as set forth in Section 18.12. of this ordinance.

3. For vacation recreational vehicle parks visible from a scenic vista or a designated State or County Scenic Highway, decorative masonry wall, or fence six feet in height shall be erected on all property lines that do not abut a road. Where the park abuts a road, the six foot high fence shall be combined with an earthen berm and landscaping to provide an eight foot high screen. In all cases walls and fences shall be buffered with appropriate landscape materials as provided by Section 18.12. of this ordinance.

4. The exterior side of all block walls shall be coated with a protective coating that will facilitate the removal of graffiti.

**SECTION 19.98a. DEVELOPMENT STANDARDS WITHIN EXTENDED OCCUPANCY PARKS.**

A. SIZE AND SPACE.

Each recreational vehicle space shall be 1,750 square feet or more in area with a minimum width of 30 feet and contain 40 percent of open space area. The open space area shall not include patio area, vehicle parking area, and recreational vehicle parking area.

B. INDIVIDUAL SPACE IMPROVEMENTS:

1. Each site shall contain a level, stabilized recreational vehicle parking pad of crushed stone, decomposed granite, paving or other suitable material.

2. Each recreational vehicle space may be provided with a ten foot by 25 foot parking area of asphalt concrete, Portland Cement Concrete, rock, decomposed granite/or similar material.

3. All areas not in hard surface shall be landscaped pursuant to Section 18.12. of this ordinance, unless otherwise approved by the approving body.

C. ELECTRICAL SERVICES.

1. Each recreational vehicle space shall be provided with an electrical service outlet.

2. Each recreational vehicle space may be provided with connection to telephone service.

D. WATER SERVICES.

Each recreational vehicle space shall be provided with a fresh water service outlet delivering safe and potable water.

E. SEWER SERVICE.

Each recreational vehicle space shall be provided with a connection to an approved sanitary sewer system.

F. NUMBER OF RECREATIONAL VEHICLES PER SITE.

Only one recreational vehicle connected to utilities shall be allowed per site. No other vehicle parked at the recreational vehicle site, except for the primary recreational vehicle, shall be used for human habitation on a temporary or permanent basis. In addition to the primary recreational vehicle, two cars, vans or trucks may be parked at the recreational vehicle space. One

recreational vehicle may be substituted for these other vehicles provided it is the only available source of transportation to and from the recreational vehicle park.

G. MOVEMENT OF RECREATIONAL VEHICLES.

Wheels shall not be removed from recreational vehicles.

H. ACCESSORY STRUCTURE.

1. Ramadas and patio covers are allowed.

2. Accessory storage structures may be allowed at individual vehicle spaces with the following restrictions:

   a. The structures are approved as part of the recreational vehicle park approval.

   b. Storage structures are no larger than 100 square feet in area and a maximum of eight feet in height.

   c. Only one storage structure is allowed at each recreational vehicle site.

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

4. No more than 60 percent of the area of each individual recreational vehicle site may be covered by the recreational vehicle and accessory structures.

5. Structures to assist the handicapped shall be allowed.

6. Awnings are permitted in accordance with the provisions of Title 25 of the California Administrative Code.

I. RECREATIONAL AREA.

A community recreational area or areas having a minimum area of 150 square feet for each recreational vehicle space shall be provided. Any such area shall be of sufficient size to be usable for recreational purposes. Open space, pool areas, game courts, clubhouses, and similar areas shall be considered recreation areas.

J. WALLS AND FENCES.

Each recreational vehicle park shall be screened or fenced as follows:

1. For extended occupancy parks in Category I or II land use areas decorative masonry walls or fencing six feet in height, shall be erected on all property lines that do not abut a road. Where the park abuts a road the six foot high wall or fence shall be combined with an earthen berm and landscaping to provide an eight foot high screen.

In all cases walls or fences shall be buffered with appropriate landscape materials as provided by Section 18.12. of this ordinance.

2. For extended occupancy parks in Category III, IV, or open space land use areas a decorative masonry wall, earthen berm and block wall, fencing, or landscaping screen, or combination thereof shall be on all property lines as specified by the approving body. Where walls and fences are utilized an additional landscape buffer shall be provided as set forth in Section 18.12. of this ordinance.

3. For extended occupancy parks visible from a scenic vista or a designated State or County Scenic Highway, decorative walls or fencing six feet in height shall be erected on all property lines that do not abut a road. Where the park abuts a road, a six foot wall or fence shall be combined with an earthen berm and landscaping to provide an eight foot high screen. In all cases walls or fences shall be buffered with appropriate landscape materials as provided by Section 18.12. of this ordinance.

4. The exterior side of all block walls shall be coated with a protective coating that will facilitate the removal of graffiti.

K. HUMAN HABITABILITY.

Only recreational vehicles which can connect to sewer and water service at the recreational vehicle space shall be allowed to stay for longer than 30 consecutive days or 120 days in any one year.

L. VEHICLE REGISTRATION.

All recreational vehicles which are sited within a recreational vehicle park on a long term or permanent basis shall be registered with the California Department of Motor Vehicles.

## SECTION 19.98b.DEVELOPMENT STANDARDS FOR PERMANENT OCCUPANCY PARKS.

A. SIZE OF SPACE.

Each recreational vehicle space shall be 1,750 square feet or more in area with a minimum width of 30 feet and contain 40 percent of open space area. The open space area shall not include patio area, vehicle parking area, and recreational vehicle parking area.

B. INDIVIDUAL SPACE IMPROVEMENTS.

1. Each site shall contain a level, stabilized recreational vehicle parking pad of crushed stone, decomposed granite, paving or other suitable material.

2. Each recreational vehicle space shall be provided with a ten foot by 25 foot parking area of asphalt concrete, Portland Cement Concrete, rock, decomposed granite, or similar material.

3. Each recreational vehicle space may be provided with a patio up to 120 square feet in area.

4. All areas not in hard surface shall be landscaped pursuant to Section 18.12. of this ordinance, unless otherwise approved by the approving body.

5. A five gallon tree shall be planted at each recreational vehicle site by the park owner and maintained by an automatic water system.

6. Each permanent recreational vehicle shall be skirted in order to screen the area under the vehicle from view, unless waived by the approving body.

C. UTILITY SERVICES.

1. Each recreational vehicle space shall be provided with an electrical service outlet.

2. Each recreational vehicle space may be provided with a connection to telephone service.

3. All electrical, telephone and television services within the recreational vehicle park shall be underground.

D. WATER SERVICES.

Each recreational vehicle space shall be provided with a water service outlet delivering safe and potable water.

E. SEWER SERVICE.

Each recreational vehicle space shall be provided with a connection to an approved sanitary sewer service.

F. TELEVISION SERVICE.

A central antenna system may be provided by the park owner. If this system is provided, all wiring shall be underground, and service shall be provided to each recreational vehicle site. Dish antennas shall be located in an unobtrusive location and screened.

G. NUMBER OF RECREATIONAL VEHICLES PER SITE.

Only one recreational vehicle connected to utilities shall be allowed per site. No other vehicle parked at the recreational vehicle site, except for the primary vehicle, shall be used for human habitation on a temporary or permanent basis. In addition to the primary recreational vehicle, two cars, vans, or trucks may be parked at the recreational vehicle space. One recreational vehicle may be substituted for these vehicles provided it is the only available source of transportation to and from the recreational vehicle park.

H. ACCESSORY STRUCTURE.

1. Ramadas and patio covers are allowed.

2. Accessory storage structures are allowed at individual vehicle spaces with the following restrictions:

a) The structures are approved as part of the approval of the recreational vehicle park.

b) Storage structures are no larger than 100 square feet in area and a maximum of eight feet in height.

c) Only one storage structure is allowed at each recreational vehicle site.

3. No more than 60 percent of the area of each individual recreational vehicle site may be covered by the recreational vehicle and accessory structures.

4. Structures to assist the handicapped shall be allowed.

5. Awnings shall be permitted in accordance with the provisions of Title 25 of the California Administrative Code.

I. 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.

J. WALLS.

A decorative masonry wall, earthen berm and block wall, opaque fence, landscape screen, or combination thereof, six feet in height, shall be erected on all property lines that do not abut a road. Where the park abuts a road, a six foot high wall or opaque fence shall be combined with an earthen berm or landscaping to provide an eight foot high screen. The type of wall, berm, fence, or combination thereof, shall be subject to the approval of the approving body. The exterior side of all block walls shall be coated with a protective coating that will facilitate the removal of graffiti.

K. CURBS AND GUTTERS.

Gutters may be installed where required to control drainage.

L. 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.

M. 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.

N. SEWER SYSTEM.

All permanent parks shall be connected to a sewer system as approval by the County Health Department.

O. 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.

P. FAULT HAZARD ZONES.

For the purpose of this ordinance, recreational vehicles located in a permanent recreational vehicle park shall be considered a project as defined in County Ordinance No. 547 implementing the Alquist-Priolo Special Studies Zone Act.

Q. 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.

## SECTION 19.99. EXTENDED OCCUPANCY PERMIT.

An existing recreational vehicle park which is operating under a permit approved by Riverside County prior to January 1, 1987, may apply for a permit to allow extended occupancy, which shall be granted if the following requirements are met:

A. SIGNS.

The provisions of Article XIX of County Ordinance No. 348 shall apply.

B. TRASH REMOVAL.

A trash removal plan for the recreational vehicle park shall be submitted at the time of application. This plan must include the type of trash removal system; location, size, and number of trash receptacles; and frequency of removal. Trash bins shall be fully screened and inaccessible to wildlife. Removal of garbage and rubbish shall comply with the requirements of Riverside County Ordinance No. 513.

C. LIGHTING.

All recreational vehicle parks in the Mt. Palomar Special Lighting Area shall comply with lighting policies set forth in Ordinance No. 655.

D. OFF-STREET PARKING.

Parking for recreational vehicle parks shall comply with Section 18.12. of this ordinance. No parking on access roads shall be allowed.

E. NUMBER OF RECREATIONAL VEHICLES PER SITE.

Only one recreational vehicle per site connected to utilities shall be allowed. No other vehicle parked at the recreational vehicle site, except for the primary vehicle, shall be used for human habitation on a temporary or permanent basis. In addition to the primary recreational vehicle, two cars, vans, or trucks may be parked at the recreational vehicle space. One recreational vehicle may be substituted for these vehicles provided it is the only available source of transportation to and from the recreational vehicle park.

F. MANAGEMENT.

A caretaker responsible for the management of the park shall be present on the premises of the park at all times when the park is occupied.

G. HUMAN HABITABILITY.

Only recreational vehicles which can connect to sewer and water service at the recreational vehicle space shall be allowed to stay for longer than 30 consecutive days or 120 days in any one calendar year, and such recreational vehicles must be located on sites where water and sewer connection are provided as approved by the County Health Department.

H. WATER SERVICE.

Each recreational vehicle space shall be provided with a water service outlet delivering safe, pure, and potable water.

I. VEHICLE REGISTRATION.

All recreational vehicles which are sited within a recreational vehicle park on a long term or permanent basis shall be registered with the State of California Department of Motor Vehicles.

J. ELECTRICAL SERVICE.

Each recreational vehicle space shall be provided with an electric service outlet which complies with applicable requirement of Title 25 of the California Administrative Code.

**SECTION 19.99a. PERMANENT OCCUPANCY PERMIT.**

An existing recreational vehicle park which is operating under a permit approved by Riverside County prior to January 1, 1987, may apply for a permit to allow permanent occupancy, which shall be granted if the following requirements are met:

A. GENERAL PLAN LAND USE CATEGORY.

The recreational vehicle park must be located in an area designated for Category I, II or III land uses in the Riverside County General Plan.

B. OUTSIDE ACCESS.

Principal access shall be from a County maintained road.

C. SIGNS.

The provisions of Article XIX of County Ordinance No. 348 shall apply.

D. TRASH REMOVAL.

A trash removal plan for the recreational vehicle park shall be submitted at the time of application. This plan must include the type of trash removal system; location, size, and number of trash receptacles; and frequency of 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.

E. LIGHTING.

All recreational vehicle parks in the Mt. Palomar Special Lighting Area shall comply with lighting policies set forth in County Ordinance No. 655.

F. OFF-STREET PARKING.

Parking for recreational vehicle parks shall comply with Section 18.12. of this ordinance. No parking on access roads shall be allowed.

G. NUMBER OF RECREATIONAL VEHICLES PER SITE.

Only one recreational vehicle per site connected to utilities shall be allowed. No other vehicle parked at the recreational vehicle site, except for the primary vehicle, shall be used for human habitation on a temporary or permanent basis. In addition to the primary recreational vehicle, two cars, vans or trucks may be parked at the recreational vehicle space. One recreational vehicle may be substituted for these vehicles provided it is the only available source of transportation to and from the recreational vehicle park.

H. MANAGEMENT.

A caretaker responsible for the management of the park shall be present on the premises of the park at all times when the park is occupied.

I. HUMAN HABITABILITY.

Only recreational vehicles which can connect to sewer and water service at the recreational vehicle space shall be allowed to stay for longer than 30 consecutive days or 120 days in any one calendar year, and these recreational vehicles must be located on sites where water and sewer connection are provided as approved by the County Health Department.

J. WATER SERVICE.

Each recreational vehicle space shall be provided with a water service outlet delivering safe, pure, and potable water.

K. VEHICLE REGISTRATION.

All recreational vehicles which are sited within a recreational vehicle park on a long term or permanent basis shall be registered with the State of California Department of Motor Vehicles.

L. ELECTRICAL SERVICE.

Each recreational vehicle space shall be provided with an electric service outlet which complies with applicable requirement of Title 25 of the California Administrative Code.

M. Awnings, cabanas, and storage shed shall be permitted pursuant to the provisions of this article.

## SECTION 19.100. APPLICATIONS.

An application for an extended occupancy permit or a permanent occupancy for an existing recreational vehicle park which is operating under a permit approved by Riverside County prior to January 1, 1987, shall be made to the Planning Director pursuant to Section 18.30. of this ordinance. Such application shall be made on the form provided by the Planning Department, accompanied by the filing fee set forth in County Ordinance No. 671, and shall include such information and documentation as may be required by the Planning Director, including the following:

A. Name and address of the applicant and all owners of the subject property.

B. Evidence that the owners or their representatives agree to the application.

C. Location and address, legal description and zoning of the property on which the recreational vehicle park is to be located.

D. A site plan of the entire property showing the location of each recreational vehicle space, accessory buildings and their uses, all interior roads, landscaping, and all utility services

and hookups.

Added Effective:
02-16-89 (Ord. 348.2986)
11-30-95 (Ord. 348.3752)

## ARTICLE XIXe COMMUNITY CARE FACILITIES

### SECTION 19.101. GROUP FACILITIES.

A. Residential Facility. A State licensed home, group care facility or similar facility for 24 hour nonmedical care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual.

1. As provided in California Health and Safety Code section 1566.3, residents and operators of a Residential Facility that serves six or fewer persons shall be considered a family and the Residential Facility shall be considered a residential use of property.

2. A Residential Facility that serves six or fewer persons shall be allowed as a use by right in the following zoning classifications: R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-4, R-6, R-T, R-T-R, A-D, A-P, A-1, A-2, C-V, WC-W, WC-WE, WC-R, WC-E, W-2, W-2-M, R-D and N-A.

3. A Residential Facility that serves six or fewer persons shall comply with the development standards for one family or multiple family dwellings, as applicable, located within the same zone.

4. A Residential Facility that serves six 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.

5. A Residential Facility that serves seven or more persons is allowed in the following zoning classifications with an approved conditional use permit in accordance with Section 18.28 of this ordinance: R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-4, R-6, R-T, R-T-R, A-D, A-P, A-1, A-2, C-V, WC-W, WC-WE, WC-R, WC-E, W-2, W-2-M, R-D, N-A, C-1/C-P, C-P-S, C-R and C-O.

6. A Residential Facility that serves seven or more persons shall comply with the following:

   a. Conform to the development standards for the zoning classification in which it is located.

   b. Except for foster family homes, be separated from another licensed Residential Facility by a minimum of three hundred feet (300') 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.

B. Residential Care Facility. A State licensed place, building or similar facility for persons with a chronic, life-threatening illness who are eighteen years of age or older or are emancipated minor, and for family units as provided in Health and Safety Code Section 1568.01.

1. As provided in California Health and Safety Code section 1568.0831, residents and operators of a Residential Care Facility that serves six or fewer persons shall be considered a family and the Residential Care Facility shall be considered a residential use of property.

2. A Residential Care Facility that serves six or fewer persons shall be allowed as a use by right in the following zoning classifications: R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-4, R-6, R-T, R-T-R, A-D, A-P, A-1, A-2, C-V, WC-W, WC-WE, WC-R, WC-E, W-2, W-2-M, R-D and N-A.

3. Residential Care Facility that serves six or fewer persons shall comply with the development standards for one family or multiple family dwellings, as applicable, located within the same zone.

4. A Residential Care Facility that serves six 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.

5. A Residential Care Facility that serves seven or more persons is allowed in the following zoning classifications with an approved conditional use permit in accordance with section 18.28 of this ordinance: R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-4, R-6, R-T, R-T-R, A-D, A-P, A-1, A-2, C-V, WC-W, WC-WE, WC-R, WC-E, W-2, W-2-M, R-D, N-A, C-1/C-P, C-P-S, C-R and C-O.

6. A Residential Care Facility that serves seven 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 Residential Care Facility by a minimum of three hundred feet (300') 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. 951 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.

C. Residential Care Facility for the Elderly. A State licensed housing arrangement chosen voluntarily by persons 60 years of age or over, or their authorized representative, where varying levels and intensities of care and supervision, protective supervision or personal care, or health-related services are provided, based upon their varying needs.

1. As provided in California Health and Safety Code section 1569.85, residents and operators of a Residential Care Facility for the Elderly that serves six or fewer persons shall be considered a family and the Residential Care Facility for the Elderly shall be considered a residential use of property.

2. A Residential Care Facility for the Elderly which serves six or fewer person shall be allowed as a use by right in the following zoning classifications: RR, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-4, R-6, R-T, R-T-R, A-D, A-P, A-1, A-2, C-V, WC-W, WC-WE, WC-R, WC-E, W-2, W-2-M, R-D and N-A.

3. A Residential Care Facility for the Elderly which serves six or fewer person shall comply with the development standards for one family or multiple family dwellings, as applicable, located in the same zoning classification.

4. A Residential Care Facility for the Elderly that serves six 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.

5. A Residential Care Facility for the Elderly that serves seven or more persons is allowed in the following zoning classifications with an approved conditional use permit in accordance with section 18.28 of this ordinance: R-R, R-R-O, R-1, R-1A, RA, R-2, R-2A, R-3, R-3A, R-4, R-6, R-T, R-T-R, A-D, A-P, A-1, A-2, C-V, WC-W, WC-WE, WC-R, WC-E, W-2, W-2-M, R-D, N-A, C-1/C-P, C-P-S, C-R and C-O.

6. A Residential Care Facility for the Elderly that serves seven or more persons shall comply with the following:

a. Conform to- the development standards-for the zoning classification in which it is located.

b. In addition to the zoning classification's requirements, provide landscaping in compliance with Ordinance No. 859.

c. Provide outdoor lighting in compliance with Ordinance No. 915 and Ordinance No. 655.

d. Conduct indoor and outdoor activities in compliance with Ordinance No. 847.

e. 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.

D. Alcohol or Drug Abuse Treatment Facility. A State licensed premises, place or building that provides 24 hour residential non-medical services to adults who are recovering from problems related to alcohol, drug or alcohol and drug misuse or abuse, and who need alcohol, drug or alcohol and drug recovery treatment or detoxification services.

1. As provided in California Health and Safety Code section 11834.23, residents and operators of an Alcohol or Drug Abuse Treatment facility shall be considered a family and the Alcohol or Drug Abuse Treatment facility shall be considered a residential use of property.

2. An Alcohol or Drug Abuse Treatment facility which serves six or fewer persons shall be allowed as a use by right in the following zoning classifications: R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-4, R-6, R-T, R-T-R, A-D, A-P, A-1, A-2, C-V, WC-W, WC-WE, WC-R, WC-E, W-2, W-2-M, R-D and N-A.

3. An Alcohol or Drug Abuse Treatment Facility which serves six or fewer persons shall comply with the development standards for one family or multiple family dwellings, as applicable, located within the same zoning classification.

4. An Alcohol or Drug Abuse Treatment Facility that serves six 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.

5. An Alcohol or Drug Abuse Treatment Facility that serves seven or more persons is allowed in the following zoning classifications with an approved conditional use permit in accordance with section 18.28 of this ordinance: R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-4, R-6, R-T, R-T-R, A-D, A-P, A-1, A-2, C-V, WC-W, WC-WE, WC-R, WC-E, W-2, W-2-M, R-D and N-A, C-1/C-P, C-P-S, C-R and C-O.

6. An Alcohol or Drug Abuse Treatment Facility that serves seven 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 Alcohol or Drug Abuse Treatment Facility by a minimum of three hundred feet (300') 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.

E. Sober Living Home. A dwelling or other similar facility not requiring a State license for a group living arrangement for persons recovering from alcoholism or drug addiction where the facility provides no onsite care; services or supervision.

1. A Sober Living Home shall be considered a residential use of property.

2. A Sober Living Home shall be allowed as a use by right in the following zoning classifications: R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-4, R-6, R-T, R-T-R, A-D, A-P, A-1, A-2, C-V, WC-W, WC-WE, WC-R, WC-E, W-2, W-2-M, R-D and N-A.

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

4. A Sober Living Home shall demonstrate all of the following characteristics:

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.

## SECTION 19.102 HEALTH FACILITIES

A. Developmentally Disabled Care Facility. A State licensed facility that includes intermediate care facilities/developmentally disabled, intermediate care facilities/developmentally disabled-habilitative and intermediate care facilities/developmentally disabled-nursing, as further defined in Health and Safety Code section 1250, which provides twenty-four (24) hour personal care, habilitation, developmental and supportive health services to developmentally disabled persons who have intermittent recurring needs for nursing services.

1. As provided in California Health and Safety Code section 1267.8, a Developmentally Disabled Care Facility which serves six or fewer persons shall be considered a residential use of property and allowed as a use by right in the following zoning classifications: R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-4, R-6, R-T, R-T-R, A-D, A-P, A-I, A-2, C-V, WC-W, WC-WE, WC-R, WC-E, W-2, W-2-M, R-D and N-A.

2. A Developmentally Disabled Care Facility which serves six or fewer persons shall comply with the development standards for one family or multiple family dwellings, as applicable located in the same zoning classification.

3. A Developmentally Disabled Care Facility that serves six 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.

4. A Developmentally Disabled Care Facility that serves seven or more persons are allowed in the following zoning classifications with an approved conditional use permit in accordance with section 18.28 of this ordinance: R-R, R-R-O, R-1, R-1A, RA, R-2, R-2A, R-3, R-3A, R-4, R-6, R-T, R-T-R, A-D, A-P, A-1, A-2, C-V, WC-W, WC-WE, WCR, WC-E, W-2, W-2-M, R-D and N-A, C-1/C-P, C-P-S, C-R and C-O.

5. A Developmentally Disabled Care Facility that serves seven 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 Developmentally Disabled Care Facility by a minimum of three hundred feet (300') 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.

B. Congregate Living Health Facility. A State licensed facility with a non-institutional, home-like environment with no more than eighteen (18) beds which provides inpatient care, including the following basic services: medical supervision, twenty-four hour skilled nursing and supportive care, pharmacy, dietary, social recreation and at least one type of service specified in Section 1250(i)(2) of the Health and Safety Code, as may be amended from time to time.

1. As provided in California Health and Safety Code section 1267.16, a Congregate Living Health Facility which serves six or fewer persons shall be considered a residential use of property and allowed as a use by right in the following zoning classifications: R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-4, R-6, R-T, R-T-R, A-D, A-P, A-1, A-2, C-V, WC-W, WC-WE, WC-R, WC-E, W-2, W-2-M; R-D-and N-A.

2. A Congregate Living Health Facility which serves six or fewer persons shall comply with the development standards for one family or multiple family dwellings, as applicable, located in the same zoning classification.

3. A Congregate Living Health Facility that serves six 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.

4. A Congregate Living Health Facility of more than six beds for persons who are terminally ill or who are catastrophically and severely disabled is allowed in the following zoning classifications with an approved conditional use permit in accordance with section 18.28 of Ordinance No. 348: C-1/C-P, C-P-S, C-R and C-O.

A Congregate Living Health Facility of more than six beds for persons who are terminally ill or who are catastrophically and severely disabled 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 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.

Added Effective:
12-16-86 (Ord. 348.2643)

Amended Effective:
Ord. 348.4835 Item 16.2 of 06/21/16 (Effective Date: 07/21/16)

## ARTICLE XIXf WATER-EFFICIENT LANDSCAPE REQUIREMENTS

Deleted in entirety:
Ord. 348.4548 Item 15.1 of 03/25/08 (Effective Date: 04/24/08)

## ARTICLE XIXg WIRELESS FACILITIES

### SECTION 19.400. PURPOSE AND INTENT.

The purpose of this article is to do each of the following:

A. Enhance the ability of telecommunication service providers to effectively and efficiently provide new wireless communication services in the unincorporated area of Riverside County;

B. Encourage the design and placement of wireless facilities in a way that minimizes their impact to the visual character, health, economic vitality and biological resources of Riverside County;

C. Encourage and maximize the use of existing and approved wireless facilities, buildings and other structures while taking into account the use of concealment technology in order to reduce the number of facilities needed to serve businesses and residents in Riverside County;

D. Ensure continuous maintenance of new and existing wireless facilities; and,

E. Ensure the timely removal of any unused or outdated wireless facilities.

### SECTION 19.401. EXCLUSIONS.

The following facilities are exempt from the requirements of this article but may be governed by other laws and other portions of this ordinance.

A. CONSUMER-END ANTENNAS. Consumer-end antennas shall be exempt from the provisions of this article if they meet the following requirements, as applicable:

1. A satellite dish less than one meter (39.37 inches) in diameter and that, if mounted on a mast, is mounted no higher than needed to receive or transmit an acceptable quality signal and in no event higher than twelve (12) feet above roofline.

2. An antenna designed to receive over-the air broadcast signals, no higher than needed to receive or transmit an acceptable quality signal and in no event higher than twelve (12) feet above roofline.

3. A broadband radio service antenna one meter or less in diameter or diagonal measurement and that, if mounted on a mast, is mounted no higher than needed to receive or transmit an acceptable quality signal and in no event higher than twelve (12) feet above roofline.

B. AMATEUR RADIO ANTENNAS:

1. That are completely enclosed within a permitted building; or

2. That consist of a single wire not exceeding one-fourth inch in diameter. Such wire antennas may be located in setback areas provided the antenna does not extend above the maximum building height in the district; or

3. That consist of a single ground-mounted vertical pole or whip antenna not exceeding fifty (50) feet in height in residential zone classifications or one hundred and five (105) feet in height in non-residential zone classifications, measured from finish grade at the base of the antenna, and not located in any required setback area. Support structures or masts for pole or whip antennas shall conform to standards set out in the California Building Standards Code. A building permit may be required for the support structure or mast.

C. LIKE KIND EQUIPMENT REPLACEMENTS.

Like kind equipment replacements or adding or changing equipment in an existing cabinet, vault, or shroud that does not increase pre-existing visual or noise impacts and has the same or less radio frequency (RF) emissions. The existing equipment must have been approved by the County and the equipment must be in compliance with all permit conditions. Qualifying like kind equipment replacements that do not require County approval consist of upgrades or exchanges of equipment that are substantially similar in appearance and the same or less in size, dimensions, weight, and RF emissions to the then-existing and approved equipment. This exemption does not apply to generators.

D. CERTAIN TEMPORARY FACILITIES.

The following temporary wireless facilities that will be placed for less than fourteen (14) consecutive days, provided any necessary building permit or other approval is obtained and the landowner's written consent is provided to the County:

1. Facilities installed and operated for large-scale events; and

2. Facilities needed for coverage during the temporary relocation of an existing and already-approved facility.

E. LEGALLY EXISTING WIRELESS FACILITIES.

Any wireless facility already legally constructed and in operation as of the date of this ordinance's effective date shall remain subject to the provisions of the version of the ordinance in effect prior to this revision, unless and until a revised permit, substantial conformance, or other modification is approved on such facility, at which time the provisions of the revised ordinance shall apply in full force going forward as to such facility.

## SECTION 19.402. DEFINITIONS.

The following terms shall have the following meanings for purposes of this article:

A. Antenna. A device used for the purpose of transmitting or receiving wireless communication signals or both.

B. Base Station. A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network as defined in 47 C.F.R. section 1.6100(b)(1), or any successor provision.

C. CPUC. California Public Utilities Commission.

D. CEQA. The California Environmental Quality Act, Public Resources Code section 21000 et seq. and State CEQA Guidelines section 15000 et seq.

E. Collocation. The mounting or installation of transmission equipment on a legally existing base station or tower as defined: (a) for the purposes of any eligible facilities request, the same as defined by the FCC in 47 C.F.R. section 1.6100(b)(2), as may be amended, which defines that term as '[t]he mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.' As an illustration and not a limitation, the FCC's definition means to add transmission equipment to an existing facility and does not necessarily refer to two or more different facility operators in the same location; and (b) for all other purposes, the same as defined in 47 C.F.R. section 1.6002(g)(1) and (2), as may be amended, which defines the term collocation as (1) mounting or installing an antenna facility on a pre-existing structure, and/or (2) modifying a structure for the purpose of mounting or installing an antenna facility on that structure.

F. Concealed Wireless Facilities. Facilities blended into the environment by being placed entirely within an existing or new structure or so as not to be recognized as a wireless facility. Concealed Wireless Facilities include, but are not limited to, architecturally screened roof-mounted facilities, facade-mounted design feature facilities, clock tower facilities and entry statement signage facilities. These may consist of concealed wireless facilities on a new structure or concealed wireless facilities on an existing structure, and the distinction may affect how the associated permit is processed.

G. Disguised Wireless Facilities. Facilities designed and sited so as to be minimally visually intrusive, which incorporate concealment elements that screen or otherwise alter the appearance of the wireless facility to integrate it into the surrounding environment and support structure or base station. Disguised wireless facilities include, but are not limited to, faux trees including but not limited to monopalms and monopines, facilities integrated into flagpoles, facilities integrated onto water towers or other architecturally designed structures, facilities integrated onto street lights, facilities integrated into electric utility poles, and strand mounted antennas.

H. Eligible Facilities Request. Any request for modification of a legally existing tower or base station that does not substantially change the physical dimensions of such tower or base station as defined in 47 C.F.R. section 1.6100(b)(3), or any successor provision.

I. Equipment Enclosure. Any freestanding or mounted structure, shelter, cabinet, or vault used to house and protect Supporting Equipment.

J. FAA. The Federal Aviation Administration or its lawful successor.

K. FCC. The Federal Communications Commission or its lawful successor.

L. Non-Residential Zone Classifications. Any of the following zones: R-D, I-P, M-SC, M-M, M-H, M-R, M-R-A, MU, N-A, A-1 (lots larger than two and one-half (2 and ½) acres), A-P, A-2, A-D, W-2, W-2-M, W-1, W-E, R-VC, C-1/C-P, C-T, C-P-S, C-O, C-C/V.

M. Other Wireless Facilities. New wireless facilities or modifications to existing wireless facilities that are not otherwise exempt from this article and that do not qualify as small cell facilities, collocations, eligible facilities requests, disguised facilities, or concealed facilities.

N. Personal Wireless Services. Services as defined in 47 U.S.C. section 332(c)(7)(C)(i) or any successor provision, current examples of which include but are not limited to commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services.

O. Personal Wireless Services Facility. A wireless facility used for the provision of personal wireless services.

P. Planning Director. The Planning Director of Riverside County or his or her designee.

Q. RCIT. Riverside County Information Technology.

R. Residential Zone Classifications. Any of the following zones: A-1 (lots two and one-half (2 and ½) acres and smaller), R-T-R, C-R, C/V, R-3, R-3-A, R-5, R-R, R-R-O, R-A, R-1, R-1-A, R-2, R-2-A, R-4, R-6, R-T.

S. Small Cell Facility. The term as defined in 47 C.F.R. 1.6002(l), or any successor provision.

T. Support Structure. A pole, tower, base station, or other building, whether or not it has an existing antenna facility, that is used or to be used for the provision of personal wireless service, whether on its own or comingled with other types of services, as defined in 47 C.F.R. 1.6002(m) or any successor provision.

U. Supporting Equipment. The equipment necessary for processing wireless communication signals and any ancillary equipment including, but not limited to, air conditioners, emergency generators, and other back-up power suppliers.

V. Temporary Wireless Facility. A wireless facility intended or used to provide wireless services on a temporary or emergency basis, such as a large-scale special event in which more users than usual gather in a single location or following a duly proclaimed local or state emergency as defined in Government Code section 8558 requiring additional service capabilities. Temporary facilities include without limitation, cells on wheels (also referred to as COWs), sites on wheels (also referred as SOWs), cells on light trucks (also referred to as COLTs), or other similar wireless facilities: (1) that will be in place for no more than

six months, or such other longer time as the County may allow in light of the event or emergency; (2) for which required notice is provided to the FAA; (3) that do not require marking or lighting under FAA regulations; (4) that will not exceed the height limit in the applicable zone; and (5) that will either involve no excavation or involve excavation only as required to safely anchor the facility, where the depth of previous disturbance exceeds the proposed construction depth (excluding footings and other anchoring mechanisms) by at least two (2) feet.

W. Tower. Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for personal wireless services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. This definition does not include Utility Poles.

X. Utility Pole. A structure designed to support electric, telephone, and similar utility lines. A Tower is not a utility pole.

Y. Wireless Facility, Wireless Communication Facility or Facility. Transmitters, antenna structures and other types of installations used for the provision of wireless services at a fixed location, including, without limitation, any associated tower(s), support structure(s), and base station(s).

## SECTION 19.403. ADMINISTRATION.

A. REVIEWING AUTHORITY. The Planning Director is responsible for administering this article. As part of such administration, except as otherwise determined by the Board, the Planning Director may:

1. Interpret all provisions of this article relating to wireless communications, as long as such interpretation is not contrary to state or federal law;

2. Develop and implement standards governing the placement and modification of wireless facilities consistent with the requirements of this ordinance, including regulations governing collocation and resolution of conflicting applications for placement of wireless facilities;

3. Develop and implement acceptable design standards for wireless facilities, taking into account the applicable built environment(s);

4. Develop forms and procedures for submission of applications for placement or modification of wireless facilities, and proposed changes to any support structure consistent with this article;

5. Take such other steps as may be required to timely act upon applications for placement of wireless facilities, including issuing written decisions, entering into agreements to mutually extend the time for action on an application, and denying

an application if all of the information required for approval to be granted, taking into account legal deadlines for County action on the application, has not been submitted.

## SECTION 19.404. PROCESSING REQUIREMENTS.

A. CEQA REVIEW AND WIRELESS FACILITIES.

The classification of the types of wireless facilities identified in this subsection are for guidance purposes only and to alert interested parties of the potential level of environmental review that may be appropriate for an identified type of wireless facility. The Planning Director retains the discretion to determine the appropriate level of environmental review to ensure CEQA compliance given the facts of each application and its location.

1. WIRELESS FACILITIES AND CEQA EXEMPTIONS.

   a. For the following types of facilities: (i) small cell facilities, (ii) collocations, (iii) temporary wireless facilities, (iv) disguised wireless facilities of any type to be located in a non-residential zone classification, and (v) concealed wireless facilities on a legally existing structure, an application shall be submitted to the Planning Director for a plot plan made in accordance with the requirements of this ordinance. Unless the facts relating to a specific application demonstrate otherwise, the project shall be processed as one exempt from CEQA, shall be categorized under and processed pursuant to Section 18.30.A.1. of this ordinance, and no public hearing on the application shall be required. All of the reelvant procedural provisions of this ordinance for processing a plot plan shall apply to the application.

   b. If the wireless facility is proposed to be located in a criteria cell within the Western Riverside County Multiple Species Habitat Conservation Plan or a conservation area within the Coachella Valley Multiple Species Habitat Conservation Plan, contains or has a high potential to contain one or more listed species, contains historic or cultural resources onsite, is otherwise within a particularly sensitive environment including a sensitive viewshed, is within an airport influence area, may result in damage to scenic resources, would have a significant impact on the environment due to unusual circumstances, would result in a cumulative impact due to successive projects of the same type in the same place over time, or is otherwise determined by the Planning Director, in his or her discretion, to require an initial study, the plot plan application shall be reclassified as a plot plan categorized under and processed pursuant to Section 18.30.A.3. of this ordinance. The decision of the Planning Director shall be final unless appealed to the Board of Supervisors in accordance with the requirements of this ordinance.

2. WIRELESS FACILITIES AND PLOT PLANS SUBJECT TO CEQA.

a. For the following types of facilities: (i) concealed wireless facilities on a new structure, (ii) disguised wireless facilities of any type to be located in a residential zone classification, (iii) other wireless facilities, (iv) wireless facilities determined by the Planning Director to require an initial study, or (v) wireless facilities that are not listed above as a likely CEQA-exempt wireless facility type, an application shall be submitted to the Planning Director for a plot plan in accordance with this ordinance. The application shall be categorized under and processed pursuant to Section 18.30.A.3. of this ordinance and require a public hearing as ordinarily processed, with the public hearing notice sent to all property owners in accordance with this ordinance.

b. Despite the classification of a wireless facility as a plot plan subject to CEQA, the Planning Director retains the discretion to determine, based on the facts related to a specific application, that a particular wireless facility is nevertheless exempt from CEQA. The decision of the Planning Director shall be final unless appealed to the Board of Supervisors in accordance with the requirements of this ordinance.

B. MODIFICATIONS TO LEGALLY EXISTING WIRELESS FACILITIES.

1. Modifications Qualifying as an Eligible Facilities Request. An application for modification of a legally existing permitted wireless facility qualifying as an eligible facilities request shall be made to the Planning Director and include all information necessary to demonstrate that the proposed modification qualifies as an eligible facilities request. Upon written confirmation from the Planning Director that the proposed modification qualifies as an eligible facilities request, no additional use permit or revision to an existing permit is required, and the Office of Building and Safety may issue a building permit as appropriate and necessary.

2. Substantial Conformance Review for Other Types of Modifications to Wireless Facilities. An application for modification of an existing permitted wireless facility that does not qualify as an eligible facilities request but that meets the qualifications for a substantial conformance shall be made to the Planning Director and processed for substantial conformance review in accordance with the requirements of this ordinance.

3. Revised or New Permit Review for All Other Modification Requests for Wireless Facilities. An application for modification of an existing permitted wireless facility that does not qualify as an eligible facility request or a substantial conformance shall be made to the Planning Director and processed as a plot plan for an Other Wireless Facility in accordance with this ordinance.

C. WIRELESS FACILITY APPLICATION FORM.

All applications for a wireless facility permit shall use the form published by the Planning Director, which may be updated from time to time. In addition to any requirements required by the Planning Director and any requirements for all applications for plot plans, modifications for approved

permits, variances, or any other permit or land use approval, the wireless facility application requires submission of the following:

1. A fully executed copy of the lease or other agreement entered into with the owner of the underlying property. The lease or other agreement shall include a provision indicating that the Personal Wireless Services provider, or its successors and assigns, shall remove the wireless facility completely upon its abandonment. The lease or other agreement shall also include a provision notifying the property owner that if the Personal Wireless Services provider does not completely remove a facility upon its abandonment, the County may remove the facility at the property owner's expense and lien the property for the cost of such removal. The lease or other agreement shall not include a provision limiting collocations to a specific wireless carrier or carriers. Proprietary information in the lease may be redacted. If a lease or other agreement is not available, a letter shall be submitted, signed by all property owners and the applicant, acknowledging and agreeing to the provisions in this paragraph.

2. Proof of compliance, as proposed for use, with FCC regulations governing radiofrequency emissions.

3. For a temporary wireless facility, an appropriate plan for removal of the facility and restoration of property affected by it.

D. SPHERE OF INFLUENCE.

When a proposed wireless facility would be located within the sphere of influence of any city within the County, planning staff shall transmit the application to the affected city for review and comment if a public hearing is required by this article. When a proposed wireless facility has the potential to impact federal or state lands, tribal lands, or special districts, planning staff may also transmit the application to the appropriate federal agency, state agency, tribe(s), or special district for review and comment.

E. FINDINGS.

1. GENERAL FINDINGS FOR APPROVAL FOR ALL WIRELESS FACILITIES REQUIRING A PLOT PLAN.

No plot plan for the installation of wireless facilities shall be approved unless, on the basis of the application and other materials or evidence provided in review thereof, the Planning Director finds the following:

a. The facility complies with all applicable requirements of this ordinance, including all requirements for a plot plan; all application requirements; and all applicable design, location, and development standards, or has a variance or waiver thereof; and will not to unreasonably interfere with pedestrian or vehicular traffic; and

b. The facility meets applicable requirements and standards of federal and state law, including all applicable general orders of the CPUC, including, but not limited to General Order 95.

2. FINDINGS FOR APPROVAL OF CONCEALED WIRELESS FACILITIES.

No plot plan shall be approved for a concealed wireless facility unless, on the basis of the application and other materials or evidence provided in review thereof, the following findings are made in addition to the general findings for all wireless facilities: that the facility meets all requirements for a concealed wireless facility as set forth in this article.

3. FINDINGS FOR APPROVAL OF DISGUISED WIRELESS FACILITIES.

No plot plan shall be approved for a disguised wireless facility unless, on the basis of the application and other materials or evidence provided in review thereof, the following findings are made in addition to the general findings for all wireless facilities:

a. The facility meets all requirements for a disguised wireless facility set forth in this ordinance;

b. The facility is designed and sited so that it is minimally visually intrusive; and

c. Supporting equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view.

4. FINDINGS FOR APPROVAL OF SMALL CELL FACILITIES.

No plot plan shall be approved for a small cell facility unless, on the basis of the application and other materials or evidence provided in review thereof, the following finding is made in addition to the general findings for all wireless facilities: that the facility meets all requirements for a small cell facility set forth in this article.

5. FINDINGS FOR APPROVAL OF COLLOCATION FACILITIES.

No plot plan shall be approved for a disguised wireless facility unless, on the basis of the application and other materials or evidence provided in review thereof, the following finding is made, in addition to the general findings for all wireless facilities: that the facility meets all requirements for a collocation set forth in this article.

6. FINDINGS FOR APPROVAL OF OTHER WIRELESS FACILITIES.

No plot plan shall be approved for a facility that qualifies as an Other Wireless Facility unless, on the basis of the application and other materials or evidence

provided in review thereof, the following findings are made in addition to the general findings for all wireless facilities:

a. The facility is not located within a sensitive viewshed; and

b. Supporting equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view.

7. FINDINGS FOR APPROVAL OF TEMPORARY FACILITIES.

No plot plan shall be approved for a temporary wireless facility unless, on the basis of the application and other materials or evidence provided in review thereof, the following findings are made:

a. The facility qualifies as a temporary facility;

b. There is an adequate need for the facility (e.g., wireless facility relocation or large-scale event).

F. CONDITIONS OF APPROVAL FOR SPECIFIC TYPES OF WIRELESS FACILITIES.

1. CONDITIONS OF APPROVAL FOR ELIGIBLE FACILITIES REQUESTS. In addition to the conditions provided in the previous subsections, if applicable, all permits for an eligible facility request shall be subject to the following additional conditions:

a. Permit subject to conditions of underlying permit. Any permit or wireless facility permit granted in response to an application qualifying as an eligible facilities request shall be subject to the terms and conditions of the underlying permit to the extent allowed by law.

b. No permit term extension. The County's grant or grant by operation of law of an eligible facilities request permit constitutes a federally mandated modification to the underlying permit or approval for the subject tower or base station. Notwithstanding any permit duration established in another permit condition, the County's grant or grant by operation of law of a eligible facilities request permit will not extend the permit term for the underlying permit or any other underlying regulatory approval, and its term shall be coterminous with the underlying permit or other regulatory approval for the subject tower or base station or ten (10) years, whichever is shorter.

2. CONDITIONS OF APPROVAL FOR TEMPORARY WIRELESS FACILITIES.

The conditions of approval for a temporary wireless facility shall specify the maximum time period that the facility may remain in place.

G. CONDITIONS OF APPROVAL FOR ANY WIRELESS FACILITY DEEMED APPROVED.

The Planning Department shall keep a set of standard Wireless Facilities Conditions of Approval and Advisory Notification Document on file at the Planning Department. All wireless facilities shall comply with either those conditions of approval, as modified by the Planning Director or the Board of Supervisors as necessary for a particular wireless facilities permit or be subject to revocation, or the conditions in this section. Any wireless facility, of any type, that is deemed approved, approved by operation of law, or approved under a court order shall be subject to the standard Wireless Conditions of Approval and Advisory Notification Document and the conditions set forth in this subsection. For any wireless facility that is deemed approved by operation of law, or approved under a court order, to the extent the standard Wireless Facilities Conditions of Approval and Advisory Notification Document conflict with the requirements of this section, this section shall control.

1. Entitlement Life for Wireless Facilities Deemed Approved. A wireless facility that has been deemed approved by operation of law or approved under court order shall be valid for a period of ten (10) years, unless pursuant to another legal provision or these conditions, it expires sooner or is terminated. Unless an application for a plot plan has been submitted prior to the end of that ten (10) years, the Personal Wireless Services provider must remove the facility within sixty (60) days following the expiration of that ten-year period. No extension may be approved for such an expired wireless facility. The approval of any collocation or other modification shall not extend the wireless facility duration. If an application for a plot plan for the wireless facility is submitted prior to the expiration of the ten (10) years, the application shall be considered as a new application for a new facility, and, if approved, the wireless facility need not be removed and shall be operated pursuant to that permit. If such application is denied, the wireless facility must be removed within sixty (60) days from the date of denial or the rejection of any timely appeal of such denial, whichever is later.

2. Timing of Installation. The installation of a wireless facility shall begin within one (1) year after its approval, or it shall be deemed expired. The installation and construction authorized by a wireless facility permit shall conclude, including any necessary post-installation repairs and/or restoration to the installation site, within ninety (90) days following the day construction commenced. If the wireless facility is to be installed adjacent to residences, construction and maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday. Emergency repairs of the wireless facility may occur at any time.

3. Commencement of Operations. The operation of the approved facility shall commence no later than one (1) month after the completion of installation, or the wireless facility shall be deemed expired.

4. Undergrounding. All utilities shall be installed underground.

5. Inspections; Emergencies. The County or its designee may enter onto the facility area to inspect the facility upon 48 hours prior notice to the permittee. The permittee shall cooperate with all inspections and may be present for any

inspection of its facility by the County. The County reserves the right to enter or direct its designee to enter the facility and support, repair, disable, or remove any elements of the facility in emergencies or when the facility threatens imminent harm to persons or property. The County shall make an effort to contact the permittee prior to disabling or removing any facility elements, but in any case shall notify permittee within 24 hours of doing so.

6. Contact. The permittee shall at all times maintain accurate contact information for all parties responsible for the facility, which shall include a phone number, street mailing address and email address for at least one natural person. The FCC Antenna Structure Registration site number, County wireless facility permit number, primary leaseholder's and facility manager's contact information shall be kept current and prominently displayed on the facility where it can be easily viewed from ground level.

7. Insurance. Permittee shall obtain and maintain throughout the term of the wireless facility permit commercial general liability insurance with a limit of $1,000,000 per occurrence for bodily injury and property damage and $1,000,000 general aggregate including premises operations, contractual liability, personal injury, and products completed operations. The relevant policy or policies shall name the County, its elected/appointed officials, commission members, officers, representatives, agents, and employees as additional insureds. Permittee shall use its best efforts to provide thirty (30) days' prior notice to the County of to the cancellation or material modification of any applicable insurance policy.

8. Indemnities. The permittee and the owner of the property upon which the wireless facility is installed shall defend, indemnify and hold harmless the County, its agents, officers, officials, and employees (i) from any and all damages, liabilities, injuries, losses, costs, and expenses, and from any and all claims, demands, law suits, writs of mandamus, and other actions or proceedings brought against the County or its agents, officers, officials, or employees to challenge, attack, seek to modify, set aside, void or annul the County's approval of the wireless facility permit, including any challenge to a decision made by the County concerning the project, including, but no limited to, decisions made in response to California Public Record Act requests, and (ii) from any and all damages, liabilities, injuries, losses, costs, and expenses, and any and all claims, demands, law suits, or causes of action and other actions or proceedings of any kind or form, whether for personal injury, death or property damage, arising out of or in connection with the activities or performance of the permittee or, if applicable, the property owner or any of each one's agents, employees, licensees, contractors, subcontractors, or independent contractors. In the event the County becomes aware of any such actions or claims the County shall promptly notify the permittee and, if applicable, the property owner and shall reasonably cooperate in the defense. The County shall have the right to approve the legal counsel providing the County's defense, and the property owner and/or permittee (as applicable) shall reimburse County for any costs and expenses directly and necessarily incurred by the County in the course of the defense. Payment for County's costs related to any litigation on the above shall be made on a deposit basis. Within thirty (30) days of receipt of notice from County

that litigation has been initiated against the Project, the permittee shall initially deposit with the Planning Department the total amount of Twenty Thousand Dollars ($20,000). The permittee shall deposit with County such additional amounts as County reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the County, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the litigation. To the extent such costs are not recoverable under the California Public Records Act from the records requestor, permittee agrees that deposits under this section may also be used to cover staff time incurred by the County to compile, review, and redact records in response to a Public Records Act request made by a petitioner in any legal challenge to the Project when the petitioner is using the Public Records Act request as a means of obtaining the administrative record for litigation purposes. Within ten (10) days of written notice from County, permittee shall make such additional deposits.

9. Performance Bond. Prior to issuance of a wireless facility permit, the permittee shall file with the County, and shall maintain in good standing throughout the term of the approval, a performance bond or other surety or another form of security for the removal of the facility in the event that the use is abandoned or the permit expires, or is revoked, or is otherwise terminated. The security shall be in the amount equal to the percentage of the cost of physically removing the facility and all related facilities and equipment on the site, based on the higher of two contractor's quotes for removal that are provided by the permittee. The permittee shall reimburse the County for staff time associated with the processing and tracking of the bond, based on the hourly rate adopted by the Board of Supervisors. Reimbursement shall be paid when the security is posted and during each administrative review.

10. Adverse Impacts on Adjacent Properties. Permittee shall undertake all reasonable efforts to avoid undue adverse impacts to adjacent properties and/or uses that may arise from the construction, operation, maintenance, modification, and removal of the facility.

11. Noninterference. Permittee shall not move, alter, temporarily relocate, change, or interfere with any existing structure, improvement, or property without the prior consent of the owner of that structure, improvement, or property. No structure, improvement, or property owned by the County shall be moved to accommodate a permitted activity, unless the County determines that such movement will not adversely affect the County or any surrounding businesses or residents, and the Permittee pays all costs and expenses related to the relocation of said structure, improvement, or property. Prior to commencement of any work pursuant to a wireless facility permit, the Permittee shall provide the County with documentation establishing to the County's satisfaction that the Permittee has the legal right to use or interfere with any other structure, improvement, or property within the highway or County utility easement to be affected by Permittee's facilities.

12. RF Exposure Compliance. All facilities must comply with all standards and regulations of the FCC and any other state or federal government agency with the authority to regulate RF exposure standards. After transmitter and antenna system optimization, but prior to unattended operations of the facility, permittee or its representative must conduct on-site post-installation RF emissions testing to demonstrate actual compliance with the FCC OET Bulletin 65 RF emissions safety rules for general population/uncontrolled RF exposure in all sectors. For this testing, the transmitter shall be operating at maximum operating power, and the testing shall occur outwards to a distance where the RF emissions no longer exceed the uncontrolled/general population limit.

13. Testing. Testing of any equipment shall take place on weekdays only, and only between the hours of 8:30 a.m. and 4:30 p.m., except that testing is prohibited on holidays that fall on a weekday.

14. Abandonment. If a facility is not operated for a continuous period of ninety (90) days, the wireless facility shall be deemed abandoned. No later than ninety (90) days from the date the facility is determined to have been deemed abandoned or the permittee has notified the Planning Director of its intent to vacate the site, the permittee shall remove all equipment and improvements associated with the use and shall restore the site to its original condition to the satisfaction of the Planning Director. The permittee shall provide written verification of the removal of the facilities within thirty (30) days of the date the removal is completed. If the facility is not removed within thirty (30) days after the permit has been discontinued pursuant to this subsection, the site shall be deemed to be a nuisance, and the County may cause the facility to be removed at permittee's expense or by calling any bond or other financial assurance to pay for removal. If there are two (2) or more users of a single facility or support structure, then this provision shall apply to the specific elements or parts thereof that were abandoned, but will not be effective for the entirety thereof until all users cease use thereof.

15. Records. The permittee must maintain complete and accurate copies of all permits and other regulatory approvals issued in connection with the facility, which includes without limitation this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval and any permits or approvals issued in connection with this approval. In the event that the permittee does not maintain such records as required in this condition or fails to produce true and complete copies of such records within a reasonable time after a written request from the County, any ambiguities or uncertain-ties that would be resolved through an inspection of the missing records will be construed against the permittee.

16. Attorney's Fees. In the event the County determines that it is necessary to take legal action to enforce any of these conditions, or to revoke a wireless facility permit, and such legal action is taken, the Permittee shall be required to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the County, even if the matter is amicably resolved or otherwise not prosecuted to

a final judgment, unless the County should otherwise agree with permittee to waive said fees or any part thereof.

## SECTION 19.405. LOCATION AND DESIGN STANDARDS.

All wireless facilities shall be located and designed as follows and in accordance with the design standards published and updated from time to time by the Planning Director, if any.

A. LOCATION AND TYPES OF FACILITIES: All wireless facilities shall be located in accordance with the following standards, depending upon the type of wireless facility sought.

1. CONCEALED WIRELESS FACILITIES. Concealed wireless communication facilities may be located in any zone classification.

2. ELIGIBLE FACILITIES REQUESTS AND COLLOCATED WIRELESS FACILITIES. Eligible facilities requests and collocated wireless facilities may be located in any zone classification.

3. SMALL CELL FACILITIES AND TEMPORARY WIRELESS FACILITIES. Small cell facilities and temporary wireless facilities may be located in any residential or non-residential zone classification.

4. DISGUISED WIRELESS FACILITIES. Disguised wireless communication facilities may be located in any residential zone classification or non-residential zone classification.

5. OTHER WIRELESS FACILITIES. Any type of wireless facility may be located in non-residential zone classifications.

B. DESIGN STANDARDS.

1. ALL WIRELESS FACILITIES. 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. All cables and wiring must be within the structure, or if not feasible, within a conduit on the exterior of the structure. The conduit must be a color that matches the support structure and of the smallest size technically feasible.

2. SMALL CELL FACILITIES. Small cell facilities must use flat rate electric metering, if available, so that no meter is required in any case where a meter otherwise would be ground-mounted or pole-mounted. Where a ground-mounted or pole-mounted meter is used, the smallest form factor metering device available shall be used.

3. DISGUISED WIRELESS FACILITIES, FAUX TREES. If a faux tree is proposed for the disguised wireless facility, it shall be of a type of tree compatible with those existing in the immediate areas of the installation. If no trees exist within the immediate areas, a landscape setting shall be used that integrates the faux tree with added species of a similar height and type. Antennas shall be painted, coated, or covered to match their background and shall not extend beyond the monotree branches or fronds. There shall be ample branch coverage to hide the antennas from view as effectively as possible. There shall be no exterior wiring, visible footpegs, portals, cabling, cable shrouds, or other unnatural appearing features on the faux tree. Additional camouflage of the faux tree may be required depending on the type and design of faux tree proposed.

4. OTHER FACILITIES MOUNTED ON A DISGUISED TOWER.

    a. Facilities mounted to a disguised tower, including, but not limited to, the attached antennas, shall be designed to be the minimum functional height and width required to adequately support the proposed facility and meet FCC requirements. The applicant shall provide documentation satisfactory to the Planning Director establishing compliance with this paragraph. In any event, facilities mounted to a disguised tower shall not exceed the applicable height limit for a wireless facility in the applicable zone classification.

    b. Aside from the antenna and tower themselves, no additional equipment may be visible. All cables, including, but not limited to, electrical and utility cables, shall be run within the interior of the tower and shall be camouflaged or hidden to the fullest extent feasible without jeopardizing the physical integrity of the tower.

    c. Installations shall be situated so as to utilize existing natural or man-made features including topography, vegetation, buildings, or other structures to provide the greatest amount of visual screening.

5. ROOFTOP-MOUNTED FACILITIES. Rooftop-mounted facilities shall be concealed wireless facilities and shall comply with one of the following, in this order of preference:

    a. The wireless facilities may be completely concealed and architecturally integrated into the rooftop-mounted structure with no visible impacts from any publicly accessible areas at ground level. Permissible examples of this include, but are not limited to, antennas behind existing parapet walls or facades replaced with RF-transparent material and finished to mimic the replaced materials;

b. If meeting the requirements of the prior subsection is not technically feasible, then wireless facilities may be completely concealed on new structures or appurtenances designed to mimic the support structure's original architecture and proportions so that the support structure remains consistent in size and design with the areas within which it is located. Examples of such structure and appurtenances include, but are not limited to, cupolas, steeples, chimneys, and water tanks. A particular change will be assessed using standards that apply for similar discretionary modifications that do not involve wireless facilities.

6. FAÇADE-MOUNTED WIRELESS FACILITIES. Facade-mounted wireless facilities shall be concealed or disguised wireless facilities. Façade-mounted wireless facilities should be integrated architecturally into the structure to which the equipment will be attached. Where integration is not possible, a facade-mounted wireless facility should be behind screen walls as flush to the building facade as practicable and designed to conceal the facility so that it appears to be part of the facade design. Pop-out screen boxes do not meet this standard, unless such design is architecturally consistent with the original support structure. An exposed, facade-mounted facility will not be approved unless it is shown that, because of the size or design of the facility, or the design or location of the structure to which it is to be attached, the proposed facility would have no adverse visual impacts.

## SECTION 19.406. DEVELOPMENT STANDARDS FOR ALL WIRELESS FACILITIES.

All wireless facilities shall comply with the following development standards:.

A. Height limitations. Wireless facilities to be located in residential zone classifications shall not exceed fifty (50) feet. Wireless facilities to be located in non-residential zone classifications shall not exceed one hundred and five (105) feet. Eligible facilities requests may be up to twenty (20) percent taller, as measured by the original approved height of the underlying wireless facility, or as otherwise provided in 47 C.F.R. section 1.6100(b)(3), or any successor provision, provided there are no safety issues with such increased height and they meet the requirements of this ordinance relating to setback from habitable dwellings or setback from residential property lines and the development standards for the relevant type of wireless facility.

B. Landscaping. All wireless facilities shall have landscaping around the perimeter of the leased area or equivalent and shall match or augment the natural landscaping in the area, where feasible. Wireless facilities constructed to look like trees shall have other similar tree species planted adjacent to or around the facility to enhance the concealing effect. If a water source is not available and there are no other trees in the area, new trees may not be required, but indigenous plants may be required and manually watered until established. 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 the

equipment enclosure is not readily visible to the general public and a water source is not available, the Planning Director may lessen or waive the landscaping requirements.

C. Lighting. Outside lighting, other than temporary lightning for maintenance purposes, 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 Wireless Facilities that require a warning light to comply with FAA regulations shall use the minimum amount possible. All security lighting and maintenance 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.

D. Parking. Within close proximity of the wireless facility, a parking space shall be provided for maintenance vehicles.

E. Setbacks. Concealed wireless facilities shall meet the setback requirements of the zone classification in which they are located. Disguised wireless facilities in non-residential zone classifications shall meet the setback requirements of the zone classification in which they are located and shall be setback from habitable dwellings a distance equal to one hundred and twenty-five (125) percent of the facility height. Disguised wireless facilities in or adjacent to residential zone classifications shall meet the setback requirements of the zone classification in which they are located and 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. Other wireless facilities shall meet the setback requirements of the zone classification in which they are located and shall be setback from habitable dwellings a distance equal to one thousand (1,000) feet. All eligible facilities requests and collocations must meet the same setback from habitable dwellings requirements as the underlying wireless facility.

F. Support Facilities. Any appurtenant equipment boxes, cabinets, or freestanding equipment enclosures shall not exceed thirteen (13) feet in height.

## SECTION 19.407. ABANDONED SITES.

A. Any wireless communication facility that is not continuously operated for a period of ninety (90) days, or the period set forth in its conditions of approval, whichever is shorter, shall be deemed abandoned.

B. The Personal Wireless Services 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. If, within ninety (90) days of the date the notice of abandonment is mailed, the Personal Wireless Services provider fails to make the wireless communication facility operable, legally replace the facility with an operable facility, or remove the facility, 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.

## SECTION 19.408. EXCEPTIONS TO REQUIREMENTS.

A. The Board of Supervisors, as applicable, may grant exceptions to the requirements for wireless facilities in this article, if a variance cannot be obtained and it is determined that the applicant has established that denial of an application or strict adherence to the location and design standards would:

1. Prohibit or effectively prohibit the provision of personal wireless services, within the meaning of federal law; or

2. Otherwise violate applicable laws or regulations; or

3. Require a technically infeasible design or installation of a wireless facility.

B. If that determination is made, said requirements may be waived, but only to the minimum extent required to avoid the prohibition, violation, or technically infeasible design or installation.

Amended Effective:
05-18-04 (Ord. 348.4090) Ord. No. 348.4947 Item 21.4 of 3/2/21 (Effective Date: 4/1/21)

## ARTICLE XIXh COMMERCIAL CANNABIS ACTIVITIES

### SECTION 19.500. PURPOSE AND INTENT.

The purpose of this Article is to protect the public health, safety, and welfare, enact strong and effective regulatory and enforcement controls in compliance with State law, protect neighborhood character, and minimize potential for negative impacts on people, communities, and the environment in the unincorporated areas of Riverside County by establishing land use regulations for Commercial Cannabis Activities. Commercial Cannabis Activities includes Cannabis Cultivation, Cannabis Wholesale Nursery, Cannabis Manufacturing Facility, Cannabis Testing Facility, Cannabis Retailer, and Cannabis Distribution Facility, including Medical Cannabis and Adult-Use Cannabis. Commercial Cannabis Activities require land use regulations due to the unique State legal constraints on Cannabis activity, and the potential environmental and social impacts associated with Cannabis activity.

### SECTION 19.501. PROHIBITED ACTIVITIES.

A. Any Commercial Cannabis Activity that is not expressly provided for in both an approved conditional use permit and a valid Cannabis license issued by the State is prohibited in all zones and is hereby declared a public nuisance that may be abated by the County and is subject to all available legal remedies, including but not limited to civil injunctions.

B. Mobile Cannabis Retailers are prohibited in all zones and may not operate in the unincorporated area of Riverside County.

C. All Cannabis Cultivation shall be conducted in the interior of enclosed structures, facilities or buildings, and all Cannabis Cultivation operations, including all Live Cannabis Plants, at any stage of growth, shall not be visible from the exterior of any structure, facility or building containing Cannabis Cultivation. Portable greenhouses and non-permanent enclosures shall not be used for Cannabis Cultivation unless all applicable permits and licenses have been obtained including, but not limited to, land use permits, building permits and a California license has been issued for a Mixed Light Cannabis Cultivation operation.

D. Outdoor cultivation of Cannabis is prohibited in the unincorporated area of Riverside County.

E. All Commercial Cannabis Activities within any dwelling unit, ADU, Junior ADU, Second Unit, Guest Quarter, MOG, Ranchet, or any other residential accessory structure permitted for residential occupancy is prohibited.

F. Unless a conditional use permit has been approved that includes the retail sales of Cannabis or Cannabis Products no person shall conduct any retail sales of Cannabis or Cannabis Products on or from a permitted Commercial Cannabis Activity.

### SECTION 19.502. APPLICABILITY.

A. Except as provided in Section 19.503 of this Article, Commercial Cannabis Activities shall not be allowed in the unincorporated areas of Riverside County without first obtaining all required land use permits, licenses or other entitlements required by local or State laws and regulations.

B. Cannabis is not an agricultural commodity with respect to Ordinance No. 625, the Right-to-Farm ordinance, and is not considered Farmland or Agriculture as those terms are defined in the Riverside County General Plan or Ordinance No. 625.

C. For the purposes of this Article, Cannabis does not include Industrial Hemp as defined in this ordinance.

## SECTION 19.503. EXEMPTIONS.

This Article does not apply to the activities listed below which shall be accessory to a legally existing private residence and comply with all other applicable State and local laws, requirements, and regulations.

A. Personal Cannabis Cultivation.

This Article shall not prohibit a person 21 years of age or older from engaging in the Indoor Cannabis Cultivation of six or fewer Live Cannabis Plants within a single private residence or inside a detached accessory structure located upon the grounds of a private residence that is fully enclosed and secured, to the extent the cultivation is authorized by Health and Safety Code sections 11362.1 and 11362.2. In no event shall more than six Live Cannabis Plants be allowed per private residence. For purposes of this section, private residence means a one family dwelling, an apartment unit, a mobile home or other similar dwelling.

B. Cannabis Cultivation by a Primary Caregiver.

This Article shall not prohibit the cultivation of Cannabis by a qualified patient or primary caregiver in accordance with Section 12 of Riverside County Ordinance No. 925.

## SECTION 19.504. PROHIBITED LOCATIONS.

Commercial Cannabis Activities are prohibited in the following zones: R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2-A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, C-T, C-R, C-O, R-VC, C/V, C-C/V, WC-R, WC-W, WC-WE, WC-E, W-2, R-D, N-A, W-2-M, W-1, W-E, M-R, and M-R-A.

## SECTION 19.505. PERMIT REQUIREMENTS FOR ALL COMMERCIAL CANNABIS ACTIVITIES.

All Commercial Cannabis Activities shall comply with the following requirements:

A. APPLICATION REQUIREMENTS.

At the time of filing the application for a Commercial Cannabis Activity on a form provided by the Planning Department, the applicant shall also provide the applicable fee for processing the land use permit application.

B. STATE LICENSE REQUIRED.

Obtain the requisite State license for the approved Commercial Cannabis Activity within two (2) years of obtaining an approved conditional use permit for the Commercial Cannabis Activity or prior to a certificate of occupancy, whichever is sooner, and maintain during the life of the Commercial Cannabis Activity the applicable California license issued pursuant to California Business and Professions Code sections 19300.7 or 26050(a) as may be amended from time to time.

C. SUSPENSION, REVOCATION, OR TERMINATION OF STATE LICENSE.

Suspension of a license issued by the State of California, or by any State licensing authority, shall immediately suspend the ability of a Commercial Cannabis Activity to operate within the County until the State, or its respective State licensing authority, reinstates or reissues the State license. Revocation or termination of a license by the State of California, or by any State licensing authority, will also be grounds to revoke or terminate any conditional use permit granted to a Commercial Cannabis Activity pursuant to this Article. Any operator or applicant of a Commercial Cannabis Activity shall provide written notice to the County of any suspension, revocation, or termination of any State license for Commercial Cannabis Activity within 48 hours of such, suspension, revocation, or termination.

D. HEALTH AND SAFETY.

Commercial Cannabis Activities shall at all times be operated in such a way as to ensure the health, safety, and welfare of the public. Commercial Cannabis Activities shall not create a public nuisance or adversely affect the health or safety of the nearby residents, businesses or employees working at the Commercial Cannabis Activity by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, unsafe conditions or other impacts, or be hazardous due to the use or storage of materials, processes, products, and runoff of water, pesticides or wastes.

E. DEVELOPMENT AGREEMENT.

No approval required by this ordinance shall be given for any permit for a Commercial Cannabis Activity unless the Board of Supervisors prior to or concurrently with approves a development agreement, pursuant to Section 18.26b of this ordinance, setting forth the terms and conditions under which the Commercial Cannabis Activity will operate in addition to the requirements of this ordinance, all other local ordinances and regulations, State law and such other terms and conditions that will protect and promote the public health, safety and welfare. No use or operation under any permit for a Commercial Cannabis Activity shall be allowed to begin or continue unless the development agreement is effective and not terminated.

F. NUISANCE ODORS.

Cannabis odor is a public nuisance. All Commercial Cannabis Activities shall be sited and operated in a manner that prevents Cannabis odors from being detected offsite. All Commercial Cannabis Activities shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the Commercial Cannabis Activity that is distinctive to its operation is not detected outside of the operation's facility, anywhere on adjacent lots or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the Commercial Cannabis Activity. In order to control nuisances such as odors, humidity and mold, Commercial Cannabis Activities shall install and maintain at the minimum, the following equipment, or any other equipment that can be proven to be an equally or more effective method or technology to control these nuisances:

1. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally;

2. An air system that creates negative air pressure between the Commercial Cannabis Activities' interior and exterior, so that the odors generated by the Commercial Cannabis Activity are not detectable on the outside of the Commercial Cannabis Activity.

G. COMMERCIAL CANNABIS ACTIVITY OPERATOR QUALIFICATIONS.

1. All operators and all employees of a Commercial Cannabis Activity must be 21 years of age or older.

2. All operators of a Commercial Cannabis Activity shall be subject to background checks.

3. Permits for Commercial Cannabis Activities shall not be granted for operators with felony convictions, as specified in subdivision (c) of Section 667.5 of the Penal Code and subdivision (c) of Section 1192.7 of the Penal Code.

4. Applicants or operators providing false or misleading information in the permitting process will result in rejection of the application or nullification or revocation of any permit granted pursuant to this Article.

H. VERIFIED CANNABIS RELATED VIOLATIONS.

1. Permits for Commercial Cannabis Activity shall not be granted for a period of two (2) years for properties on which the County has verified a recent Cannabis related violation. The two (2) year period commences upon resolution of the recent Cannabis related violation.

2. For the purposes of this section, Cannabis related violations are defined as recent when the violation occurs within one or more of following periods of time:
   a. Within the twelve (12) months prior to submission of an application for a Commercial Cannabis Activity described by this Article; or

b. Anytime after submission of an application for and up to approval of a Commercial Cannabis Activity described by this Article.

3. The Planning Director may waive this penalty for good cause as may be demonstrated by the property owner( s ). A property owner's demonstration of good cause may include, but is not limited to, providing sufficient evidence to show the current property owner(s) did not own the property nor have any involvement with the verified Cannabis related violation on the property or other good faith effort to comply with the County's ordinance.

Added Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/2023)

I. RELOCATION OF A PERMITTED COMMERCIAL CANNABIS ACTIVITY.

In the event the permittee or successor in interest vacates and relocates the Commercial Cannabis Activity to a new location, a new conditional use permit will need to be granted by the County in accordance with this ordinance prior to commencing operations at the new location.

J. HOURS OF OPERATION.

A Commercial Cannabis Activity operating as a Cannabis Retailer may be open to the public seven days a week only between the hours of 6:00 A.M. and 10:00 P.M. All other Commercial Cannabis Activities may operate only during the hours specified in the conditional use permit granted by the County.

K. INSPECTIONS.

A Commercial Cannabis Activity shall be subject to inspections by appropriate local and State agencies, including, but not limited to, the Riverside County Departments of Code Enforcement, Planning, Fire, Public Health, Environmental Health, the Agricultural Commissioner’s Office and the Sheriff’s Department.

L. MONITORING PROGRAM.

Permittees of a Commercial Cannabis Activity shall participate in the County’s monitoring program to verify permit requirements such as, but not limited to, security measures, water use and State track-and-trace requirements.

M. RESTRICTION ON ALCOHOL AND TOBACCO SALES OR CONSUMPTION.

Commercial Cannabis Activities shall not allow the sale, dispensing, or consumption of alcoholic beverages or tobacco on the site of the Commercial Cannabis Activity.

N. RESTRICTION ON CONSUMPTION.

Cannabis shall not be consumed or used on the lot of any Commercial Cannabis Activity.

O. SECURITY.

A Commercial Cannabis Activity shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing Cannabis or Cannabis Products, to deter and prevent the theft of Cannabis or Cannabis Products at the Commercial Cannabis Activity and to ensure emergency access in accordance with applicable Fire Code standards. Guard dogs shall not be used at the Commercial Cannabis Activity as a security measure. Security measures shall include, but not be limited to, the following:

1. A plan to prevent individuals from loitering on the lot if they are not engaging in activity expressly related to the Commercial Cannabis Activity.

2. 24 hour emergency contact information for the owner or an on-site employee which shall be provided to the County.

3. A professionally installed, maintained, and monitored alarm system.

4. Except for Live Cannabis Plants being cultivated at a Cannabis Cultivation facility and limited amounts of Cannabis for display purposes, all Cannabis and Cannabis Products shall be stored in a secured and locked structure and in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft, and loss.

5. 24 hour security surveillance cameras to monitor all entrances and exits to a Commercial Cannabis Activity, all interior spaces within the Commercial Cannabis Activity that are open and accessible to the public, and all interior spaces where Cannabis, cash or currency is being stored for any period of time on a regular basis. The permittee for a Commercial Cannabis Activity shall be responsible for ensuring that the security surveillance camera's footage is accessible. Video recordings shall be maintained for a minimum of 90 days, and shall be made available to the County upon request.

6. Sensors shall be installed to detect entry and exit from all secure areas.

7. Panic buttons shall be installed in all Commercial Cannabis Activities.

8. Any bars installed on the windows or the doors of a Commercial Cannabis Activity shall be installed only on the interior of the building.

9. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services.

10. A Commercial Cannabis Activity shall have the capability to remain secure during a power outage and all access doors shall not be solely controlled by an electronic access panel to ensure locks are not released during a power outage.

11. A Commercial Cannabis Activity shall cooperate with the County and, upon reasonable notice to the Commercial Cannabis Activity, allow the County to inspect or audit the effectiveness of the security plan for the Commercial Cannabis Activity.

12. The permittee for a Commercial Cannabis Activity shall notify the Riverside County Sheriff's Department immediately after discovering any of the following:

    a. Significant discrepancies identified during inventory.

    b. Diversion, theft, loss, or any criminal activity involving the Commercial Cannabis Activity or any agent or employee of the Commercial Cannabis Activity.

    c. The loss or unauthorized alteration of records related to Cannabis, registering qualifying patients, primary caregivers, or employees or agents of the Commercial Cannabis Activity.

    d. Any other breach of security.

13. Firearms shall not be permitted at a Commercial Cannabis Activity by an owner, manager, employee, volunteer, independent contractor, or designee other than those individuals authorized as a State Licensed Security Personnel.

14. Cannabis or Cannabis Products shall not be stored outside at any time.

P. PERMIT AND LICENSE POSTING.

The permittee shall post or cause to be posted at the Commercial Cannabis Activity all required County and State permits and licenses to operate. Such posting shall be in a central location, visible to the patrons, and in all vehicles that deliver or transport Cannabis.

Q. SIGNAGE.

Signage for a Commercial Cannabis Activity shall comply with the following:

1. In addition to the requirements set forth in this section and California Business and Professions Code section 26152 as may be amended, business identification signage for a Commercial Cannabis Activity shall comply with Section 19.4 of this ordinance.

2. No Commercial Cannabis Activity shall advertise by having a person or device holding a sign or an air dancer sign advertising the activity to passersby, whether such person, device or air dancer is on the lot of the Commercial Cannabis Activity or elsewhere including, but not limited to, the public right-of-way.

3. No Commercial Cannabis Activity shall publish or distribute advertising or marketing that is attractive to children.

4. No Commercial Cannabis Activity shall advertise or market Cannabis or Cannabis Products on motor vehicles.

5. No sign shall advertise or market Cannabis or Cannabis Products in a manner intended to encourage persons under 21 years of age to consume Cannabis or Cannabis Products.

6. No signs placed on the lot of a Commercial Cannabis Activity shall obstruct any entrance or exit to the building or any window.

7. Each entrance to a Commercial Cannabis Activity shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming Cannabis on the lot of the Commercial Cannabis Activity is prohibited.

8. No banners, flags, billboards, or other prohibited signs may be used at any time.

R. RECORDS.

1. Each owner and permittee of a Commercial Cannabis Activity shall maintain clear and adequate records and documentation demonstrating that all Cannabis or Cannabis Products have been obtained from and are provided to other permitted and licensed Commercial Cannabis Activity operations. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon written request.

2. Each owner and permittee of a Commercial Cannabis Activity shall maintain a current register of the names and contact information, including name, address, and telephone number, of anyone owning or holding an ownership interest in the Commercial Cannabis Activity, and of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the Commercial Cannabis Activity. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.

3. All Commercial Cannabis Activities shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all Cannabis and Cannabis Products for all stages of the growing and production or manufacturing, laboratory testing and distribution processes until purchase by or distribution to a qualified patient, primary caregiver for medical purpose or an adult 21 years of age or older who qualifies to purchase Adult-Use Cannabis.

S. WATER.

All Commercial Cannabis Activities shall obtain a 'Will Serve' letter from the applicable water purveyor, indicating agreement to supply water for the Commercial Cannabis Activity. The letter shall include the activity proposed and any improvements required for service. For Commercial Cannabis Activities where water service is not available, conditions from the Department of Environmental Health for a permitted onsite, in-ground well will be required for the conditional use permit. Irrigation and domestic water supplies shall not include water transported by vehicle from off-site sources.

T. WASTE WATER.

All Commercial Cannabis Activities shall obtain a 'Will Serve' letter from the applicable sanitary sewer purveyor, indicating agreement to supply sewer for the Commercial Cannabis Activity. The letter shall include the activity proposed and any improvements required for service. For Commercial Cannabis Activities where sewer service is not available, conditions from the Department of Environmental Health will be required for the conditional use permit. Where sanitary sewer is not available, the applicant shall obtain clearance from the appropriate regional water quality control board.

U. PARKING.

Parking shall be provided in accordance with Section 18.12 of this ordinance.

V. VISIBILITY.

In no case shall Live Cannabis Plants be visible from a public or private road, sidewalk, park or common public viewing area.

W. HAZARDOUS MATERIALS.

All Commercial Cannabis Activities that utilize hazardous materials shall comply with applicable hazardous waste generator, Riverside County Ordinance No. 615, and hazardous materials handling, Riverside County Ordinance No. 651, requirements and maintain any applicable permits for these programs from the Riverside County Fire Department, the Riverside County Department of Environmental Health, the Riverside County Department of Waste Resources and the Agricultural Commissioner.

X. COMPLIANCE WITH LOCAL AND STATE LAWS AND REGULATIONS.

1. All Commercial Cannabis Activities shall comply with all applicable local and State laws, ordinances and regulations related to, but not limited to, the following: the California Environmental Quality Act, California Building Code, California Fire Code, Riverside County Ordinance No. 787, Riverside County Ordinance No. 457, Riverside County Ordinance No. 657, Riverside County Ordinance No. 745, Airport Land Use Compatibility Plans, weights and measures regulations, track and trace requirements, pesticide use, water quality, storm water discharge and the grading of land.

2. All buildings and structures, including greenhouse, hoop structures, or other similar structures shall comply with all applicable Building, Fire, and Safety laws and regulations. All buildings and structures shall be reviewed by the Riverside County Building and Safety Department in accordance with the California Building Code and Riverside County Ordinance No. 457 and by the Riverside County Fire Department in accordance with Riverside County Ordinance No. 787 and the California Fire Code.

Y. MATERIAL ALTERATIONS TO PREMISES.

No physical change, alteration, or modification shall be made to a Premises without first obtaining the appropriate approvals from the County, including but not limited a substantial conformance or revised permit and all other necessary permits. Alterations or modifications requiring approval include, without limitation: (i) the removal, creation, or relocation of a common entryway, doorway, passage, or a means of public entry or exit, when such common entryway, doorway, or passage alters or changes limited-access areas within the Premises; (ii) the removal, creation, addition, or relocation of a Cannabis Cultivation Area; (iii) or the addition or alteration of a water supply. The requirement of this Section is in addition to compliance with any other applicable State or local law or regulation pertaining to approval of building modifications, zoning, and land use requirements. In the event that the proposed modification requires a new or modified conditional use permit such permit must be obtained prior to issuance of building permits.

Z. MULTIPLE COMMERCIAL CANNABIS ACTIVITIES.

Multiple Commercial Cannabis Activities may be allowed on the same lot provided the proposed activities are allowed in the zone classification and meet all requirements in this Article and State Law.

**SECTION 19.506. PUBLIC HEARING AND REQUIREMENTS FOR APPROVAL.**

A. A public hearing shall be held on the application for a conditional use permit in accordance with the provisions of Section 18.26 of this ordinance and all of the procedural requirements and rights of appeal set forth therein shall govern the public hearing.

B. No conditional use permit for a Commercial Cannabis Activity shall be approved unless the following findings are made:

1. The permit is consistent with the General Plan, any applicable specific plan, and the zoning classification.

2. The permit complies with the requirements of Sections 18.12, 18.28, 19.505, as applicable, of this ordinance.

3. The permit complies with all the requirements and findings of this Article for the applicable the Commercial Cannabis Activity(ies).

4. The permit complies with the development standards for the zoning classification in which the Commercial Cannabis Activity is located.

5. The permit will not be detrimental to the public health, safety or general welfare.

C. Conditional use permits shall be subject to all conditions necessary or convenient to assure that the Commercial Cannabis Activity will satisfy the requirements of this Article.

**SECTION 19.507. PERMIT EXPIRATION.**

A. All conditional use permits granted for a Commercial Cannabis Activity shall expire and become null and void provided in each permit's conditions of approval and development agreement.

## SECTION 19.508. OUTDOOR CANNABIS CULTIVATION PROHIBITED.

Notwithstanding any other provision of this ordinance, Outdoor Cannabis Cultivation of Mature Cannabis Plants is prohibited in all zone classifications.

## SECTION 19.509. INDOOR (ARTIFICIAL LIGHT) CANNABIS CULTIVATION.

A. ZONING.

Notwithstanding any other provision of this ordinance, Indoor Cannabis Cultivation is allowed as follows:

1. Specialty Cottage Indoor Cannabis Cultivation.

   Specialty Cottage Indoor Cannabis Cultivation is allowed in the following zone classifications with an approved conditional use permit in accordance with section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2 and A-D.
   .
2. Specialty Indoor Cannabis Cultivation.

   Specialty Indoor Cannabis Cultivation is allowed in the following zone classifications with an approved conditional use permit in accordance with section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2 and A-D.

3. Small Indoor Cannabis Cultivation.

   Specialty Indoor Cannabis Cultivation is allowed in the following zone classifications with an approved conditional use permit in accordance with section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2 and A-D.

4. Medium Indoor Cannabis Cultivation.

   Medium Indoor Cannabis Cultivation is allowed on lots one gross acre or more in the following zone classifications with an approved conditional use permit in accordance with section 18.28 of this ordinance: I-P, M-SC, M-M and M-H.

B. SIZE LIMITATIONS

1. All Indoor Cannabis Cultivations shall not exceed the Canopy size threshold established by State law.

2. The Canopy size does not include immature Live Cannabis Plants that are not flowering. Pursuant to State law, should a Live Cannabis Plant outside of the Canopy area(s) begin to flower, a plant tag shall be applied, the Live Cannabis Plant shall be moved to a designated Canopy area, and reported in the track and trace system without delay.

3. The Canopy size on a lot for a Specialty Cottage Indoor Cannabis Cultivation shall not exceed 500 square feet.

4. The Canopy size on a lot for a Specialty Indoor Cannabis Cultivation shall not exceed 5,000 square feet.

5. The Canopy size on a lot for a Small Indoor Cannabis Cultivation shall not exceed 10,000 square feet.

6. The Canopy size on a lot for a Medium Indoor Cannabis Cultivation shall not exceed 22,000 square feet except as provided for in 19.509.B.7.

7. Multiple Indoor Cannabis Cultivations may operate on a single lot provided all the following is complied with:

   a. A conditional use permit has been granted for Indoor Cannabis Cultivation and specifies the number and size of each proposed licensed Premises.

   b. The individual Canopy size for each Indoor Cannabis Cultivation operation complies with State law, and the cumulative Canopy area for all the Indoor Cannabis Cultivation operations on one lot does not exceed the total amount of 43,560 square feet.

8. For properties with an approved conditional use permit for Indoor Cannabis Cultivation and Cannabis Wholesale Nursery, the calculated Canopy size for Indoor Cannabis Cultivation does not include the area of the property for the Cannabis Wholesale Nursery.

## SECTION 19.510. MIXED LIGHT CANNABIS CULTIVATION.

A. ZONES.

Notwithstanding any other provision of this ordinance, Mixed Light Cannabis Cultivation is allowed as follows:

1. Specialty Cottage Mixed Light Cannabis Cultivation.

   Specialty Cottage Mixed Light Cannabis Cultivation is allowed on lots one gross acre or more in the following zone classifications with an approved conditional use permit in accordance with Section 18.28 of this ordinance: A-1, A-P, A-2 and A-D.

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2. Specialty Mixed Light Cannabis Cultivation.

Specialty Mixed Light Cannabis Cultivation is allowed on lots one and one-half gross acres or more in the following zone classifications with an approved conditional use permit in accordance with Section 18.28 of this ordinance: A-1, A-P, A-2 and A-D.

3. Small Mixed Light Cannabis Cultivation.

   Small Mixed Light Cannabis Cultivation is allowed on lots two and one-half gross acres in the following zone classifications with an approved conditional use permit in accordance with section 18.28 of this ordinance: A-1, A-P, A-2 and A-D.

4. Medium Mixed Light Cannabis Cultivation.

   Medium Mixed Light Cannabis Cultivation is allowed on lots five gross acres or more in the following zone classifications with an approved conditional use permit in accordance with Section 18.28 of this ordinance: A-1, A-2.

B. SIZE LIMITATIONS

1. A Mixed Light Cannabis Cultivation shall not exceed the Canopy size threshold established by State law.

2. The Canopy size does not include immature Live Cannabis Plants that are not flowering. Pursuant to State Law, should a Live Cannabis Plant outside of the Canopy area(s) begin to flower, a plant tag shall be applied, the Live Cannabis Plant shall be moved to a designated Canopy area, and reported in the track and trace system without delay.

3. The Canopy size on a single lot for a Specialty Cottage Mixed Light Cannabis Cultivation shall not exceed 2,500 square feet.

4. The Canopy size on a single lot for a Specialty Mixed Light Cannabis Cultivation shall not exceed 5,000 square feet.

5. The Canopy size on a single lot for a Small Mixed Light Cannabis Cultivation shall not exceed 10,000 square feet.

6. The Canopy size on a single lot for a Medium Mixed Light Cannabis Cultivation shall not exceed 22,000 square feet except as provided for in 19.510.B.7.

7. Multiple Mixed Light Cannabis Cultivation operations may operate on a single lot provided all the following is complied with:

   a. A conditional use permit has been granted for Mixed Light Cannabis Cultivation and specifies the number and size of each proposed licensed Premises.

   b. The individual Canopy size for each Mixed Light Cannabis Cultivation operation complies with State law and the cumulative Canopy area for all the Mixed Light

Cannabis Cultivation operations does not exceed the total amount of 43,560 square feet.

8. For properties with an approved conditional use permit for Mixed Light Cannabis Cultivation and Cannabis Wholesale Nursery, the calculated Canopy size for Mixed Light Cannabis Cultivation does not include the area of the property for the Cannabis Wholesale Nursery.

## SECTION 19.511. CANNABIS CULTIVATION STANDARDS.

In addition to the approval requirements in Section 19.506 of this ordinance and the development standards in the applicable zoning classification, Cannabis Cultivation operations shall comply with the standards provided below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

A. LOCATION REQUIREMENTS.

1. Indoor and Mixed Light Cannabis Cultivation shall not be located within 1,000 feet of any Child Day Care Center, K-12 school, public park, or Youth Center. This distance shall be measured from the nearest points of the respective property lines using a direct straight-line measurement without regard to intervening structures, as specified in subdivision (b) of Section 26054 of the Business and Professions Code. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance. In no case shall the distance be less than allowed by State law.

2. Indoor Cannabis Cultivation and Mixed Light Cannabis Cultivation are not allowed in an established agricultural preserve or on a lot under a land conservation contract pursuant to the Williamson Act. Indoor Cannabis Cultivation and Mixed Light Cannabis Cultivation shall not be considered agriculture for the purposes of Ordinance No. 625 the County's Right-to-Farm Ordinance.

3. All Cannabis Cultivation is prohibited on natural slopes 25% or greater.

B. MINIMUM LOT SIZE.

1. **Minimum lot size for Indoor Cannabis Cultivation.** The minimum lot size for Indoor Cannabis Cultivation is provided below:

| Commercial Cannabis Activity | Minimum Lot Size (Square Feet) | Allowable Zone(s) |
|---|---|---|
| **Specialty** | Minimum lot size | C-1/C-P, C-P-S, I-P, M-SC, M-M, |

| | | |
|---|---|---|
| **Cottage** | per Zone | M-H, A-1, A-P, A-2, A-D |
| **Specialty** | Minimum lot size per Zone | C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2, A-D |
| **Small** | Minimum lot size per Zone | C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2, A-D |
| **Medium** | Minimum lot size per Zone | I-P, M-SC, M-M, M-H |

2. **Minimum lot size for Mixed Light Cannabis Cultivation.** The minimum lot size for Mixed Light Cannabis Cultivation is provided below:

| Commercial Cannabis Activity | Minimum Lot Size (Gross Acres) | Allowable Zone(s) |
|---|---|---|
| **Specialty Cottage** | 1 | A-1, A-P, A-2, A-D |
| **Specialty** | 1.5 | A-1, A-P, A-2, A-D |
| **Small** | 2.5 | A-1, A-P, A-2, A-D |
| **Medium** | 5 | A-1, A-2 |

C. MINIMUM LOT DIMENSIONS.

The minimum average lot width for Mixed Light Cannabis Cultivation lots shall be 150 feet.

D. SETBACKS.

1. Indoor Cannabis Cultivation:

   All Indoor Cannabis Cultivation shall comply with the setback standards for the zone classification in which they are located.

2. Mixed Light Cannabis Cultivation:

   a. Except for Medium Mixed Light Cannabis Cultivation, the Cannabis Cultivation Area for Mixed Light Cannabis Cultivation shall be setback a minimum of 50 feet from all lot lines and public right-of-ways.

   b. The Cannabis Cultivation Area for Medium Mixed Light Cannabis Cultivation shall be setback a minimum of 100 feet from all lot lines and public right-of-ways.

c. The Cannabis Cultivation Area for all Mixed Light Cannabis Cultivation shall be located a minimum of 50 feet from the drip line of any riparian vegetation of any watercourse.

d. All hoop structures, greenhouses and other similar structures used for all Mixed Light Cannabis Cultivation shall be separated by a minimum of 6 feet.

e. When adjacent to a residentially zoned lot, the Cannabis Cultivation Area for all Mixed Light Cannabis Cultivation shall be setback a minimum of 100 feet from the adjacent residentially zoned lot lines.

3. Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of this ordinance. In no case shall a setback be less than the setbacks required by the State of California Department of Food and Agriculture or other applicable State law.

E. SCREENING AND FENCING.

All Mixed Light Cannabis Cultivation shall occur within a secure fence at least 6 feet in height that fully encloses the Cannabis Cultivation Premises or Cannabis Cultivation Area and prevents easy access to the Cannabis Cultivation Area. The fence must be solid, durable and include a lockable gate(s) that is locked at all times, except for during times of active ingress and egress. Fences shall be separated by a minimum of six feet from all cultivation structures, providing a clear six foot path. The fence shall comply with all other applicable County ordinances, policies, and design standards related to height, location, materials, or other fencing restrictions. Cannabis Cultivation Areas shall not be secured by fences with barbed wire or screened with plastic sheeting on chain link. Chain link with slats is allowed.

F. ENCLOSURES.

1. Cannabis Cultivation operations shall occur within a fully enclosed permitted building, greenhouse, hoop structure, or other similar structure. Mixed light supplemental lighting shall not exceed 25 watts per square foot to be used up to one hour before sunrise or after sunset, unless the building or structure is equipped with light-blocking measures to ensure that no light escapes.

2. All greenhouses, hoop structures, or other similar structures shall comply with Section 19.505.X. of this article.

G. ENERGY CONSERVATION MEASURES.

All Cannabis Cultivation operations shall include adequate measures to address the projected energy demand for Cannabis Cultivation at the lot. On-site renewable energy generation shall be required for all Indoor Cannabis Cultivation operations. Renewable energy systems shall be designed to comply with the County's Climate Action Plan and all state laws, mandates, and regulations regarding electrical power and solar, including the requirements of the California Energy Code. If there is a difference between the

requirements of the County's Climate Action Plan and any state law, mandate, or regulation, the Cannabis Cultivation operation shall comply with whichever requirement is greater.

H. WATER CONSERVATION MEASURES.

All Cannabis Cultivation operations shall include adequate measures that minimize use of water for cultivation on the lot. Water conservation measures, water capture systems, or grey water systems shall be incorporated into the operations in order to minimize use of water where feasible.

I. OPERATIONS.

1. Indoor Cannabis Cultivation shall be within a fully enclosed building or buildings.

2. All Cannabis Cultivation lighting shall be fully shielded, downward casting and not spill over onto structures, other properties or the night sky. All Indoor and Mixed Light Cannabis Cultivation operations shall be fully contained so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise.

3. All Cannabis Cultivation operations shall accumulate or store garbage and refuse in a nonabsorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. All garbage and refuse on the site shall not be accumulated or stored for more than seven calendar days, and shall be properly disposed of before the end of the seventh day. All waste, including but not limited to refuse, garbage, green waste and recyclables, must be disposed of in accordance with County and State laws and regulations. All waste generated from Cannabis Cultivation operations must be properly stored and secured to prevent access from the public.

4. Onsite generators are prohibited, except as a source of energy in an emergencies. Onsite generators for emergency use shall be included in the conditional use permit.

5. Cannabis Cultivation within the A-1, A-P, A-2, and A-D Zones shall not include the retail sales of Cannabis or Cannabis Products.

J. TRANSPORT-ONLY DISTRIBUTION.

Cannabis Cultivation operations with an approved conditional use permit may transport the Cannabis the licensee has cultivated to another Commercial Cannabis Activity licensee, only if the Cannabis Cultivation operator also has an approved transport-only distribution license in accordance with California Code of Regulations section 15315 and all other applicable State law. This type of transport-only distribution is not considered Cannabis Distribution for the purposes of this Article.

K. FINDINGS.

In addition to the requirements for approval in Section 19.506 of this ordinance, no conditional use permit shall be approved or conditionally approved unless the following findings are made:

1. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation complies with all the requirements of the State and County for Cannabis Cultivation.

2. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center or a variance in accordance with Section 18.27 of this ordinance has been approved allowing a shorter distance, but not less than allowed by State law. The distance is measured in accordance with Section 19.511.A.1.

3. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation includes adequate measures that minimize use of water for cultivation on the lot.

4. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation includes adequate quality control measures to ensure cultivation on the lot meets State and County regulatory standards.

5. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation includes adequate measures that address enforcement priorities for cultivation including restricting access to minors, and ensuring that Cannabis is not supplied to unlicensed or unpermitted persons.

6. The Indoor Cannabis Cultivation or Mixed Cannabis Cultivation will operate in a manner that prevents Cannabis odors from being detected offsite.

## SECTION 19.512. CANNABIS WHOLESALE NURSERIES.

A. APPLICABILITY.

Notwithstanding any other provision of this ordinance, Cannabis Wholesale Nurseries are allowed as follows:

1. Outdoor Cannabis Wholesale Nurseries.

   Outdoor Cannabis Wholesale Nurseries are allowed on lots larger than or equal to two gross acres in the following zone classifications with an approved conditional use permit in accordance with Section 18.28 of this ordinance: A-1, A-P, A-2 and A-D.

2. Indoor Cannabis Wholesale Nurseries.

   Indoor Cannabis Wholesale Nurseries are allowed in the following zone classifications with an approved conditional use permit in accordance with Section 18.28 of this ordinance: I-P, M-SC, M-M and M-H.

3. Mixed Light Cannabis Wholesale Nurseries.

   Mixed Light Cannabis Wholesale Nurseries are allowed on lots larger than or equal to one gross acre in the following zone classifications with an approved conditional use permit in accordance with Section 18.28 of this ordinance: A-1, A-P, A-2 and A-D.

## SECTION 19.513. CANNABIS WHOLESALE NURSERIES STANDARDS.

In addition to the approval requirements in Section 19.506 of this ordinance and the development standards for the applicable zoning classification, Cannabis Wholesale Nurseries shall comply with the standards provided below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

A. GENERAL LOCATION.

Cannabis Wholesale Nurseries shall not be located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. This distance shall be measured from the nearest points of the respective property lines using a direct straight-line measurement without regard to intervening structures, as specified in subdivision (b) of Section 26054 of the Business and Professions Code. A new adjacent use will not affect the continuation of an existing use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location meets the minimum requirements of State law and may not be modified with approval of a variance.

B. MINIMUM LOT SIZE.

1. **Minimum lot size for Outdoor Cannabis Wholesale Nurseries**. The minimum lot size for Outdoor Cannabis Wholesale Nurseries is listed below:

| **Activity** | Minimum Lot Size (Gross Acres) | Allowable Zone(s) |
|---|---|---|
| **Outdoor Cannabis Wholesale Nursery** | 2 | A-1, A-P, A-2, A-D |

2. **Minimum lot size for Indoor Cannabis Wholesale Nurseries**. The minimum lot size for Indoor Cannabis Wholesale Nurseries is listed below:

| **Activity** | **Minimum Lot Size (Gross Acres)** | **Allowable Zone(s)** |
|---|---|---|

| | | |
|---|---|---|
| **Indoor Cannabis Wholesale Nursery** | Minimum lot size per Zone | I-P, M-SC, M-M, M-H |

3. **Minimum lot size for Mixed Light Cannabis Wholesale Nurseries**. The minimum lot size for Mixed Light Cannabis Wholesale Nurseries is listed below:

| Activity | Minimum Lot Size (Gross Acres) | Allowable Zone(s) |
|---|---|---|
| **Mixed Light Cannabis Wholesale Nursery** | 1 | A-1, A-2 |

C. MINIMUM LOT DIMENSIONS.

The minimum average lot width for Cannabis Wholesale Nurseries shall be 150 feet.

D. SETBACKS.

1. The Premises for all Cannabis Wholesale Nurseries shall be setback a minimum of 50 feet from the lot lines and public right-of ways.

2. The Premises for all Outdoor and Mixed Light Cannabis Wholesale Nurseries shall be setback a minimum of 50 feet from the drip line of any riparian vegetation of any watercourse.

3. Setbacks may be modified with the approval of a setback adjustment in accordance with Section 18.33 of this ordinance. In no case shall a setback be less than setbacks required by the State of California Department of Food and Agriculture, or other applicable State law.

E. SCREENING AND FENCING.

Live Cannabis Plants shall not be visible from outside of the lot for a Cannabis Wholesale Nursery. All Cannabis Wholesale Nursery activities shall occur within a secure fence at least six feet in height that fully encloses the Premises of the Cannabis Wholesale Nursery and prevents easy access to the Premises. The fence must be solid, durable and include a lockable gate(s) that is locked at all times, except for during times of active ingress and egress. Fences shall be separated by a minimum of six feet from all Cannabis Wholesale Nursery structures, providing a clear six foot path. The fence shall comply with all other applicable County ordinances, policies, and design standards related to height, location, materials, or other fencing restrictions. Cannabis Wholesale Nursery Premises shall not be

secured by fences with barbed wire or screened with plastic sheeting on chain link. Chain link with slats is allowed.

F. MATURE CANNABIS PLANTS.

1. Mature Cannabis Plants as defined by the California Department of Food and Agriculture are not allowed to be grown, kept, stored or sold in the Cannabis Wholesale Nursery area of the property.

2. For properties with an approved conditional use permit for Cannabis Wholesale Nursery and Indoor Cannabis Cultivation and/or Mixed Light Cannabis Cultivation, Mature Cannabis Plants shall not be grown, kept, stored or sold in the Cannabis Wholesale Nursery area of the property.

3. Exception: Mature Cannabis Plants may be kept at the Cannabis Wholesale Nursery for seed production and/or research and development, as allowed by State Law.

G. ENCLOSURES.

1. Except for outdoor Cannabis Wholesale Nurseries, operations shall occur within a fully enclosed permitted building, greenhouse, hoop structure, or other similar structure. Mixed light supplemental lighting shall not exceed 25 watts per square foot to be used up to one hour before sunrise or after sunset, unless the building or structure is equipped with light-blocking measures to ensure that no light escapes.

2. All greenhouses, hoop structures, or other similar structures shall comply with Section 19.505.X. of the Article.

H. ENERGY CONSERVATION MEASURES.

Cannabis Wholesale Nurseries shall include adequate measures to address the projected energy demand for Cannabis Cultivation on the lot. On-site renewable energy generation shall be required for all Indoor Cannabis Wholesale Nursery operations. Renewable energy systems shall be designed to comply with the County's Climate Action Plan and all state laws, mandates, and regulations regarding electrical power and solar, including the requirements of the California Energy Code. If there is a difference between the requirements of the County's Climate Action Plan and any state law, mandate, or regulation, the Cannabis Cultivation operation shall comply with whichever requirement is greater.

I. WATER CONSERVATION MEASURES.

Cannabis Wholesale Nursery operations shall include adequate measures that minimize use of water for Cannabis Cultivation at the site. Water conservation measures, water capture systems, or grey water systems shall be incorporated into Cannabis cultivation in order to minimize use of water where feasible.

J. TRANSPORT-ONLY DISTRIBUTION.

Cannabis Wholesale Nursery operations with an approved conditional use permit may transport the Cannabis the licensee has cultivated to another Commercial Cannabis Activity licensee, only if the operator also has an approved transport-only distribution license in accordance with California Code of Regulations section 15315 and all other applicable State law. This type of transport-only distribution is not considered Cannabis Distribution for the purposes of this Article.

K. FINDINGS.

In addition to the requirements for approval in Section 19.506 of this ordinance, no conditional use permit shall be approved or conditionally approved unless the following findings are made:

1. The Cannabis Wholesale Nursery complies with all the requirements of the State and County for the cultivation of Cannabis and Cannabis Wholesale Nurseries.

2. The Cannabis Wholesale Nursery is not located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. The distance is measured in accordance with Section 19.513.A. This location meets the minimum requirements of State law and may not be modified with approval of a variance.

3. The Cannabis Wholesale Nursery includes adequate measures that minimize use of water for activities at the site.

4. The Cannabis Wholesale Nursery includes adequate quality control measures to ensure Cannabis kept on the lot meets State regulatory standards.

5. The Cannabis Wholesale Nursery includes adequate measures that address enforcement priorities for Cannabis activities including restricting access to minors, and ensuring that Cannabis and Cannabis Products are not supplied to unlicensed or unpermitted persons within the State and not distributed out of State.

6. The Cannabis Wholesale Nursery will operate in a manner that prevents cannabis odors from being detected offsite.

## SECTION 19.514. CANNABIS MANUFACTURING FACILITIES.

A. APPLICABILITY.

Notwithstanding any other provision of this ordinance, Cannabis Manufacturing Facilities are allowed as follows:

1. Non-Volatile Cannabis Manufacturing Facility.

Non-volatile Cannabis Manufacturing Facilities for extractions using mechanical methods or using non-volatile solvents, requiring a Type 6 State license, are allowed in the following zones with an approved conditional use permit in accordance with Section

18.28 of this ordinance: I-P, M-SC, M-M and M-H. These facilities may also conduct infusion operations and packaging and labeling of Cannabis Products.

2. Type N Cannabis Manufacturing Facilities.

   Cannabis Manufacturing Facilities that produce Edible Cannabis Products or topical Cannabis products using infusion processes, or other types of Cannabis Products other than extracts or concentrates, requiring a Type N State license, are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: I-P, M-SC, M-M, M-H, and M-U. These facilities may also package and label Cannabis Products.

3. Type P Cannabis Manufacturing Facilities.

   Cannabis Manufacturing Facilities that only package or repackage Cannabis Products or label or relabel the Cannabis Product container or wrapper, requiring a Type P State license, are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, and M-U.

4. Volatile Cannabis Manufacturing Facility.

   Cannabis Manufacturing Facilities involving volatile processes or substances, requiring a Type 7 volatile manufacturing State license, are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: I-P, M-SC, M-M and M-H. A Volatile Cannabis Manufacturing Facility may also conduct extractions using nonvolatile solvents or mechanical methods, conduct infusion operations and conduct packaging and labeling of Cannabis Products.

5. Shared-Use Cannabis Manufacturing Facility.

   A Shared-Use Cannabis Manufacturing Facility is allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: I-P, M-SC, M-M and M-H. A Shared-Use Cannabis Manufacturing Facility may include the following facilities: a non-volatile Cannabis Manufacturing Facility, an infusion only Cannabis Manufacturing Facility or a volatile Cannabis Manufacturing Facility. The conditional use permit for a Shared-Use Cannabis Manufacturing Facility shall identify the types of facilities operating at the Shared-Use Cannabis Manufacturing Facility.

## SECTION 19.515. CANNABIS MANUFACTURING FACILITIES STANDARDS.

In addition to the approval requirements in Section 19.506 of this ordinance and the development standards for the applicable zoning classification, Cannabis Manufacturing Facilities shall comply with the standards provided below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

A. GENERAL LOCATION.

Cannabis Manufacturing Facilities shall not be located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. This distance shall be measured from the nearest points of the respective property lines using a direct straight-line measurement without regard to intervening structures, as specified in subdivision (b) of Section 26054 of the Business and Professions Code. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location meets the minimum requirements of State law and may not be modified with approval of a variance.

B. MINIMUM LOT SIZE.

The minimum lot size for a Cannabis Manufacturing Facility shall be 10,000 square feet.

C. SETBACKS.

1. Cannabis Manufacturing Facilities shall comply with the setback standards for the zone classification in which they are located, except Volatile and Shared-Use Cannabis Manufacturing Facilities shall also be setback from a residential zone a minimum of 40 feet, which may include landscaping as required.

2. Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of this ordinance. In no case shall a setback be less than setbacks required by the State of California Department of Cannabis Control, the California Building Code, Ordinance No. 457, or other applicable State law.

D. LIMITATION ON THE MANUFACTURING OF EDIBLE CANNABIS PRODUCTS.

Cannabis Manufacturing Facilities shall not manufacture Edible Cannabis Products in the shape of animals, people, insects, or fruit.

E. OPERATIONS.

1. Any compressed gases used in the manufacturing process shall not be stored on any lot in containers that exceeds the amount which is approved by the Riverside County Fire Department and authorized by the conditional use permit.

2. Closed loop systems for compressed gas extraction systems must be commercially manufactured, bear a permanently affixed and visible serial number and certified by an engineer licensed by the State of California that the system was commercially manufactured, is safe for its intended use, and was built to codes of recognized and generally accepted good engineering practices.

3. Cannabis Manufacturing Facilities shall have a training program for persons using solvents or gases in a closed looped system to create cannabis extracts on how to use

the system, to access applicable material safety data sheets and to handle and store the solvents and gases safely.

F. TRANSPORT-ONLY DISTRIBUTION.

Cannabis Manufacturing Facilities with an approved conditional use permit may transport Cannabis Products the licensee has manufactured to another Commercial Cannabis Activity licensee, only if the Cannabis Manufacturing Facility operator also has an approved transport-only distribution license in accordance with California Code of Regulations section 15315 and all other applicable State law. This type of transport-only distribution is not considered Cannabis Distribution for the purpose of this Article.

**G.** FINDINGS.

In addition to the requirements for approval in Section 19.506 of this ordinance, no conditional use permit shall be approved or conditionally approved unless the following findings are made:

1. The Cannabis Manufacturing Facility complies with all the requirements of the State and County for the manufacturing of Cannabis.

2. The Cannabis Manufacturing Facility does not pose a significant threat to the public or to neighboring uses from explosion or from release of harmful gases, liquids, or substances.

3. The Cannabis Manufacturing Facility includes adequate quality control measures to ensure Cannabis manufactured at the facility meets industry standards and includes a documented employee safety training program, a Materials Data Safety Sheet, and meets all requirements in Health and Safety Code Section 11362.775, as it may be amended from time to time.

4. The Cannabis Manufacturing Facility includes adequate measures that address enforcement priorities for Cannabis activities including restricting access to minors, and ensuring that Cannabis and Cannabis Products are obtained from and supplied only to other permitted licensed sources within the State and not distributed out of State.

5. The Cannabis Manufacturing Facility is not located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. The distance is measured in accordance with Section 19.515.A. This location meets the minimum requirements of State law and may not be modified with approval of a variance.

## SECTION 19.516. CANNABIS TESTING FACILITIES.

A. APPLICABILITY.

Notwithstanding any other provision of this ordinance, Cannabis Testing Facilities are allowed in the following zone classifications with an approved conditional use permit in

accordance with Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, and M-H.

B. NO MULTIPLE USE PERMITS.

No other Commercial Cannabis Activity shall be allowed on a lot that has an approved conditional use permit for a Cannabis Testing Facility.

## SECTION 19.517. CANNABIS TESTING FACILITIES STANDARDS.

In addition to the approval requirements in Section 19.506 of this ordinance and the development standards for the applicable zoning classification, Cannabis Testing Facilities shall comply with the standards provided below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

A. GENERAL LOCATION.

Cannabis Testing Facilities shall not be located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. This distance shall be measured from the nearest points of the respective property lines using a direct straight-line measurement without regard to intervening structures, as specified in subdivision (b) of Section 26054 of the Business and Professions Code. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location meets the minimum requirements of State law and may not be modified with approval of a variance.

B. SETBACKS.

1. Cannabis Testing Facilities shall comply with the setback standards for the zone classification in which they are located.

2. Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of this ordinance. In no case shall a setback be less than setbacks required by the State of California Department of Cannabis Control, the California Building Code, Ordinance No. 457, or other applicable State law.

C. OPERATIONS.

1. Cannabis Testing Facilities shall be required to conduct all testing in a manner pursuant to Business and Professions Code section 26100 and shall be subject to State and local law and regulations.

2. Cannabis Testing Facilities shall not be open to the public.

D. FINDINGS.

In addition to the requirements for approval in Section 19.506 of this ordinance, no conditional use permit shall be approved or conditionally approved unless the following findings are made:

1. The Cannabis Testing Facility complies with all the applicable requirements of the State and County for the testing of Cannabis.

2. The owners, permittees, operators, and employees of the Cannabis Testing Facility are not associated with any other Commercial Cannabis Activity.

3. The Cannabis Testing Facility is accredited by an appropriate accrediting agency as approved by the State and in compliance with the California Code of Regulations.

4. The Cannabis Testing Facility's operating plan demonstrates proper protocols and procedures for statistically valid sampling methods and accurate certification of Cannabis and Cannabis Products for potency, purity, pesticide residual levels, mold, and other contaminants according to adopted industry standards.

5. The Cannabis Testing Facility includes adequate measures that address enforcement priorities for Cannabis activities including restricting access to minors, and ensuring that Cannabis and Cannabis Products are obtained from and supplied only to other permitted licensed sources within the State and not distributed out of state.

6. The Cannabis Testing Facility is not located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. The distance is measured in accordance with Section 19.517.A. This location meets the minimum requirements of State law and may not be modified with approval of a variance.

## SECTION 19.518. CANNABIS RETAILER.

A. APPLICABILITY.

Notwithstanding any other provision of this ordinance, Cannabis Retailers are allowed as follows:

1. Cannabis Retailer – Non-Storefront

   Non-storefront Cannabis Retailers within a permanent structure are allowed in the following zone classifications with an approved conditional use permit in accordance with Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, and M-U.

2. Cannabis Retailer – Storefront

   Storefront Cannabis Retailers within a permanent structure are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, and M-U.

3. Mobile Cannabis Retailers are prohibited in all zone classifications.

## SECTION 19.519. CANNABIS RETAILER MINIMUM STANDARDS.

In addition to the approval requirements in Section 19.506 of this ordinance and development standards for the applicable zoning classification, Cannabis Retailers shall comply with the standards provided below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

A. GENERAL LOCATION.

1. Cannabis Retailers shall not be located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. This distance shall be measured from the nearest points of the respective property lines using a direct straight-line measurement without regard to intervening structures, as specified in subdivision (b) of Section 26054 of the Business and Professions Code. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance. In no case shall the distance be less than allowed by State law.

2. Cannabis Retailers shall not be located within 1,000 feet of any other Cannabis Retailer.

3. Cannabis Retailers shall not be located within 500 feet of a smoke shop or similar facility.

Amended Effective:
Ord. No. 348.4977 Item 21.2 of 01/25/2022 (Effective Date: 02/23/2022)
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/2023)

4. Cannabis Retailers shall not be located on a lot containing a residential dwelling unit.

B. SETBACKS.

1. Cannabis Retailers shall comply with the setback standards for the zone classification in which they are located.

2. Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of this ordinance. In no case, shall a setback be less than setbacks required by the State of California Department of Cannabis Control, California Building Code, Ordinance No. 457, or other applicable State law.

C. CONCENTRATION LIMITS

1. Limits.

a. The number of Cannabis Retailers located within a Commercial Retail Corridor is limited to one (1) for each 2,000 inhabitants of the census tract in which the Cannabis Retailers are located.

b. The number of Cannabis Retailers located within a Commercial Retail Corridor may be increased to one ( 1) for each 1,000 inhabitants of the census tract in which the Cannabis Retailer is located with a finding of public convenience or necessity as provided in this Article.

c. The United States Census Bureau shall be the source of authority for determining the number of inhabitants (population) per census tract.

2. Public Convenience or Necessity Finding.

Applicants seeking a conditional use permit for a Cannabis Retailer within a Commercial Retail Corridor that is determined to be an Unduly Concentrated Corridor may request the Board of Supervisors find that the proposed Cannabis Retailer would serve as a public convenience or necessity.

a. In order for a public convenience or necessity determination to be presented to the Board of Supervisors, applicants shall demonstrate both of the following:

1) The addition of the proposed Cannabis Retailer will not result in a Commercial Retail Corridor having a number of Cannabis Retailers greater than one for each 1,000 inhabitants of the census tract in which the Cannabis Retailer is located; and,

2) The addition of the proposed Cannabis Retailer will not cause more than 10% or more of the commercially zoned properties, in gross acres, within the Commercial Retail Corridor to be utilized for Cannabis Retailers.

b. In order for a public convenience or necessity determination to be made by the Board of Supervisors, applicants shall demonstrate all of the following:

3) The proposed Cannabis Retailer will not be detrimental to the character of development in the immediate neighborhood and will be in harmony with the overall objectives of the Riverside County General Plan.

4) The addition of the proposed Cannabis Retailer will not increase the severity of existing law enforcement or public nuisance problems in the surrounding area with increased calls for service due to Cannabis related complaints or criminal activity associated with Cannabis.

5) The community benefits of permitting an additional Cannabis Retailer outweigh any negative impacts to the community as a whole.

6) Reasonable efforts were made to seek community input regarding the addition of the proposed Cannabis Retailer to the Commercial Retail Corridor.

c. In addition to the above requirements, applicants shall demonstrate at least one of the following:

1) The proposed Cannabis Retailer serves an area of increased density or consumer traffic; including but not limited to adjacency to high population census tracts and/or distance away from sensitive uses or other special circumstances within the corridor, such that the proposed location would serve the public convenience or necessity by satisfying a higher demand for Cannabis Retail locations; or

2) The proposed Cannabis Retailer is located in an area with a history of a high number of unpermitted Cannabis Retailers such that an additional permitted location would serve a public convenience or necessity by satisfying a higher demand for permitted Cannabis Retail locations and reduce patronage of unlicensed facilities.

D. OPERATIONS.

1. All Cannabis Retailers must conduct their operations within a permanent structure.

2. Non-storefront Cannabis Retailers are authorized to conduct Cannabis Deliveries only and shall be closed to the public.

3. Cannabis Retailers may include the sale of Medical Cannabis, requiring an M-License from the State. Cannabis Retailers selling only Medical Cannabis shall verify consumers who enter the Premises are at least 18 years of age and that they hold a valid Physician's Recommendation.

4. Cannabis Retailers may include the sale of Adult-Use Cannabis, requiring an A-license from the State. Cannabis Retailers selling only Adult Use Cannabis shall verify that consumers who enter the Premises are at least 21 years of age.

5. A Cannabis Retailers may include the sale of both Medicinal Cannabis and Adult-Use Cannabis requiring both an A-License and an M-License from the State. All Cannabis Retailers selling both Medicinal Cannabis and Adult-Use Cannabis shall verify that consumers who enter the premises are at least 18 years of age and that they hold a valid Physician's Recommendation or are at least 21 years of age.

6. Display areas shall include the smallest amount of Cannabis and Cannabis Products reasonably anticipated to meet sales during operating hours.

7. Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area.

8. Not more than 10% of the Cannabis Retailer floor area, up to a maximum of 50 square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-Cannabis goods.

9. Restroom facilities shall be locked and under the control of the Cannabis Retailer.

10. Cannabis Retailers shall ensure that all Cannabis and Cannabis Products held for sale by the Cannabis Retailer are cultivated, manufactured, transported, distributed, and tested by California licensed and permitted facilities that are in full conformance with State and local laws and regulations.

11. Cannabis Retailers shall not distribute any Cannabis or Cannabis Product unless such products are labeled and in a tamper-evident package in compliance with the California Business and Professions Code and any additional rules promulgated by a licensing authority.

12. Cannabis Retailers shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot.

13. Deliveries of Cannabis and Cannabis Products shall be to a customer at a physical address and conducted in accordance with California Business and Professions Code section 26090 or as may be amended and all State laws and regulations pertaining to delivery of Cannabis and Cannabis Products.

14. Cannabis or Cannabis Products shall not be sold or delivered by any means or method to any person within a motor vehicle.

15. Cannabis Retailers shall not include a drive-in, drive-through or walk up window where retail sales of Cannabis or Cannabis Products are sold to persons or persons within or about a motor vehicle.

E. DELIVERIES.

Cannabis Retailers with an approved conditional use permit may provide Cannabis Deliveries consistent with State law. Cannabis Delivery is not a separate Commercial Cannabis Activity for the purposes of this Article.

F. FINDINGS.

In addition to the requirements for approval in Section 19.506 of this ordinance, no conditional use permit shall be approved or conditionally approved unless the following findings are made:

1. The Cannabis Retailer complies with all the requirements of the State and County for the selling of Cannabis.

2. The non-storefront Cannabis Retailer is not open to the public.

3. The Cannabis Retailer is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center or a variance in accordance with Section 18.27 of this ordinance has been approved allowing a shorter distance, but not less than allowed by State law. The distance is measured in accordance with Section 19.519.A.1.

4. The Cannabis Retailer includes adequate measures that address enforcement priorities for Commercial Cannabis Activities including restricting access to minors, and ensuring that Cannabis and Cannabis Products are obtained from and supplied only to other permitted licensed sources within the State and not distributed out of State.

## SECTION 19.520. CANNABIS DISTRIBUTION FACILITIES.

APPLICABILITY.

Notwithstanding any other provision of this ordinance, Cannabis Distribution Facilities are allowed in the following zone classifications with an approved conditional use permit in accordance with Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M and M-H.

## SECTION 19.521. CANNABIS DISTRIBUTION FACILITIES STANDARDS.

In addition to the approval requirements in Section 19.506 of this ordinance and development standards for the applicable zoning classification, Cannabis Distribution Facilities shall comply with the standards provided below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

A. GENERAL LOCATION.

Cannabis Distribution Facilities shall not be located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. This distance shall be measured from the nearest points of the respective property lines using a direct straight-line measurement without regard to intervening structures, as specified in subdivision (b) of Section 26054 of the Business and Professions Code. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location meets the minimum requirements of State law and may not be modified with approval of a variance.

B. SETBACKS.

1. Cannabis Distributions Facilities shall comply with the setback standards for the zone classification in which they are located.

2. Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of this ordinance. In no case shall a setback be less than setbacks required by the State of California Department of Cannabis Control, the California Building Code, Ordinance No. 457, or other applicable State law.

C. OPERATIONS.

1. Cannabis and Cannabis Products shall only be transported between permitted and licensed Commercial Cannabis Activities.

2. In addition to the requirements of Section 19.505.R. the following record keeping measures are required to be implemented for all Cannabis Distribution Facilities:

   a. Prior to transporting Cannabis or Cannabis Products, a shipping manifest shall be completed as required by State law and regulations.

   b. A copy of the shipping manifest shall be maintained during transportation and shall be made available upon request to law enforcement, or any agents of the State or County charged with enforcement.

   c. Cannabis Distribution Facilities shall maintain appropriate records of transactions and shipping manifests that demonstrate an organized method of storing and transporting Cannabis and Cannabis Products to maintain a clear chain of custody.

3. Cannabis Distribution Facilities shall ensure that appropriate samples of Cannabis or Cannabis Products are tested by a permitted and licensed testing facility prior to distribution and shall maintain a copy of the test results in its files.

4. Cannabis Distribution Facilities shall not be open to the public.

5. Cannabis Distribution Facilities shall not transport or store non-Cannabis goods.

D. FINDINGS.

In addition to the requirements for approval in Section 19.506 of this ordinance, no conditional use permit shall be approved or conditionally approved unless the following findings are made:

1. The Cannabis Distribution Facility complies with all the requirements of the State and County for Cannabis Distribution.

2. The Cannabis Distribution Facility's operating plan demonstrates proper protocols and procedures that address enforcement priorities for Cannabis related activities including restricting access to minors, and ensuring that Commercial Cannabis Activities and Cannabis Products are obtained from and supplied only to other permitted and licensed sources and not distributed out of State.

3. The Cannabis Distribution Facility is not located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. The distance is measured in accordance with Section 19.521.A. This location meets the minimum requirements of State law and may not be modified with approval of a variance.

4. The Cannabis Distribution Facility is not open to the public.

## SECTION 19.522. CANNABIS MICROBUSINESS FACILITIES.

A. APPLICABILITY.

Notwithstanding any other provision of this ordinance, Cannabis Microbusiness Facilities are allowed in the following zone classifications with an approved conditional use permit in accordance with Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M and M-H, and M-U, except in the instance that a Cannabis Microbusiness Facility includes manufacturing uses where such Cannabis Microbusiness Facility is only allowed in the zone classifications specified in Section 19.514.

## SECTION 19.523. CANNABIS MICROBUSINESS FACILITIES STANDARDS.

In addition to the approval requirements in Section 19.506 of this ordinance and development standards for the applicable zoning classification, Cannabis Microbusiness Facilities shall comply with the standards provided below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

A. GENERAL LOCATION.

1. Cannabis Microbusiness Facilities that are not engaged as a Cannabis Retailer shall not be located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. This location meets the minimum requirements of State law and may not be modified with approval of a variance.

2. Cannabis Microbusiness Facilities that are engaged as a Cannabis Retailer with an approved conditional use permit shall not be located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance. In no case shall the distance be less than allowed by State law.

3. The distance shall be measured from the nearest points of the respective property lines using a direct straight-line measurement without regard to intervening structures, as specified in subdivision (b) of Section 26054 of the Business and Professions Code.

4. A new adjacent use will not affect the continuation of an existing use that has been established under this Article and continuously operating in compliance with the conditional use permit.

B. SETBACKS.

1. Unless otherwise specified by this Article, Cannabis Microbusiness Facilities shall comply with the setback standards for the zone classification in which they are located.

2. Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of this ordinance. In no case shall a setback be less than setbacks required by the State of California Department of Cannabis Control, the California Building Code, Ordinance No. 457, or other applicable State law.

C. ACTIVITIES.

1. Cannabis Microbusiness Facilities shall not transport or store non-Cannabis goods.

2. Cannabis Microbusiness Facilities may cultivate indoors, distribute, manufacture (with nonvolatile compounds) and offer for retail Cannabis under a single Cannabis Microbusiness Facilities license issued by the State.

3. Cannabis Microbusiness Facilities may cultivate Cannabis indoors in an area less than 10,000 square feet.

4. Cannabis Microbusiness Facilities shall include at least three of the following Commercial Cannabis Activities, which shall be set forth in the conditional use permit:

   a. Indoor Cannabis Cultivation less than 10,000 square feet

   b. Cannabis Manufacturing Facility (with non-volatile compounds)

   c. Cannabis Distribution Facility

   d. Cannabis Retailer

D. DELIVERIES.

Cannabis Microbusiness Facilities that are engaged as a Cannabis Retailer with an approved conditional use permit may provide Cannabis Deliveries consistent with State law. Cannabis Delivery is not a separate Commercial Cannabis Activity for the purposes of this Article.

E. OPERATIONS.

Cannabis Microbusiness Facilities shall comply with the operational requirements set forth in this Article that apply to the specified uses authorized by the approved conditional use permits. For Cannabis Microbusiness Facilities that are engaged in Indoor Cannabis Cultivation, the Cannabis Microbusiness Facility shall comply with the water and energy conservation standards required of Cannabis Cultivation by this Article.

F. TRANSPORT-ONLY DISTRIBUTION.

Cannabis Microbusiness Facilities with an approved conditional use permit may transport the Cannabis or Cannabis Product the licensee has cultivated or manufactured to another Commercial Cannabis Activity licensee, only if the Cannabis Microbusiness Facility operator also has an approved transport-only distribution license in accordance with California Code of Regulations section 15315 and all other applicable State law. This type of transport-only distribution is not considered Cannabis Distribution for the purposes of this Article.

G. FINDINGS.

In addition to the requirements for approval in Section 19.506 of this ordinance, no conditional use permit shall be approved or conditionally approved unless the following findings are made:

1. The Cannabis Microbusiness Facility complies with all the requirements of the State and local laws and regulations.

2. The Cannabis Microbusiness Facility's operating plan demonstrates proper protocols and procedures that address enforcement priorities for Cannabis activities including restricting access to minors, and ensuring that Cannabis and Cannabis Products are obtained from and supplied only to other permitted and licensed sources within the State and not distributed out of State.

3. The Cannabis Microbusiness Facility that is engaged as a Cannabis Retailer with an approved conditional use permit is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center or a variance in accordance with Section 18.27 of this ordinance has been approved allowing a shorter distance, but not less than recommended by State law. The distance is measured in accordance with Section 19.523.A.3.

4. The Cannabis Microbusiness Facility that is not engaged as a Cannabis Retailer with an approved conditional use permit is not located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. The distance is measured in accordance with Section 19.523.A.3. This location meets the minimum requirements of State law and may not be modified with approval of a variance.

## SECTION 19.524. TEMPORARY CANNABIS EVENT.

A. REQUIREMENTS FOR APPROVAL.

The Planning Director shall approve an application for a temporary Cannabis event permit if all of the following are met:

1. The temporary Cannabis event will take place on County Fair property or District Agricultural Association property.

2. The temporary Cannabis event is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. This distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement without regard to intervening structures, as specified in subdivision (b) of Section 26054 of the Business and Professions Code. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance. In no case shall the distance be less than allowed by State law.

3. The temporary Cannabis event will not occur during the hours of 12:00 a.m. to 6:00 a.m.

4. The temporary Cannabis event is setback a minimum of 100 feet from lot lines.

5. Any participant selling Cannabis or Cannabis Products shall possess a valid State Cannabis Retailer license or a valid State Cannabis Microbusiness license, which shall be included in the permit application. Participants licensed as a Cannabis Retailer or Cannabis Microbusiness Facility engaged as a Cannabis Retailer must comply with all rules for on-site sales and consumption, including, but not limited to: displays of Cannabis and Cannabis Products, packaging of Cannabis and Cannabis Products, age restrictions on sales, daily sales limits, no free samples, and track and trace requirements. Each participant licensed as a Cannabis Retailer or Cannabis Microbusiness Facility engaged as a Cannabis Retailer may only sell Cannabis or Cannabis Products in a retail area designated in the diagram of the physical layout of the temporary Cannabis event. Each participant licensed as a Cannabis Retailer or Cannabis Microbusiness Facility engaged as a Cannabis Retailer shall not sell Cannabis or Cannabis Products from mobile wagons, carts, or other similar means.

6. A condition of approval shall be applied to all temporary Cannabis evente permits requiring the event organizer to obtain a valid State Cannabis event organizer license and a valid State temporary Cannabis event license, at least 10 calendar days before the first day of the event. If this condition of approval is not met, the temporary Cannabis event permit becomes null and void.

7. The sale or consumption of alcohol or tobacco is not allowed at the location of the temporary Cannabis event.

8. Access to the area(s) where sale or consumption of Cannabis occurs is restricted to persons 21 years of age or older.

9. Cannabis consumption is not visible from any public place or non-age-restricted area.

10. Security shall be present at the temporary Cannabis event.

B. APPLICATION.

No less than 120 days from the event's first day, an event organizer shall apply for and obtain a temporary Cannabis event permit in accordance with Section 18.30 of this ordinance. All the procedural provisions of Section 18.30 shall apply to the application, except subsection c. thereof relating to requirements for approval, subsection e. thereof

relating to appeals and subsection f. thereof relating to the use of the permit after the application is approved.

C. REVOCATION.

A temporary Cannabis event permit may be revoked pursuant to and in accordance with Section 19.525 of this ordinance.

## SECTION 19.525. MODIFICATION OR REVOCATION OF PERMITS FOR COMMERCIAL CANNABIS ACTIVITIES.

A. AUTHORITY FOR MODIFICATION OR REVOCATION.
The Board of Supervisors shall have the authority to modify or revoke a previously granted conditional use permit Commercial Cannabis Activity upon a finding that one or more of the following conditions exist:

1. The use is detrimental to the public health, safety or general welfare.
2. The use is a public nuisance.
3. The permit was obtained by fraud or perjured testimony.
4. The use is being conducted in violation of the conditions of approval or advisory notification document.
5. The use for which the permit was granted s ceased or has been suspended for one year or more.
6. A Certificate of Occupancy has not been obtained for the approved Commercial Cannabis Activity within two (2) years of obtaining an approved conditional use permit for the Commercial Cannabis Activity. The Planning Director has the discretion to allow up to three (3) extensions of one (1) year each based on a showing by the permitee of a good faith intent to commence the use. The Planning Director's extensions are not subject to a public hearing.

B. INITIATION OF MODIFICATION OR REVOCATION.
A public hearing shall be set before the Board of Supervisors upon a determination by the Planning Director that grounds for modification or revocation exist.

C. NOTICE OF PUBLIC HEARING.
Notice of the time, date and place of the public hearing shall be given as provided in Section 18.26.C. of this ordinance.

D. PUBLIC HEARING.
In conducting the public hearing, the Board of Supervisors shall:

1. Set the hearing procedures;
2. Hear relevant testimony from interested persons and the Chairperson of the Board of Supervisors may require that witnesses be sworn;
3. Make its decision within a reasonable time after the close of the public hearing; and
4. Have the discretion to continue the hearing from time to time.

E. NOTICE OF DECISION.

1. Notice of the Board of Supervisor's decision and a report of the proceedings shall be filed with the Clerk of the Board of Supervisors not later than 45 days following the date the decision is adopted.
2. A copy of the notice of decision and the report of the proceedings shall also be mailed to the applicant at the address on file with the Planning Department within that period of time.

F. FINAL ACTION.

The decision of the Board of Supervisors to modify or revoke a previously granted conditional use permit for Commercial Cannabis Activity is final.

Amended Effective:
11-24-2005 (Ord. 348.4318)
Ord No. 348.4997 Item 21.1 of 3/14/23 (Effective Date 4/28/23)
Ord. No. 348.4898 Item 19.1 of 10.23.18 (Effective Date: 12/23/18)

## ARTICLE XIXi BERMUDA DUNES NEIGHBORHOOD PRESERVATION OVERLAY ZONE

### SECTION 19.600 BERMUDA DUNES NEIGHBORHOOD PRESERVATION OVERLAY ZONE.

A. INTENT.

The Bermuda Dunes Neighborhood Preservation Overlay Zone is intended to provide standards that address unique neighborhood concerns regarding quality of life in the Community of Bermuda Dunes by:

1. Supplementing general maintenance requirements on public properties within the neighborhood;

2. Restricting uses on private properties beyond the general requirements of the underlying zone as identified in this section, and,

3. Providing regulatory framework for effective code enforcement efforts.

B. APPLICABILITY.

1. The Bermuda Dunes Neighborhood Preservation Overlay Zone will be adopted and may be amended by the Board of Supervisors, as necessary to include any issue that is not addressed in this section, and adversely affects the public health, welfare and safety.

2. An overlay zone shall be placed on all the areas within the Bermuda Dunes Community Council boundary and shall be identified as the Bermuda Dunes Neighborhood Preservation Overlay (BDNPO) zone on the County's official zoning map. The provisions of the BDNPO zone shall apply to all foundation components and land use designations of the General Plan within the Bermuda Dunes Community Council boundary. The provisions of the BDNPO zone shall further apply to all currently approved, and future residential developments for individual parcels, tracts and parcel maps, as well as specific plans within the Bermuda Dunes Community Council boundary unless it is otherwise specified in this section.

C. DEFINITIONS.

As used in this section, the following terms shall have the following meanings:

1. Attractive Nuisances. Any condition that is potentially dangerous to children, or likely to shelter vagrants or criminal activities, including but not limited to; any abandoned or substandard structure, building or fence; abandoned, broken, or neglected equipment, appliances and machinery; and hazardous swimming pools, ponds or other excavations including abandoned shafts or basements.

2. Commercial Vehicle. Any motor vehicle, truck, or trailer used for the transportation of passengers, goods, wares, or merchandise having a manufacturer's gross vehicle unladen weight rating greater than ten thousand (10,000) pounds.

3. Covenants, Conditions and Restrictions (CC&Rs). A document used to describe restrictive limitations placed on real property and its uses, and which usually are made a condition of holding legal title to, or leasehold interest in, the real property in question.

4. Decorative Fence. A fence installed for decorative purposes, such as split rail, picket, wrought iron, or low brick or stucco walls, constructed alternately of brick or masonry, and sections of wrought iron, aluminum, or material similar in appearance.

5. Fence. A man-made continuous barrier of any material, or combination of materials, erected to prohibit entry to real property.

6. Hard Surface Materials: A surface constructed of concrete, polymer blocks or other surface materials recognized by the industry as providing pavement or driveway like surface.

7. Holiday Display. Any display that is commonly associated with any local, or religious holiday, and erected on a temporary basis, including but not limited to: Christmas lights and other decorations, Halloween decorations, or similar items. Any patriotic display such as a flag or ribbon is not considered a holiday display.

8. Overlay Zone. A set of zoning requirements that are superimposed upon an underlying zone. Overlay zones are generally used when a particular area requires special protection or has a special neighborhood concern. Development of land subject to overlay zoning requires compliance with the regulations of both the underlying zone and overlay zone.

9. Recreational Equipment. Any equipment used for sports, exercise, leisure, and recreation, including but not limited to: basketball hoops, slides, swings, jungle gyms, volleyball nets, grills, portable barbeques, fire pits, trampolines, skateboard ramps, and outdoor heaters.

10. Recreational Vehicles. Vehicles with or without motive power, designed for human habitation or recreation, including but not limited to: boats, snowmobiles, watercraft, racing vehicles, off-road vehicles, utility trailers, motor homes, travel trailers, truck campers or camping trailers.

11. Sidewalk. Any right of way designed for the use by pedestrians and not intended for use by motor vehicles of any kind. A sidewalk may be located within or without a street right-of-way, at grade, or grade separated from vehicular traffic.

12. Temporary Exterior Display. Any display that is commonly associated with any significant event for the household, and erected on a temporary basis, including but not limited to birthday, wedding, or any other party decoration.

D. NEIGHBORHOOD PRESERVATION STANDARDS.

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) 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 pre-existing 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, right-of-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.

h. All alleys located in the BDNPO shall be free and clear of trash, garbage, weeds, litter, and other hazardous materials from obstructing the access of the alley. The responsible party shall be the person owning, occupying or having control of the property bordering/adjoining the alley unless otherwise stated in the CC&Rs of the property.

i. Nothing in this section is intended to limit the applicability of all other county ordinances regarding landscaping, including but not limited to, Ordinance No. 695.3 for abatement of hazardous vegetation and Ordinance No. 593 regulating yard sales.

4. Façade Treatment.

a. All ground mounted mechanical equipment, including but not limited to; air conditioning units or heating pumps, shall be visually screened from public view.

b. Plywood, plastic sheeting, tarp, aluminum foil, or similar materials shall not be used to cover windows and other openings unless otherwise approved by the Department of Building and Safety on a temporary basis.

5. Fences and Walls.

   a. All fences and walls shall be properly maintained in order to preserve their structural integrity and to provide an aesthetically pleasing appearance. All fences and walls shall be kept free from graffiti, undergrowth, weeds or other similar conditions at all times. All fences and walls shall be of materials and colors that are compatible with the architectural design of the buildings in the neighborhood.

   b. No fence, wall or a portion thereof, shall be constructed or altered to add razor wire, barbed wire, metal spikes, broken glass, readily flammable material, or other similar material.

   c. Chain link fences shall not be erected or constructed in any front yard or side yard that is visible from any public area for residentially zoned lots less than ½ acre net in area.

   d. No fence or wall, including decorative fence, shall obstruct a public street, intersection, sidewalk, or right-of-way either physically or visually.

   e. Any approved fence for a temporary use or for a swimming pool shall be exempt from the provisions of this section.

   f. All fences and walls, including chain link fences, that are pre-existing on, or approved prior to, the effective date of this section shall be exempt from this provision.

   g. The provisions of other county ordinances shall be applicable to fences and walls that are not identified in this section.

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.

e. 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.

f. 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.

Amended Effective:
Ord. 348.4636 Item 16.1 of 04/28/09 (Effective Date: 05/28/09)

## ARTICLE XIXj ADDITIONAL RESIDENTIAL ACCOMMODATIONS

### SECTION 19.800 PURPOSE AND INTENT.

This article establishes requirements and development standards for additional residential accommodations created to augment one-family dwellings or multiple family dwellings. These requirements and development standards are intended to facilitate the proper development of additional residential accommodations to increase supply and diversity of housing types within the unincorporated areas of Riverside County.

### SECTION 19.801 APPLICABILITY.

This article shall not apply to accessory dwelling units or junior accessory dwelling units that meet the requirements set forth in Government Code section 65852.2(e)(1). Applications for accessory dwelling units or junior accessory dwelling units meeting the requirements of Government Code section 65852.2(e)(1) shall be approved ministerially, pursuant to the process and requirements set forth in that section. Accessory dwelling units or junior accessory dwelling units that do not meet the requirements set forth in Government Code section 65852.2(e)(1) shall comply with this Article.

### SECTION 19.802 DEFINITIONS AND CONSTRUCTION.

A. Definitions. For purposes of this Article, the following are considered additional residential accommodations and defined as follows:

1. Accessory Dwelling Unit (ADU): A dwelling that includes exterior access and provides complete independent living facilities, including a kitchen and bathroom, which are allowed in addition to a primary dwelling on lots zoned for one family dwellings or multiple family dwellings. An ADU may be an efficiency unit, as defined in section 17958.1 of the Health and Safety Code.

2. Junior Accessory Dwelling Unit (Junior ADU): A dwelling within a one family dwelling that includes exterior access and, at a minimum, a cooking area with cooking appliances, food preparation counters, and storage cabinets, all proportional to the size of the dwelling unit. A Junior ADU shall either include a self-contained bathroom or share a bathroom with the primary one family dwelling.

3. Second Unit: A one family dwelling that includes a kitchen and bathroom that is allowed on lots zoned for one family dwellings and includes an existing primary one family dwelling. A Second Unit is not an ADU as defined in this Article.

4. Guest Quarter: A living area dependent on some or all of the primary one family dwelling's facilities. A Guest Quarter shall not have a kitchen, but may include a bathroom. A Guest Quarter is not allowed on lots zoned for multiple family dwellings.

5. Multiple Owner Group (MOG) Unit: Any type of state-licensed mobilehome or manufactured home installed on or before May 14, 2013 on lots located within the Eastern Coachella Valley, as further defined in this Article.

6. Ranchet Unit (Ranchet): Any type of state-licensed mobilehome or manufactured home complying with Health and Safety Code section 18214(c), as may be amended, installed on lots larger than or equal to 2 gross acres that includes at least one additional Ranchet, and is located within the Eastern Coachella Valley, as further defined in this Article.

B. The construction of additional residential accommodations shall comply with the following:

1. An attached additional residential accommodation involves the expansion of an existing structure for the purposes of creating new habitable floor area.

2. A detached additional residential accommodation shall be on the same lot as the primary dwelling but not attached to it or any other structure. Except for Guest Quarters, a detached additional residential accommodation may be a mobilehome or manufactured home.

3. An interior additional residential accommodation involves the conversion of or inclusion within the footprint and floor area of an existing or proposed one family dwelling or associated attached structure, such as a garage, storage area, or similar structure. Limited expansion of an established footprint or floor area is only allowed to provide necessary access to the additional residential accommodation.

4. An ADU may be an attached, detached or interior additional residential accommodation.

5. A Junior ADU shall be an interior additional residential accommodation within a one family dwelling or associated attached structure, such as a garage, storage area, or similar structure, but is not allowed within multiple family dwellings.

6. A Second Unit, Guest Quarter, MOG Unit or Ranchet shall be a detached additional residential accommodation.

## SECTION 19.803 LOCATIONS AND ALLOWANCES.

A. Location. Additional residential accommodations are permitted by-right on lots zoned for one family dwellings or multiple family dwellings with the following exceptions:

1. Additional residential accommodations shall not be permitted on lots with a dwelling(s) that does not have all required building permits.

2. Additional residential accommodations shall not be permitted on lots that are constrained by water availability, water quality or sewage disposal or other public health and safety concerns. Prohibited areas shall include those areas where a development moratorium is imposed because of a moratorium for water or sewer,

whether imposed by the County or another public agency with the authority to impose such a development moratorium.

3. MOG Units and Ranchets are only permitted within the Eastern Coachella Valley, as further defined in this Article.

4. MOG Units may be permitted on lots zoned for nonresidential uses if the lot and MOG Units meet the definition of MOG Unit as provided in this Article.

B. Allowances. The number of attached, detached or interior additional residential accommodations allowed on lots where there is an existing or proposed one family dwelling or an existing multiple family dwelling shall be in accordance with one of the following, but not a combination thereof:

1. One Family Dwelling.

   a. One attached or interior additional residential accommodation shall be permitted per lot.

   b. One detached additional residential accommodation shall be permitted per lot.

2. Multiple Family Dwelling.

   a. One interior ADU shall be permitted per lot or a quantity that is less than or equal to twenty-five percent (25%) of the existing units within the multiple family dwelling, whichever is greater.

   b. Two detached ADU shall be permitted per lot.

3. Eastern Coachella Valley.

   a. The first MOG Unit or Ranchet installed on a lot shall be designated as the primary dwelling for the purposes of this Article.

   b. A maximum of twelve detached MOG Units shall be permitted per lot; or,

   c. A maximum of four detached Ranchets shall be permitted per lot in accordance with this Article. The maximum number of four detached Ranchets per lot shall include any existing primary dwelling. In the event an existing primary dwelling is converted to a Ranchet, all additional residential accommodations on the lot shall be considered Ranchets and shall comply with this Article.

**SECTION 19.804 LAND USE PERMITS AND PROCESSING.**

A. Land Use Permits. No discretionary land use permit such as, but not limited to, a plot plan or conditional use permit is required for an additional residential accommodation.

B. Site Design Plan. Applications for any additional residential accommodation shall include a site design plan demonstrating compliance with the development standards provided in this Article.

C. Processing. Applications for any additional residential accommodation shall be processed in accordance with this ordinance, Ordinance No. 671 and Ordinance No. 457, as applicable. Applications for an ADU or Junior ADU shall be acted upon within sixty (60) days of the application being submitted to the County. Acting on an application may include approving or denying an application, providing corrections resulting from plan check, or issuing, withdrawing, cancelling or abandoning an application; or any other similar action. The County may delay acting on an application for an ADU or Junior ADU until after acting on an application for a new primary dwelling on the same lot.

D. Residential Use. Additional residential accommodations shall be deemed an accessory residential use.

**SECTION 19.805 APPROVAL REQUIREMENTS.**

A. An application for an additional residential accommodation shall be accepted and approved if it complies with all of the following:

1. The requirements and development standards set forth in this Article.

2. All applicable laws and regulations related to health and safety including, but not limited to, Fire and Building Code regulations.

3. All required approvals are obtained prior to submittal from the Riverside County Department of Environmental Health, Fire Department, and the Riverside County Airport Land Use Commission.

4. Written confirmation has been provided from the Department of Environmental Health for the use of an existing or new septic system for any additional residential accommodation.

5. If applicable, a percolation test is completed and certified within the last five years or recertified within the last ten years, by the Riverside County Department of Environmental Health.

6. All required approvals are obtained from the applicable water and sewer purveyor(s).

7. If applicable because of geographic location and constraints, all required approvals from the Fire Department, Riverside County Flood Control and Water Conservation District, Coachella Valley Water District or the Environmental Programs Division of the Planning Department.

B. For the purposes of fire or life protection, a Junior ADU shall not be considered a separate or new dwelling unit.

C. No final inspections shall be performed or certificate of occupancy shall be issued, for an additional residential accommodation prior to the final inspection for the new one family dwelling located on the same lot.

D. Additional residential accommodations shall not be subject to Section 18.10 and Section 18.11 of this ordinance related to location and size of dwellings.

**SECTION 19.806 FEES AND UTILITY CONNECTIONS.**

A. Impact and connection fees shall be calculated in accordance with applicable State and local laws and regulations including, but not limited to, Government Code sections 65852.2 and 65852.22, and Riverside County Ordinance No 659.

B. An attached/interior ADU or Junior ADU shall not be required to install a new or separate utility connection directly between the unit and the utility, but may be required if the unit was created or constructed concurrently with a new one family dwelling, as determined through the permitting processed. Guest Quarters shall not be permitted to install a new or separate utility connection directly between the unit and the utility.

C. All other additional residential accommodations, including any detached ADU, Second Unit, MOG Unit or Ranchet, may be required to provide a new or separate utility connection directly between the unit and the utility.

**SECTION 19.807 DEVELOPMENT STANDARDS.**

A. Lot Size. Additional residential accommodations may be located on any lot in accordance with the following:

1. Lots zoned for One Family Dwellings. Detached Second Units or Guest Quarters shall be located on lots greater than 7,200 square feet in area.

2. Lots zoned for Multiple Family Dwellings. Only ADUs are allowed on lots zoned for Multiple Family Dwellings.

3. Lots within the Eastern Coachella Valley. Ranchets shall be located on lots greater than or equal to two (2) gross acres in area.

B. Lot Coverage. The floor area of attached or detached ADUs shall not be included in the calculations used to determine compliance with lot coverage requirements in this ordinance. The floor area of interior ADUs and interior Junior ADUs shall be considered part of the floor area of the primary dwelling and included in the calculations used to determine compliance with lot coverage requirements in this ordinance.

C. Setbacks. Additional residential accommodations shall comply with the following setbacks:

1. Interior ADU, Junior ADU. Front, side and rear setbacks shall be pursuant to the applicable zoning classification for the lot. Additionally, any expansion required for egress or ingress shall maintain a minimum side and rear setback of four (4) feet.

2. Attached ADU, Detached ADU. Side and rear setbacks shall be no less than four (4) feet. Front setbacks shall be pursuant to the applicable zoning classification for the lot.

3. Second Unit and Guest Quarters. Setbacks shall be pursuant to the applicable zoning classification for the lot.

4. MOG Units. Front, rear, and side setbacks shall comply with Title 25 of the California Code of Regulations, as may be amended.

5. Ranchets. Setbacks shall be pursuant to the applicable zoning classification for the lot.

D. Floor Area. Floor area shall include the interior habitable area of an additional residential accommodation, including finished basements and finished attics but shall not include an uninhabitable garage or any accessory building or structure. The floor area for additional residential accommodations shall comply with the following:

1. Attached ADU, Interior ADU.

   a. One Family Dwelling: the maximum floor area shallnot exceed fifty percent (50%) of the primary dwelling's floor area. If 50% of the primary dwelling's floor area is less than 800 square feet than the maximum floor area shall be 800 square feet. In no event shall the maximum floor area exceed 1,000 square feet.

   b. Multiple Family Dwelling: the maximum floor area shall not exceed 1,000 square feet.

   c. Except to create exterior access to the Interior ADU, no expansion of the primary dwelling shall be allowed for creation of the Interior ADU. The maximum expansion for egress or ingress shall be less than or equal to 150 square feet.

2. Detached ADU. The maximum floor area shall not exceed 1,000 square feet.

3. Junior ADU.

   a. The maximum floor area shall not exceed fifty percent (50%) of the primary dwelling's floor area. In no event shall the maximum floor area exceed 500 square feet.

b. Except to create exterior access to the Junior ADU, no expansion of the primary dwelling shall be allowed for creation of the Junior ADU. The maximum expansion for egress or ingress shall be less than or equal to 150 square feet.

4. Second Unit. The maximum floor area shall be in accordance with the following:

a. 7,201 - 20,000 square-foot lots. The maximum floor area shall not exceed 1,200 square feet.

b. 20,001 square-foot – 2 acres lots. The maximum floor area shall not exceed 1,500 square feet.

c. 2.01 acres – 4 acre lots. The maximum floor area shall not exceed 2,500 square feet.

d. Lots greater than 4 acres. The maximum floor area shall not exceed 200 percent (200%) of the primary one family dwelling's floor area.

5. Guest Quarter. The maximum floor area shall not exceed two percent (2%) of the gross lot size or 600 square feet, whichever is less.

6. MOG Units. Floor area shall comply with Title 25 of the California Code of Regulations, as may be amended.

7. Ranchets. No maximum floor area. The minimum floor area shall be 450 square feet, excluding patios, porches, garages, and similar structures.

E. Height. Additional residential accommodations shall comply with the following:

1. Interior ADU and Junior ADU. An interior ADU and Junior ADU shall be created within one story or floor of the building.

2. Attached ADU and Detached ADU. The maximum height shall be no greater than sixteen (16) feet.

3. Guest Quarters. The maximum height shall be pursuant to the applicable zoning classification for the lot.

4. Second Units. The maximum height shall be no greater than the height of the primary one family dwelling.

F. Parking. Off-street parking shall comply with section 18.12 of this ordinance and the following:

1. Interior ADU within an existing structure, Junior ADU, or Guest Quarter.

a. No parking space(s) shall be required.

b. No replacement parking spaces shall be required for conversion of any existing parking spaces, including garages, carports or marked spaces into an interior ADU or a Junior ADU. Any conversion of existing parking space(s) into a Guest Quarter shall be replaced at a 1:1 ratio.

2. Interior ADU within a new structure, Attached ADU, or Detached ADU.

a. One (1) regular or tandem parking space per unit shall be required; or,

b. Parking may be waived, if any of the following apply to the lot or unit:

i. Within a half mile (½ mile) walking distance from transit, including bus stop or train station locations where the public may access buses, trains or any other forms of transportation that charge set fares, run on fix routes and are available to the public; or,

ii. Within an architecturally or a historically significant district; or,

iii. Within an area that requires on-street parking permits but are not offered to the new unit; or,

iv. Within one (1) mile from a car share area.

c. Parking may be located within required setbacks established by this ordinance.

d. No replacement parking spaces shall be required for conversion of any existing parking spaces, including garages, carports or marked spaces into an ADU.

3. Second Unit.

a. One (1) parking space per one-(1) bedroom unit shall be required; or,

b. Two (2) parking space for units with two (2) or more bedrooms shall be required.

c. Any conversion of existing parking space(s) into a Second Unit shall be replaced at a 1:1 ratio.

4. MOG Units. Parking spaces shall be provided pursuant to Section 18.12 of this ordinance, with the exception of the following criteria:

a. Parking spaces shall be located immediately adjacent to each MOG Unit; and,

b. Parking spaces shall be developed using impervious surfaces.

5. Ranchets. Parking spaces shall be provided pursuant to Section 18.12 of this ordinance.

G. Design.

1. Additional residential accommodations shall be compatible with the architecture of the primary one family dwelling or multiple family dwelling on the same lot and consistent with the surrounding neighborhood.

2. Attached and Interior additional residential accommodations shall have exterior access to the unit.

3. In accordance with Title 25 of the California Code of Regulations, as may be amended, MOG Units and Ranchets shall include any required opaque skirt entirely around the unit in order to screen the area between the ground level and the floor of the unit.

H. Access.

1. All weather access for emergency vehicles shall be provided for any additional residential accommodation that is located more than one-hundred and fifty feet (150 ft.) from a public right-of-way.

2. All access roads for emergency vehicle or driveways that service an additional residential accommodation shall be at least twenty (20) feet in width and shall have a clear and unobstructed access to the public road.

I. MOG Unit Specific Development Standards.

1. MOG Units shall be located within individual and separate spaces, which may also include accessory structures or appurtenances attached thereto or used in conjunction therewith. Spaces shall only include one MOG Unit.

a. The minimum size of each space within the lot shall be 2,500 square feet.

b. The minimum dimension of the space shall be thirty (30) feet in width and eighty (80) feet in depth.

c. The minimum coverage of each space shall not exceed seventy-five percent (75%) of the space area with structures, including the manufactured home unit, any attached or detached accessory structures, such as awnings, stairways, and ramps.

2. Separation of buildings or structures shall comply with Title 25 of the California Code of Regulations, as may be amended.

3. Walls and Fences and Landscaping.

a. A chain link fence, or other similar material, shall be erected along the perimeter of the lot, except when prohibited in flood areas or similar situations.

i. The fence shall be at least six (6) feet in height.

ii. The fence shall be screen by landscaping or other material.

b. A chain link fence, or other similar fencing, at least three (3) feet in height shall be erected between spaces on the lot. Landscaping may be used in lieu of required fencing between spaces on the lot.

4. Additional Access Requirements.

a. MOG Units shall be located no further than 450 feet from a public dedicated and maintained road.

b. MOG Units shall be served by an all-weather access road or driveway, such as a Class 2 base or a material capable of supporting emergency vehicles as approved by the Fire Department.

c. No additional curb cuts, rear access or any other types of access for the lot shall be allowed, except where authorized by the Riverside County Transportation Department through the issuance of an encroachment permit connecting with a public right-of-way.

**SECTION 19.808 OCCUPANCY AND FIRE PROTECTION.**

A. Occupancy.

1. Accessory Dwelling Unit. Property owners shall not be required to occupy, or live within, the primary dwelling or ADU located on the same lot, if the ADU is permitted between January 1, 2020 and June 1, 2025. If an ADU is permitted after June 1, 2025, property owners must occupy, or live within, the primary dwelling or ADU located on the same lot. Appropriate verification to show occupancy, as determined by the County, may include, but not limited to, utility bills or official mail with the property owners name, government issued identification or license with primary address and property owner's name, or documents showing official registration primary address as residence for the property owner.

2. Second Unit or Guest Quarter. Property owners must occupy, or live within, the primary dwelling existing on the same lot as the Second Unit or Guest Quarter. Appropriate verification to show occupancy, as determined by the County, may include, but not limited to, utility bills or official mail with the property owner's name, government issued identification or license with primary address and property owner's name, or documents showing official registration primary address as residence for property owner.

3. Junior Accessory Dwelling Unit. Property owners must occupy, or live within, either the primary dwelling or Junior ADU located on the same lot. Appropriate verification showing occupancy, as determined by the County, may include, but not limited to, utility bills or official mail with the property owner's name, government issued identification or license with primary address and property owner's name, or documents showing official registration primary address as residence for property owner.

4. Owner-occupancy requirements shall not apply if the property owner is another governmental agency, land trust, housing organization or other similar agency or organization.

5. Except for Guest Quarters and MOG Units, additional residential accommodations may be rented to and occupied by any person(s) in accordance with occupancy requirements provided in this Article. The renting of a Ranchet is for the mobilehome or manufactured home only and shall not create a real property interest in the lot the Ranchet is located on.

6. Additional residential accommodations shall not be rented for a period less than or equal to 30 days.

7. Guest Quarters shall be used exclusively by the occupants of the one family dwelling on the same lot or their non-paying guests.

8. MOG Units shall be occupied by at least two (2) separate legal owners, verified with the latest deed, which shall live in separate MOG Units. MOG Units shall not be rented or leased, or held out for rent or lease.

9. Additional residential accommodations shall be used for residential purposes and may include home businesses or occupations as allowed by local or state laws.

10. Additional residential accommodations shall not be sold as a separate unit, except as provided by local or state law and, if required, the lot is subdivided pursuant to local and state subdivision laws.

11. For lots with a proposed Junior ADU, a deed restriction in accordance with Government Code section 65852.22(a)(3), as may be amended, shall be recorded on the property and included in the application for the Junior ADU.

B. Fire Protection.

1. Water supply to the lot shall be capable of providing the required fire flow for fire protection, pursuant to the California Fire Code.

2. ADUs or Junior ADUs shall provide fire sprinklers only if the primary dwelling is required to provide fire sprinklers.

## SECTION 19.809 ADDITIONAL MOG UNIT REQUIREMENTS.

A. Ownership.

1. Lots with MOG Units must be jointly owned by multiple owners, and all owners must be listed on the deed.

2. Property owners shall notify the Planning Director, or designee, of any change in ownership within thirty (30) days of the change. Ownership and occupancy shall meet the requirements of this article for the life of the MOG Unit.

B. Subdivision and Installation.

1. The allowance of multiple MOG Units on one lot does not constitute a subdivision of that lot under the Subdivision Map Act or Riverside County Ordinance No. 460.

2. MOG Units shall not be sold separately, unless the underlying lot is subdivided pursuant to all applicable local and state subdivision and land use laws.

3. MOG Units shall be pre-existing and installed prior to May 14, 2013.

4. MOG Units shall be located on a lot with at least one other MOG Unit.

5. MOG Units shall be part of an existing grouping of manufactured homes on one (1) lot, referred to as an existing "MOG manufactured home park." No expansion of the existing MOG manufactured home park shall be permitted.

6. MOG Units shall be installed per manufacturer's specifications on approved piers. No permanent foundation shall be allowed for a MOG Unit, except where required by the applicable flood control district.

7. MOG Units on approved piers shall be screened by an opaque skirt to completely cover the area between the floor and the ground and completely cover the approved piers.

8. No outside storage shall be allowed on lots with MOG Units.

C. Utilities.

1. MOG Units shall have separate utility services and connections, except for MOG Units connected to sub-surface sewage disposal systems.

2. Propane tanks shall include appropriate setbacks, pursuant to the California Fire Code.

3. The maximum size of a propane tank shall be 250 gallons.

4. Electrical meter banks may be permitted, subject to written approval by the local electric provider.

5. MOG Units shall have running water.

6. MOG Units served by a water well shall meet minimum production requirements set forth in Riverside County Ordinance No. 682.

7. MOG Units connected to a septic system or well shall obtain all necessary approvals from the appropriate departments.

8. MOG Units utilizing any proposed State Small Water System shall obtain approval from the Riverside County Department of Environmental Health.

## SECTION 19.810 EASTERN COCHELLA VALLEY BOUNDARY.

For the purposes of this article, the Eastern Coachella Valley boundary shall include all that area identified as the "Area Plan Boundary" in Figure 3, or the Land Use Plan, of the Eastern Coachella Valley Area Plan, which is part of the Riverside County General Plan, as amended.

## SECTION 19.811 DENSITY.

A. An additional residential accommodation that conforms to this Article shall not be considered to exceed the allowable density established by the General Plan for the lot upon which the additional residential accommodation is located.

B. An additional residential accommodation that conforms to this Article shall be considered consistent with the Riverside County General Plan, including the Land Use Element, and the residential uses of the applicable zoning classification for the lot upon which the additional residential accommodation is located.

## SECTION 19.812 CONFLICTING STANDARDS AND REQUIREMENTS.

A. In the event there is a conflict between the requirements and development standards set forth in this Article and a lot's applicable zoning classification or other provision in this ordinance, the provisions of this Article shall prevail.

B. If any provision of this Article conflicts with California Government Code Section 65852.2 or 65852.22, the provisions of the Government Code sections shall prevail.

Amended Effective:
Ord. 348.4756 Item 16-2 of 05/14/13 (Effective Date: 06/13/13)
Ord. 348.4926 Item 21.4 of 08/25/2020 (Effective Date 09/24/2020)

## ARTICLE XIXk UNATTENDED DONATION BINS

### SECTION 19.900 PURPOSE AND INTENT.

The Board of Supervisors finds that unattended donation bins provide a service to the community by facilitating the donation of items for distribution or resale. Unattended donation bins are, however, often the targets of graffiti, litter and illegal dumping. Additionally, unattended donation bins are often placed on private property without the consent of the property owner, or in public rights of way, creating safety concerns and traffic impediments that can endanger drivers and pedestrians. Welfare and Institutions Code Section 153 allows the County of Riverside to impose requirements upon the solicitation of salvageable personal property. This Article establishes minimum development standards and permitting procedures for unattended donation bins in the unincorporated areas of Riverside County with the purpose to enhance the aesthetic appearance of the community, preserve property values and protect the public health, safety and welfare. This Article does not apply to attended donation bins or to donation bins located within an enclosed building.

### SECTION 19.901 DEFINITIONS.

As used in this Article, the following terms shall have the following meanings:

A. Donation Bin. Any unattended bin, box, container, or similar receptacle located on any legal lot used to collect textiles, shoes, books or other salvageable personal items for distribution or resale by the operator. This term does not include recycle bins for the collection of recyclable material. A Donation Bin shall not be considered a fixture or improvement to the lot.

B. Donation Bin Operator. A person or entity who owns, manages or maintains a Donation Bin.

C. Donation Bin Permit. Written authority from the County to a Permittee that authorizes the placement and operation of a Donation Bin on a legal lot.

D. Permittee. A property owner who applies for and obtains a Donation Bin Permit.

### SECTION 19.902 LOCATION.

Subject to the requirements provided in this Article, Donation Bins are allowed in all zone classifications, except in the following zones where they are prohibited: M-SC, M-M, M-H, M-R, M-R-A, A-1, A-P, A-2, A-D, C/V, C-C/V, WC-W, WC-WE, WC-E, WC-R, W-2, R-D, N-A, W-2-M, W-1 and W-E.

### SECTION 19.903 PERMITS & FEES.

A. No Donation Bin shall be placed, erected, used or maintained until a Permittee obtains a

Donation Bin Permit from the County of Riverside. A Donation Bin Permit shall expire one year from the date of issuance, unless a renewal application and applicable filing fee is timely submitted and approved in accordance with Section 19.903.c. of this Article.

B. An application for a Donation Bin Permit shall be submitted to the Assistant TLMA Director – Community Development or designee on the form provided by the County Planning Department and accompanied by the applicable filing fee set forth in Ordinance No. 671.

C. A Donation Bin Permit shall be renewed on an annual basis based on the anniversary of the original Donation Bin Permit issuance. An application for renewal shall be submitted to the Assistant TLMA Director – Community Development or designee on the form provided by the County Planning Department and accompanied by the applicable filing fee set forth in Ordinance No. 671. The renewal application shall be submitted no later than thirty (30) days prior to the expiration of the Donation Bin Permit.

## SECTION 19.904 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.

## SECTION 19.905 OPERATIONAL REQUIRMENTS.

In addition to the development standards in Section 19.904, 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 for-profit 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.

**SECTION 19.906 REVOCATION OF PERMIT.**

A Donation Bin Permit may be revoked in accordance with the findings and procedure provided in Section 18.31. of this ordinance.

## SECTION 19.907 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.”

Added Effective:
Ordinance No. 348.4857 Item 17.2 of 9/12/17 (Effective Date: 10.12.17)

## ARTICLE XIXI MOBILE FOOD TRUCKS

### SECTION 19.1000 PURPOSE AND INTENT.

The Board of Supervisors finds that short-term, temporary Mobile Food Truck operations can provide a benefit to the community by increasing local access to alternative food retailers, especially in communities not central to brick and mortar establishments. Though, in certain areas, such as frequently traveled public highways and narrow streets and roadways without sidewalks or other similar barriers designed to protect pedestrians from vehicular hazards, Mobile Food Truck operations can create a public safety concern for Mobile Food Truck customers and operators. Accordingly, it is the purpose and intent of the Board of Supervisors through this Article to establish regulations related to Mobile Food Trucks operations on private property in the unincorporated areas of Riverside County for the promotion of the public health, safety, and general welfare.

### SECTION 19.1001 DEFINITIONS.

For purposes of this Article only, the following terms are defined as follows:

A. ENVIRONMENTAL HEALTH PERMIT means an annual permit issued by the County of Riverside Department of Environmental Health in accordance with Ordinance No. 580.

B. MOBILE FOOD TRUCK means a licensed, motorized vehicle, including any legally attached trailer, used in conjunction with the service of a commissary, or other permanent food facility upon which prepackaged or approved non-prepackaged food is sold, offered for sale or otherwise distributed as retail.

### SECTION 19.1002 MOBILE FOOD TRUCK PERMIT.

No Mobile Food Truck shall operate without a Mobile Food Truck permit approved in accordance with this Article and Section 18.30 of this ordinance. All procedural provisions of Section 18.30 shall apply to the permit application, except Subsection C relating to approval requirements, Subsection D relating to action on applications, and Subsections E and F relating to appeals and Subsection G relating to use of the permit after the application is approved.

A. CLASSIFICATION. Action on a Mobile Food Truck permit shall be ministerial and not subject to the California Environmental Quality Act.

B. EXPIRATION. An approved permit for a Mobile Food Truck shall expire one year from the date of approval, unless a renewal application and applicable filing fee is timely submitted and approved in accordance with Section 19.1006 of this Article.

C. RENEWAL. An approved permit for a Mobile Food Truck shall be renewed on an annual basis based on the anniversary date of the original approved permit. An application for renewal shall be submitted to the Planning Director or designee no later than thirty (30) days prior to the expiration of the approved permit on the form provided by the Riverside County Planning Department and accompanied by the applicable filing fee set forth in

Ordinance No. 671.

Amended Effective:
Ordinance No. 348.4966 Item 21.3 of 10.19.21 (Effective Date: 11.18.21)

## SECTION 19.1003 ZONES.

Subject to the requirements provided in this Article, Mobile Food Trucks with an approved Mobile Food Truck Permit are allowed in all zone classifications, except the following: R-1, R-R-O, R-2, R-2A, R-3, R-T, R-T-R, R-4, R-5, R-6, R-7, C/V, N-A, W-2-M, W-1, WC-W, WC-WE, WC-E, W-R and W-E.

## SECTION 19.1004 LOCATION REQUIREMENTS.

A permit for a Mobile Food Truck shall not be approved unless the following are met:

A. VACANT LOT. The Mobile Food Truck shall operate on a vacant lot that is either paved or surfaced with gravel or decomposed granite.

B. LOT SIZE. The vacant lot is at least one-half acre in size.

C. ACCESS. The lot includes adequate ingress and egress in accordance with Ordinance No. 787.

D. NUMBER OF MOBILE FOOD TRUCKS. The number of Mobile Food Trucks permitted on a lot shall be as follows:

1. No more than three (3) Mobile Food Truck are allowed on lots half (1/2) an acre or greater but less than one (1) gross acre.

2. No more than four (4) Mobile Food Trucks are allowed on lots one (1) gross acre or greater but less than two (2) gross acres.

3. No more than five (5) Mobile Food Trucks are allowed on lots two (2) gross acres or greater but less than six (6) gross acres.

4. There is no limit on the number of Mobile Food Trucks on lots greater than six (6) gross acres.

## SECTION 19.1005 OPERATIONAL REQUIREMENTS.

In addition to the location requirements set forth in this Article and requirements provided in Ordinance No. 580, a Mobile Food Truck shall comply with the following:

A. AREA MAINTAINENCE. The lot used by the Mobile Food Truck shall be kept free of any debris or trash.

B. NO ONSITE CONSUMPTION ARE. Except for shade covers or awnings that provide shade for customers waiting for food, no tables or chairs shall be placed on the lot.

C. AMPLIFIED SOUND. No loudspeaker systems, or other device(s) designed to amplify sound are allowed on the lot.

D. SIGNAGE. All signage shall comply with Article XIX Advertising Regulations of this ordinance. Additionally, air flyers and sign twirlers are prohibited on the Lot.

E. LIGHTS. All temporary outdoor lighting shall be shielded or downward facing.

F. LOCATION SAFETY.

1. Mobile Food Trucks shall be located at least 15 feet from any fire hydrant, utility box or vault, public right of way, emergency vehicle route, internal drive aisle, tree canopy or pedestrian pathway.

2. Mobile Food Trucks shall not operate within a five-foot radius of another Mobile Food Truck.

3. Mobile Food Trucks shall not operate within Compatibility Zone A of any County of Riverside airport, as designated and defined by the Riverside County Airport Land Use Compatibility Plan.

4. Mobile Food Trucks shall not otherwise be located within any area of the lot that obstructs pedestrian or vehicle traffic.

G. NO ALCOHOL OR SALE OF CONTROLLED SUBSTANCES. The sale or soliciting the sale of any alcoholic beverages or controlled substances from a Mobile Food Truck is strictly prohibited.

H. WASTE DISPOSAL.

1. No Mobile Food Truck shall cause or dispose of oil, grease, or waste on the Lot.

2. Wastewater generated on-site shall not be released on-site or into the storm drainage system.

I. HOURS OF OPERATION. Operations shall be limited to Sunday through Saturday from 8:00AM to 12:00AM.

J. PARKING. There shall be no parking on the Lot after 12:00AM, and overnight parking or storage of the Mobile Food Truck on the Lot is prohibited.

K. DISPLAY OF PERMIT. A Mobile Food Truck shall possess and at all times display in clear view a certified copy of its current Environmental Health Decal and grade card issued by the Department of Environmental Health, as required by Riverside County Ordinance No. 580, and approved Mobile Food Truck permit.

L. TRASH RECEPTACLES.

1. At least one (1) visible trash receptacle for use by customers shall be placed within twenty (20) feet of the Mobile Food Truck operation.

2. Unless the property owner has provided for a permitted dumpster, all trash receptacles shall be removed once the Mobile Food Truck operation has ceased each day.

M. RESTROOMS. In accordance with Section 114315 of the California Retail Food Code, Mobile Food Trucks stopped to conduct business for more than one hour, shall operate within 200 feet of an approved, readily available and functioning restroom facility. If the restroom is within a business, the Mobile Food Truck operator must submit with the plot plan application, written permission from the business owner providing the hours the restroom facilities are being made available for use by the food service workers. Executive portable toilet facilities with handwashing stations may satisfy this requirement.

N. FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS. Mobile Food Trucks shall comply with all other applicable federal, state and local laws and regulations.

## SECTION 19.1006 APPROVAL REQUIREMENTS.

The Planning Director shall approve a Mobile Food Truck permit if all of the following are met:

A. The Mobile Food Truck operation complies with the requirements set forth in this Article;

B. Written consent from the Lot owner allowing the Mobile Food Truck to operate on the Lot has been provided to the Planning Director;

C. An Environmental Health Permit has been issued for the Mobile Food Truck by the Department of Environmental Health, pursuant to Ordinance No. 580;

D. Inspection of the Mobile Food Truck has been completed by the County Fire Marshall; and

E. There is no pending Code Enforcement action on the lot.

## SECTION 19.1007 EXEMPTIONS.

This Article does not apply to any of the following:

A. Mobile Food Trucks operating in the public right-of-way pursuant to Ordinance No. 853.

B. Mobile Food Trucks operating in conjunction with an active construction site.

C. Mobile Food Trucks operating on the property of a legally existing school, college, university, hospital, or places of religious worship.

D. Mobile Food Trucks operating in conjunction with and on the same site as events consistent with a legally permitted land use or temporary event.

## SECTION 19.1008 REVOCATION.

A Mobile Food Truck permit may be revoked in accordance with section 18.31 of this ordinance.

## SECTION 19.1009 PUBLIC NUISANCE.

Any violation of this Article is hereby declared to be unlawful and a “public nuisance.”

Added Effective:
Ordinance No. 348.4913 Item 21.1 of 11.19.19 (Effective Date: 12.19.19)

## ARTICLE XIXm INDUSTRIAL HEMP ACTIVITIES

### SECTION 19.1100 PURPOSE AND INTENT.

The purpose of this Article is to protect the public health, safety, and welfare, enact effective regulatory and enforcement controls in compliance with State law, protect neighborhood character, and minimize potential for negative impacts on people, communities, and the environment in the unincorporated areas of Riverside County by establishing land use regulations for industrial hemp activities. Industrial hemp activities include industrial hemp cultivation, industrial hemp manufacturing and processing. Industrial hemp activities require land use regulations due to the potential environmental and social impacts associated with industrial hemp activities. It is the intent of this Article to regulate industrial hemp. It is not intended to abrogate, amend, or conflict with the California Right to Farm Act, Civil Code section 3482.5; the Riverside County Right-To-Farm Ordinance, Ordinance No. 625; or any General Plan land use provisions protecting commercial agricultural operations. Agricultural Crop as defined in this ordinance shall not be affected by this Article.

Amended Effective: Ordinance No. 348.4983 Item 21.1 of 04/26/2022 (Eff: 05/25/2022)

### SECTION 19.1101 PROHIBITED ACTIVITIES.

A. Any Industrial Hemp Activity that is not expressly exempted from this Article or provided for in an approved conditional use permit or plot plan and a registration with the County Agricultural Commissioner is prohibited in all zones and is hereby declared a public nuisance that may be abated by the County and is subject to all available legal remedies, including but not limited to civil injunctions.

B. All Industrial Hemp Activities are prohibited within any dwelling unit, accessory dwelling unit, guest quarters, or any other residential accessory building permitted for residential occupancy.

C. Outdoor Industrial Hemp Cultivation is prohibited in the R-R Zone and R-A Zone on lots less than 20 gross acres.

D. Outdoor Industrial Hemp Cultivation is prohibited in the W-2 Zone on lots less than 5 gross acres.

E. Indoor and Outdoor Industrial Hemp Cultivation is prohibited on lots in the R-R Zone and R-A Zone that do not receive water from an applicable water purveyor or have a permitted onsite in-ground well existing as of the effective date of Ordinance No. 348.4931, as such well may be relocated or replaced from time to time.

F. Indoor and Outdoor Industrial Hemp Cultivation is prohibited on lots located, entirely or partially, in the communities of Anza and Aguanga within the boundary of the Santa Margarita River Watershed, specifically located east of the Eastern Municipal Water District's and Rancho California Water District's service areas and north of Highway 79 South.

G. Indoor and Outdoor Industrial Hemp Cultivation is prohibited on lots located, entirely or partially, in the community of Sage, specifically located east and south of the Eastern Municipal Water District's service area and west of Bautista Road.

H. Indoor and Outdoor Industrial Hemp Cultivation is prohibited on lots located, entirely or partially, within the boundary of the Anza Borrego Watershed area within the unincorporated area of Riverside County.

I. The use of water or issuance of well permits for purposes other than Industrial Hemp Cultivation shall not be affected by this Article.

Amended Effective: Ordinance No. 348.4983 Item 21.1 of 04/26/2022 (Eff: 05/25/2022

**SECTION 19.1102 APPLICABILITY.**

A. Industrial Hemp Activities shall not be allowed in the unincorporated areas of Riverside County without first obtaining all required land use permits, licenses, registrations or other entitlements required by local or State laws and regulations.

B. For the purposes of this Article, Industrial Hemp does not include Cannabis as defined in this ordinance.

C. This Article does not apply to legally existing Outdoor Industrial Hemp Cultivation in the A-1, A-P, A-2, A-D and W-2 zone classifications that is operated by an Established Agricultural Research Institution as defined in Section 81000 of the California Food and Agricultural Code.

D. Outdoor Industrial Hemp Cultivation legally operating in the A-1, A-P, A-2, A-D, R-R, R-R-O, R-1, R-1A, R-A, R-2, R2-A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, C/V, C-C/V, WC-R, WC-W, WC-WE, WC-E, R-D, N-A, W-2, W-2-M, W-1, W-E, M-R, M-R-A and MU zone classifications with a valid registration issued by the County Agricultural Commissioner prior to the effective date of Ordinance No. 348.4931 may continue operating with a valid registration for a period of two years from the effective date of Ordinance No. 348.4931. Upon expiration of the two year period, the Outdoor Industrial Hemp Cultivation shall comply with the requirements of this Article and all other applicable laws and regulations.

**SECTION 19.1103 LOCATIONS.**

A. Industrial Hemp Activities are prohibited in the following zones: R-R-O, R-1, R-1A, R-2, R2-A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, C/V, C-C/V, WC-R, WC-W, WC-WE, WC-E, R-D, N-A, W-2-M, W-1, W-E, M-R, M-R-A, and MU.

B. Industrial Hemp Activities operating in accordance with this Article within approved Specific Plans shall be an interim use not to exceed a maximum of 10 years.

## SECTION 19.1104 OUTDOOR INDUSTRIAL HEMP CULTIVATION.

A. Registration and Inspection. In addition to the requirements set forth in this Article, a registration shall be obtained from the County Agricultural Commissioner for the approved Outdoor Industrial Hemp Cultivation. The Outdoor Industrial Hemp Cultivation may be inspected two times a year by the County Agricultural Commissioner to determine compliance with State and local laws and regulations.

B. Zoning. Notwithstanding any other provision of this ordinance, Outdoor Industrial Hemp Cultivation is allowed as follows:

1. In the A-1, A-P, A-2 and A-D zones, Outdoor Industrial Hemp Cultivation is allowed in accordance with the following:

   a. On lots less than 10 gross acres and adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC-R with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

   b. On lots less than 10 gross acres and not adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC-R with an approved plot plan in accordance with Section 18.30 of this ordinance.

   c. On lots 10 gross acres or greater but less than 20 gross acres and adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC-R with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

   d. On lots 10 gross acres or greater but less than 20 gross acres and not adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC-R as a use by right.

   e. On lots 20 gross acres or greater but less than 160 acres as a use by right.

   f. On lots 160 gross acres or greater with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

2. In W-2 Zone, Outdoor Industrial Hemp Cultivation is allowed in accordance with the following:

   a. On lots less than 5 gross acres, Outdoor Industrial Hemp Cultivation is prohibited.

   b. On lots 5 gross acres or greater but less than 40 gross acres with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

c. On lots 40 gross acres or greater but less than 160 gross as a use by right.

d. On lots 160 gross acres or greater with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

3. In R-R and R-A Zones, Outdoor Industrial Hemp Cultivation is allowed in accordance with the following:

a. On lots less than 20 gross acres Outdoor Industrial Hemp Cultivation is prohibited.

b. On lots 20 gross acres or greater with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

## SECTION 19.1105 INDOOR INDUSTRIAL HEMP CULTIVATION.

A. Registration. In addition to the requirements set forth in this Article, a registration shall be obtained from the County Agricultural Commissioner for the approved Indoor Industrial Hemp Cultivation.

B. Zoning. Notwithstanding any other provision of this ordinance, Indoor Industrial Hemp Cultivation is allowed in the following zone classifications with an approved plot plan in accordance with section 18.30 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2 and A-D.

## SECTION 19.1106 INDUSTRIAL HEMP CULTIVATION STANDARDS.

In addition to the applicable permit and approval requirements provided in this Article and the development standards in the applicable zoning classification, Industrial Hemp Cultivation operations shall comply with the standards provided below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

A. Location Requirements.

1. Indoor and Outdoor Industrial Hemp Cultivation shall not be located within 1,000 feet of any Child Day Care Center, K-12 school, public park, or Youth Center. The distance shall be measured from the nearest points of the respective lot lines using a direct straight-line measurement. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance.

2. Industrial Hemp shall not be cultivated on a premises legally allowed to cultivate or process Cannabis.

B. Setbacks.

1. Indoor Industrial Hemp Cultivation: Indoor Industrial Hemp Cultivation shall be within a fully enclosed building or buildings and setback from the lot lines and public right-of way in accordance with the development standards for the zone classification in which it is located. When an Indoor Industrial Hemp Cultivation facility is located adjacent to a residentially zoned lot the minimum setback shall be 25 feet from all lot lines.

2. Outdoor Industrial Hemp Cultivation:

   a. For lots adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC-R the Industrial Hemp Cultivation Area shall be setback a minimum of 300 feet from the adjoining lot line, otherwise the Industrial Hemp Cultivation Area shall be setback a minimum of 25 feet from all lot lines and public right-of-ways.

   b. The Industrial Hemp Cultivation Area shall be located a minimum of 50 feet from the drip line of any riparian vegetation of any watercourse.

C. Energy Conservation Measures. All Indoor Industrial Hemp Cultivation operations shall include adequate measures to address the projected energy demand for Industrial Hemp Cultivation at the lot. On-site renewable energy generation shall be required for all Indoor Industrial Hemp Cultivation operations. Renewable energy systems for Indoor Hemp Cultivation operating entirely within an enclosed building shall be designed to have a generation potential equal to or greater than 20-percent of the anticipated energy demand. This subsection does not apply to greenhouses or similar types of structures.

D. Water Conservation Measures. All Industrial Hemp Cultivation operations shall include adequate measures that minimize use of water for cultivation on the lot. Water conservation measures, water capture systems, or grey water systems shall be incorporated into the operations in order to minimize use of water where feasible.

E. Water Availability. All Industrial Hemp Cultivation operations shall either: obtain a 'Will Serve' letter from the applicable water purveyor, indicating agreement to supply water for the Industrial Hemp Cultivation operations; or comply with applicable Department of Environmental Health requirements for a permitted onsite, in-ground well, in accordance with section 19.1101.E. of this ordinance. The letter from such water purveyor shall include the activity proposed and any improvements required for service. Commercial and domestic potable water supplies shall not include water transported by vehicle from off-site sources.

F. Operations.

1. All Industrial Hemp Cultivation lighting shall be fully shielded, downward casting and not spill over onto structures, other properties or the night sky. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise.

2. All Industrial Hemp Cultivation operations shall accumulate or store garbage and refuse in a nonabsorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. All garbage and refuse on the site shall not be accumulated or stored for more than seven calendar days, and shall be properly disposed of before the end of the seventh day. All waste, including but not limited to refuse, garbage, green waste and recyclables, must be disposed of in accordance with County and State laws and regulations. All waste generated from Industrial Hemp Cultivation operations must be properly stored and secured to prevent access from the public.

3. Onsite generators are prohibited, except as a source of energy in an emergencies. Onsite generators for emergency use shall be included in the applicable plot plan or conditional use permit.

4. Supplemental lighting for Outdoor Hemp Cultivation shall not exceed 25 watts per square foot to be used up to one hour before sunrise or after sunset, unless the building or structure is equipped with light-blocking measures to ensure no light escapes from it.

5. Industrial Hemp Cultivation shall not include the retail sales of Industrial Hemp or Industrial Hemp Products.

G. Signage – Outdoor Industrial Hemp Cultivation. In accordance with Section 81006 of the Food and Agricultural Code, Outdoor Industrial Hemp Cultivation shall have a sign placed at the primary entrance of the lot indicating it is Industrial Hemp Cultivation. The sign shall be a minimum of 3 foot by 3 foot.

Amended Effective: Ordinance No. 348.4983 Item 21.1 of 04/26/2022 (Eff: 05/25/2022

## SECTION 19.1107 INDUSTRIAL HEMP MANUFACTURING FACILITIES ZONES.

A. Notwithstanding any other provision of this ordinance, Industrial Hemp Manufacturing Facilities are allowed as follows:

1. Non-Volatile Industrial Hemp Manufacturing Facility. Non-volatile Industrial Hemp Manufacturing Facilities are allowed in the following zones with an approved plot plan in accordance with Section 18.30 of this ordinance: A-1, A-P, A-2, A-D, I-P, M-SC, M-M and the M-H zones.

2. Volatile Industrial Hemp Manufacturing Facility. Volatile Industrial Hemp Manufacturing Facilities are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: A-1, A-P, A-2, A-D, I-P, M-SC, M-M and M-H.

## SECTION 19.1108 INDUSTRIAL HEMP MANUFACTURING FACILITIES STANDARDS.

In addition to the applicable permit and approval requirements provided in this Article and the development standards for the applicable zoning classification, Industrial Hemp Manufacturing Facilities shall comply with the standards provided below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

A. General Location. Industrial Hemp Manufacturing Facilities shall not be located within 1000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the plot plan or conditional use permit, and local and State laws and regulations.

B. Setbacks.

1. Non-Volatile and Volatile Industrial Hemp Manufacturing Facilities shall be setback from all lot lines a minimum of 25 feet.

2. Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of this ordinance. In no case shall a setback be less than setbacks required by the State law, the California Building Code or Ordinance No. 457.

C. Lot Size. Except for Industrial Hemp Manufacturing Facilities located in the I-P, M-SC, M-M or M-H zones, the minimum lot size for Industrial Hemp Manufacturing Facilities is 20 gross acres. Industrial Hemp Manufacturing Facilities located in the I-P, M-SC, M-M or M-H zones shall comply with the lot size standards for the zone classification in which they are located.

D. Operations.

1. Any compressed gases used in the manufacturing process shall not be stored on any lot within in containers that exceeds the amount which is approved by the Riverside County Fire Department and authorized by the conditional use permit.

2. Closed loop systems for compressed gas extraction systems must be commercially manufactured, bear a permanently affixed and visible serial number and certified by an engineer licensed by the State of California that the system was commercially manufactured, is safe for its intended use, and was built to codes of recognized and generally accepted good engineering practices.

3. Industrial Hemp Manufacturing Facilities shall have a training program for persons using solvents or gases in a closed looped system to create hemp extracts on how to use the system, to access applicable material safety data sheets and to handle and store the solvents and gases safely.

## SECTION 19.1109 PERMIT REQUIREMENTS FOR INDUSTRIAL HEMP ACTIVITIES.

Industrial Hemp Activities shall comply with the following requirements:

A. Application Requirements. At the time of filing the application for an Industrial Hemp Activity on a form provided by the Planning Department, the applicant shall also provide the applicable fee for processing the land use permit application.

B. Suspension, Revocation, or Termination of State License. Suspension of any required license issued by the State of California, or by any State licensing authority, or registration issued by the County Agricultural Commissioner shall immediately suspend the ability of an Indoor or Outdoor Industrial Hemp Cultivation to operate within the County until the State or County reinstates or reissues the State license or County registration, as applicable. Revocation or termination of State license or County registration will also be grounds to revoke or terminate any conditional use permit or plot plan granted to an Indoor or Outdoor Industrial Hemp Cultivation land use pursuant to this Article.

C. Health and Safety. Industrial Hemp Activities shall at all times be operated in such a way as to ensure the health, safety, and welfare of the public. Industrial Hemp Activities shall not create a public nuisance or violate applicable local, state or federal laws.

D. Nuisance Odors Indoor Industrial Hemp. Subject to the California Right to Farm Act and the Riverside County Right-to-Farm Ordinance, Indoor Industrial Hemp Activities shall be sited and operated in a manner that prevents Industrial Hemp odors from significantly interfering with offsite land uses. All Indoor Industrial Hemp Activities shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the Indoor Industrial Hemp Activity that is distinctive to its operation does not significantly interfere with land uses on adjacent lots or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the Indoor Industrial Hemp Activity. In order to control odors, humidity and mold, Indoor Industrial Hemp Activities shall install and maintain at the minimum, the following equipment, or any other equipment that can be proven to be an equally or more effective method or technology:

1. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally;

2. An air system that creates negative air pressure between the Indoor Industrial Hemp Activities' interior and exterior to prevent the odors generated by the Indoor Industrial Hemp Activity from being emitted externally.

This subsection does not apply to greenhouses or similar structures.

E. Relocation Of A Permitted Industrial Hemp Activity. In the event the permittee or successor in interest vacates and relocates the Industrial Hemp Activity to a new location, a new conditional use permit or plot plan will need to be granted by the County in accordance with

this ordinance prior to commencing operations at the new location.

F. Permit and License Posting. The permittee shall post or cause to be posted at the Industrial Hemp Activity all required County and State permit and licenses to operate.

G. Inspections. Industrial Hemp Activities shall be subject to inspections by appropriate local and State agencies, including, but not limited to, the Riverside County Departments of Code Enforcement, Planning, Fire, Public Health, Environmental Health, the Agricultural Commissioner's Office and the Sheriff's Department.

H. Signage. Signage for an Industrial Hemp Activity shall comply with the following:

1. Business identification signage for an Industrial Hemp Activity shall comply with Section 19.4 of this ordinance.

2. No Industrial Hemp Activity shall advertise by having a person or device holding a sign or an air dancer sign advertising the activity to passersby, whether such person, device or air dancer is on the lot of the Industrial Hemp Activity or elsewhere including, but not limited to, the public right-of-way.

3. No signs placed on the lot of an Industrial Hemp Activity shall obstruct any entrance or exit to the building or any window.

4. Signage shall not be directly illuminated, internally or externally.

5. No banners, flags, billboards, or other prohibited signs may be used at any time.

I. Parking. Parking shall be provided in accordance with Section 18.12 of this ordinance.

J. Hazardous Materials. All Industrial Hemp Activities that utilize hazardous materials shall comply with applicable hazardous waste generator, Riverside County Ordinance No. 615, and hazardous materials handling, Riverside County Ordinance No. 651, requirements and maintain any applicable permits for these programs from the Riverside County Fire Department, the Riverside County Department of Environmental Health, the Riverside County Department of Waste Resources and the Agricultural Commissioner.

K. Compliance with Local and State Laws and Regulations.

1. All Industrial Hemp Activities shall comply with all applicable local and State laws, ordinances and regulations related to, but not limited to, the following: the California Environmental Quality Act, California Building Code, California Fire Code, Riverside County Ordinance No. 787, Riverside County Ordinance No. 457, Riverside County Ordinance No. 657, Riverside County Ordinance No. 745, Airport Land Use Compatibility Plans, weights and measures regulations, pesticide use, water quality, storm water discharge and the grading of land.

2. All buildings and structures, including greenhouse, hoop structures, or other similar structures shall comply with all applicable Building, Fire, and Safety laws and regulations. All buildings and structures shall be reviewed by the Riverside County Building and Safety Department in accordance with the California Building Code and Riverside County Ordinance No. 457 and by the Riverside County Fire Department in accordance with Riverside County Ordinance No. 787 and the California Fire Code.

L. Multiple Industrial Hemp Activities. Multiple Industrial Hemp Activities may be allowed on the same lot provided the proposed activities are allowed in the zone classification and meet all requirements in this Article and State Law.

M. Retail Sales. Industrial Hemp Activities shall not include the retail sales of Industrial Hemp or Industrial Hemp Products.

Amended Effective: Ordinance No. 348.4983 Item 21.1 of 04/26/2022 (Eff: 05/25/2022

**SECTION 19.1110 APPROVAL REQUIREMENTS FOR INDUSTRIAL HEMP ACTIVITIES.**

A. No conditional use permit or plot plan for an Industrial Hemp Activity shall be approved unless the following findings are made:

1. The permit is consistent with the General Plan and any applicable specific plan.

2. The permit complies with the permit requirements of this Article and Section 18.28 or Section 18.30 of this ordinance, as applicable.

3. The permit complies with the development standards for the zoning classification in which the Industrial Hemp Activity is located.

4. The permit will not be detrimental to the public health, safety or general welfare.

B. In addition to the findings required in subsection A. of Section 19.1110 above, no conditional use permit or plot plan for Indoor or Outdoor Industrial Hemp Cultivation shall be approved unless the following findings are made:

1. The Industrial Hemp Cultivation complies with all the requirements of the State and County for Industrial Hemp Cultivation.

2. The Industrial Hemp Cultivation is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center or a variance has been approved allowing a shorter distance but not less than allowed by State law.

3. The Industrial Hemp Cultivation includes adequate measures that minimize use of water for cultivation on the lot.

4. The Industrial Hemp Cultivation includes adequate quality control measures to ensure cultivation meets State and County regulatory standards.

5. The Industrial Hemp Cultivation includes adequate measures that address enforcement priorities for cultivation including restricting access to minors, and ensuring that Industrial Hemp is not supplied to unlicensed or unpermitted persons.

6. The Indoor Industrial Hemp Cultivation will operate in a manner that prevents Industrial Hemp odors from significantly interfering with land uses offsite.

C. In addition to the findings required in subsection A. of Section 19.1110 above, no conditional use permit or plot plan for an Industrial Hemp Manufacturing Facility shall be approved unless the following findings are made:

1. The facility complies with all the requirements of the State and County for the manufacturing of Industrial Hemp.

2. The Industrial Hemp Manufacturing Facility does not pose a significant threat to the public or to neighboring uses from explosion or from release of harmful gases, liquids, or substances.

3. The Industrial Hemp Manufacturing Facility includes adequate quality control measures to ensure Hemp manufactured at the facility meets industry standards and includes a documented employee safety training program, a Safety Data Sheet, and meets all requirements in Health and Safety Code Section 11362.775, as it may be amended from time to time.

4. The Industrial Hemp Manufacturing Facility includes adequate measures that address enforcement priorities for Industrial Hemp activities including restricting access to minors, and ensuring that Industrial Hemp and Industrial Hemp Products are obtained from and supplied only to other permitted licensed sources within the State and not distributed out of State.

5. The Industrial Hemp Manufacturing Facility is not located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center.

D. Conditional use permits and plot plans shall be subject to all conditions necessary or convenient to assure that the Industrial Hemp Activity will satisfy the requirements of this Article.

## SECTION 19.1111 PUBLIC HEARING REQUIREMENTS FOR INDUSTRIAL HEMP ACTIVITIES.

A public hearing shall be held on the application for a conditional use permit or plot plan in accordance with the Section 18.28 or Section 18.30 of this ordinance, as applicable, and all of the procedural requirements and rights of appeal set forth therein shall govern the public hearing.

## SECTION 19.1112 REVOCATION OF PERMIT FOR INDUSTRIAL HEMP ACTIVITIES.

Any conditional use permit or plot plan granted under this Article may be revoked upon the findings and procedures contained in Section 18.31 of this ordinance except that the Planning Commission shall be the hearing body to make a determination that grounds for revocation exist and provide notice of the revocation. All other procedural requirements and rights of appeal set forth in Section 18.31 of this ordinance shall govern the hearing.

Added Effective:
Ordinance No. 348.4913 Item 21.1 of 11.19.19 (Effective Date: 12.19.19)

## ARTICLE XIXn SINGLE ROOM OCCUPANCY UNITS

### SECTION 19.1200 PURPOSE AND INTENT.

The purpose of this Article is to allow for Single Room Occupancy Units (SROs) to assist in providing affordable housing to extremely low, very low, lower, and low income households consistent with Government Code Section 65583(c)(2) and to appropriately regulate SRO's to ensure compatibility with surrounding uses and properties, and as well as to minimize impacts associated with such uses.

### SECTION 19.1201 APPLICABILITY AND PERMIT REQUIREMENTS.

E. SROs are a form of housing in which one or two individuals are housed in individual permanent resident rooms within a multiple tenant building.

F. SROs are allowed in the following zone classifications with an approved conditional use permit subject to the requirements of this Article and in accordance with Section 18.28 of this ordinance: C-1/C-P and MU.

### SECTION 19.1202 SITE LOCATION, OPERATION AND DEVELOPMENT STANDARDS.

The standards set forth below and the standards in Article IX and Article IXf of this ordinance shall apply to the development of SROs. In the event of a conflict between standards, the standards set forth below shall apply.

A. SEPARATION. To avoid over-concentration of SROs, there shall be a 300-foot separation requirement as measured from the nearest outside building walls between a proposed SRO and any other SRO.

B. COMPATIBILITY. The design of the SRO shall be compatible with the character of the surrounding neighborhood and consistent with any applicable County design guidelines.

C. PARKING AND BICYCLE STALLS. On-site parking shall be provided as required for studio dwelling units pursuant to Section 18.12. of this ordinance. Bicycle stalls shall be provided at a minimum of one (1) Class I bicycle parking facility, as provided in Section 18.12 of this ordinance, for every 5 SRO units.

D. COMMON SPACE. A minimum of ten (10) square feet per unit, or 250 square feet total, whichever is greater, shall be provided for interior common space. Dining rooms, meeting rooms, recreational rooms and other similar areas may be considered common areas. Shared bathrooms kitchens, storage, laundry facilities and common hallways shall not be considered common areas.

E. FLOOR AREA. An SRO unit shall be a minimum of one hundred fifty (150) square feet in floor area and up to a maximum of four hundred (400) square feet in floor area, including bathroom and kitchen facilities.

F. LAUNDRY FACILITIES. Laundry facilities shall be provided in a separate area within the SRO project at the ratio of one (1) washer and one (1) dryer for every twenty (20) SRO units or fractional number thereof.

G. KITCHEN FACILITIES. Each unit shall include a kitchen sink serviced with hot and cold water, a garbage disposal, and a counter top measuring a minimum of 18 inches wide by 24 inches deep. A complete kitchen facility available for all residents shall be provided on each floor of the structure, if all individual SRO units are not provided with a minimum of a refrigerator and a microwave oven.

H. BATHROOM FACILITIES. For each SRO unit, a private toilet shall be provided in an enclosed room with a door having a minimum of fifteen (15) square feet in floor area. If private bathing facilities are not provided for each SRO unit, shared shower or bathtub facilities shall be provided at a ratio of one (1) such facility for every seven (7) SRO units or fraction thereof. The shared shower or bathtub facility shall be on the same floor as the SRO units it is intended to serve and shall be accessible from a common area or hallway. Each shared shower or bathtub facility shall be provided with an interior lockable door.

I. MANAGEMENT PLAN. An SRO project shall submit a management plan, along with the appropriate review fee as set forth in Ordinance No. 671, for review and approval by the County prior to issuance of the first building permit. The management plan shall contain management policies, operations, emergency procedures, number of residents per SRO unit permitted, overnight guest policy, security program including video cameras monitoring building access points at every floor, rental procedures that allow for monthly tenancies and proposed rates, maintenance plans, staffing needs, tenant mix, selection and regulations. Income levels shall be verified in writing and provided to the County by a third party.

J. SRO MANAGER. An on-site 24-hour manager is required for a SRO project. The manager's unit shall be at least 300 square feet with its own kitchen and bath facilities.

K. INCOME RESTRICTED UNITS. All units in an SRO project shall be deed restricted to extremely low, very low, lower and low income households as such income restrictions are defined in the Riverside County's General Plan Housing Element and Health and Safety Code Sections 50079.5, 50093, 50105 and 50106, as may be amended, with the only exception being the 24-hour on-site manager. When accompanied by the appropriate review fee as set forth in Ordinance No. 671, such deed restriction shall be reviewed and approved by the Office of County Counsel and recorded prior to issuance of a building permit for the construction of the SRO project.

L. ANNUAL REVIEW OF MANAGEMENT PLAN. Each SRO project shall annually provide a report of compliance with its management plan to be prepared by a qualified third party who is approved by the County. Such report shall be accompanied by the appropriate review fee as set forth in Ordinance No. 671.

M. DISABLITY ACCESS. Disability access facilities shall be provided as may be required pursuant to federal, state and county laws and regulations. At a minimum, one (1) disabled accessible SRO unit shall be required for every twenty (20) SRO units.

N. RESTRICTION ON NUMBER OF RESIDENTS. No more than two (2) residents shall be permitted to reside in each SRO unit.

Added Effective
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## ARTICLE XIXo HOUSING ALTERNATIVES

### SECTION 19.1300 PURPOSE AND INTENT.

In adopting this article it is the intent of the Board of Supervisors to enact provisions that allow for the construction and installation of tiny homes or the placement of shipping containers adapted for residential use in order to increase the variety and supply of housing products permitted in the unincorporated area and thereby potentially increase housing affordability by allowing for a smaller housing product while at the same time considering an enhancement or maintenance of community aesthetics, preserving property values, and protecting the public health, safety and welfare.

### SECTION 19.1301 DEFINITIONS.

For purposes of this Article, the following terms shall have the following meanings:

A. Tiny Home: A tiny home is a detached structure built and designed to resemble a single family home for permanent year round occupancy by one household with functional areas that support normal daily routines including cooking, sleeping and sanitation.

B. Residential Shipping Container: A residential shipping container is a dwelling made from a steel shipping container. The residential shipping container is adapted from either a 20 foot by 8 foot or 40 foot by 8 foot container with a height of either 8.5 feet or 9.5 feet for permanent year round occupancy by one household with functional areas that support normal daily routines including cooking, sleeping and sanitation.

### SECTION 19.1302 LOCATION AND PERMIT PROCESSING.

A. Except as otherwise provided in this Article, tiny homes and residential shipping containers are allowed as a use by right in the R-7 and MU zone classifications as well as in all zoning classifications that permit one family dwellings or accessory dwelling units.

B. Tiny homes or residential shipping containers located on lots adjacent to a lot containing a place, building, structure, or other object listed on the National Register of Historic Places, shall be allowed with an approved plot plan in accordance with Section 18.30. of this ordinance.

C. Tiny homes and residential shipping containers are prohibited in areas that are constrained by water availability, water quality, sewage disposal or other health and safety concerns.

D. Tiny homes and residential shipping containers are prohibited in areas where a development moratorium is imposed by the County or another public agency with authority to impose such a development moratorium due to a deficient water supply, inadequate sewer or septic capacity.

E. Applications for a tiny home or residential shipping container shall include a site design plan demonstrating compliance with the development standards provided in this Article, and processed in accordance with this ordinance, Ordinance No. 671 and Ordinance No. 457,

as applicable.

**SECTION 19.1303 APPROVAL REQUIREMENTS.**

An application for a tiny home or residential shipping container shall be approved if it complies with all of the following, as applicable:

A. The requirements and development standards set forth in this Article.

B. Certification is provided demonstrating that the residential shipping container is constructed pursuant to ISO standards and is a new or single use shipping container.

C. All required approvals are obtained from the Department of Environmental Health and the Fire Department including that the residential shipping container is not compromised in any way including, but not limited to, physical or structural integrity, use of hazardous material for coating or fumigating, or having been used to transport hazardous material.

D. All applicable laws and regulations related to flood control, seismic safety, and health and safety including, but not limited to, Fire and Building Code regulations.

E. Written confirmation has been provided from the Department of Environmental Health for the use of an existing or new septic system.

F. A percolation test is completed and certified within the last year or recertified by the Department of Environmental Health.

G. All required approvals are obtained from the applicable water and sewer purveyor(s).

H. If applicable because of geographic location and constraints, all required approvals are obtained from the Fire Department, Riverside County Flood Control and Water Conservation District, Coachella Valley Water District, or the Environmental Programs Division of the Planning Department.

I. Tiny homes that are factory-built off-site and transported to a residential site shall comply with Health and Safety Code sections 19960, et seq, and Title 25, CCR sections 3000, et seq. as may be amended.

J. Tiny homes and residential shipping containers shall not be subject to Section 18.11 of this ordinance related to size of dwellings.

**SECTION 19.1304 FOUNDATIONS.**

A. A tiny home shall be installed on a concrete slab foundation.

B. Residential shipping container shall be installed on a pier foundation, concrete slab foundation, piling foundation or platform foundation.

**SECTION 19.1305 CLUSTERING.**

A. Tiny homes or residential shipping containers located in the R-7 or MU zoning classifications and meeting the requirements below may be clustered with an approved plot plan in accordance with section 18.30 of this ordinance.

1. In a residential subdivision where the underlying lot and tiny home or residential shipping container are purchased in fee;

2. As a condominium product where the tiny home or residential shipping container is owned and the underlying lot is owned as an undivided interest derived from the number of tiny homes or residential shipping containers provided;

3. Where the tiny home or residential shipping container is owned, but the underlying space or site is leased; or

4. Where the underlying lot and the tiny home or residential shipping container are both in the possession of an owner or entity and the tiny home or residential shipping container on the designated space or site are rented.

B. Clustered tiny homes and residential shipping containers shall be compatible with the surrounding area's characteristics including, but not limited to, density.

C. Open space or recreation facilities are not required for clustered tiny homes or residential shipping containers.

**SECTION 19.1306 DEVELOPMENT STANDARDS.**

Tiny homes and residential shipping containers shall comply with the development standards for the applicable zoning classification and the development standards listed below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

A. LOT SIZE.

The minimum lot size shall be 1500 square feet.

B. HEIGHT.

The maximum height for a building or structure shall be twenty five (25) feet.

C. SETBACK.

Side and rear setbacks shall not be less than five (5) feet. No front setback is required except as may be needed to accommodate off-street parking pursuant to Subsection E. below.

D. WALL.

When clustering, a masonry wall six feet in height shall be erected along the perimeter of the lot.

E. VEHICLE PARKING.

Off-street automobile parking space shall be provided as required by Section 18.12. of this ordinance When clustering, parking spaces shall be delineated on the plot plan or as a separate attachment to the plot plan.

F. BUILDING SIZE.

1. A tiny home shall not exceed 500 square feet, excluding patios, porches, garages, and similar structures. A split level tiny home shall include a first floor living space of at least 150 square feet.

2. A residential shipping container may consist of multiple shipping containers, but shall not exceed 1200 square feet, excluding patios, porches, garages, and similar structures.

Added Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## ARTICLE XX AMENDMENTS AND CHANGE OF ZONE

### SECTION 20.1.

Amendments to this ordinance shall be made in accordance with the procedure set forth in Chapter 4 of the Planning and Zoning Law, (California Government Code, Section 65800, et seq) as now enacted or hereafter amended, and with the requirements of this article. An amendment to the ordinance may be initiated by either the Planning Commission or the Board of Supervisors.

### SECTION 20.2.

A. The owner of real property, or a person authorized by the owner, shall have the right to request that the County consider a change in the zoning classification that has been applied to his property. The right to request consideration of zone change does not imply that the change will be approved.

B. Applications shall be made to the Planning Commission on forms provided by the Planning Department, shall supply all required information, and shall be accompanied by the filing fee set forth in County Ordinance No. 671.

C. An application of the change of zone shall not be set for a public hearing unless:

   1. All procedures required by the Riverside County Rules Implementing the California Environmental Quality Act to hear a matter have been completed.

   2. The requested change of zone is consistent with the Riverside County General Plan.

D. If the Planning Director determines that a requested change of zone is inconsistent with the Riverside County General Plan, the application will not be processed until the General Plan is amended and request is consistent with the General Plan. The Planning Director's determination shall be made within ten days after a completed zone change application has been filed with the Planning Department. A determination that a requested zone change is inconsistent with the General Plan may be appealed within ten days after the Planning Director has mailed or delivered notice of his determination to the applicant, in writing, to the Planning Commission, which shall be accompanied by the filing fee set forth in County Ordinance No. 671. If an appeal is filed, the matter shall be set for a hearing before the Planning Commission not less than 15 nor more than 45 days thereafter and notice of the date of hearing shall be mailed to the appellant. The determination by the Planning Commission as to consistency with the General Plan shall be final; however, it shall not constitute a final decision as to consistency of the proposed zone change with the General Plan.

### SECTION 20.3.

Amendments to this ordinance may be adopted by the Board of Supervisors in the same manner as any other ordinance, except that whenever an amendment proposes to change property from

one zone to another, or to impose, remove or modify any of the following regulations, the amendment shall be adopted in the manner set forth in Section 20.3.A. of this ordinance:

A. Regulate the use of buildings, structures and land as between industry, business, residents, open space, including agriculture, recreation, enjoyment or scenic beauty and use of natural resources, and other purposes.

B. Regulate signs and billboards.

C. Regulate location, height, bulk, number of stories and size of buildings and structures; the size and use of lots, yards, courts and other open spaces; the percentage of a lot which may be occupied by a building or structure; the intensity of land use.

D. Establish requirements for off-street parking and loading.

E. Establish and maintain building setback lines.

F. Create civic districts around civic centers, public parks, public buildings or public grounds and establish regulations.

**SECTION 20.3a.**

Amendments to this ordinance which propose to change property from one zone to another, or to impose, remove or modify any of the regulations set forth in Section 20.3. of this ordinance, shall be adopted in the following manner:

A. The Planning Commission shall hold a public hearing on the proposed amendment. Public notice of the hearing shall be given including all the following information:

1. The time, date and place of the hearing.

2. A general explanation of the matter to be considered.

3. A general description of the area affected.

4. Specification of the type and magnitude of the changes proposed.

5. The place where copies of the proposed changes may be obtained.

6. The right to appear and be heard.

B. Public notice of the hearing shall be given at least ten days prior to the hearing by all the following procedures:

1. Publication once in a newspaper of general circulation in the County.

2. Mailing or delivering to the owner of the subject real property or the owner's duly authorized agent, and to the project applicant.

3. Mailing or delivering to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project whose ability to provide those facilities and services may be significantly affected.

4. Mailing or delivering to all owners of real property which is located within 300 feet of the exterior boundaries of the subject property, as such owners are shown on the last equalized assessment roll and any update.

5. Mailing by first class mail to any person who has filed a written request with the Planning Department and has provided that department with a self-addressed stamped envelope for that purpose.

6. If the number of owners to whom notice would be mailed or delivered pursuant to paragraphs 2 - 4 herein is greater than 1,000, in lieu of mailed or delivered notice, notice may be provided by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation in the County at least ten days prior to the hearing.

7. The Planning Director may require that additional notice of the hearing be given in any other manner he deems necessary or desirable.

C. After closing the public hearing the Planning Commission shall render its decision within a reasonable time and transmit it to the Board of Supervisors in the form of a written recommendation, which shall contain the reasons for the recommendation and, if the recommendation is to change a zone classification on property, the relationship of the proposed amendment to applicable general and specific plans. A copy of the recommendation shall be mailed to the applicant and proof thereof shall be shown on the original transmitted to the Board of Supervisors. If the Planning Commission does not reach a decision due to a tie vote, that fact shall be reported to the Board of Supervisors and the failure to reach a decision shall be deemed a recommendation against the proposed amendment.

D. Upon receipt of the recommendation of the Planning Commission, the Clerk of the Board of Supervisors shall take the following action:

1. If the Planning Commission has recommended the approval of an amendment to change property from one zone to another, or the approval of an amendment to impose, remove or modify one of the above-listed regulations, the Clerk shall set the matter of public hearing before the Board of Supervisors at the earliest convenient day, and shall give notice of the time and place of the hearing in the same manner as notice was given of the hearing before the Planning Commission.

2. If the Planning Commission has recommended denial of an amendment to change property from one zone to another, or denial of an amendment to impose, remove or modify one of the above-listed regulations, the Planning Commission's

recommendation shall be filed with the Clerk of the Board of Supervisors, who shall place the decision on the next agenda of the Board held five or more days after the Clerk receives the decision. The decision of the Planning Commission is considered final and no action by the Board is required unless the applicant files an appeal, accompanied by the fee set forth in County Ordinance No. 671, within ten days after the decision of the Planning Commission appears on the Board's agenda, or the Board orders the matter set for public hearing. If the Board of Supervisors so orders, or if the applicant appeals, the Clerk of the Board shall set the matter for public hearing before the Board of Supervisors at the earliest convenient day and shall give notice of the time and place of the hearing in the same manner as is provided for giving notice of the hearing before the Planning Commission.

E. After closing the public hearing the Board of Supervisors shall render its decision within a reasonable time and may approve, modify or disapprove the recommendation of the Planning Commission; provided, however, that any proposed modification of the Planning Commission's recommendation not previously considered by the Planning Commission shall first be referred back to the Planning Commission for a report and recommendation. The Planning Commission shall not be required to hold a public hearing thereon, and failure of the Planning Commission to report within 40 days after the reference, or such longer period of time as may be specified by the Board of Supervisors, shall be deemed to be an approval of the proposed modification.

F. Any hearing of the Planning Commission or Board of Supervisors may be continued from time to time.

Amended Effective:
06-30-83 (Ord. 348.2156)
03-05-85 (Ord. 348.2444)
03-12-87 (Ord. 348.2670)

## SECTION 20.4. INTERIM ZONING.

A. Without following the procedures otherwise required prior to the adoption of a zoning ordinance, the Board of Supervisors, to protect the public safety, health and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses which may be in conflict with a contemplated general plan, specific plan, or zoning proposal which the Board of Supervisors, Planning Commission or the Planning Department is considering or studying or intends to study within a reasonable time. Such urgency measure shall require a four-fifths vote of the Board of Supervisors for adoption. Such interim ordinance shall be of no further force and effect 45 days from the date of adoption thereof; provided, however, that after notice pursuant to California Government Code Section 65090 and public hearing, the Board of Supervisors may extend such interim ordinance for ten months and fifteen days subsequently extend such interim ordinance for one year. Any such extension shall also require a four-fifths vote for adoption. Not more than the two such extensions may be adopted.

B. Alternatively, an interim ordinance adopted may by a four-fifths vote following notice pursuant to said Section 65090 and public hearing, in which case it shall be of no further force and effect 45 days from its date of adoption; provided, however, that after notice pursuant to Section 65090 and public hearing, the Board of Supervisors may by a four-fifths

vote extend such interim ordinance for 22 months and 15 days.

C. When any interim ordinance has been adopted, every subsequent ordinance adopted pursuant to this Section, covering the whole or a part of the same property shall automatically terminate and be of no further force or effect upon the termination of the first such ordinance or any extension thereof as herein provided.

D. Adoption of an intern ordinance shall be deemed an order of the Board of Supervisors to the Planning Commission to initiate a zoning study of the land and that has been placed in the interim zone, which may include the study of other land in the vicinity thereof.

E. The clerk shall schedule a public hearing before the Board to consider an extension of an interim ordinance which shall normally be at its second regular meeting before expiration of the initial 45 day period and any extension. The Clerk shall publish notice ten days before the hearing. This Subsection shall not be applied if the effective date of a subsequent permanent zoning ordinance applicable to the same land will have passed before such expiration, or if the interim ordinance, has been repealed, or if the Board shall otherwise order.

F. At of before the public hearing on the proposed extension, and at least ten days prior to the expiration of the interim ordinance or any extension, the Planning Director shall make a written report to the Board of Supervisors on the status of the zoning study. The report shall describe the measures taken to alleviate the condition which lead to the adoption of the ordinance.

G. The prohibition of uses by interim ordinance may in whole or part be imposed by applying on an interim basis one or more of the zoning designations provided for by this County Ordinance No. 348 by reference to the applicable zoning symbols preceded by "I-" or to the title of a zoning classification preceded by "Interim".

H. Whenever any area is placed in an interim zone, that area is subject to all of the provisions of County Ordinance No. 348, including its penalty provisions, applicable to the zone in which it has been placed. For the period of time that the interim zoning ordinance is in effect the permanent zoning is deemed superseded, but upon expiration thereof, the permanent zoning shall again be in full force and effect unless it has been previously repealed or superseded by new permanent zoning.

Adopted:
09-22-60
Amended Effective:
05-31-67 (Ord. 348.506)
11-15-67 (Ord. 348.531)
09-30-70 (Ord. 348.783)
05-04-72 (Ord. 348.1023)
04-05-73 (Ord. 348.1173)
02-21-74 (Ord. 348.1283)
01-20-77 (Ord. 348.1540)
06-27-78 (Ord. 348.1658)
05-08-80 (Ord. 348.1785)
09-25-80 (Ord. 348.1855)
01-22-81 (Ord. 348.1908)
07-22-82 (Ord. 348.2088)
06-30-83 (Ord. 348.2156)
03-05-85 (Ord. 348.2444)

## ARTICLE XXI DEFINITIONS

For the purpose of this ordinance, certain words and terms used herein are herewith defined.

When not inconsistent with the context, words used in the present tense include the future tense; words in the singular number include the plural number and words in the plural number include the singular number. The masculine gender includes the feminine and neuter gender. The word "shall" is always mandatory and not merely directory. The word "may" is permissive.

### SECTION 21.1. A-LICENSE.

A State license issued for Cannabis or cannabis products that are intended for adults who are 21 years of age and older and who do not possess a physician's recommendation.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/18 (Effective 12/23/2018)

### SECTION 21.1a. ACCESSORY BUILDING.

A subordinate building on the same lot or building site, the use of which is incidental to that of the principal building. A mobilehome shall constitute a principal building where installed as provided in Section 19.77. or Section 19.79. of this ordinance. A second unit, as defined by state law and this ordinance, shall not constitute an accessory building.

Amended Effective:
07-31-1984 (Ord. 348.2358)
04-13-2004 (Ord. 348.4179)
Ord. 348.4481 Item 2.16 of 02/26/08 (Effective Date: 03/27/08)
Ord. 348.4703 Item 16.1 of 10/19/10 (Effective Date: 11/18/10)
Ord. 348.4898 Item 19.1 of 10/23/18 (Effective Date: 12/23/2018)

### SECTION 21.2. ACCESSORY USE.

A use customarily incidental and accessory to the principal use of a lot or a building located upon the same lot or building site. The provisions of this Section do not apply in the A-1, A-P, A-2 and A-D Zones.

Amended Effective:
07-31-1984 (Ord. 348.2358)

## SECTION 21.3. AGRICULTURAL CROP.

Any cultivated crop grown and harvested for commercial purposes, except cannabis and other controlled substances, which are defined and classified separately.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/18 (Effective 12/23/2018)

## SECTION 21.3a. AGRICULTURAL CULTIVATION.

The act of preparing the soil for the raising of agricultural crops.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/18 (Effective 12/23/2018)

## SECTION 21.3b. AGRICULTURAL ZONE.

Zones A-1, A-P, A-2, A-D, C/V, WC-W, WC-WE, WC-E.

Amended Effective:
07-31-84 (Ord. 348.2358)
11-08-94 (Ord. 348.3629)
Ord. 348.4818 Item 16-4 of 12/15/15 (Effective Date: 01/14/16)
Ord. No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12/23/18)

## SECTION 21.4. ALLEY.

A public or private thoroughfare or way, permanently reserved and having a width of not more than 20 feet, which affords only a secondary means of access to abutting property.

## SECTION 21.4a. ALTERNATE ACCESS.

A public road or driveway constructed pursuant to appropriate County standards with no restrictions.

Amended Effective:
06-06-89 (Ord. 348.3032)

## SECTION 21.5. APARTMENT.

A room or suite of two or more rooms in a multiple dwelling, occupied or suitable for occupancy as a residence for one family.

## SECTION 21.6. APARTMENT HOUSE.

A building or portion thereof designed for or occupied by two or more families living independently of each other.

## SECTION 21.6a. ASSEMBLY AREA, NET.

The area of a structure which does not include foyers, corridors, restrooms, kitchens, storage and other areas not used for the assembly of people.

Added Effective:

07-04-96 (Ord. 348.3773)

## SECTION 21.7. AUCTION.

The sale of new and used merchandise offered to bidders by an auctioneer for money or other consideration.

## SECTION 21.7a AUTOMATIC CONTROL TIMER.

A mechanical or solid state timer, capable of operating valve stations to set the days and length of time of a water application.

Amended Effective:
07-21-92 (Ord. 348.3446)

## SECTION 21.8. AUTOMOBILE STORAGE SPACE.

A permanently maintained space on the same lot or building site as the use it is designed to serve, having an area of not less than 160 square feet with a minimum width of eight feet for each stall and so located and arranged as to permit the storage of, and be readily accessible to, a passenger automobile under its own power.

## SECTION 21.9. AUTOMOBILE WRECKING.

The dismantling or wrecking of motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts, outside of an enclosed building, but not including the incidental storage of vehicles in connection with the operation of a repair garage, providing the repair period of any one vehicle does not exceed 60 days, and not including the active noncommercial repair of one personal motor vehicle within a 120 day period.

## SECTION 21.10. BASEMENT.

A story partly underground and having at least one-half its height measured from its floor to its finished ceiling, below the average adjoining grade. A basement shall be counted as a story if the vertical distance from the average adjoining grade to its finished ceiling is over five feet.

## SECTION 21.11. BOARD OF SUPERVISORS.

The Board of Supervisors of the County of Riverside.

## SECTION 21.12. BOARDING, ROOMING OR LODGING HOUSE.

A residence or dwelling unit, or part thereof, where a room or rooms are rented under two or more separate written or oral rental agreements, leases, subleases or combination thereof, whether or not the owner, agent or rental manager resides within the residence, on a monthly or greater basis. A Boarding, Rooming or Lodging House does not include Sober Living Homes or Residential Facilities, Residential Care Facilities, Residential Care Facilities for the Elderly and Alcohol or Drug Abuse Treatment Facilities serving six (6) or fewer persons.

Amended Effective:
Ord. 348.4835 Item 16.2 of 06/21/16 (Effective Date: 07/21/16)

## SECTION 21.13. (Deleted).

## SECTION 21.14. BUILDING.

A structure having a roof supported by columns or walls. (See "Structure").

**SECTION 21.15. BUILDING HEIGHT.**

The vertical distance measured from the average level of the highest and lowest points of that portion of the lot covered by the building to the uppermost portion of the building.

**SECTION 21.16. BUILDING SITE.**

The ground area of a building or buildings together with all open spaces adjacent thereto, as required by this ordinance.

**SECTION 21.17. BUNGALOW COURT.**

Two or more dwelling units detached or connected.

**SECTION 21.18. BUILDING SETBACK LINE.**

The distance between the proposed building line and the highway line or permanent access easement located on the same lot.

**SECTION 21.19. BUILDING, MAIN.**

A building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be the main building on the lot on which the same is situated.

**SECTION 21.19a. CAR POOL.**

Two or more people traveling together on a continuing and prearranged basis in a motor vehicle over routes tailored to accommodate rider needs.

**SECTION 21.19b. CAMPS.**

Any parcel or parcels of land used wholly or in part for recreational, educational, or religious purposes, accommodating five or more children or adults, that is operated as a day camp and/or a resident camp.

Amended Effective:
11-12-85 (Ord. 348.2533)
09-05-89 (Ord. 348.3053)

**SECTION 21.19c. CANNABIS.**

All parts of the plant *Cannabis sativa Linnaeus*, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or hereafter be discovered or developed that has psychoactive or medicinal properties, whether growing or already harvested, including the seeds thereof. "Cannabis" also means cannabis as defined by Business and Professional Code section 26001 and Health and Safety Code section 11018. "Cannabis" does not mean "industrial hemp" as defined by Food and Agricultural Code section 81100 or Health and Safety Code section 11018.5. For the purpose of this ordinance, cannabis is not a crop.

Added Effective:
Ord. 348.4862 Item 17.7 of 08/29/17 (Effective Date: 9/28/17)

**SECTION 21.19d. CANNABIS, ADULT-USE.**

Cannabis and any Cannabis Product intended to be sold for use by adults 21 years or older pursuant to State law.

Added Effective:
Ord. 348.4862 Item 17.7 of 08/29/17 (Effective Date: 9/28/17)
Amended Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

**SECTION 21.19e. CANNABIS, MEDICINAL.**
Cannabis or Cannabis Product intended to be sold or donated for use pursuant to the Compassionate Use Act of 1996 (Proposition 215), found in Section 11362.5 of the Health and Safety Code, by a patient in California who possesses a physician's recommendation for Cannabis for medical purposes, or in compliance with any compassionate use, equity, or other similar program administered by a local jurisdiction.

Amended Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

**SECTION 21.19f. CANNABIS CULTIVATION.**

Any activity involving the planting, growing, harvesting, drying, curing, grading or trimming of Cannabis.

Added Effective:
Ord. 348.4862 Item 17.7 of 08/29/17 (Effective Date: 9/28/17)
Amended Effective:
Ord. No. 348.4898 Item 19.1 of 10/23/18 (Effective Date: 12/23/18)
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

**SECTION 21.19g. CANNABIS CULTIVATION AREA.**

The area on a lot where Cannabis is planted, grown, harvested, dried, cured, graded, or trimmed or that does all or any combination of these activities.

Added Effective:
Ord. 348.4862 Item 17.7 of 08/29/17 (Effective Date: 9/28/17)
Amended Effective:
Ord. No. 348.4898 Item 19.1 of 10/23/2018 (Effective 12/28/18)
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

**SECTION 21.19h. CANNABIS DELIVERY.**

The commercial transfer of Cannabis or Cannabis Products from a Cannabis Retailer or Cannabis Microbusiness engaged as a Cannabis Retailer with an approved conditional use permit and Type 9 State license, up to an amount allowed by the State of California Department of Cannabis

Control, to a primary caregiver, qualified patient, or customer at a physical address in California in compliance with all State laws and regulations.

Added Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

## SECTION 21.19i. CANNABIS DISTRIBUTION.

The procurement, sale, and transport of cannabis and cannabis products between cannabis licensees.

Added Effective:
Ord. 348.4862 Item 17.7 of 08/29/17 (Effective Date: 9/28/17)
Amended Effective:
Ord. No. 348.4898 Item 19.1 of 10/23/2018 (Effective 12/28/18)
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

## SECTION 21.19j. CANNABIS DISTRIBUTION FACILITIES.

A facility engaged in the storage of Cannabis or Cannabis Products, for later distribution to permitted and licensed Cannabis Manufacturing Facilities, Cannabis Testing Facilities, or Cannabis Retailers.

Added Effective:
Ord. No. 348.4862 Item 17.7 of 08/29/2017 (Effective Date: 09/28/17)
Amended Effective:
Ord. No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12/28/18)
Ord. No. 348.4997 Item 21.1 of 03/14/2023 (Effective Date: 04/28/23)

## SECTION 21.19k. CANNABIS MANUFACTURING.

The compounding, blending, extracting, infusing, or otherwise making or preparing a Cannabis Product and includes any processing, preparing, holding, or storing of components and ingredients.

Added Effective:
Ord. 348.4862 Item 17.7 of 08/29/17 (Effective Date: 9/28/17)
Amended Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

## SECTION 21.19l. CANNABIS MANUFACTURING FACILITY.

A facility requiring a State manufacturing license, that processes, produces, prepares, propagates, holds, stores, packages, labels or compounds cannabis or cannabis products either directly or indirectly or by extraction and/or infusion methods, or independently by means of chemical synthesis or by a combination of extraction and/or infusion and chemical synthesis, using non-volatile or volatile organic compounds, as applicable to the State license, at a fixed

location, that packages or repackages cannabis or cannabis products, or labels or relabels its containers.

Added Effective:
Ord. 348.4862 Item 17.7 of 08/29/17 (Effective Date: 9/28/17)
Amended Effective:
Ord. No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)
Ord. No. 348.4997 Item 21.1 of 03/14/2023 (Effective Date: 4/28/23)

## SECTION 21.19m. CANNABIS MICROBUSINESS FACILITY

A facility that is engaged in at least three of the following Commercial Cannabis Activities: Indoor Cannabis Cultivation less than 10,000 square feet, Cannabis Manufacturing (with non-volatile compounds), Cannabis Distribution, or Cannabis Retailer.

Amended Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

## SECTION 21.19n. CANNABIS OWNER.

A Cannabis Owner is any of the following:

1. A person with an aggregate ownership interest of 20 percent or more in the Commercial Cannabis Activity for which a license or permit is being sought, unless the interest is solely a security, lien, or encumbrance.
2. The chief executive officer of a nonprofit or other entity.
3. A member of the board of directors of a nonprofit.
4. An individual who will be participating in the direction, control, or management of the person applying for Commercial Cannabis Activity permit or license.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)
Amended Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

## SECTION 21.19o. CANNABIS PACKAGE.

Any container or receptacle used for holding Cannabis or Cannabis Products.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)
Amended Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

## SECTION 21.19p. CANNABIS PLANT, MATURE.

A Cannabis plant that is flowering, as defined by State law.

Added Effective:

Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)
Amended Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

## SECTION 21.19q. CANNABIS PRODUCT, EDIBLE.

Manufactured Cannabis Product that is intended to be used, in whole or part, for human consumption, including, but not limited to, chewing gum, but excluding products set forth in Division 15 (commencing with Section 32501) of the Food and Agricultural Code. An edible cannabis product is not considered food, as defined by Section 109925 of the Health and Safety Code.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)
Amended Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23

## SECTION 21.19r. CANNABIS PRODUCTS.

Cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.19s. CANNABIS RETAILER.

A facility where Cannabis, Cannabis Products, or devices specifically for the use of Cannabis or Cannabis Products are offered, either individually or in any combination, for retail sale, including an establishment that delivers cannabis and cannabis products as part of a retail sale and/or Cannabis Delivery.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)
Amended Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

## SECTION 21.19t. CANNABIS TESTING FACILITY.

A laboratory, facility, or entity that offers or performs tests of Cannabis or Cannabis Products.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)
Amended Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

**SECTION 21.20u. CANNABIS WHOLESALE NURSERY.**
A site that produces only clones, immature plants, seeds, or other agricultural products used specifically for the planting, propagation, and cultivation of Cannabis. Cultivation as a Cannabis Wholesale Nursery may be considered outdoor, indoor, or mixed-light cultivation.

Added Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

**SECTION 21.19v. CANOPY.**

For purposes of Article XIXh only, the designated area or areas at a licensed Premises that will contain Mature Plants at any point in time. Canopy shall be calculated in square feet and measured using clearly identifiable boundaries of all areas that will contain Mature Cannabis Plants at any one point in time, including all of the species within the boundaries.

Added Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

**SECTION 21.19w. COMMERCIAL CANNABIS ACTIVITY.**

The cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of Cannabis and Cannabis Products as provided for in this division.

Added Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

**SECTION 21.21x. COMMERCIAL RETAIL CORRIDOR.**

Those corridor areas in the unincorporated area of Riverside County located within one-half mile from a designated freeway, including Interstate 10, Interstate 15, Interstate 215, State Route 91, and State Route 60.

Added Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

**SECTION 21.21y. UNDULY CONCENTRATED CORRIDOR.**

A Commercial Retail Corridor where the number of approved conditional use permits for cannabis retailers within that Commercial Retail Corridor has reached a limit of one for each 2,000 inhabitants of the census tract in which the cannabis retailers are located.

Added Effective:
Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

## SECTION 21.20. CATTERIES.

Any building, structure, enclosure or premises whereupon, or within which ten or more cats, four months of age or older, are kept or maintained.

A. CLASS I CATTERY. Any building, structure, enclosure or premises whereupon, or within which, ten to twenty-five cats, four months of age or older, are kept or maintained.

B. CLASS II CATTERY. Any building, structure, enclosure or premises whereupon, or within which, twenty-six or more cats, four months of age or older, are kept or maintained.

Amended Effective:
Ordinance No. 348.4913 Item 21.1 of 11.19.19 (Effective Date: 12.19.19)

## SECTION 21.20a. CERTIFIED RECYCLING FACILITY.

A facility approved by the State of California to collect and redeem recyclable materials for a value not less than that which has been established by the State.

Added Effective:
07-11-89 (Ord. 348.3047)

## SECTION 21.21. CLINIC.

A place used for the care, diagnosis and treatment of sick, ailing, infirm and injured persons and those who are in need of medical or surgical attention, but who are not provided with board or room, nor kept overnight on the premises.

## SECTION 21.22 CLUB.

A nonprofit association of persons who are bona fide members, paying regular dues, and are organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.

## SECTION 21.22a. COMMERCIAL POULTRY OPERATION.

The raising for profit of chickens, turkeys, ducks, geese or other fowls, but not including flocks of less than 200 birds, pigeons or smaller fowls, pets or hatcheries.

## SECTION 21.23. COMMISSION.

The Riverside County Planning Commission.

## SECTION 21.23a (Deleted)

Deleted Effective:
Ord. 348.4835 Item 16.2 of 06/21/16 (Effective Date: 07/21/16)

## SECTION 21.23b. CONVENIENCE ZONE.

A geographical area designated by the State of California Department of Conservation which comprises a one-half mile radius around an established supermarket or grocery store with gross annual sales of $2,000,000.00 or more in underserved areas with no supermarket.

Added Effective:
07-11-89 (Ord. 348.3047)

## SECTION 21.24. COMPENSATION.

The word "compensation" means anything of value.

## SECTION 21.24a. COTTAGE COMMERCIAL.

A dwelling wherein limited commercial uses are allowed provided that the commercial use is conducted entirely within the dwelling, that the use is secondary to the principal use of the dwelling as a residence, that the commercial use does not require substantial parking and circulation facilities, that the residential character of the exterior and interior of the dwelling is not changed, and that the combination of residential and commercial uses in one dwelling does not violate state and county sanitation requirements. The cottage commercial use must be compatible with the established neighborhood, and must be subject to plot plan or conditional use permit approval. No more than two persons may be employed on the premises in addition to the family residing in the dwelling.

Amended Effective:
12-26-85 (Ord. 348.2535) 12-16-86 (Ord. 348.2643)

## SECTION 21.24b. COOL SEASON TURF GRASS.

Turf grass which withstands winter cold and grows best during the cooler months of the year. Most types languish in hot, dry summers and are best adapted to cool regions or regions where marine influence tempers summer heat. Examples are bluegrasses, bents, fescues and ryegrasses.

Amended Effective:
07-21-92 (Ord. 348.3446)

## SECTION 21.24c. COTTAGE FOOD OPERATION.

A cottage food operation means an enterprise where an individual prepares or packages non-potentially hazardous foods in his or her private home for sale to consumers and as it is defined in California Health and Safety Code Section 113758. The definitions set forth in Health and Safety Code Section 113758 are hereby incorporated herein by reference, as they are now enacted or hereafter amended. A private home as referenced in Section 113758 therein shall refer to and mean, as it applies to Ordinance No. 348, any lawfully constructed one family, multiple family, factory built or manufactured dwelling units that are occupied and used by an individual(s) as a principal residence.

Amended Effective:
Ord. 348.4755 Item 16-1 of 04/02/13 (Effective Date: 05/02/13)

## SECTION 21.25. COUNTY.

The County of Riverside.

## SECTION 21.25a CROP COEFFICIENCY.

Is a correction factor, expressed as a decimal fraction, comparing the water consumption by a given plant species to the reference evapotranspiration or ETo. Reference evapotranspiration means a standard of measurement of environmental parameters which affect the water use of plants. Reference evapotranspiration is given in inches per day, month or year and is an estimate of the evapotranspiration of a large field of four-to-seven inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the maximum water allowances so that regional differences in climate can be accommodated.

Amended Effective:
07-21-92 (Ord. 348.3446)

## SECTION 21.25b. DAY CARE CENTER.

A facility of any capacity that provides nonmedical care to persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis, and which is either:

A. Child Day Care Center. A day care center which provides day care to children under 18 years of age, other than a family day care home. Child day care center includes infant centers, preschools, extended day care facilities, and school age child care centers.

B. Adult Day Care Center. A day care center which provides day care to persons 18 years of age or older.

Amended Effective:
05-05-92 (Ord. 348.3420)
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

## SECTION 21.25c. DRAYING, FREIGHTING AND TRUCKING OPERATIONS.

Business whose sole purpose is to move goods by truck as opposed to businesses which produce, store and then distribute goods such as manufacturers with warehouses and distribution centers (See SECTION 21.74d. WAREHOUSING AND DISTRIBUTION.)

Added Effective:
05-06-99 (Ord. 348.3857)

## SECTION 21.25d. CROWING FOWL.

As used in this Ordinance, "crowing fowl" includes chickens, peafowl and guinea fowl.

Added Effective:
09-15-00 (Ord. 348.3954)

## SECTION 21.25e. DELIVERY.

For purposes of Article XIXh only, the commercial transfer of Cannabis or cannabis products to a customer.

Amended Effective:
Ord. 348.4741 Item 3.42 of 04/10/12 (Effective Date: 05/10/12)
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.25f. DEVELOPMENT AGREEMENT.

A development agreement with a person having a legal or equitable interest in real property for the development of such property pursuant to Government Code section 65864 et seq., as now adopted or hereafter amended.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.26. DUNE BUGGY PARK.

An open area used by dune buggies or other all-terrain vehicles, for purposes such as, but not limited to hill climbing, trail riding, scrambling, racing and riding exhibitions.

## SECTION 21.26a. (Deleted) - DOG KENNELS

## SECTION 21.26b. DAIRY FARM.

A parcel or contiguous parcels of land used primarily to maintain cattle for the production of milk, including a building or buildings for milking, processing of milk produced on the premises, retail or wholesale sales and deliveries of such milk, and other buildings and structures incidental to the operation.

**SECTION 21.26c. DISPOSAL SERVICE OPERATIONS.**

Areas for the storage and maintenance of vehicles and equipment used in the collection, transportation, and removal of garbage and rubbish not including storage or dumping of garbage or rubbish.

Amended Effective:
04-04-87 (Ord. 348.2669)

**SECTION 21.27. DWELLING.**

A building or portion thereof designed for or occupied exclusively for residential purposes including one family and multiple dwellings but not including hotels, auto courts, boarding or lodging houses.

**SECTION 21.27a. DWELLING, BED AND BREAKFAST.**

A one family dwelling where lodging and breakfast is provided for compensation and in which there are no more than five guest rooms. The use must be managed and operated solely by the owner of the property. Meals are not restricted to breakfast only, but no cooking facilities shall be allowed in the guest rooms. A guest may not stay in the dwelling for more than 14 days in any calendar year.

Added Effective:
11-26-85 (Ord. 348.2535)

**SECTION 21.28. DWELLING UNITS.**

A building or portion thereof used by one family and containing but one kitchen.

**SECTION 21.28a. DWELLING UNIT, FACTORY BUILT.**

A factory built dwelling unit means a dwelling unit constructed in accordance with the Uniform Building Code and manufactured in such a manner that all concealed parts or processes of manufacture cannot be inspected before installation at the building site without disassembly, damage or destruction of the part. A factory built dwelling unit does not include a mobilehome, a mobile accessory building or structure, a recreational vehicle or a commercial coach.

Amended Effective:

01-05-84 (Ord. 348.2244)

## SECTION 21.28b. DWELLING UNIT, MANUFACTURED.

A manufactured dwelling unit means a residential structure, transportable in one or more Sections, which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities. A manufactured dwelling unit does not include a factory built dwelling unit, a mobile accessory building or structure, a recreational vehicle or a commercial coach.

Amended Effective:
01-05-84 (Ord. 348.2244)

## SECTION 21.29. DWELLING, ONE FAMILY.

A building or structure, including a mobilehome or manufactured home, containing one kitchen and used to house not more than one family, including domestic employees.

Amended Effective:
11-26-82 (Ord. 348.2140)

## SECTION 21.30. DWELLING, MULTIPLE FAMILY.

A building or portion thereof used to house two or more families, including domestic employees or each such family, living independently of each other, and doing their own cooking.

## SECTION 21.31. (Repealed)

11-19-2010 (Ord. 348.4703)

## SECTION 21.31a. DWELLING, RESORT.

A building used exclusively for residential purposes, containing not more than two kitchens, with permanent interior means of access between all parts of the building, and located on a lot in a recorded subdivision with an average lot area of 10,000 square feet or more. No such dwelling shall be erected unless as a part of the purchase price of the property the purchaser receives the privilege of use of recreational facilities such as golf courses, or polo fields, which facilities are adjacent to and a part of the residential development. No reduction of yard setbacks shall be permitted despite any other provisions of this ordinance.

SECTION 21.31b. (Repealed)

Ord. No. 348.4997 Item 21.1 of 3/14/2023 (Effective Date: 4/28/23)

## SECTION 21.32. EDUCATIONAL INSTITUTIONS.

Schools, colleges, or universities, supported wholly or in part by public funds, and other schools, colleges and universities giving general instructions, as determined by the California State Board of Education.

## SECTION 21.32a. EMERGENCY ACCESS.

A private drive or roadway constructed according to Section 18.12.B.1.a. or b. of this ordinance, providing access to one or more buildings. The access may be gated and locked at one or both ends restricting traffic to emergency vehicles only.

Amended Effective:
06-06-89 (Ord. 348.3032)

## SECTION 21.32b. EMERGENCY SHELTER.

Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person and where no individual or household may be denied emergency shelter because of an inability to pay.

Amended Effective:
Ord. 348.4706 Item 16.2 of 03/22/11 (Effective Date: 04/21/11)

## SECTION 21.32c. EMPLOYEE HOUSING.

As defined in Health and Safety Code section 17008, housing accommodations provided by an employer for five or more employees that are maintained or connected with any work or place where work is performed. Employee housing also includes housing accommodations or property located in a rural area, as defined by Health and Safety Code section 50101, provided by someone other than agricultural employer for five or more agricultural employees that are not maintained or connected with work or workplace. Housing accommodations may consist of any living quarters, dwelling, boardinghouse, tent, bunkhouse, maintenance of way car, mobilehome, manufactured home, recreational vehicle, travel trailer, or other accommodations maintained in one or more buildings or one or more sites.

Added Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## SECTION 21.33. ERECTED.

The word "erected" includes built, built upon, added to, altered, constructed, reconstructed, moved upon, or any physical operations on the land, required for a building.

## SECTION 21.33a. EVAPOTRANSPIRATION.

The quantity of water evaporated from adjacent soil surfaces, transpired by plants, and retained in plant tissue during a specific time.

Amended Effective:
07-21-92 (Ord. 348.3446)

## SECTION 21.34. FAMILY.

One or more persons living together as a single housekeeping unit in a single dwelling unit.

Amended Effective:
Ord. 348.4835 Item 16.2 of 06/21/16 (Effective Date: 07/21/16)

## SECTION 21.34a. Repealed.

Amended Effective:
12-21-00 (Ord. 348.3966)

## SECTION 21.34b. FARM.

A parcel of land devoted to agricultural uses where the principal use is the propagation, care, and maintenance of viable plant and animal products for commercial purposes.

## SECTION 21.34c. FAMILY DAY CARE HOME.

A home which regularly provides care, protection, and supervision of 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and includes the following:

A. Large family day care home. A home that provides family day care to 14 or fewer children, including children under the age of ten years who reside at the home.

B. Small family day care home. A home that provides family day care to 8 or fewer children, including children under the age of ten years who reside at the home.

Amended Effective:
05-05-92 (Ord. 348.3420)
09-29-00 (Ord. 348.3955)
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

## SECTION 21.34d. FAST TRACK PROJECT.

A development project designated as a fast track project by majority vote of the Board of Supervisors or by the Assistant County Executive Officer/Economic Development Agency (the EDA Director) in accordance with the provisions of Board of Supervisors Policy A-32, as now adopted or hereafter amended. A fast track project may consist of one or more permits or approvals pursuant to this ordinance and County Ordinance No. 460 which are necessary or convenient to facilitate development of the project. The permits or approvals which comprise the fast track project may include one or more of each of the following:

A. General plan amendment pursuant to Article II of this ordinance.

B. Specific plan or specific plan amendment pursuant to Article II of this ordinance.

C. Determination of project conformance with an adopted specific plan pursuant to Section 2.11. of this ordinance.

D. Zone change or other zoning ordinance amendment pursuant to Article XX of this ordinance.

E. Conditional use permit pursuant to Section 18.28. of this ordinance.

F. Public use permit pursuant to Section 18.29. of this ordinance.

G. Variance pursuant to Section 18.27. of this ordinance.

H. Plot plan pursuant to Section 18.30. of this ordinance.

I. Modification to an approved permit, including a substantial conformance modification or a revised permit, pursuant to Section 18.43. of this ordinance.

J. Tentative land division, including a vesting tentative map, pursuant to County Ordinance No. 460.

K. Development agreement pursuant to Section 18.26b. of this ordinance and Board of Supervisors Resolution No. 2012-047 (Establishing Procedures and Requirements for the Consideration of Development Agreements), as now adopted or hereafter amended.

L. Surface Mining Permit or Reclamation Plan pursuant to County Ordinance No. 555.

M. Modification to an approved Surface Mining Permit or Reclamation Plan, including a substantial conformance modification or a revised permit or plan, pursuant to Section 13 of Ordinance No. 555.

N. Commercial Wind Energy Conversion System Permit (Commercial WECS Permit) and Accessory Wind Energy Conversion System Permit (Accessory WECS Permit) pursuant to Sections 18.41. and 18.42. of this ordinance.

O. Modification to an approved Commercial WECS Permit or Accessory WECS Permit, including a substantial conformance modification or a revised permit, pursuant to Section

18.42a. of this ordinance.

Added Effective:
09-08-1995 (Ord. 348.3727)
Amended Effective:
04-19-1996 (Ord. 348.3770)
Ord. 348.4680 Item 3.47 of 04/20/10 (Effective Date: 05/20/10)
Ord. 348.4741 Item 3.42 of 04/10/12 (Effective Date: 05/10/12)
Ord. 348.4750 Item 3.27 of 10/2/12 (Effective Date: 11/1/12)

## SECTION 21.34e FUTURE FARMERS OF AMERICA AND 4-H PROJECT.

Not more than five (5) cattle, horses, sheep, llamas, ostriches, emus and like animals on parcels not less than 1 acre (net) in area being raised in connection with the education of a person as a member of Future Farmers of America (FFA) or 4-H. This does not include crowing fowl (see Section 18.28.b.).

Added Effective:
03-01-04 (Ord. 348.4150)

## SECTION 21.35. GARAGE, PRIVATE.

An accessory building or a main building or portion thereof, used for the shelter or storage of self-propelled vehicles, owned or operated by the occupants of a main building and wherein there is no service or storage for compensation.

## SECTION 21.35a. GUEST QUARTER.

Guest quarter is defined in Article XIXj of this ordinance.

Added Effective:
Ord. 348.4703 Item 16.1 of 10/19/10 (Effective Date: 11/18/10)

## SECTION 21.36. HOME OCCUPATIONS.

Home occupations means those uses that are customarily conducted in a residence, provided such uses must be incidental and secondary to the principal use of a dwelling as a residence. The following criteria shall apply to any home occupation:

A. Except for large family day care homes which may require two assistants and small family day care homes which may require one assistant to be present in addition to the licensee or provider, 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.

## SECTION 21.37. HALF WAY HOUSE.

A rehabilitation center for treatment; counseling, rooming and boarding of persons. A halfway house shall not include Residential Facilities, Residential Care Facilities, Residential Care Facilities for the Elderly, Alcohol or Drug Abuse Treatment Facilities, Sober Living Homes or rehabilitation centers for parolees, probationers, or persons released to post release community supervision under the "Post-release Community Supervision Action of 2011" (Penal Code Section 3450 et seq.).

Amended Effective:
Ord. 348.4744 Item 16.1 of 06/19/12 (Effective Date: 07/19/12)

Amended Effective:
Ord. 348.4835 Item 16.2 of 06/21/16 (Effective Date: 07/21/16)

## SECTION 21.37a. HOOP STRUCTURE.

A plastic or fabric covered structure with open ends and no other framing, which is not more than 12 feet in height and does not have vertical sides exceeding 6 feet in height. Hoop structures in residential zones shall not exceed 120 cumulative square-feet of floor area. For the purposes of this Article, and for the purposes of obtaining licenses, cannabis cultivation within hoop structures is considered Mixed Light Cultivation.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.38. HOTEL.

A building designed for or occupied as the more or less temporary abiding place of individuals who are lodged with or without meals, in which there are six or more guest rooms, and in which no provision is made for cooking in any individual room or suite; jails, hospitals, asylums, sanitariums, orphanages, prisons, detention homes or similar buildings where human beings are housed and detained under legal restraint, are specifically not included.

## SECTION 21.39. HOTEL, RESORT.

A hotel, including all accessory buildings as defined in Section 21.38. of this ordinance and having a building site or hotel grounds containing not less than 50,000 square feet. Such hotel may have accessory commercial uses operated primarily for the convenience of the guests thereof, provided there is no street entrance directly to such commercial uses, and further provided such commercial uses shall not occupy more than 20 percent of the ground floor area of such hotel building.

## SECTION 21.39a. INDOOR CANNABIS CULTIVATION.

The cultivation of Cannabis within a permanent structure using exclusively artificial light or within any type of structure using artificial light at a rate of twenty-five (25) watts per square foot.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.39b. INDUSTRIAL HEMP.

An agricultural product, whether growing or not, that is limited to types of the plant Cannabis sativa L. and any part of the plant, including the seed of the plant and all derivatives, extracts, the resin extracted from any part of the plant, cannabinoids, isomers, acids, salts and salts of isomers, with a delta-9 tetrahydrocannabinol concentration of no more than 0.3 percent on a dry weight basis. For purposes of this ordinance, Industrial Hemp is not considered a field crop.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)
Ordinance No. 348.4913 Item 21.1 of 11.19.19 (Effective Date: 12.19.19)

## SECTION 21.39c. INDUSTRIAL HEMP ACTIVITY.

The cultivation, growing, seed breeding, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of Industrial Hemp and Industrial Hemp Products.

Added Effective:
Ordinance No. 348.4913 Item 21.1 of 11.19.19 (Effective Date: 12.19.19)

## SECTION 21.39d. INDUSTRIAL HEMP CULTIVATION.

Any activity involving the planting, growing, harvesting, drying, curing, grading or trimming of industrial hemp for commercial purposes and industrial hemp seed breeders.

Added Effective:
Ordinance No. 348.4913 Item 21.1 of 11.19.19 (Effective Date: 12.19.19)

**SECTION 21.39e. INDUSTRIAL HEMP CULTIVATION AREA.**

The area on a lot or in a building where Industrial Hemp is planted, grown, harvested, dried, cured, graded, or trimmed or that does all or any combination of these activities.

Added Effective:
Ordinance No. 348.4913 Item 21.1 of 11.19.19 (Effective Date: 12.19.19)

**SECTION 21.39f. INDUSTRIAL HEMP MANUFACTURING.**

The compounding, blending, extracting, infusing, or otherwise making or preparing a hemp product.

Added Effective:
Ordinance No. 348.4913 Item 21.1 of 11.19.19 (Effective Date: 12.19.19)

**SECTION 21.39g. INDUSTRIAL HEMP MANUFACTURING FACILITY (NON-VOLATILE).**

A facility that processes, produces, prepares, propagates, holds, stores, packages, labels or compounds hemp or hemp products either directly or indirectly or by extraction and/or infusion methods, or independently by means of chemical synthesis or by a combination of extraction and/or infusion and chemical synthesis, using non-volatile organic compounds, at a fixed location, that packages or repackages hemp or hemp products, or labels or relabels its containers. Hemp manufacturing also includes any processing, preparing, holding, or storing of components and ingredients.

Added Effective:
Ordinance No. 348.4913 Item 21.1 of 11.19.19 (Effective Date: 12.19.19)

**SECTION 21.39h. INDUSTRIAL HEMP MANUFACTURING FACILITY (VOLATILE).**

A facility that processes, produces, prepares, propagates, holds, stores, packages, labels, or compounds hemp or hemp products either directly or indirectly or by extraction and/or infusion methods, or independently by means of chemical synthesis or by a combination of extraction and/or infusion and chemical synthesis, using volatile organic compounds, at a fixed location, that packages or repackages hemp or hemp products, or labels or relabels its containers. Hemp manufacturing also includes any processing, preparing, holding, or storing of components and ingredients.

Added Effective:
Ordinance No. 348.4913 Item 21.1 of 11.19.19 (Effective Date: 12.19.19)

**SECTION 21.39i. INDUSTRIAL HEMP PRODUCTS.**

Hemp that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated hemp, or an edible or topical product containing hemp or concentrated hemp and other ingredient.

Added Effective:
Ordinance No. 348.4913 Item 21.1 of 11.19.19 (Effective Date: 12.19.19)

## SECTION 21.39j. INDOOR INDUSTRIAL HEMP CULTIVATION.

The cultivation of Industrial Hemp within a permanent structure using exclusively artificial light or within any type of structure using artificial light at a rate of twenty-five (25) watts per square foot.

Added Effective:
Ordinance No. 348.4913 Item 21.1 of 11.19.19 (Effective Date: 12.19.19)

## SECTION 21.40. JUNK, WRECKING, DISMANTLING AND SALVAGE YARDS.

The use of any lot or parcel of land for outside storage, wrecking, dismantling or salvage of any used or secondhand materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery or furniture. A proposed or intended use by the owner of the used or secondhand materials does not constitute an exception to this definition.

Amended Effective:
03/25/03 (Ord. 348.4087)

## SECTION 21.40a. KENNEL.

Any building, structure, enclosure or premises whereupon, or within which, five or more dogs, four months of age or older, are kept or maintained.

A. CLASS I KENNEL. Any building, structure, enclosure, or premises whereupon, or within which, five to ten dogs, four months of age or older, are kept or maintained. A Class I Kennel shall not include an animal rescue operation that meets the definition and requirements set forth in Ordinance No. 630.

Amended Effective:
04-13-01 (Ord. 348.3986)

B. CLASS II KENNEL. Any building, structure, enclosure, or premises, whereupon, or within which, eleven to twenty-five dogs, four months of age or older, are kept or maintained.

C. CLASS III KENNEL. Any building, structure, enclosure, or premises whereupon, or within which, twenty-six to forty dogs, four months of age or older, are kept or maintained.

D. CLASS IV KENNEL. Any building, structure, enclosure, or premises whereupon, or within which, forty-one or more dogs, four months of age or older, are kept or maintained.
E. SENTRY DOG. Any dog trained to work without supervision in a fenced facility and to deter or detain unauthorized persons found within the facility. The term "guard dog" shall also mean "sentry dog.
F. SENTRY DOG KENNEL. Any building structure, enclosure, or premises whereupon, or within which, five or more guard or sentry dogs are kept or maintained.

Amended Effective:
04-04-87 (Ord. 348.2669)

Ordinance No. 348.4913 Item 21.1 of 11.19.19 (Effective Date: 12.19.19)

**SECTION 21.41. KITCHEN.**

Any room in a building or dwelling unit which is used for cooking or preparation of food.

**SECTION 21.41a. LABELING.**

Any label or other written, printed, or graphic matter upon a cannabis product, upon its container or wrapper, or that accompanies any cannabis product.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

**SECTION 21.42. LABOR CAMP.**

Any building or group of buildings where five or more farm employees are housed.

Amended Effective:
05-19-83 (Ord. 348.2162)

**SECTION 21.43. LAKE, RECREATIONAL.**

A confined body of standing fresh water containing more than 500,000 gallons of water and covering more than one acre of surface area, not including reservoirs, duck clubs, bodies of water contained within golf courses, and water storage used only for agricultural or domestic purposes.

**SECTION 21.43a. LEASABLE FLOOR AREA, NET.**

This area includes sales areas and integral stock areas, but excludes corridors, enclosed malls, lobbies, stairwells, elevators, equipment rooms and restrooms.

Added Effective:
07-04-96 (Ord. 348.3773)

## SECTION 21.43b. LIVE CANNABIS PLANTS.

Living cannabis flowers and plants, including seeds, immature plants, and vegetative stage plants.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.44. LOT.

A. A parcel of real property as shown as a delineated parcel of land with a separate and distinct number or other designation of a plot recorded in the Office of the County Recorder of Riverside County; or,
B. A parcel of real property not so delineated and containing not less than 7,200 square feet and abutting on a street or alley and held under separate ownership from adjacent property prior to the effective date of this ordinance; or,

C. A parcel of real property not so delineated containing not less than 7,200 square feet abutting on a street or alley, if the same was a portion of a larger piece of real property held under the same ownership prior to the effective date of this ordinance. A lot shall not come into existence solely because it is described as a parcel of real property securing, or in part securing, a promise to pay money or other thing of value whether its title is held by a trustee for such purpose or not.

## SECTION 21.45. LOT AREA.

The total horizontal area within the lot lines of a lot.

## SECTION 21.46. LOT, CORNER.

A lot located at the junction of two or more intersecting streets having an angle of intersection of not more than one hundred 135 degrees, with a boundary line thereof bordering on two of the streets.

## SECTION 21.47. LOT LINES.

The boundary lines of lots are: front lot line, the line dividing a lot from the street, or form a permanent access easement located on the same lot. On a corner lot only one street line shall be considered as a front lot line, and such front lot line shall be determined by the Commission. Rear lot line: The line opposite the front lot line. Side lot lines: Any lot lines other than the front lot line or the rear lot line.

**SECTION 21.48. LOT, REVERSED CORNER.**

A corner lot, the side street line of which is substantially a continuation of the front lot line of the lot upon which it rears.

**SECTION 21.49. LOT, INTERIOR.**

A lot other than a corner lot.

**SECTION 21.50. LOT, KEY.**

The first lot to the rear of a reversed corner lot and not separated by an alley.

**SECTION 21.51. LOT, THROUGH.**

An interior lot having frontage of two parallel or approximately parallel streets.

**SECTION 21.51a. MOBILEHOME PARK.**

Mobilehome park is any area or tract of land where one or more mobilehome lots are rented or leased or held out for rent or lease to accommodate mobilehome used for human habitation. The rental paid for any such mobilehome shall be deemed to included rental for the lot it occupies. Mobilehome park does not include lots containing Ranchets pursuant to Article XIXj of this ordinance.

Notwithstanding the foregoing definition, any person, not including a mobilehome park operator, who owns a mobilehome and owns, rents or leases the land upon which the mobilehome is located, is permitted to rent, lease, sublease, let out, or hire out for occupancy the mobilehome and the land upon which the mobilehome is located, without obtaining a permit to construct or operate or mobilehome park.

**SECTION 21.51b. MENAGERIE.**

A. Any lot or premises on which one or more wild animals of the following types are kept:

1. Venomous reptiles.

2. Non-venomous reptiles that weigh more than ten pounds, not including turtles or tortoises.

3. Birds or members of the Aves class that weigh more than 20 pounds, not including poultry.

4. Mammals that weigh more than 20 pounds.

B. Any lot or premises on which wild animals of the following types are kept, regardless of weight, unless such animals are listed in a zone classification as a permitted use:

1. Ten or more non-venomous reptiles.

2. 25 or more mammals.

C. A wild animal that has been tamed or trained shall be considered a wild animal.

D. As used in this section, "wild animal" means any animal of the class Aves (birds), class Mammalia (mammals), class Amphibia (frogs, toads, salamanders), class Osteichtyes (bony fishes), class Crustaccea (crayfish) or class Gastropoda (slugs, snails) which is not normally domesticated in this state as determined by the State Fish and Game Commission.

Amended Effective:
12-02-04 (Ord. 348.4220)

## SECTION 21.51c. MIGRANT AGRICULTURAL WORKER MOBILEHOME PARK.

A mobilehome or travel trailer park for agricultural workers the rental of which is restricted as follows:

A. Not less than 80 percent of the trailer sites are restricted to rental by migrant agricultural workers for a period of time not to exceed nine months in any 12 month period.

B. The remainder of the sites are restricted to rental by permanent agricultural workers, and occupancy by the owner or operator of the trailer park.

## SECTION 21.51d. MIGRANT AGRICULTURAL WORKER.

Migrant agricultural worker is defined as an itinerant agricultural worker that travels from place to place for employment in the planting, growing and harvesting to seasonal crops.

## SECTION 21.51e. MINING OPERATION.

The term mining operation shall mean any process by which one or more substances which are classified geologically as minerals are extracted from the earth or stockpiled including the reworking of mineral dumps which have been artificially created by mining operations.

## SECTION 21.51f. MASS TRANSIT.

Publicly provided transportation, usually either by bus or rail, to users at a fixed cost per ride.

Amended Effective:
11-12-85 (Ord. 348.2533)

## SECTION 21.51g. MOBILE RECYCLING UNIT.

A licensed vehicle used for the collection of recyclable materials. A mobile unit may also include trailers, bins, boxes, or other storage containers which are transported by vehicles; and does not occupy more than five parking spaces or 500 square feet of floor area.

Amended Effective:
07-11-89 (Ord. 348.3047)

## SECTION 21.51h. MULCH.

A material such as leaves bark or straw left loose and applied to the soils surface to prevent evaporation of water.

Amended Effective:
07-21-92 (Ord. 348.3446)

## SECTION 21.51i. M-LICENSE.

A State license issued for Commercial Cannabis Activity involving medicinal cannabis.

Added Effective:
11-02-06 (Ord. 348.4423)
Amended Effective:
Ord. 348.4422 Item 3.29 of 10/03/06 (Effective Date: 10/93/06)
Ord. No. 348.4898 Item 19.1 of 10/23/18 (Effective Date: 12.23.18)

## SECTION 21.51j. MIXED LIGHT CANNABIS CULTIVATION.

The cultivation of Mature Cannabis Plants in a greenhouse, hoop structure, glasshouse, conservatory, hothouse, or other similar structure using light deprivation or one of the artificial lighting models described below:

1. Mixed-light Tier 1 – the use of artificial light at a rate of six (6) watts per square foot or less.

2. Mixed-light Tier 2 – the use of artificial light at a rate above six (6) and below or equal to twenty-five (25) watts per square foot.

Added Effective:
Ord. 348.4802-Item 16-2 of 05/19/15 (Effective Date: 06/18/15)
Amended Effective:
Ord. No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)
Ord. No. 348.4997 Item 21.1 of 03/14/2023 (Effective Date: 4.28.23

## SECTION 21.51k. MOBILE CANNABIS RETAILER.

3. A motorized or non-motorized vehicle, cart, trailer, wagon, container or other similar personal property not located on a licensed Premises, pursuant to State law, and from which Cannabis, Cannabis Products, or devices specifically for the use of Cannabis or Cannabis Products are offered, either individually or in any combination, for retail sale and/or Cannabis Delivery.

Added Effective
Ord. 348.4862 Item 17.7 of 08/29/17 (Effective Date: 9/28/17)
Amended Effective:
Ord. No. 348.4997 Item 21.1 of 03/14/2023 (Effective Date: 4.28.23)

## SECTION 21.51l. (Repealed)

Ord. No. 348.4997 Item 21.1 of 03/14/2023 (Effective Date: 4.28.23)

## SECTION 21.51m. (Repealed)

Ord. No. 348.4997 Item 21.1 of 03/14/2023 (Effective Date: 4.28.23)

## SECTION 21.52. NONCONFORMING BUILDING.

A structure which was legal when established but which, because of the adoption or amendment of this ordinance conflicts with the provisions of this ordinance applicable to the zone in which such structure is located.

Amended Effective:
Ord. 348.4473 Item 16.1 of 07/01/14 (Effective Date: 07/31/14)

## SECTION 21.53. NONCONFORMING USE.

The use of a building or land which was legal when established but which, because of the adoption or amendment of this ordinance, conflicts with the provisions of this ordinance applicable to the zone in which such use is located.

Amended Effective:
Ord. 348.4473 Item 16.1 of 07/01/14 (Effective Date: 07/31/14)

## SECTION 21.54. OCCUPANCY, CHANGE OF.

The term "change of occupancy" shall mean a discontinuance of an existing use and substitution thereof of a use of a different kind or class.

## SECTION 21.55. OCCUPIED.

The word "occupied" includes: used, arranged, converted to, rented, leased, or intended to be occupied.

## SECTION 21.55a. OUTDOOR CANNABIS CULTIVATION.

The cultivation of Mature Cannabis Plants without the use of artificial lighting in a Canopy area at any point in time. The growing of only immature cannabis plants at a legally permitted Cannabis Wholesale Nursery is not considered Outdoor Cannabis Cultivation.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.56. OUTDOOR FILM STUDIOS.

A facility utilizing on-site indoor and outdoor locations for the filming of motion pictures, television programs and music videos. Outdoor film studios may provide limited housing for temporary use during such filming operations. No permanent production facilities such as would be used for film processing or editing and sound recording or dubbing shall be allowed.

Amended Effective:
07-20-89 (Ord. 348.3043)

## SECTION 21.56a. OUTSIDE STORAGE.

The outside storage of material not defined as rubbish under Ordinance No. 541, including but not limited to: lumber, auto parts, appliances, pipe, drums, machinery, furniture, building materials, work tools, or other substance requiring reconditioning or rebuilding in order to be used for its original purpose shall be allowed provided it is authorized in the particular zone, located only on the rear half of an improved 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.. Items stored under a carport, awning or patio shall be considered outside storage. 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 plot plan or conditional use permit may constitute an exception to this definition.

Added Effective:
02-24-04 (Ord. 348.4087)

## SECTION 21.56b. PARKING AREA.

The area for the parking of a motor vehicle plus those additional areas required to provide site ingress and egress to and from said area. The area set aside to meet those provisions must be usable and shall have permanent access for off-street parking.

Added Effective:
07-04-96 (Ord. 348.3773) 03-25-04 ( Ord.348.4087)
Amended Effective:

## SECTION 21.56c. PAROLEE.

A person convicted of a federal crime and sentenced to a United States federal prison who has received conditional and revocable release in the community under the supervision of a federal parole officer; a person serving a period of supervised community custody as defined by Penal Code Section 3000, following a term of imprisonment in a state prison, who is under the supervision of the California Department of Corrections and Rehabilitation, Division of Adult Parole Operations; or an adult or juvenile sentenced to a term in the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities (formerly known as the “California Youth Authority”) who has received conditional and revocable release in the community under the supervision of the California Department of Corrections and Rehabilitation, Division of Juvenile Parole Operations.

Amended Effective:
Ord. 348.4744 Item 16.1 of 06/19/12 (Effective Date: 07/19/12)

## SECTION 21.56d. PAROLEE-PROBATIONER HOME.

Any residential building, or portion thereof, owned or operated by any person which houses two (2) or more parolee-probationers unrelated by blood, marriage, or legal adoption, in exchange for monetary or non-monetary consideration given or paid by the parolee-probationers, or given or paid by any person on behalf of the parolee-probationers, excluding any Residential Facility, Residential Care Facility, Residential Care Facility for the Elderly or Alcohol or Drug Abuse Treatment Facility serving six (6) or fewer persons. As used herein, the term parolee-probationers includes parolees, probationers, and/or persons released to post-release community supervision under the 'Post-release Community Supervision Act of 2011" (Penal Code Section 3450 et seq.). In determining whether a Residential Facility, Residential Care Facility, Residential Care Facility for the Elderly or Alcohol or Drug Abuse Treatment Facility serving six (6) or fewer persons, the licensee, members of the licensee's family and persons employed as facility staff shall not be counted.

Amended Effective: Ord. 348.4744 Item 16.1 of 06/19/12 (Effective Date: 07/19/12)

Amended Effective: Ord. 348.4835 Item 16.2 of 06/21/16 (Effective Date: 07/21/16)

## SECTION 21.57. PEN FED BEEF CATTLE OPERATIONS.

Six or more beef cattle per acre being fed or fattened for marketing purposes whether the owner or operator performs the feeding service for himself or others. (Dairy herd replacements are not considered beef cattle).

## SECTION 21.58. PERSON.

The word "person" includes association, company, firm, corporation, partnership, co-partnership or joint venture.

## SECTION 21.58a. PERSONAL CANNABIS CULTIVATION.

The planting, growing, harvesting, drying, curing, grading, or trimming of cannabis, done or performed by a person for personal, non-commercial purposes pursuant to Health and Safety Code sections 11362.1 and 11362.2 under the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Senate Bill 94 (2017).

Added Effective
Ord. 348.4862 Item 17.7 of 08/29/17 (Effective Date: 9/28/17)

## SECTION 21.59. PLACE OF PUBLIC ASSEMBLY.

Any place designed for or used for congregation or gather of 20 or more persons in one room where such gathering is of a public nature, assembly hall, church, auditorium, recreational hall, pavilion, place of amusement, dance hall, opera house, motion picture theater, outdoor theater or theater, are included within this term.

## SECTION 21.59a. PLANNED RESIDENTIAL DEVELOPMENT.

A residential development including, but not limited to, statutory and non-statutory condominiums, cluster housing, townhouses, community apartment projects and mobilehome developments, that is permitted reduced lot area, width and depth requirements and building setback requirements by integrating into the overall development open space and outdoor recreational facilities, which may include recreational and public buildings intended primarily for the use of the residents of the project, within the development.

Amended Effective:
11-23-82 (Ord. 348.2140)

**SECTION 21.59b. PLANNED COMMERCIAL DEVELOPMENT.**

Planned commercial development means a development that may be permitted to have reduced width, depth and building setback requirements, and have common access and common parking, provided a planned development land division is approved pursuant to the provisions of the Riverside County Land Division Ordinance.

**SECTION 21.59c. PLANNED INDUSTRIAL DEVELOPMENT.**

Planned industrial development means a development that may be permitted to have reduced lot area, width, depth and building setback requirements, and have common access and common parking, provided a planned development land division is approved pursuant to the provisions of the Riverside County Land Division Ordinance.

**SECTION 21.59d. RAIN SHUT OFF DEVICE.**

Senses rainfall and automatically shuts off the irrigation system.

Amended Effective:
07-21-92 (Ord. 348.3446)

**SECTION 21.59e. POULTRY.**

Domestic birds including turkeys, ducks, geese, pheasants and other fowl specialized for meat projects, egg laying or ornamental show, but not including 'crowing fowl' as defined in this ordinance.

Added Effective:
09-15-00 (Ord. 348.3954) 12-21-00 (Ord. 348.3966)

**SECTION 21.59f. PROBATIONER.**

A person convicted of a felony who has received a suspension of the imposition or execution of a sentence and an order of conditional and revocable release in the community under the supervision of a probation officer.

Amended Effective:
Ord. 348.4744 Item 16.1of 06/19/12 (Effective Date: 07/19/12)

**SECTION 21.59g. PHYSICIAN'S RECOMMENDATION.**

A recommendation by a physician and surgeon that a patient use cannabis provided in accordance with the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of the Health and Safety Code.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.59h. PREMISES.

For purposes of Article XIXh only, the designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or licensee where the Commercial Cannabis Activity will be or is conducted. The Premises shall be a contiguous area and shall only be occupied by one licensee.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.59i. PRIMARY CAREGIVER.

The individual, designated by a qualified patient or by a person with an identification card, who has consistently assumed responsibility for the housing, health, or safety of that patient or person, further defined in Section 11362.7 of the California Health and Safety Code.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.60. RANCH, GUEST.

Any property containing five acres or more operated as a ranch which offers guest rooms for rent and which has outdoor recreational facilities such as horseback riding, swimming or hiking.

## SECTION 21.62. RECREATIONAL TRAILER.

A motor home, travel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy. The term "dependent recreational vehicle" shall mean a recreational vehicle not equipped with a toilet for sewage disposal. The term "independent recreational vehicle" shall mean a recreational vehicle equipped with a toilet for sewage disposal.

Amended Effective:
02-16-89 (Ord. 348.2986)

## SECTION 21.62a. RECREATIONAL VEHICLE PARK.

Any area or tract of land, or a separately designated Section within a mobilehome park, where one or more spaces are rented or leased or held out for rent or lease to owners or users of recreational vehicles. A recreational vehicle park may have a membership organization that

provides for the use of spaces within a park. The following types of parks may be permitted in Riverside County:

A. Vacation Recreational Vehicle Parks. A park which is designed for transient use, such as overnight or short-term occupancy. No occupancy shall exceed 30 consecutive days or 120 days in one calendar year. Tent camping may be permitted in areas designed and designated for such usage. Generally, only limited services and amenities are provided.

B. Extended Occupancy Parks. A recreational vehicle park which is designed for extended occupancy. No such occupancy shall exceed nine months in any one calendar year. Full urban services are available, and recreational amenities are required. Tent camping may be permitted in areas designed and designated for such usage. Recreational Vehicles may be permitted to remain on-site during periods of non-occupancy.

C. Permanent Occupancy Parks. A recreational vehicle park which is designed for permanent occupancy. There is no limit on the duration of occupancy. Full urban services and recreational amenities are provided.

Added Effective:
02-16-89 (Ord. 348.2986)

## SECTION 21.62b. RECYCLABLE MATERIALS.

Any reusable material which is acceptable for reprocessibng and redemption including, but not limited to, glass, metal, paper, and plastic. Recyclable material does not include hazardous waste or other refuse.

## SECTION 21.62c. RECYCLING COLLECTION FACILITY.

A facility which accepts recyclable material by donation, redemption, or purchase; and which the use of power driven machinery is limited to that which is necessary for the temporary storage, efficient transfer, and securing of materials as set forth in Section 18.47.C.3. of this ordinance.

## SECTION 21.62d. RECYCLING FACILITY.

A facility which is equipped to accept and/or process recyclable materials. Recycling facilities include, but are not limited to, the following facility types; reverse vending machines, collection facilities, and processing facilities.

Added Effective:
07-11-89 (Ord. 348.3047)

## SECTION 21.62e. RECYCLING PROCESSING FACILITY.

A facility which collects and processes acceptable recyclable materials by donation, redemption, or purchase. Processing means the preparation or transformation of recyclable materials for efficient shipment to an end user by, but not limited to, such means as baling, compacting, crushing, shredding, and sorting.

Added Effective:
07-11-89 (Ord. 348.3047)

## SECTION 21.62f. REVERSE VENDING MACHINE.

An automated and mechanical recycling facility, not more than 50 square feet in floor area, which accepts one or more types of beverage containers made typically of glass, metal, or plastic; and which issues, in return, a cash refund or redeemable credit receipt with a value not less than the redemption worth of the container as determined by the State of California.

## SECTION 21.62g. SINGLE HOUSEKEEPING UNIT.

Any household whose members are a group of persons jointly occupying a single dwelling unit, including the joint use and responsibility for common areas, and sharing household activities and responsibilities such as meals, chores and expenses and where, if the unit is rented, all adult residents have chosen to jointly occupy the entire premises of the dwelling unit with joint use and responsibility for the premises, and the makeup of the household occupying the unit is determined solely by the residents of the unit rather than the landlord or property manager.

Amended Effective:
07-11-89 (Ord. 348.3047)
07-21-92 (Ord. 348.3446
Ord. 348.4835 Item 16.2 of 06/21/16 (Effective Date: 07/21/16)

## SECTION 21.62h. SOIL MOISTURE SENSING DEVICE.

A device that measures the amount of water in the soil.

Amended Effective:
Ord. 348.4835 Item 16.2 of 06/21/16 (Effective Date: 07/21/16)

## SECTION 21.62i. SEX ORIENTED BUSINESS.

A business that requires a sex-oriented business permit pursuant to County Ordinance No. 743. This ordinance shall apply to any application for a land use permit not finally approved on or before the date this ordinance takes effect.

Amended Effective:
03-01-94 (Ord. 348.3584)
Ord. 348.4835 Item 16.2 of 06/21/16 (Effective Date: 07/21/16)

## SECTION 21.62j. SELL/SALE/TO SELL (CANNABIS).

Any transaction whereby, for any consideration, title to Cannabis or cannabis products is transferred from one person to another, and includes the delivery of Cannabis or cannabis products pursuant to an order placed for the purchase of the same and soliciting or receiving an order for the same, but does not include the return of Cannabis or cannabis products by a licensee to the licensee from whom the cannabis or cannabis product was purchased.

Added Effective:
Ord. 348.4734 Item 16.2 of 11/08/11(Effective Date: 12/08/11)
Amended Effective:
Ord. 348.4835 Item 16.2 of 06/21/16 (Effective Date: 07/21/16)
Ord. No. 348.4898 19.1 of 10/23/18 (Effective Date: 12/23/18)

## SECTION 21.62k. SPECIALTY INDOOR CANNABIS CULTIVATION.

Indoor cultivation using exclusively artificial lighting with a total canopy size on one Premises that does not exceed 5,000 square feet.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.62l. SPECIALTY COTTAGE INDOOR CANNABIS CULTIVATION.

Indoor cultivation using exclusively artificial lighting with a total canopy size on one Premises that does not exceed 500 square feet.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.62m. SMALL INDOOR CANNABIS CULTIVATION.

Indoor cultivation using exclusively artificial lighting with a total canopy size on one Premises that does not exceed 10,000 square feet.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.62n. MEDIUM INDOOR CANNABIS CULTIVATION.

Indoor cultivation using exclusively artificial lighting with a total canopy size on one Premises that does not exceed 22,000 square feet.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.62o. SPECIALTY COTTAGE MIXED LIGHT CULTIVATION.

Cultivation using a combination of natural and supplemental artificial lighting with a total canopy size on one Premises that does not exceed 2,500 square feet.

Added Effective:

Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.62p. SPECIALTY MIXED LIGHT CULTIVATION.

Cultivation using a combination of natural and supplemental artificial lighting with a total canopy size on one Premises that does not exceed 5,000 square feet.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.62q. SMALL MIXED LIGHT CULTIVATION.

Cultivation using a combination of natural and supplemental artificial lighting with a total canopy size on one Premises that does not exceed 10,000 square feet.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.62r. MEDIUM MIXED LIGHT CULTIVATION.

Cultivation using a combination of natural and supplemental artificial lighting with a total canopy size on one Premises that does not exceed 22,000 square feet.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.63. SOLAR POWER PLANT.

A facility used to generate electricity from solar energy where the power plant will be connected to the power grid and the electricity will be used primarily (i.e. more than 50 percent) at locations other than the site of the solar power plant. Solar power plants include power plants using both solar thermal systems and photovoltaic systems to convert solar energy to electricity. Solar thermal systems concentrate heat to drive a turbine which is then used to create electricity from generators and include systems using solar troughs, solar dishes, and solar power towers. Photovoltaic systems use a technology such as solar cells which generates electricity directly from sunlight.

Amended Effective:
Ord. 348.4705 Item 16.2 of 11/08/11 (Effective Date: 12/08/11)

## SECTION 21.64. STABLE, COMMERCIAL.

A stable for horses which are let, hired, used or boarded on a commercial basis and for compensation.

Amended Effective:
Ord. 348.4705 Item 16.2 of 11/88/11 (Effective Date: 12/08/11)

## SECTION 21.64a. (Deleted)

Amended Effective:
Ord. 348.4744 Item 16.1 of 06/19/12 (Effective Date: 07/19/12)

Deleted Effective:
Ord. 348.4835 Item 16.2 of 06/21/16 (Effective Date: 07/21/16)

## SECTION 21.65. STORY.

The portion of a building included between the surface of any floor and the finished ceiling next above it or the finished under surface of the roof directly over that particular floor.

## SECTION 21.66. STREET.

A public or an approved private thoroughfare or road easement which affords the principal means of access to abutting property, but not including an alley.

## SECTION 21.67. STREET LINE.

The boundary line between a street and abutting property.

## SECTION 21.68. SPECIFIC PLAN, HIGHWAY.

A plan adopted by the County of Riverside, pursuant to the authority contained in the California Planning and Zoning Law (Government Code, Section 65000 et seq.) establishing specifically planned future right of way lines for a highway. Upon the adoption of a specific plan for a highway, all requirements of this ordinance relating to highway right of way lines shall be calculated from the adopted planned future right of way line, except as shall be otherwise specifically permitted in this ordinance.

## SECTION 21.69. STRUCTURE.

Anything constructed or erected and the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground, such as awnings and patio covers, but not including walls and fences or wall and fences with arch entries.

Amended Effective:
01-02-86 (Ord. 348.2540)

Ord. 348.4791 Item 16-1 of 12/02/14 (Effective Date: 01/01/15)

## SECTION 21.70. STRUCTURAL ALTERATIONS.

Any change in the supporting members of a building or structure, such as bearing walls, columns, beams, girders, floor joists or roof joists.

## SECTION 21.70a. SWAP MEETS.

The use, rental, or lease of stalls or areas outside of an enclosed building by vendors offering goods or materials for sale or exchange, not including public fairs, or art exhibits.

## SECTION 21.70b. SUPPORTIVE HOUSING.

As defined by Health and Safety Code Section 50675.14, as may be amended from time to time, housing with no limit on length of stay that is occupied by persons with disabilities, families who are homeless as defined by Title 42 of the United States Code or homeless youth as defined by Section 11139.3 of the California Government Code that is connected to onsite or offsite services related to obtaining housing, improving health, or obtaining work consistent with Government Code Section 65582(g) and Section 65582(h), as may be amended from time to time. Supportive housing is not a Community Care Facility as defined by this ordinance.

Added Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## SECTION 21.71. TRAIL BIKE PARK.

An open area used by trail bikes, or motorcycles, for purposes such as but not limited to, hill climbing, trail riding, scrambling, racing and riding exhibitions.

## SECTION 21.71. (Deleted)

Effective 02-16-89 (Ord. 348.2986)

## SECTION 21.71a. TRANSITIONAL HOUSING.

As defined by Health and Safety Code Section 50675.2, as may be amended from time to time, rental housing provided to eligible recipients on an interim basis not less than six months.

Added Effective:
Ordinance No. 348.4950 Item 21.3 of 3/2/2021 (Effective Date: 4/1/2021)

## SECTION 21.73. USE.

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

**SECTION 21.74. USED.**

The word "used" includes occupied, arranged, designed for or intended to be used.

**SECTION 21.74a. WIND ENERGY CONVERSION SYSTEM. (WECS).**

A machine that converts the kinetic energy of the wind into a usable form of electrical or mechanical energy. The WECS include all parts of the system except the tower and electrical transmission equipment.

A. ACCESSORY WIND ENERGY CONVERSION SYSTEM (ACCESSORY WECS). A WECS which has a rated output of 20 kilowatts or less and is an accessory use to the principal use of a lot in that at least 50 percent of the average annual power production is used on the lot.

B. COMMERCIAL WIND ENERGY CONVERSION SYSTEM (COMMERCIAL WECS). Any WECS which is not an accessory WECS as defined herein.

**SECTION 21.74b. VANPOOL.**

Seven or more people traveling together on a continuing and prearranged basis in a motor vehicle designed for the transportation of persons over routes tailored to accommodate rider needs.

Amended Effective:
08-22-85 (Ord. 348.2500) 11-12-85 (Ord. 348.2533)

**SECTION 21.74c. WARM SEASON TURF GRASS.**

Turfgrass which begins growing in early spring and continues to grow vigorously throughout the summer and early fall. It may become brown and dormant in cool or cold winters. It's green color may be maintained throughout the year by overseeding during winter months. Examples are Bermudas, zoysias, dichondra and kikuyu grasses.

Amended Effective:
07-21-92 (Ord. 348.3446)

**SECTION 21.74d. WAREHOUSING AND DISTRIBUTION.**

Businesses whose sole purpose is to store and then distribute goods for sale as opposed to businesses whose sole purpose is to move goods by truck (See SECTION 21.25c. DRAYING, FREIGHTING AND TRUCKING OPERATIONS).

Added Effective:
05-06-99 (Ord. 348.3857)

## SECTION 21.74e. WHOLESALE NURSERY.

An establishment engaged in the propagation of trees, shrubs and horticultural and ornamental plants grown under cover or outdoors for sale to the public. Includes commercial scale greenhouses and establishments for the sale of plant materials, lawn and garden supplies, and related items. A Wholesale Nursery does not include Cannabis Wholesale Nurseries which are classified separately.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

## SECTION 21.75. YARD.

An open and unoccupied space on a lot on which a building is situated and, except where otherwise provided in this ordinance, open and unobstructed from the ground to the sky.

## SECTION 21.76. YARD, FRONT.

A yard extending across the full width of the lot between the side lot lines and between the front lot line and either the nearest line of the main building or the nearest line of any enclosed or covered porch. The front lot line shall be deemed to be the existing nearest right of way line of the abutting street, road or highway, unless a different right of way line for future use shall have been precisely fixed by law or ordinance, or by formal action of the Board of Supervisors pursuant to law or ordinance, in which event the front lot line shall be deemed to be such different right of way line.

## SECTION 21.77. YARD, REAR.

A yard extending across the full width of the lot between the side lot lines and measured between the rear lot line and the nearest rear line of the main building or the nearest line of any enclosed or covered porch. Where a rear yard abuts a street it shall meet front yard requirements of the district.

## SECTION 21.78. YARD, SIDE.

A yard extending from the front yard to the rear yard between the side lot line and the nearest line of the main building, or of any accessory building attached thereto.

## SECTION 21.79. YOUTH CENTER.

Any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

Amended Effective:
09-22-60
09-04-62
03-10-64 (Ord. 348.261)
12-18-63 (Ord. 348.242)
01-15-64 (Ord. 348.251)
04-15-64 (Ord. 348.265)
05-06-64 (Ord. 348.275)
03-30-65 (Ord. 348.356)
06-16-65 (Ord. 348.371)
09-15-65 (Ord. 348.391)
11-10-65 (Ord. 348.401)
12-22-65 (Ord. 348.414)
01-19-66 (Ord. 348.422)
03-23-66 (Ord. 348.427)
06-16-66 (Ord. 348.446)
07-06-66 (Ord. 348.455)
07-27-66 (Ord. 348.459)
05-31-67 (Ord. 348.506)
06-07-67 (Ord. 348.507)
06-19-67 (Ord. 348.517)
08-02-67 (Ord. 348.518)
09-27-67 (Ord. 348.528)
10-16-67 (Ord. 348.531)
11-15-67 (Ord. 348.532)
12-06-67 (Ord. 348.533)
02-21-68 (Ord. 348.545)
04-17-68 (Ord. 348.556)
01-27-69 (Ord. 348.609)
03-12-69 (Ord. 348.612)
05-14-69 (Ord. 348.628)
06-16-69 (Ord. 348.600)
07-09-69 (Ord. 348.635)
07-16-69 (Ord. 348.638)
09-16-69 (Ord. 348.636)
04-15-70 (348. 348.709) operative 1-1-80)
04-29-70 (Ord. 348.718)
06-10-70 (Ord. 348.737)
07-22-70 (Ord. 348.753)
09-16-70 (Ord. 348.773)
09-23-70 (Ord. 348.777)
09-30-70 (Ord. 348.783)
03-11-71 (Ord. 348.859)
03-24-71 (Ord. 348.861)
05-26-71 (Ord. 348.884)
07-11-71 (Ord. 348.905)
08-25-71 (Ord. 348.910)
09-16-71 (Ord. 348.920)
11-04-71 (Ord. 348.941)
11-25-71 (Ord. 348.953)
12-02-71 (Ord. 348.952)
05-04-72 (Ord. 348.1023)
01-25-73 (Ord. 348.1125)
04-05-74 (Ord. 348.1173)
06-21-73 (Ord. 348.1180)
10-02-75 (Ord. 348.1469)
10-23-75 (Ord. 348.1468)
11-13-75 (Ord. 348.1476)
12-10-75 (Ord. 348.1481)
01-13-76 (Ord. 348.1489)
04-15-76 (Ord. 348.1497)
11-11-76 (Ord. 348.1536)
01-20-77 (Ord. 348.1540)
02-03-77 (Ord. 348.1545)
04-21-77 (Ord. 348.1564)
09-08-77 (Ord. 348.1588)
02-14-78 (Ord. 348.1626)
05-30-78 (Ord. 348.1647)
06-20-78 (Ord. 348.1654)
06-27-78 (Ord. 348.1658)
08-29-78 (Ord. 348.1664)
09-19-78 (Ord. 348.1667)
12-19-78 (Ord. 348.1668)
01-18-79 (Ord. 348.1674)
04-12-79 (Ord. 348.1688)
07-05-79 (Ord. 348.1697)
08-21-79 (Ord. 348.1717)
09-20-79 (Ord. 348.1702)
11-29-79 (Ord. 348.1729)
05-08-80 (Ord. 348.1785)
09-25-80 (Ord. 348.1855)
01-29-85 (Ord. 348.2443)
03-05-85 (Ord. 348.2444)
07-16-85 (Ord. 348.2496)
08-29-85 (Ord. 348.2510)
10-17-85 (Ord. 348.2516)
11-12-85 (Ord. 348.2533)
11-26-85 (Ord. 348.2535)
01-02-86 (Ord. 348.2540)
06-05-86 (Ord. 348.2580)
06-06-86 (Ord. 348.2592)
06-06-86 (Ord. 348.2566)
08-07-88 (Ord. 348.2591)
08-14-86 (Ord. 348.2613)
08-18-86 (Ord. 348.2623)
06-06-95 (Ord. 348.3677)
08-28-86 (Ord. 348.2612)
09-08-95 (Ord. 348.3727)
09-18-86 (Ord. 348.2452)
11-30-95 (Ord. 348.3752)
12-16-86 (Ord. 348.2643)
11-30-95 (Ord. 348.3753)
01-15-87 (Ord. 348.2543)
04-19-96 (Ord. 348.3770)
02-03-87 (Ord. 348.2669)
07-04-96 (Ord. 348.3773)
03-12-87 (Ord. 348.2670)
07-18-96 (Ord. 348.3775)
06-04-87 (Ord. 348.2684)

11-29-96 (Ord. 348.3780)
07-23-87 (Ord. 348.2686)
01-03-97 (Ord. 348.3781)
07-23-87 (Ord. 348.2687)
06-27-97 (Ord. 348.3793)
04-29-88 (Ord. 348.2848)
08-29-97 (Ord. 348.3795)
06-30-88 (Ord. 348.2856)
10-23-97 (Ord. 348.3800)
06-31-88 (Ord. 348.2957)
02-13-98 (Ord. 348.3811)
02-16-89 (Ord. 348.2986)
03-07-89 (Ord. 348.2992)
Ord. No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12/23/18)
03-14-89 (Ord. 348.3010)
04-04-89 (Ord. 348.3023)
04-24-89 (Ord. 348.3029)
04-27-89 (Ord. 348.3018)
04-27-89 (Ord. 348.3030)
06-06-89 (Ord. 348.3032)
06-20-89 (Ord. 348.2989)
07-11-89 (Ord. 348.3047)
07-20-89 (Ord. 348.3043)
09-05-89 (Ord. 348.3078)
09-05-89 (Ord. 348.3053)
09-26-89 (Ord. 348.2937)
11-13-90 (Ord. 348.3217)
08-13-91 (Ord. 348.3305)
08-13-91 (Ord. 348.3341)
10-01-91 (Ord. 348.3380)
12-17-91 (Ord. 348.3407)
05-05-92 (Ord. 348.3420)
06-23-92 (Ord. 348.3444)
07-21-92 (Ord. 348.3446)
10-06-92 (Ord. 348.3447)
01-19-93 (Ord. 348.3489)
03-30-93 (Ord. 348.3481)
04-13-93 (Ord. 348.3503)
10-05-93 (Ord. 348.3567)
03-01-94 (Ord. 348.3584)
05-03-94 (Ord. 348.3571)
05-29-94 (Ord. 348.2342)
10-18-94 (Ord. 348.3613)
11-08-94 (Ord. 348.3629)
03-03-98 (Ord. 348.3208)
07-16-98 (Ord. 348.3828)
10-15-98 (Ord. 348.3842)
11-28-98 (Ord. 348.3804)
02-12-99 (Ord. 348.3857)
05-06-99 (Ord. 348.3867)
05-06-99 (Ord. 348.3868)
06-18-99 (Ord. 348.3877)
07-23-99 (Ord. 348.3881)
09-10-99 (Ord. 348.3883)
09-24-99 (Ord. 348.3884)
10-21-99 (Ord. 348.3888)
04-14-00 (Ord. 348.3928)
09-15-00 (Ord. 348.3954)
09-29-00 (Ord. 348.3955)
11-24-00 (Ord. 348.3961)
11-26-00 (Ord. 348.3962)
11-31-00 (Ord. 348.3964)
12-21-00 (Ord. 348.3966)
04-13-01 (Ord. 348.3986)
04-20-01 (Ord. 348.3982)
05-24-01 (Ord. 348.3990)

Amended 348.4574 Item 2.24 of 09-02-08 (Effective 10/02/08)
Amended 348.4703 Item 16.1 of 10-19-10 (Effective 11-19-10)

## ARTICLE XXII ENFORCEMENT, LEGAL PROCEDURE AND PENALTIES

### SECTION 22.1. ENFORCEMENT.

The Sheriff, District Attorney, County Surveyor, Building Inspector, County Clerk, Planning Director and all County Officials charged with the issuance of licenses and permits shall enforce the provisions of this ordinance.

### SECTION 22.2.

The procedures, remedies and penalties for violation of this ordinance and for recovery of costs related to enforcement are provided for in Ordinance No. 725, which is incorporated herein by this reference.

### SECTION 22.3. (Deleted)

### SECTION 22.4. (Deleted)

### SECTION 22.5. (Deleted)

Amended Effective:
09-22-60 (Adopted)
03-07-89 (Ord. 348.2992)
03-30-93 (Ord. 348.3481)
10-05-93 (Ord. 348.3567)
03-30-93 (Ord. 348.3481)

## ARTICLE XXIII VALIDITY

This ordinance and the various parts, sections and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, Section or clause is adjudged unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby. The County Board of Supervisors hereby declares that it would have passed this ordinance and each part thereof, regardless of the fact that one or more parts thereof be declared unconstitutional or invalid.

Adopted: 09-22-60

## ARTICLE XXIV AUTHENTICATION

It is hereby expressly provided and declared that this ordinance shall take effect thirty (30) days from and after its passage, and prior to the expiration of fifteen (15) days from the passage thereof shall be published once in the Riverside Enterprise, a newspaper of general circulation, printed and published in the County of Riverside, together with the names of the members of the Board of Supervisors voting for and against the same.

Adopted: 09-22-60 Revised: 03-01-04

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