

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE

AGENDA DATE: JULY 25, 2019

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME: 1:30 PM / No. 1

Title 9 Land Use

PROJECT TYPE: Ordinance Revisions Divisions 4 & 5 SUPER. DIST: All Districts

LOCATION: Countywide (Unincorporated Areas of the County) APN: All

PARCEL SIZE: N/A

GENERAL PLAN (existing) N/A GENERAL PLAN (proposed) N/A

ZONE (existing) N/A ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 07/25/2019

INITIAL STUDY: 19-0017

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
AG	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
APCD	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
E.H.S.	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
FIRE / OES	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
SHERIFF	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
OTHER			<input type="checkbox"/>	ATTACHED

REQUESTED ACTION:

(See Attached)

Attachment A.
Draft Initial Study #19-0017

- NEGATIVE DECLARATION**
 MITIGATED NEGATIVE DECLARATION

*Initial Study & Environmental Analysis
For:*

**Initial Study #19-0017
Title 9 Land Use Ordinance Revisions to Divisions 4 & 5**



Prepared By:

COUNTY OF IMPERIAL
Planning & Development Services Department
801 Main Street
El Centro, CA 92243
(442) 265-1736
www.icpds.com

July 2019

EEC ORIGINAL PKG

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SECTION 1 INTRODUCTION

A. PURPOSE

This document is a policy-level, project level Initial Study for evaluation of potential environmental impacts resulting from the proposed Title 9 Land Use Ordinance Revisions to Divisions 4 & 5. For purposes of this document, the proposed revisions (update) will be called "the proposed application".

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS AND THE IMPERIAL COUNTY'S GUIDELINES FOR IMPLEMENTING CEQA

As defined by Section 15063 of the State California Environmental Quality Act (CEQA) Guidelines and Section 7 of the County's "CEQA Regulations Guidelines for the Implementation of CEQA, as amended", an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

According to Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The proposal has the potential to substantially degrade quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects that are individually limited but cumulatively considerable.
- The proposal could cause direct or indirect adverse effects on human beings.

According to Section 15070(a), a **Negative Declaration** is deemed appropriate if the proposal would not result in any significant effect on the environment.

According to Section 15070(b), a **Mitigated Negative Declaration** is deemed appropriate if it is determined that though a proposal could result in a significant effect, mitigation measures are available to reduce these significant effects to insignificant levels.

This Initial Study has determined that the proposed applications will not result in any potentially significant environmental impacts and therefore, a Negative Declaration is deemed as the appropriate document to provide necessary environmental evaluations and clearance as identified hereinafter.

This Initial Study and Negative Declaration are prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.); Section 15070 of the State & County of Imperial's Guidelines for Implementation of the California Environmental Quality Act of 1970, as amended (California Code of Regulations, Title 14, Chapter 3, Section 15000, et. seq.); applicable requirements of the County of Imperial; and the regulations, requirements, and procedures of any other responsible public agency or an agency with jurisdiction by law.

Pursuant to the County of Imperial Guidelines for Implementing CEQA, depending on the project scope, the County of Imperial Board of Supervisors, Planning Commission and/or Planning Director is designated the Lead Agency,

in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the County.

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

This Initial Study and Negative Declaration are informational documents which are intended to inform County of Imperial decision makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed applications. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, including economic and social goals.

The Initial Study and Negative Declaration, prepared for the project will be circulated for a period of 20 days (*30-days if submitted to the State Clearinghouse for a project of area-wide significance*) for public and agency review and comments. At the conclusion, if comments are received, the County Planning & Development Services Department will prepare a document entitled "Responses to Comments" which will be forwarded to any commenting entity and be made part of the record within 10-days of any project consideration.

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

This Initial Study is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed applications.

SECTION 1

I. INTRODUCTION presents an introduction to the entire report. This section discusses the environmental process, scope of environmental review, and incorporation by reference documents.

SECTION 2

II. ENVIRONMENTAL CHECKLIST FORM contains the County's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a significant impact, potentially significant impact, or no impact.

PROJECT SUMMARY, LOCATION AND ENVIRONMENTAL SETTINGS describes the proposed project entitlements and required applications. A description of discretionary approvals and permits required for project implementation is also included. It also identifies the location of the project and a general description of the surrounding environmental settings.

ENVIRONMENTAL ANALYSIS evaluates each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis as necessary. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation.

SECTION 3

III. MANDATORY FINDINGS presents Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

IV. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in

preparation of this Initial Study and Negative Declaration.

V. REFERENCES lists bibliographical materials used in preparation of this document.

VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) (IF ANY)

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form is summarized and responses are provided according to the analysis undertaken as part of the Initial Study. Impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A “No Impact” response is adequately supported if the impact simply does not apply to the proposed applications.
2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.
3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact”.
4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

This Initial Study and Negative Declaration will be conducted under a policy-level, project level analysis. Regarding mitigation measures, it is not the intent of this document to “overlap” or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the County’s jurisdiction, are also not considered mitigation measures and therefore, will not be identified in this document.

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

Information, findings, and conclusions contained in this document are based on incorporation by reference of tiered documentation, which are discussed in the following section.

1. Tiered Documents

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents can be included into this document. Tiering is defined as follows:

“Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared

for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project."

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

"Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration."

Further, Section 15152(d) of the CEQA Guidelines states:

"Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

(1) Were not examined as significant effects on the environment in the prior EIR; or

(2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means."

2. Incorporation By Reference

Incorporation by reference is a procedure for reducing the size of EIRs/MND and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference appropriate information from the "Final Environmental Impact Report and Environmental Assessment for the "County of Imperial General Plan EIR" prepared by Brian F. Mooney Associates in 1993 and updates.

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.
- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.
- These documents must summarize the portion of the document being incorporated by reference or briefly

describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.

- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the County of Imperial General Plan EIR is SCH #93011023.
- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

II. *Environmental Checklist*

1. **Project Title:** Initial Study #19-0017 Title 9 Land Use Ordinance Revisions to Divisions 4 & 5
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Diana Robinson, Planner III, (442)265-1736, ext. 1751
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** dianarobinson@co.imperial.ca.us
6. **Project location:** Countywide (Unincorporated Areas of Imperial County)
7. **Project sponsor's name and address:** Imperial County Planning & Development Services Department
801 Main Street, El Centro, CA 92243
8. **General Plan designation:** Countywide
9. **Zoning:** Countywide

10. **Description of project:**

The Imperial County Planning & Development Services Department has prepared several revisions to the Title 9 Land Use Ordinance of the County of Imperial Codified Ordinance since 1998, in a continuing effort to keep the General Plan and the Title 9 Ordinance current and internally consistent. The purpose of this latest revision to Divisions 4 and 5 of Title 9 Land Ordinance is to be consistent with the recent changes within State Law and the County's revision of the Title 14 "Cannabis and Industrial Hemp" of the Codified Ordinance of Imperial County, which were recently approved by the Board of Supervisors on June 18, 2019..

These 2019 revisions, which include additions, corrections and changes for clarification and internal consistency between Title 14 and Title 9, are provided as follows:

- *Division 4 (Signs, Parking, Fence, Home Occupations, Accessory Dwelling Units and Cannabis & Industrial Hemp Operations)* – Pursuant to State Assembly Bill 64 (Cannabis: Licensure and Regulation) and Senate Bill 94, updates and minor revisions to various Chapters and Sections were required to reflect changes that were recently approved on Title 14 of the County of Imperial Codified Ordinance regarding cannabis and industrial hemp.
- *Division 5 (Zoning Areas Established)* – Identifies revisions to various zones where cannabis and/or industrial hemp will be allowed (i.e. A-2, A-3, AM-1, AM-2, M-1, M-2, C-2, and C-3) to add cannabis and industrial hemp uses as applicable (whether as a permitted use or as a use permitted with Conditional Use Permit). As with the changes in Division 4, these revisions are intended to make Title 9 of the Land Use Ordinance consistent with the recent changes (updates) to Title 14 County of Imperial Codified Ordinance.
- Minor Revisions include editorial changes, minor corrections in grammar or additional language to provide clarification.

The majority of the changes are related to the incorporation of Cannabis and Industrial Hemp uses and uses permitted with a Conditional Use Permit throughout the zoning areas as approved by the Board of Supervisors.

11. **Surrounding land uses and setting:** Countywide
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.):
 - a) Planning Commission, and
 - b) Board of Supervisors

13. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code, Section 21080.3.2). Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code, Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code, Section 21082.3 (c) contains provisions specific to confidentiality.

Native American Tribes and members of the Native American Heritage Commission (NAHC) have been invited to participate in the "Request for Review and Comment" as part of the Initial Study review process. In addition, letters requesting consultation pursuant to AB 52 were sent at the beginning of the preparation of this Initial Study, along with a request to NAHC for Sacred Files Search. The consultation period for AB 52 ends on July 29, 2019.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology /Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

After Review of the Initial Study, the Environmental Evaluation Committee has:

Found that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

Found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

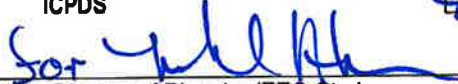
Found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Found that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

Found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE DE MINIMIS IMPACT FINDING: Yes No

<u>EEC VOTES</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
PUBLIC WORKS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENVIRONMENTAL HEALTH SVCS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OFFICE EMERGENCY SERVICES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
APCD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SHERIFF DEPARTMENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICPDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



 Jim Minnick, Director of Planning/EEC Chairman

7-26-19

 Date:

PROJECT SUMMARY

- A. **Project Location:** Countywide (Unincorporated Areas of Imperial County)
- B. **Project Summary:** The Imperial County Planning & Development Services Department has prepared several revisions to the Title 9 Land Use Ordinance of the County of Imperial Codified Ordinance since 1998, in a continuing effort to keep the General Plan and the Title 9 Ordinance current and internally consistent. The purpose of this latest revision to Divisions 4 and 5 of Title 9 Land Ordinance is to be consistent with the recent changes within State Law and the County's revision of the Title 14 "Cannabis and Industrial Hemp" of the Codified Ordinance of Imperial County, which were recently approved by the Board of Supervisors on June 18, 2019.

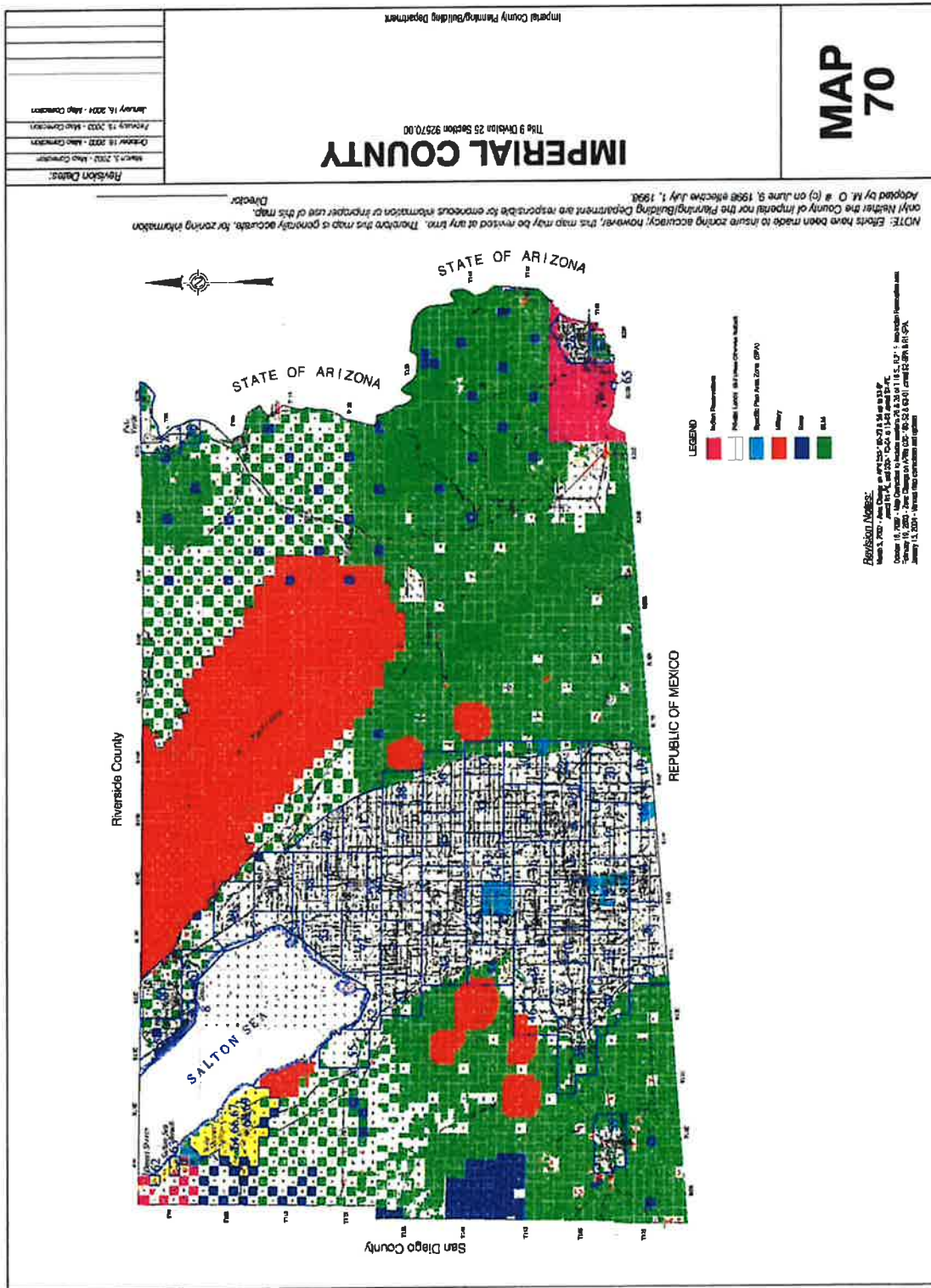
These 2019 revisions, which include additions, corrections and changes for clarification and internal consistency between Title 14 and Title 9, are provided as follows:

- *Division 4 (Signs, Parking, Fence, Home Occupations, Accessory Dwelling Units and Cannabis & Industrial Hemp Operations)* – Pursuant to State Assembly Bill 64 (Cannabis: Licensure and Regulation) and Senate Bill 94, updates and minor revisions to various Chapters and Sections were required to reflect changes that were recently approved on Title 14 of the County of Imperial Codified Ordinance regarding cannabis and industrial hemp.
- *Division 5 (Zoning Areas Established)* – Identifies revisions to various zones where cannabis and/or industrial hemp will be allowed (i.e. A-2, A-3, AM-1, AM-2, M-1, M-2, C-2, and C-3) to add cannabis and industrial hemp uses as applicable (whether as a permitted use or as a use permitted with Conditional Use Permit). As with the changes in Division 4, these revisions are intended to make Title 9 of the Land Use Ordinance consistent with the recent changes (updates) to Title 14 County of Imperial Codified Ordinance.
- Minor Revisions include editorial changes, minor corrections in grammar or additional language to provide clarification.

The majority of the changes are related to the incorporation of Cannabis and Industrial Hemp uses and uses permitted with a Conditional Use Permit throughout the zoning areas as approved by the Board of Supervisors.

- C. **Environmental Setting:** Countywide (Unincorporated Areas of Imperial County)
- D. **Analysis:** These revisions are intended to make Title 9 of the Land Use Ordinance consistent with the recent changes (updates) to Title 14 County of Imperial Codified Ordinance.
- E. **General Plan Consistency:** As previously mentioned, the purpose of this latest revision to Divisions 4 and 5 of Title 9 Land Ordinance is to be consistent with the recent changes within State Law and the County's revision of the Title 14 "Cannabis and Industrial Hemp", which was recently approved by the Board of Supervisors.

Exhibit "A" Vicinity Map



EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- a) Have a substantial adverse effect on a scenic vista or scenic highway?

a) This policy level action is Countywide and would not affect any scenic vista or highway within the County; therefore, no impacts are expected.
- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

b) No substantial damage to scenic resources is anticipated; therefore, no impacts are expected.
- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

c) No substantial degradation to existing visual character or quality of the site or surrounding are anticipated; therefore, no impacts are expected.
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

d) This is a policy level action and lighting and glare will be assessed at a project level. Future applicants shall abide by State law and the County's requirements for lighting within cannabis and industrial hemp sites (i.e. indoor and outdoor) such as on structures and project sites. No potential additional effects due to new sources of substantial light or glare are anticipated; therefore, no impacts are expected.

II. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. –Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

a) This policy level action is Countywide and would not convert any lands of prime, unique, farmland of statewide importance into non-agricultural use; therefore, therefore, no impacts are expected regarding the policy level project. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location.
- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

b) No conflicts with existing zoning for agricultural use nor with lands in contract with Williamson Act are anticipated; therefore, no impacts are expected for this policy level project.
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

c) There are no forest lands in the County; therefore, no impacts regarding forest land nor timberland are expected.
- d) Result in the loss of forest land or conversion of forest land to

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
non-forest use? d) As previously mentioned, there are no forest lands in the County; therefore, no impacts are expected.				
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? e) This policy level action is Countywide and no conversion of lands of prime, unique, farmland of statewide importance into non-agricultural use are anticipated; therefore, no impacts are expected regarding the policy level project.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. **AIR QUALITY**

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to the following determinations. Would the Project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?
a) This policy level action is Countywide and would not conflict with or obstruct implementation of any applicable air quality plan; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
b) This policy level action is Countywide and would not result in a cumulatively considerable net increase of any criteria pollutant for which the project is non-attainment; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutants concentrations?
c) This policy level action is Countywide and would not expose sensitive receptors to substantial pollutants; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?
d) This policy level action is Countywide and would not result in other emissions affecting a substantial number of people; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IV. **BIOLOGICAL RESOURCES** *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
a) This policy level action is Countywide and would not have a substantial effect on any species identified as a sensitive or special species status in local or regional plans, policies or regulations by the CDF&W or USF&WS; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
b) This policy level action is Countywide and would not have a substantial effect of any riparian habitat or other sensitive natural community found in local or regional plans, policies, and regulations by the CDF&W or USF&WS; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? c) This policy level action is Countywide and would not have a substantial effect on federally protected wetlands; therefore, no impacts are expected.				
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? d) This policy level action is Countywide and would not interfere with the movement of any resident or migratory fish or wildlife species or with native resident or migratory wildlife corridors, or impact wildlife nursery sites; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance? e) This policy level action is Countywide and would not conflict with any local policies or ordinances protection biological resources, or tree preservation policy or ordinance; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? f) This policy level action is Countywide and would not conflict with the provisions of an adopted Habitat Conservation Plan, NCCP or other regional or state habitat conservation plan; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. **CULTURAL RESOURCES** *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?
a) This policy level action is Countywide and is not anticipated to cause a change in the significance of a historical resource; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
b) The policy level action will not cause a change in the significance of an archaeological resource; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries?
c) The policy level action is not anticipated to disturb any human remains; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VI. **ENERGY** *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
a) The policy level action is not anticipated to result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
b) The policy level action is not anticipated to conflict with or obstruct a state or local plan for renewable energy or energy efficiency; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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VII. **GEOLOGY AND SOILS** *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:
a) This policy level action is Countywide and is not anticipated to cause for direct or indirect effects including risk of loss, injury or death regarding geology and soils; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?
1) The policy level action is not anticipated to expose people or structures to potential adverse effects relating to the rupture of a known earthquake fault; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2) Strong Seismic ground shaking?
2) The policy level action is not anticipated to generate any strong seismic ground shaking; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3) Seismic-related ground failure, including liquefaction and seiche/tsunami?
3) The policy level action is not anticipated to generate seismic-related ground failure, including liquefaction and seiche/tsunami; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4) Landslides?
4) The policy level action is not anticipated to generate any landslides; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?
b) The policy level action will not result in substantial soil erosion or loss of topsoil; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?
c) The policy level action will not be located on a geologic unit or soil that is unstable, or that could become unstable, or result in on or off-site landslides, lateral spreading, subsidence, liquefaction or collapse; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property?
d) The policy level action is not anticipated to be located on expansive soils; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
e) The policy level action is not anticipated to be proposed on soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
f) The policy level action is not anticipated to directly nor indirectly destroy a unique paleontological resource or site or unique geologic feature; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VIII. **GREENHOUSE GAS EMISSION** *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
environment? a) This policy level action is Countywide and is not anticipated to generate any greenhouse gas emission impacting the environment; therefore, no impacts are expected.				
b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? b) The policy level action is not anticipated to conflict with a plan or policy or regulation for reducing emissions of greenhouse gases; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. **HAZARDS AND HAZARDOUS MATERIALS** *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
a) This policy level action is not anticipated to create a significant hazard to the public or environment through the routine transport, use or disposal of hazardous materials; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
b) The policy level action will not create a hazard to the public or environment relating to the release of hazardous materials into the environment; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
c) The policy level action will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
d) The policy level action is not anticipated to be located on a hazardous material site, nor create a significant hazard to the public or environment; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
e) The policy level action will not result in a safety hazard for people within an airport land use plan or within two miles of a public or public use airport; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
f) The policy level action will not impact implementation or physically interfere with an emergency response plan or evacuation plan; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?
g) The policy level action will not expose people or structures to wildland fires; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

X. **HYDROLOGY AND WATER QUALITY** *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
requirements or otherwise substantially degrade surface or ground water quality? a) This policy level action is Countywide and is not anticipated to violate any water quality standards or waste discharge requirements; therefore, no impacts are expected.				
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? b) The policy level action will not deplete groundwater supplies or recharge; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: c) The policy level action will not alter the existing drainage pattern or alter the course of a stream or river; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) result in substantial erosion or siltation on- or off-site; (i) The policy level action will not result in substantial erosion or siltation on- or off-site; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (iii) The policy level action is not anticipated to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iv) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or; (iii) The policy level action is not anticipated to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(v) impede or redirect flood flows? (v) The policy level action is not anticipated to impede or redirect flood flows; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? d) The policy level action will not release pollutants due to project inundation in flood hazard; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? e) This policy level action is Countywide and is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XI. **LAND USE AND PLANNING** *Would the project:*

a) Physically divide an established community? a) This policy level action is Countywide and is not anticipated to physically divide an established community; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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purpose of avoiding or mitigating an environmental effect?

b) The policy level action will not conflict with any land use plan, policy or regulation; therefore, no impacts are expected.

XII. MINERAL RESOURCES *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
a) This policy level action is Countywide and would not result in the loss of a known mineral resource; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?
b) The policy level action would not result in the loss of a locally-important mineral resource recovery site; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XIII. NOISE *Would the project result in:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
a) This policy level action is Countywide and would not expose persons to or generate excessive noise levels; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels?
b) The policy level action would not expose people to groundborne vibration or noise levels; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
c) The policy level action would not impact any private airstrip or airport land use plan within two miles of a public or public use airport; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XIV. POPULATION AND HOUSING *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?
a) The project is Countywide and would not induce substantial unplanned population growth; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?
b) The project is Countywide and would not displace existing housing; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XV. PUBLIC SERVICES

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: a) This policy level action is Countywide and would not cause for the need of any provisions or cause for alterations involving governmental facilities; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level).				
1) Fire Protection? 1) The policy level action will not require additional fire protection; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Police Protection? 2) The policy level action will not require additional police protection; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Schools? 3) The policy level action will not require additional schools; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Parks? 4) The policy level action will not require additional parks; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Other Public Facilities? 5) The policy level action will not require other public facilities; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. RECREATION

a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? a) The policy level action would not increase the use of parks or other recreational facilities; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment? b) The policy level action would not impact any recreational facilities or require construction or expansion thereof; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. TRANSPORTATION *Would the project:*

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? a) This policy level action is Countywide and will not conflict with plans, ordinances, or policy on the circulation system; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)? b) The policy level action will not conflict with CEQA Guidelines Section 15064.3, subdivision (b); therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? c) The policy level action will not substantially increase hazards due to a geometric design feature or incompatible uses;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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therefore, no impacts are expected.

- d) Result in inadequate emergency access?
- d) The policy level action is not anticipated to result in inadequate emergency access; therefore, no impacts are expected.**

XVIII. TRIBAL CULTURAL RESOURCES

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is:
-

a) This policy level action is Countywide and would not cause for a substantial adverse change in the significance of a tribal cultural resource; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level).

- (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or
-

(i) The policy level action would not cause for impacts to occur affecting historical resources; therefore, no impacts are expected.

- (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.
-

(ii) The policy level action would not cause for impacts to occur to resources that have been determined to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1; therefore, no impacts are expected.

XIX. UTILITIES AND SERVICE SYSTEMS *Would the project:*

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?
-

a) This policy level action is Countywide and is not expected to result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level).

- b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years?
-

b) The policy level action is not anticipated to cause issues with water supply availability regarding future development during normal, dry and multiple dry years; therefore, not impacts are expected. However, projects requiring environmental review will have to be assessed on a case by case basis to assess water availability.

- c) Result in a determination by the wastewater treatment

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? c) This is a policy level action and impacts regarding the wastewater treatment's capacity to serve the project demand are not expected to occur.				
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? d) This is a policy level action and no excess of solid waste nor impairment of attainment of solid waste reductions goals are anticipated; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? e) This policy level action is Countywide, but each for each project level study prepared, the applicant shall will comply with federal, state, and local management and reduction statues and regulations related to solid waste. No impacts are expected to occur at the policy level.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XX. **WILDFIRE**

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
a) This policy level action is Countywide and is not expected to substantially impair an adopted emergency response plan or emergency evacuation plan related to wildlife; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
b) The policy level action is not anticipated to expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
c) The policy level action is not anticipated to require infrastructure that may exacerbate fire risk that may result in temporary or ongoing impacts to the environment; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?
d) The policy level action is not anticipated to expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability or drainage changes; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino, (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Arroyo Waterways v. Arroyo Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

Revised 2009- CEQA
Revised 2011- ICPDS
Revised 2016 – ICPDS
Revised 2017 – ICPDS
Revised 2019 – ICPDS

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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SECTION 3
III. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, eliminate tribal cultural resources or eliminate important examples of the major periods of California history or prehistory?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IV. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Diana Robinson, Planner III
- Imperial County Air Pollution Control District
- Department of Public Works
- Fire Department
- Ag Commissioner
- Environmental Health Services
- Sheriff's Office

B. OTHER AGENCIES/ORGANIZATIONS

- Native American Heritage Commission
- Imperial Irrigation District

(Written or oral comments received on the checklist prior to circulation)

V. REFERENCES

1. "County of Imperial General Plan EIR", prepared by Brian F. Mooney & Associates in 1993; and as Amended by County in 1996, 1998, 2001, 2003, 2006 & 2008, 2015, 2016.
2. Title 14 County of Imperial Codified Ordinance
3. Title 9 Land Use Ordinance Division 4
4. Title 9 Land Use Ordinance Division 5

VI. NEGATIVE DECLARATION – County of Imperial

The following Negative Declaration is being circulated for public review in accordance with the California Environmental Quality Act Section 21091 and 21092 of the Public Resources Code.

Project Name: Initial Study #19-0017 Title 9 Land Use Ordinance Revisions to Divisions 4 & 5

Project Applicant: Imperial County Planning & Development Services Department (ICPDS)

Project Location: Countywide (Unincorporated Areas of Imperial County)

Description of Project: The Imperial County Planning & Development Services Department has prepared several revisions to the Title 9 Land Use Ordinance of the County of Imperial Codified Ordinance since 1998, in a continuing effort to keep the General Plan and the Title 9 Ordinance current and internally consistent. The purpose of this latest revision to Divisions 4 and 5 of Title 9 Land Ordinance is to be consistent with the recent changes within State Law and the County's revision of the Title 14 "Cannabis and Industrial Hemp" of the Codified Ordinance of Imperial County, which was recently approved by the Board of Supervisors on June 18, 2019.

These 2019 revisions, which include additions, corrections and changes for clarification and internal consistency between Title 14 and Title 9, are provided as follows:

- *Division 4 (Signs, Parking, Fence, Home Occupations, Accessory Dwelling Units and Cannabis & Industrial Hemp Operations)* – Pursuant to State Assembly Bill 64 (Cannabis: Licensure and Regulation) and Senate Bill 94, updates and minor revisions to various Chapters and Sections were required to reflect changes that were recently approved on Title 14 of the County of Imperial Codified Ordinance regarding cannabis and industrial hemp.
- *Division 5 (Zoning Areas Established)* – Identifies revisions to various zones where cannabis and/or industrial hemp will be allowed (i.e. A-2, A-3, AM-1, AM-2, M-1, M-2, C-2, and C-3) to add cannabis and industrial hemp uses as applicable (whether as a permitted use or as a use permitted with Conditional Use Permit). As with the changes in Division 4, these revisions are intended to make Title 9 of the Land Use Ordinance consistent with the recent changes (updates) to Title 14 County of Imperial Codified Ordinance.
- Minor Revisions include editorial changes, minor corrections in grammar or additional language to provide clarification.

The majority of the changes are related to the incorporated of Cannabis and Industrial Hemp uses and uses permitted with a Conditional Use Permit throughout the zoning areas as approved by the Board of Supervisors.

VII. FINDINGS

This is to advise that the County of Imperial, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environmental and is proposing this Negative Declaration based upon the following findings:



The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.



The Initial Study identifies potentially significant effects but:

- (1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.
- (2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.
- (3) Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

A NEGATIVE DECLARATION will be prepared.

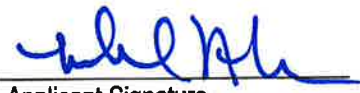
If adopted, the Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the County of Imperial, Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 (442) 265-1736.

NOTICE

The public is invited to comment on the proposed Negative Declaration during the review period.

7-26-19 
Date of Determination Jim Minnick, Director of Planning & Development Services

The Applicant hereby acknowledges and accepts the results of the Environmental Evaluation Committee (EEC) and hereby agrees to implement all Mitigation Measures, if applicable, as outlined in the MMRP.

 7-26-19
Applicant Signature Date

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE)

S:\TITLE 9 REVISIONS\2019 REVISIONS\Divs 4 & 5\EEC\IS19-0017 Revisions to Div 4 & 5.docx

Attachment B.
Title 9 Land Use Ordinance Division 4

TITLE 9

DIVISION 4: SIGNS, PARKING, FENCES, HOME OCCUPATIONS, & ACCESSORY DWELLING UNITS AND CANNABIS & INDUSTRIAL HEMP OPERATIONS

- CHAPTER 1: SIGNS
- CHAPTER 2: PARKING
- CHAPTER 3: FENCES
- CHAPTER 4: HOME OCCUPATIONS
- CHAPTER 5: ACCESSORY DWELLING UNITS (ADUs)
- CHAPTER 6: CANNABIS & INDUSTRIAL HEMP OPERATIONS

CHAPTER 1: SIGNS

- § 90401.00 PURPOSE/APPLICATION
- § 90401.01 DESIGN/DEVELOPMENT STANDARDS FOR MONUMENT SIGNS
- § 90401.02 DESIGN/DEVELOPMENT STANDARDS/POLE SIGNS
- § 90401.03 DESIGN/DEVELOPMENT STANDARDS/SIGNS ATTACHED TO BUILDINGS
- § 90401.04 DESIGN/DEVELOPMENT STANDARDS/OFF-SITE ADVERTISING SIGNS
- § 90401.05 DESIGN/DEVELOPMENT STANDARDS/TEMPORARY REAL ESTATE SIGNS
- § 90401.06 DESIGN/DEVELOPMENT STANDARDS/TEMPORARY SUBDIVISION SIGNS
- § 90401.07 DESIGN/DEVELOPMENT STANDARDS/PERMANENT SUBDIVISION AREA SIGNS
- § 90401.08 DESIGN/DEVELOPMENT STANDARDS/TEMPORARY CONSTRUCTION SIGNS
- § 90401.09 DESIGN/DEVELOPMENT STANDARDS/TEMPORARY CAMPAIGN SIGNS
- § 90401.10 DESIGN/DEVELOPMENT STANDARDS/AGRICULTURAL SIGNS
- § 90401.11 DESIGN/DEVELOPMENT STANDARDS/AGRICULTURAL INDUSTRY SIGNS
- § 90401.12 DESIGN/DEVELOPMENT STANDARD/INSTITUTIONAL IDENTIFICATION SIGNS
- § 90401.13 EXEMPT SIGNS
- § 90401.14 PROHIBITED SIGNS
- § 90401.15 SPECIAL SIGN PROVISIONS
- § 90401.16 DESIGN AND DEVELOPMENT STANDARDS FOR WIND-FETHERED BANNER FLAG SIGNS (FEATHER SIGNS)
- § 90401.17 NON-CONFORMING SIGNS
- § 90401.18 ILLUSTRATIONS

§ 90401.00 PURPOSE/APPLICATION

The purpose and intent of this Chapter is to provide and promote for the orderly and attractive construction, placement, and display of signs throughout the County of Imperial. It is the policy of the County of Imperial that the primary purpose of signs is for identification and public information. All signs shall be located on the property on which they are advertising unless otherwise specified. Signs that cause a distraction and present potential safety hazards, as well as, aesthetic problems or public nuisance problems are discouraged and/or prohibited. The provisions of this Chapter serve as specific development standards to be applied in addition to the sign codes required under the building construction provisions.

§ 90401.01 DESIGN AND DEVELOPMENT STANDARDS FOR MONUMENT SIGNS

Freestanding monument signs shall comply with all of the following standards.

- A. No monument sign shall be located within the existing road right-of-way or designated future road right-of-way.
- B. The maximum area of the sign shall not exceed 48 square feet per side.
- C. The maximum height of a monument sign shall not exceed six feet (6') above ground level, measured within radius of thirty feet (30') from the center of the sign.

- D. The monument sign shall be a minimum of ten feet (10') from any common property line, they shall be no closer than twenty feet (20') on center on any property or between properties.
- E. Lighting of monument signs shall be arranged and installed as not to produce glare on other properties in the vicinity or upon the adjacent highway.
- F. Monument signs shall be no closer than five feet (5') to a public right-of-way.
- G. Monument signs shall be constructed of durable materials and maintained in an aesthetic acceptable fashion.

§ 90401.02 DESIGN AND DEVELOPMENT STANDARDS FOR POLE SIGNS

Free standing pole signs (single, double or triple poles) shall comply with the following standards.

- A. The maximum area of the sign shall not exceed 200 square feet per side.
- B. Pole signs shall be located so that no part of the sign extends into or beyond any existing street right-of-way or any proposed street right-of-way.
- C. The maximum height of a pole sign shall not exceed twenty-four feet (24') to the top of the sign.
- D. Pole signs shall be a minimum of ten feet (10') from any side yard common property line and shall be a minimum of forty feet (40') on center, if on the same property or between properties.
- E. Lighting of pole signs shall be arranged so as not to produce glare on other adjacent properties in the vicinity or upon adjacent highways.
- F. Pole signs shall be at least three feet (3') back from public right-of-way lines.
- G. Pole signs shall be erected to withstand a minimum of 110 mile an hour wind velocities and meet all CBC requirements.

§ 90401.03 DESIGN AND DEVELOPMENT STANDARDS FOR SIGNS ATTACHED TO BUILDINGS

Signs attached to a building, not residential, or wall shall comply with all of the following standards.

- A. All signs attached to a building or a wall shall be attached flat against the building or wall and parallel thereto and shall not extend more than eighteen inches (18") from the surface of the building/wall. Exceptions to this provision are as follows:
 1. Signs may be mounted below the soffit of a canopy, or over-hang or below a porch and may be perpendicular to the building provided that they do not exceed twelve inches (12") above the soffit or beam and maintain a minimum of eight foot (8') vertical clearance above any travel way, corridor, exit or court.
 2. Signs may be attached to a building above the wall or parapet provided the sign does not exceed four feet (4') in height, and does not exceed height limitations set forth elsewhere in this Title and does not contribute to the roof loading.
- B. Lighting of signs attached to buildings shall be arranged as not to produce glare on adjacent properties in the vicinity and the source of light shall not be visible from adjacent property or public street.
- C. The maximum area of the primary sign shall not exceed 100 square feet per side which include company logos.

- D. The maximum area of the secondary signs (sides & rear of building) shall not exceed 60 square feet per side which include company logos.
- E. Any deviation from the sign code will require a Conditional Use Permit.

§ 90401.04 DESIGN AND DEVELOPMENT STANDARDS FOR OFF-SITE ADVERTISING SIGNS (BILLBOARDS)

Off-site advertising signs shall comply with all of the following standards.

- A. The total area of any side of any off-site advertising sign (billboard) shall not exceed 700 square feet. Nor shall the sign exceed a length of fifty feet (50'). In no case shall the square footage exceed the amounts specified by the sign regulation of the zone within which the sign is to be located.
- B. Each off-site advertising sign shall be located no less than 500 feet from any other off-site advertising sign located on the same side of the street or highway. No off-site advertising sign shall be located within 1320 feet of the business or activity, which it advertises. No off-site advertising sign may be located closer than twenty-five feet (25') from any other sign. No off-site advertising sign may be located closer than ten feet (10') from any public street or right-of-way.
- C. No part of an advertising sign shall be located within an existing right-of-way or proposed street right-of-way.
- D. Maximum height for off-site advertising signs shall be 30 feet to the top of the sign.
- E. Lighting of off-site advertising shall be arranged as not to produce glare on adjacent properties in the vicinity. The source of lighting shall not be visible from the adjacent property or public street and the lighting shall not cause glare or nuisance to adjacent street or highway traffic.
- F. Off-site advertising signs shall not be located along State, Federal or County highways, which either do not permit such signs or are regulated by another regulatory agency.
- G. Off-site advertising signs shall be installed according to the California Sign Code requirements.

§ 90401.05 DESIGN AND DEVELOPMENT STANDARDS FOR TEMPORARY REAL ESTATE SIGNS

Temporary real estate signs advertising a particular property on which the sign is located shall comply with the following standards.

- A. Not more than one (temporary real estate sign) shall be placed on any lot, parcel or section of land provided, however auxiliary rider signs may be allowed if attached to the same sign support and further provide that where a lot is bounded by more than one street, one sign with an auxiliary rider may be located along each street frontage.
- B. Temporary real estate signs shall not be illuminated.
- C. Temporary real estate signs shall be minimum of ten feet (10') from any street right-of-way or proposed street right-of-way or property line.
- D. If attached to a building a temporary real estate sign shall not extend above the roofline or the parapet wall of the building.
- E. If free standing, a temporary real estate sign shall not exceed eight feet (8') in height to the top of the sign.

- F. This section does not apply and shall not restrict the number of or size of temporary real estate signs erected outdoors within a courtyard, or mall space below the height of the enclosed building or within buildable areas or within display windows of existing buildings.
- G. This section shall not apply to temporary portable directional real estate signs used in conjunction with open house, real estate sales activity, provided that each portable directional sign not exceed nine square feet (9'), including the support and does not exceed the height of five feet (5') and is not located within any street right-of-way.
- H. All real estate signs shall be removed from the premises within fifteen (15) days after sale of the property or immediately upon being leased.

§ 90401.06 DESIGN AND DEVELOPMENT STANDARDS FOR TEMPORARY SUBDIVISION SIGNS

Temporary subdivision signs shall comply with the following standards:

- A. Temporary directional subdivision signs shall comply with the following:
 1. The sign shall be located at primary streets providing directions to the subdivision.
 2. Each sign shall not exceed five feet (5') in height and twenty-four square feet (24') in area.
 3. Temporary directional signs shall not be lit.
 4. Temporary directional signs shall be located a minimum of three feet (3') back from any street right-of-way or proposed street right-of-way.
- B. On-site subdivision signs shall comply with the following standards:
 1. The sign shall be located at primary entrance to the subdivision or entrance to or at the model homes.
 2. Each sign shall not exceed six feet (6') in height and shall not exceed thirty-two square feet (32') in area.
 3. Subdivision signs shall not be lit.

§ 90401.07 DESIGN AND DEVELOPMENT STANDARDS FOR PERMANENT SUBDIVISION AREA SIGNS

The permanent identification signs including signs for the identification of the subdivision, a mobile home park, an apartment, a townhouse, condominium, or any other residential development project shall comply with the following standards:

- A. Permanent subdivision identification signs may be either attached to an entrance fence or structure or be a monument sign. The sign shall not exceed four feet (4') in height, and thirty-two square feet (32') in size and shall be located in a maintained landscaped area on the parcel for which the advertising is intended.
- B. The sign shall not be illuminated, except for low silhouette spot lighting that does not create glare to adjoining properties or adjacent streets.
- C. The design and materials sign shall be approved by the Planning & Development Services Department Director prior to construction and shall meet all UBC requirements.

§ 90401.08 DESIGN AND DEVELOPMENT STANDARDS FOR TEMPORARY CONSTRUCTION SIGNS

Where building is under construction, temporary signs may be erected to identify the project owner, applicant, architect, landscape architect, contractor, builder, proposed business, lender, etc., provided that the following standards are met:

- A. There shall be no more than three (3) temporary construction signs per project.
- B. Each sign shall not exceed thirty-two square feet (32') in area.
- C. The signs shall not be illuminated.
- D. If attached to a building the signs shall not exceed above the roof line or parapet wall and if free standing the maximum height shall not exceed eight feet (8').
- E. The signs shall be stationary.
- F. The signs shall be removed within ten (10) days from final inspection date.

§ 90401.09 DESIGN AND DEVELOPMENT STANDARDS FOR TEMPORARY CAMPAIGN SIGNS

Temporary political, religious or civic campaign signs may be erected for a period of not to exceed 120 days and shall comply with the following standards:

- A. All signs shall be removed within 15 days following the conclusion of the campaign (Election Day).
- B. In residential areas each sign shall not exceed twenty square feet (20') in area or a height of six feet (6').
- C. Any sign still remaining twenty (20) days after the end of the campaign shall be subject to a \$50.00 fine per day.
- D. These signs shall not be located at road intersections in a manner that obstructs visibility to the motoring public or be a distraction to the vehicle operator.

§ 90401.10 DESIGN AND DEVELOPMENT STANDARDS FOR AGRICULTURAL SIGNS

Agricultural signs advertising agricultural products that are raised or produced on subject property may be erected in all agricultural zoned areas, provided they comply with the following standards:

- A. There shall not be more than one (1) agricultural sign per legal lot, however, if the lot or acreage fronts on more than one (1) highway, one sign shall be permitted along each such highway.
- B. The sign shall not exceed sixteen square feet (16') in area, for parcels less than ten (10) acres and twenty-four square feet (24') for all other acreage. No sign shall exceed eight feet (8') in height.
- C. The sign shall be a minimum of ten feet (10') from any street or proposed street right-of-way.
- D. The sign shall not be illuminated.
- E. The sign shall be stationary.
- F. The sign shall not be for off-site advertising use.

§ **90401.11 DESIGN AND DEVELOPMENT STANDARDS FOR AGRICULTURAL INDUSTRY SIGNS**

A sign identifying agricultural industry as located on subject property may be erected in all agricultural zoned areas, provided they comply with the following standards:

- A. There shall not be more than two (2) agricultural industrial signs per legal lot.
- B. Each sign shall not exceed 48 square feet in area, nor exceed 20 feet in height.
- C. The sign shall be a minimum of ten feet from any street or road right-of-way.
- D. The sign shall not be illuminated.
- E. The sign shall be stationary.
- F. The sign shall not be for off-site advertising use.

§ **90401.12 DESIGN AND DEVELOPMENT STANDARD FOR INSTITUTIONAL IDENTIFICATION SIGNS**

Signs that identify churches, public and private schools, colleges, hospitals, universities, fraternal, benevolent or social service organizations, located on the same property shall comply with the following standards. When such institutions are located in a commercial zone the sign regulations application to the commercial zone district shall apply.

- A. There shall be not more than two (2) institutional identification signs per street frontage per legal lot and shall not exceed a total of six (6) signs on any single lot.
- B. Each sign shall not exceed forty-eight square feet (48') in area.
- C. Signs shall not extend into any existing or proposed road or street right-of-way.
- D. Free standing signs shall not exceed eight feet (8') in height. Signs attached to buildings shall not exceed above the roof line or parapet wall.
- E. All signs shall be stationary.
- F. Lighting of institutional identifications signs shall be indirect, non-flashing, and shall not produce light or glare onto adjoining properties or adjacent roadways.
- G. Generally recognized and accepted religious symbols that are free standing or attached as part of the church or part of the freestanding sign are exempt.

§ **90401.13 EXEMPT SIGNS**

The following signs except as provided elsewhere in this Title or in other State or Federal laws are exempt from the provisions of this Chapter.

- A. Highway directional signs installed, maintained by appropriate public agency.
- B. Railroad signal signs.
- C. Signs prohibiting trespassing and hunting.
- D. Warning signs required by law or erected by public agencies.
- E. Utility company signs identifying cables, conduits or hazards.

- F. Public notices and announcements authorized by courts and/or public officials.
- G. Advertising signs on buses, taxis, or other vehicles.
- H. Signs attached to bus stops, bus shelters, or kiosks.
- I. Signs on operational and registered automobiles and trucks that are painted on or attached flat against the vehicle to advertise the associated business, provided that the vehicle is primarily used for the business. The parking of vehicles in a ~~maner~~manner that creates a billboard is prohibited.
- J. Window display signs.
- K. Signs that are painted and/or attached to the windshield of a vehicle, or boat.
- L. Public telephone identification signs.
- M. Signs of an instructive nature or which include information required by a county, state or federal enforcement agency, including telephone booth, gas pump instruction, instruction for recreational vehicle dump stations, brake and smog certification, restroom identification, and the like.
- N. Signs erected within enclosed buildings or malls.
- O. Signs erected outdoors within courtyards and malls below the height of the enclosed buildings within buildable portions of the building.
- P. Direction warning or identification signs for patrolling and drilling, geothermal drilling, and excavation activities.
- Q. Residential name and address signs not exceeding three square feet (3') in area.

§ 90401.14 PROHIBITED SIGNS

The following signs are prohibited in all zones, unless specifically designated within the zone.

- A. Site affixed or stationary signs which mechanically rotate or move.
- B. Any sign displaying any obscene, indecent or immoral material.
- C. Advertising signs that include the words stop, look and listen, or any other word phrases symbol, light, motion, sound, fume, mist, or substance that may interfere, mislead or confuse a driving public.
- D. Signs extending above roofs and roof signs except where specific provided within the provisions of this chapter.
- E. Signs projecting from the building, except for where specifically provided for within this Chapter.
- F. Wind activated signs.
- G. Any advertising device attached to a building, fence, pole or structure or vehicle, on display not specifically authorized by this Chapter.

§ 90401.15 SPECIAL SIGN PROVISIONS

- A. An electronic time and temperature sign as part of an approved on-site advertising sign is permitted as regulated by this Division.

- B. Exit, entrance and other on-site traffic and directional signs are permitted provided the signs do not exceed six feet (6') in height and contain no advertising message, other than directional instructions.
- C. Illuminated signs in storefront glazing visible for public street shall be considered signs and complies with this requirement.
- D. Special signing required for drive-in windows, drive through restaurants, drive through banks or similar businesses are allowed, provided a sign is necessary for the information, instruction or direction.
- E. Signs for uses approved in conjunction with conditional use permits shall be as specified in the conditions of approval for that permit.
- F. All digital signs, also known as changeable electronic variable message signs, will require a Conditional Use Permit.

§ 90401.16 DESIGN AND DEVELOPMENT STANDARDS FOR WIND-FEATHERED BANNER FLAG SIGNS (FEATHER SIGNS)

Temporary Wind-feather banner flag signs are portable signs that advertise business name, logo, and business colors or associated message and shall comply with the following standards:

- A. Feather signs shall **ONLY** advertise messages related to the associated business and are consistent with other requirements in this Ordinance.
- B. No Feather sign (temporary sign) shall be used until a permanent sign is permitted.
- C. The signs area shall not exceed twenty-five square feet (20 ft²);
 - 1. Fabrics width shall not exceed thirty inches (30").
- D. The sign shall not exceed ten feet (10') in height.
- E. Feather signs shall not be permanently fastened directly onto the roof/rooftops or exterior wall or face of any building or structure. All signs shall be ground mounted.
- F. The signs and pole shall be maintained in good conditions at all times, and nothing shall be added to the sign or pole, such as balloons or streamers.
- G. Feather signs shall only be allowed in the High Density Residential R-3, R-4, Commercial Zones C-1, C-2, C-3 and Industrial Zones M-1, M-2 and M-3.
- H. Feather signs shall only be allowed on the Frontage of Property and must be set back at least 5' feet from the property line, 5' from the property line of an adjacent property and 15' feet from the property line on corner lots.

§ 90401.17 NON-CONFORMING SIGNS

Non-conforming signs shall be subject to the requirements of Section 90105.06.

§ 90401.18 ILLUSTRATIONS

The following drawings are intended as illustrations to further explain the intent of this chapter.

ILLUSTRATIONS ONLY

(FOR FUTURE USE)

TITLE 9

DIVISION 4: SIGNS, PARKING, FENCES, HOME OCCUPATIONS, & ACCESSORY DWELLING UNITS AND CANNABIS & INDUSTRIAL HEMP OPERATIONS

CHAPTER 2: OFF-STREET PARKING

§ 90402.00	PURPOSE/APPLICATION
§ 90402.01	REQUIRED PARKING SPACES
§ 90402.02	CALCULATIONS
§ 90402.03	FLOOR AREA
§ 90402.04	UNLISTED USE
§ 90402.05	SEATING CALCULATION
§ 90402.06	SEATING WHERE NO FIXED SEATING IS PROVIDED
§ 90402.07	PARKING SPACE DIMENSIONS
§ 90402.08	COMPACT CAR PARKING
§ 90402.09	HANDICAPPED PARKING
§ 90402.10	OFF-STREET LOADING SPACE
§ 90402.11	LOCATION OF PARKING
§ 90402.12	JOINT USE PARKING AREAS
§ 90402.13	PARKING AREA DESIGNED DEVELOPMENT STANDARDS
§ 90402.14	OFF-STREET PARKING PLAN REVIEW
§ 90402.15	APPLICATION REVIEW AND APPROVAL
§ 90402.16	ILLUSTRATIONS

§ 90402.00 PURPOSE/APPLICATION

The purpose of this Chapter is to reduce street congestion, promote safety, and provide for the convenience of the residents of the County by requiring provisions for adequate and well-designed parking in conjunction with the land use.

Parking required by this Title shall be provided at the time that any building or structure is erected, altered or enlarged, or a use is established, changed or expanded. Development involving individual or cumulative expansion in excess of forty percent (40%) or more of the existing use on the effective date of this Title shall comply with off-street parking requirements of this Chapter. [The forty- percent (40%) shall be applicable to valuation, size, volume, height, or any combination.]

The standards provided in this Chapter are deemed to be the minimum standards.

§ 90402.01 REQUIRED PARKING SPACES

Uses permitted by this Division shall provide off-street parking spaces according to the following schedule.

A. Residential uses:

1. Single-family dwelling, a duplex dwelling, a condominium, or a mobile home (manufactured) unit with three (3) bedrooms or less shall provide two (2)-parking spaces per unit. Units with more than three (3) bedrooms shall provide one-half (.5) parking spaces for each bedroom in excess of three (3) bedrooms per unit.
2. For multi-family projects, one guest space for every five (5) units in addition to the minimum under A-1.
3. For Accessory Dwelling Units, zero to one (1) bedroom dwelling units shall provide one (1) parking space. For Accessory Dwelling Units with two (2) or more bedrooms, parking requirements stated in Section 90402.01 A-1 (above) apply. Parking may be provided as tandem parking, on an existing driveway.

Exemptions:

Parking standards shall not be imposed for an Accessory Dwelling Unit in any one of the following instances (must provide proof) if the accessory dwelling unit:

- a) Is located within one-half mile of public transit
- b) Is located within an architecturally and historically significant historic district.
- c) Is part of the existing primary residence or an existing accessory structure.
- d) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
- e) When there is a car share vehicle located within one block of the accessory dwelling unit.

(Note: For purpose of this section, a room such as a den, study, library, sewing room, hobby room, work room or similar room shall be considered a bedroom.)

4. Junior accessory dwelling units shall not require parking as a condition to grant a permit.
- B. Boarding houses, rooming houses, residential hotels, fraternity or sorority houses, dormitories, or similar uses shall provide one (1) parking space per bedroom.
- C. Mobile home park:
1. Each park space shall provide two (2) parking spaces per mobile home,
 2. One (1) guest parking space for every five-(5) mobile home spaces within said park shall be provided.
- D. Retirement or rest homes, shall provide one (1) space per three residential bed spaces or bedrooms.
- E. Recreation, entertainment and tourism facilities.
1. Bowling alley, four (4) spaces per lane, or one (1) for every 500 square feet whichever is greater.
 2. Dance hall, ballroom, discotheque, one (1) per thirty square feet (30') of gross building area.
 3. A country club shall provide the cumulative combination of spaces required for the various uses within a country club, or one (1) per 50 square feet of building area.
 4. Equestrian establishment, requires parking plan review by Planning Department.
 5. Hotel or motel, one (1) space per room, plus two (2) spaces for a manager's quarters, plus one (1) space for every 1000 square feet of gross building area for general public parking. If hotel provides meeting room accommodations, parking as determined by Planning & Development Services Department shall be provided.
 6. Golf course, five (5) spaces per hole.
 7. Golf driving range, one (1) per tee.
 8. Miniature golf course, three (3) per hole.
 9. Movie theater, one (1) per two (2) seats.
 10. Pool and billiard parlors, three (3) per pool or billiard table, or one (1) per 100 square feet of building area.

11. Shooting range or gun club, one (1) per member or one (1) per shooting station.
12. Swimming pools, one (1) per 100 square feet of pool and deck area.
13. Sports arena, one (1) per three seats.
14. Tennis club, health club, one (1) per 100 square feet of indoor recreational area, plus two (2) per tennis or racquet ball court.
15. Video game arcades, one (1) per 100 square feet of gross building area.

F. Office/Business:

1. Business facility or professional offices, one (1) per 250 square feet of gross building area.
2. Financial institutions including banks, savings and loans, credit unions, etc., one (1) per 200 square feet of gross building area.
3. Medical or dental office, veterinarian office, clinics, etc., one (1) per 200 square feet of gross building area.

G. General retail sales.

1. General retail, one (1) per 250 square feet of gross building area.
2. Furniture store, one (1) per 500 square feet of gross building area.
3. Nursery, one (1) per 250 square feet of indoor display area and one (1) per 2000 square feet of outdoor sales area.
4. Automobile sales, one (1) per 10,000 square feet of sales area plus one (1) per 250 square feet of office area.
5. Heavy equipment, recreational vehicle truck sales, one (1) per 2500 square feet of sales area plus one per 250 square feet of office area.
6. Restaurants, cafes, coffee shops, one (1) per 100 square feet of gross building area.
7. Fast food restaurants, one (1) per 75 square feet of gross building area.
8. Bars, taverns, cocktail lounges, one (1) per 75 square feet of gross building area.

H. Service facilities.

1. Auto repair, tire sales, and service establishments, one (1) per 300 square feet of gross building area.
2. Automobile service stations, one (1) per 300 square feet of gross building area.
3. Barber and beauty shops, one (1) per 100 square feet of gross building area.
4. Equipment rental facilities, one (1) per 1500 square feet of display and storage area, plus one (1) per 250 square feet of office area.
5. Laundromat, self-service type, one (1) per three washing machine spaces.
6. Mortuaries or funeral parlors, one (1) per three seats.

I. Industrial uses:

1. Manufacturing or the assembly facilities, one (1) per 500 square feet of gross floor area and one (1) per 250 square feet of gross office area.
2. Contractor's storage yards, one (1) per 3000 square feet of lot area.
3. Warehouse or wholesale distribution facilities, one (1) per 1000 square feet of storage area, plus one (1) per 250 square feet of office area.

J. Institutional uses:

1. Cemetery, one (1) per three seats in the chapel, plus one (1) per 250 square feet of office area, plus two (2) per 5 acres.
2. Church, one (1) per three seats affixed, or one (1) per 50 square feet of gross building area.
3. Auditorium, one (1) per two seats.
4. Convalescent hospitals are sanitariums, one (1) per 5 patient beds.
5. Hospitals, one (1) per two patient beds.

K. Educational and institutional schools.

1. Pre-schools, one (1) per six students for which the facility is licensed, plus one (1) per employee, plus three (3) additional spaces.
2. Elementary and junior high schools, one (1) per employee, plus one (1) per ten (10) students.
3. High school, one (1) per employee, plus one (1) per ten (10) students.
4. College, business schools, trade schools, one (1) per employee plus one (1) per two (2) students.
5. Child care center, one (1) per six (6) children, which the facility is licensed, plus one (1) per employee, plus two (2) additional spaces.

§ 90402.02 CALCULATIONS

If the calculation of parking needs results in the requirement for a fraction of a parking space, in excess of .45 an additional space is required. (Does not apply to §90402.01 A)

§ 90402.03 FLOOR AREA

Floor area shall mean gross floor area unless specified otherwise within this Title.

§ 90402.04 UNLISTED USE

Where a proposed use is not listed within this Chapter, the Planning & Development Services Department shall determine the parking needs based on the list of uses, which most nearly resemble the proposed use. The Department may use national or state standards or guidelines for determining parking needs.

§ 90402.05 SEATING CALCULATION

Where parking requirements are based on the number of seats, eighteen inches (18") per pew or bench seating shall be equivalent to one seat.

§ 90402.06 SEATING WHERE NO FIXED SEATING IS PROVIDED

Seven (7) square feet of floor area shall be equivalent of one seat for concentrated use. Fifteen-(15) square feet floor area shall be equivalent of one seat for non-concentrated use. The calculation is per the California Building Code.

§ 90402.07 PARKING SPACE DIMENSIONS

All parking spaces shall be a minimum of nine feet (9') in width and twenty feet (20') in length. Handicapped automobile parking spaces shall comply with the requirements of Chapter 2-71, Title 24, California Code of Regulations.

§ 90402.08 COMPACT CAR PARKING

Up to ten percent (10%) of the spaces required for a facility (provided that the facility has more than ten (10) spaces), may be designated for compact cars. Compact car size spaces shall not be less than eight feet (8') in width and eighteen feet (18') in length.

§ 90402.09 HANDICAPPED PARKING

All handicapped parking spaces and access areas between handicapped parking spaces and primary entrances of associated buildings or facilities shall be surfaced in a manner to facilitate wheel chair use.

§ 90402.10 OFF-STREET LOADING SPACE

In addition to any automobile parking required by this Chapter, for every building or facility occupied by a manufacturing, storage, warehouse, wholesale, retail store, market, passenger terminal, theater, hotel/motel restaurant, hospital, laundry, dry cleaning plant or other similar use, requiring receipt of or the distribution of vehicle or merchandise, adequate space for loading and unloading shall be provided and maintained on the same lot. Where a facility requires large vehicle (semi truck/trailer) deliveries, designated loading and unloading provisions shall be made and reviewed and approved by the Department of Public Works.

§ 90402.11 LOCATION OF PARKING

A. Residential

1. Required residential off-street parking space(s) shall be located on the premises that they are intended to serve.
2. Parking shall not be located within the front yard setback area. (Accessory Dwelling Units are exempt. These spaces may be provided as tandem parking on an existing driveway. Off-street parking shall be permitted in setback areas in locations determined by the local agency or though tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions, or that it is not permitted anywhere else in the jurisdiction.)
3. Required spaces shall not be eliminated unless alternate spaces are provided.

B. Non-Residential

1. Off-street parking for other than residential uses shall be located on the same premise as the use it is intended to serve or within 300 feet thereof. Where required parking is provided on a

site other than on the principle use site, the other site shall likewise be owned by the same property owner and said owner shall file an agreement with the County of Imperial (Planning & Development Services Department) to provide for the maintenance of the parking facility as long as the associated principle use is maintained. Said agreement shall be recorded against said property. In the event that the adjoining property is owned by other than the principle owner, for which the parking is required, an agreement by the owner of record of said parcel shall be filed with the Planning Department, and be recorded designating the lot as a parking facility for the adjacent use for as long as the associated use is maintained.

§ 90402.12 JOINT USE PARKING AREAS

If a parking area accommodates more than one use, off-street parking shall be provided in an amount equal to the total number of spaces required for the separate uses in accordance with this Chapter.

§ 90402.13 PARKING AREA DESIGN AND DEVELOPMENT STANDARDS

Off-street parking areas required to be provided by this Chapter shall be designed and developed in accordance with the following standards:

A. All off-street parking areas, as well as, ingress and egress areas to parking areas shall be surfaced with the following materials.

For all multi-family residential, recreational, entertainment, and tourist facilities, commercial, industrial, and institutional and other high-density uses, parking areas shall be surfaced with one of the following materials, on top of a properly prepared base.

1. Three inches (3") of asphaltic concrete
2. Three and one-half inches (3 1/2") of ~~portland~~Portland cement concrete.

B. For all other uses, except as specified above, the parking area shall be surfaced with one of the following materials.

1. Three inches (3") of bituminous road mix
2. Three inches (3") of asphaltic concrete
3. Three and one-half inches (3 1/2") of ~~portland~~Portland cement concrete.
4. Three inches (3") of decomposed granite
5. Three inches (3") of gravel.

C. A private drive-way or parking area serving a single family residential dwelling is exempt from the paving requirements specified within this section, and provided further that it is not a requirement of another agency, such as Air Pollution Control District or by Public Works.

D. In the case of uses subject to discretionary approvals, the required parking spaces shall be surfaced with materials and to the standards specified in accordance with the conditions of approval, notwithstanding this Chapter.

E. All parking spaces shall be clearly marked and/or striped.

F. Parking aisles shall comply with the following minimum standards.

<u>Arrangement</u>	<u>Minimum Aisle Width</u>
30 Degrees Single Row	12 feet
45 Degrees Single or Multiple Row	15 feet
60 Degrees Single or Multiple Row	20 feet
90 Degrees Single or Multiple Row	25 feet

- G. Off-street parking facilities shall be designed so that each space can function independently of any other parking space. Tandem parking may be allowed in residential zones only when a minimum of 3 off street parking spaces are provided.
- H. Private driveways for residential development on same lot shall be a minimum of fourteen feet (14') in width, with fifteen feet (15') of unobstructed vertical clearance. Driveways for commercial and industrial development shall be a minimum of twenty feet (20') in width with a minimum of eighteen feet (18') unobstructed vertical clearance. These requirements may be reduced by the mutual approval of the Planning Director and the Director of Public Works.
- I. No parking space shall be designed to require backing into a street or right-of-way.
- J. In no case shall any parking intended to meet off-street parking requirement be located within an existing right-of-way, proposed secondary or major highway or within an adopted official or specific plan line, setback area or lot line.
- K. All parking lots shall meet landscaping requirements in Division 3.
- L. Lights used to illuminate parking areas shall be directed away from any adjacent properties and streets.
- M. Design and Development Standards for EV Charging Spaces

1. Residential Standards

- a. _____SFD/Duplex
 - i. EVCS spaces shall be protected adequately to prevent damage by automobiles and weather; EVCS shall be designed to be tamper-resistant for children, vandalism and theft of electricity.
 - ii. EVCS spaces shall, at all times, include a complete set of instructions and warning signs posted.
- b. _____MF Dwelling
 - i. At least one (1) EVCS space shall be located in a common use area that may be accessed by any and all residents.
 - ii. Any EVCS space provided shall be located adjacent to an accessible parking space or shall be located on an accessible route to the building, in accordance with State requirements.
 - iii. At a minimum, EVCS spaces dimensions shall be 18 feet in length by 9 feet width (18'L x 9'W minimum).
 - iv. At a minimum, one (1) 8-foot wide aisle shall be provided for every 25 EVCS spaces—with no less than 1 aisle provided.
 - v. The surface slope for all EVCS spaces shall not exceed 1 unit (vertical) in 48 units (horizontal).

2. Nonresidential Standards:

- a. EVCS shall be in an easily seen location for informational and security purposes.
- b. EVCS shall be illuminated during evening business hours.
- c. EVCS shall be located in highly desirable and convenient parking locations to encourage the use of EV.
- d. EVCS shall be protected adequately to prevent automobile damage, vandalism, and weather.
- e. EVCS shall, at all times, include a complete set of instructions and warning signs posted.
- f. There shall be at least one (1) non-illuminated sign for each cluster of EVCS.
- g. Private EVCS shall be located in a manner not to allow public access to EVCS.

§ **90402.14 OFF-STREET PARKING PLAN REVIEW**

No use shall be established or changed and no development shall occur or be expanded and no building or grading permit or business license for any use or development shall be issued until an application with a plot plan review has been submitted and approved by the Planning Department.

§ **90402.15 APPLICATION REVIEW AND APPROVAL**

Where discretionary or ministerial approval is required for the use or uses for which parking is being provided the off-street parking plot plan application shall be reviewed and approved or denied in conjunction with that discretionary or ministerial approval process.

No plot plan application shall be required for lots containing only one single-family dwelling.

§ **90402.16 ILLUSTRATIONS**

The following drawings are intended as illustrations to further explain the intent of this chapter.

(FOR FUTURE USE)

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ILLUSTRATIONS

(FOR FUTURE USE)

ILLUSTRATIONS

(FOR FUTURE USE)

TITLE 9

DIVISION 4: SIGNS, PARKING, FENCES, HOME OCCUPATIONS, & ACCESSORY DWELLING UNITS AND CANNABIS & INDUSTRIAL HEMP OPERATIONS

CHAPTER 3: FENCE

§ 90403.00	PURPOSE
§ 90403.01	APPLICATION
§ 90403.02	PROHIBITED MATERIALS
§ 90403.03	LOCATION
§ 90403.04	CONSTRUCTION STANDARDS
§ 90403.05	PERMITS
§ 90403.06	HEIGHT LIMITS

§ 90403.00 PURPOSE

The purpose of this chapter is to provide standards and promote safety by requiring provisions for adequate and well-designed fence and garden walls.

§ 90403.01 APPLICATION

All fence and other land use separation walls or devices shall meet the regulations established by this chapter.

EXCEPTION:

The following shall not be required to obtain permits:

- A. Animal containment corrals in approved feed yards.
- B. Animal containment field fencing (temporary).
- C. Temporary security fencing for construction sites.
- D. Emergency or security fencing.
- E. Wood, stucco, wrought iron or chain link fencing less than 6' in height in any zone.

§ 90403.02 PROHIBITED MATERIALS

- A. Fences shall be constructed of approved "fencing" or construction materials. Materials such as tires, cans, broken glass, used car components, vehicles or other similar products are not allowed.
- B. Barbed, or razor edge wire is prohibited in all residential zones, or on property abutting residential zones.
- C. Electrified fences are prohibited in all zones except for use in animal containment in the "A" Zones, or security fencing in Federal, State or County institutions.

§ 90403.03 LOCATION

All fences shall be located on or within the property lines of the applicant's property. Fences on property line may be allowed if a mutual agreement by or between adjacent property owner is recorded at the County Recorder's Office. Absent an agreement between owners, the fence shall set back from property line by a minimum of 2 inches.

§ 90403.04 CONSTRUCTION STANDARDS

- A. All fences shall meet Code or accepted fence construction standards.

§ 90403.05 PERMITS

A construction permit for the placement of a fence is required for the following:

- A. Retaining walls that are over feet (914.4 mm) in height measured from natural grade to the top of the wall, or retaining walls that are supporting a sur-charge or impounding Class I, II or IIIA liquids, regardless of the height.
- B. All masonry fences in all zones that are more than four (4) feet in height, including masonry pilasters with solid grouted cells or concrete columns for wall reinforcement or support of chain link, wrought iron, etc. The construction shall follow specifications from the 2013 California Building Code adopted by the County of Imperial, and the construction shall be designed by a registered professional civil engineer or architect, licensed in the State of California. Plans and calculations and a soil report may be required.

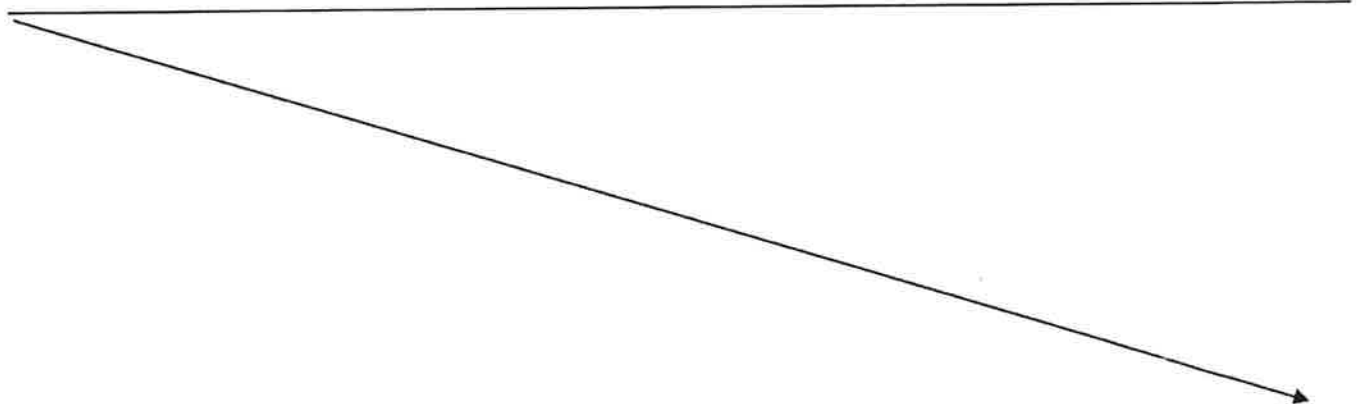
However, even though masonry walls four (4) feet or less in height are exempt from a building permit, the construction must still comply with the minimum requirements contained in the masonry fences handout, available at the Planning & Development Services Department's Building Division, and compliance inspection for foundation, reinforcement and final must be requested.

- C. All other fences (e.g., wood, chain-link, wrought iron, etc.) in all zones that are more than eighty-four inches (84") in height.
- D. All razor edge, or barb wire in any authorized location except where used as animal containment or in State or Federal or County approved facilities

§ 90403.06 HEIGHT LIMIT

- A. Within any "R" Zone, or "A" Zone with primary residential use or characteristics of a residential enclave, fencing located within the required front yard setback area shall not exceed 30 inches in height if obscure, or 48 inches if translucent. Decorative ornaments up to 12 inches and not exceeding the width of post will be allowed above the heights shown above in 90403.05.
- B. Within any zone on a corner parcel, the fencing if installed shall not obstruct or hinder the line of sight for traffic conditions; and shall not exceed 30 inches in height.

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TITLE 9

DIVISION 4: SIGNS, PARKING, FENCES, HOME OCCUPATIONS, & ACCESSORY DWELLING UNITS AND CANNABIS & INDUSTRIAL HEMP OPERATIONS

CHAPTER 4: HOME OCCUPATIONS

§ 90404.00	PURPOSE/APPLICATION
§ 90404.01	PERMITTED HOME OCCUPATIONS
§ 90404.02	HOME OCCUPATIONS PROHIBITED
§ 90404.03	MINIMUM STANDARDS
§ 90404.04	HOME OCCUPATION PERMIT REQUIRED
§ 90404.05	HOME OCCUPATION PERMIT APPLICATION
§ 90404.06	REVIEW AND APPROVAL
§ 90404.07	NOTIFICATION
§ 90404.08	CONDITIONS
§ 90404.09	PERMIT REVOCATION MODIFICATION
§ 90404.10	APPEAL

§ 90404.00 PURPOSE/APPLICATION

The purpose of this Chapter is to establish standards for home occupations. In general, a home occupation is a residential accessory use, so located and conducted or operated that the average neighbor under normal circumstances would not be aware of its existence. The standards for home occupations in this Chapter are intended to insure compatibility where other permitted uses and most certainly with residential character of the neighborhood.

§ 90404.01 PERMITTED HOME OCCUPATIONS

Home occupations are single person (home occupant and not employee) uses that may include but are not necessarily limited to the following.

- A. Artist, sculptor, photographic studio.
- B. Architect, engineer, or other one person professional service.
- C. Author or composer.
- D. Cottage food operation (Section 114365: California Health & Safety Code)
- E. Dressmaker, seamstress or tailor.
- F. Home crafts such as model making, rug weaving, or lapidary work.
- G. Office of a minister, rabbi or a priest.
- H. Office of a salesman, sales representative, or ~~manufacturers~~ manufacturer's representative, provided no retail or wholesale transactions are made on the premises.
- I. Office of an architect, artist, broker, consultant, engineer, instructor in the arts and crafts, insurance agent, land surveyor, musician, bookkeeper, accountant, typist, notary public, or private investigator, provided no on-site sales, limited consulting, visitation, by the public occur.
- J. Telephone answering service, (not telemarketing services).
- K. Saw sharpening service.

- L. Key and locksmith service.

§ 90404.02 HOME OCCUPATIONS PROHIBITED

Permitted home occupations do not and shall not be deemed to include any of the following or similar uses:

- A. Antique shop (repair or sales).
- B. Appliance repair.
- C. Barber or beauty shop.
- D. Cabinet making or woodworking
- E. Car repair or small engine repair.
- F. Day care, school or pre-school.
- G. Funeral chapel or funeral home.
- H. Gift shop.
- I. Medical or dental clinic, hospital.
- J. Renting of trailers, autos, trucks or motorcycles.
- K. Restaurant.
- L. Stable or kennel.
- M. Veterinary clinic or hospital.
- N. No cannabis manufacturing shall be allowed as a Home Occupation including, but not limited to, Cottage Food Operation and In-home Retail Sales.

§ 90404.03 MINIMUM STANDARDS

Home occupations shall comply with all of the following standards:

- A. The home occupation shall be conducted solely by the occupant of the residence.
- B. The home occupation shall be conducted entirely within the primary or approved secondary structure.
- C. Not more than twenty percent (20%) of the gross floor area of any residence shall be used for such purpose.
- D. A detached accessory building may be used for a home occupation activity if approved by the Planning Director.
- E. No use shall require external alterations or involve construction features or the use of electrical or mechanical equipment that would change the fire rating of the structure or the structural integrity of the structure.
- F. There shall be no outside storage of any kind relating to the home occupation.
- G. The home occupation shall be a business that can and shall be conducted by appointment only.
- H. The home occupation shall not require the services of commercial freight deliveries other than normal postal type services.
- I. No home occupations shall create noise, dust, vibrations, smells, smoke, glare, electrical interference, fire hazard, or any other hazards or nuisance to any greater or frequent extent than that usually experienced by the average residential occupancy.
- J. There shall be no sales of products or merchandise on the premises.
- K. There shall be no sign permitted on the site indicating the service provided.

§ 90404.04 HOME OCCUPATION PERMIT REQUIRED

No home occupation shall be recognized or established until an application for a home occupation permit has been submitted and approved by the Planning Director.

§ 90404.05 HOME OCCUPATION PERMIT APPLICATION

An application for home occupation permit shall include the following:

- A. Name and address of the applicant.
- B. Name and address of the property owner(s).
- C. Assessor's Parcel Number.
- D. Description of the home occupation including:
 - 1. Trade name of business.
 - 2. Resale number, if any.
 - 3. Detail description of the proposed occupation.
 - 4. Tools, machinery, equipment required or to be used in the process of the home occupation.
 - 5. Other information determined necessary by the Planning Director.
- E. Fees for Home Occupation permit, please refer to Land Use Process Fee Schedule (Section 90901.03, "Project Not Specified")

§ 90404.06 REVIEW AND APPROVAL

The home occupation permit application shall be reviewed and approved or denied by the Planning Director, under the following procedures:

- A. Upon receipt of an application, the Director shall within 10 days determine if the application is complete or incomplete.
- B. Upon determining the application to be complete, and within 5 days thereafter, the Planning & Development Services Department shall send direct mail notice per Section 90404.07.
- C. If at the end of the 10-day notice period, opposition is received, the Director shall schedule a public administrative hearing and reach a determination.
- D. If at the end of the 10 day notice period, no opposition (written or verbal) has been received, the Director shall reach a determination without notice or hearing.

§ 90404.07 NOTIFICATION

No home occupation permit shall be issued until notice of pending permit has been issued to all property owners within 500 feet of subject property for a period of ten (10) calendar days.

§ 90404.08 CONDITIONS

The Director and/or the Commission may impose reasonable standards or conditions upon an approved permit, including but not limited to the following:

- A. Time limit
- B. Hours of operation
- C. Advertising restrictions
- D. Annual compliance review/report
- E. Surety, Insurance and bonds
- F. On-site area restriction

§ 90404.09 PERMIT REVOCATION MODIFICATION

With cause, any permit issued pursuant to this Chapter may be revoked or modified by the Planning Director or the Planning Commission. "Cause" shall include, but not be limited, to a violation of the aforesaid minimum standards, and/or any conditions imposed.

§ 90404.10 APPEAL

An appeal of Director's decision under Section 90404.06(d) may be filed within 10 days of said decision. Said appeal must be in writing, stating the reasons for the appeal, and must include requisite fees. The Director shall schedule the appeal for the Planning Commission for which notice can be adequately provided. No appeal from the Planning Commissions determination shall be allowed.

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TITLE 9

DIVISION 4: SIGNS, PARKING, FENCES, HOME OCCUPATIONS, & ACCESSORY DWELLING UNITS AND CANNABIS & INDUSTRIAL HEMP OPERATIONS

CHAPTER 5: ACCESSORY DWELLING UNITS

§ 90405.00	PURPOSE
§ 90405.01	DEFINITION
§ 90405.02	CONDITIONAL USE PERMIT (REQUIRED)
§ 90405.03	ACCESSORY DWELLING UNITS
§ 90405.04	GENERAL PLAN CONSISTENCY
§ 90405.05	INFRASTRUCTURE/ SERVICE CAPACITY
§ 90405.06	STANDARDS (GENERAL)
§ 90405.07	STANDARDS (MINIMUM)
§ 90405.08	OWNER'S AFFIDAVIT
§ 90405.09	REVIEW AND APPROVAL PROCEDURE
§ 90405.10	LAND USE REVIEW FOR R-1 AND R-2 ZONED PROPERTY (NON CUP)
§ 90405.11	JUNIOR ACCESSORY DWELLING UNITS

§ 90405.00 PURPOSE

The purpose and intent of this Chapter is to provide by ordinance for the creation of 2nd units in single-family and multifamily residential zones, as specified. Allowing accessory dwelling units within these zones provides additional rental housing stock, and which are an essential component of the housing supply in California. Law authorizes the ordinance for the creation of 2nd accessory units to include specified provisions regarding areas where Accessory Dwelling Units may be located, standards, including the imposition of parking standards, and lot density.

§ 90405.01 DEFINITIONS

A. Accessory Dwelling Unit: means an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An accessory dwelling unit also includes the following:

1. An efficiency unit as defined in Division 14 Section 91401.04
2. A manufactured home as defined in Division 14 Section 91401.12;

B. Living Area: means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

C. Local Agency: means city, county or city and county whether general law or chartered (for the purpose of this section).

D. Junior Accessory Dwelling Unit: A unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

E. Passageway: means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

§ 90405.02 CONDITIONAL USE PERMIT (REQUIRED)

The provisions of this Chapter shall be applicable to zones where residences are not the primary use, A-2, A-3, S-1 & S-2.

This Chapter does not preempt the use in any zone nor does it provide a guarantee that an Accessory Dwelling Unit (ADU) will be granted, it only provides the standards if an ADU is to be approved.

For non-residential zones C-2, C-3, M-1, M-2 AM-1 & AM-2 care takers residence, owners residence, security guard residence and managers quarters shall constitute be an Accessory Dwelling Unit to a primary use.

Exception: Notwithstanding the above, a CUP is not required for "R-1" Low Density Residential Lots, and "R-2" Medium Density Residential Lots.

§ **90405.03 ACCESSORY DWELLING UNITS:**

Accessory Dwelling Units (ADU)'s shall comply with the following:

- ~~A. A)~~ The unit shall not be intended for sale separate from the primary residence and may be rented.
- ~~B. B)~~ The lot is zoned for single-family (R-1) or multifamily (R-2) use and contains an existing, single-family dwelling.
- ~~C. C)~~ The existing accessory dwelling unit is either attached to the existing dwelling or located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.
- ~~D. D)~~ The increased floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square ft.
- ~~E. E)~~ The total area of floor space for the detached accessory dwelling unit shall not exceed 1,200 square feet.
- ~~F. F)~~ No passageway shall be constructed in conjunction with the construction of an accessory dwelling unit.
- ~~G. G)~~ No setback shall be required for an existing garage that is converted to an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.
- ~~H. H)~~ Local building code requirements that apply to detached dwellings, as appropriate.
- ~~I. I)~~ Approval by the local health officer where a private sewage disposal system is being used, if required.

§ **90405.04 GENERAL PLAN CONSISTENCY**

An Accessory Dwelling Unit may only be allowed in a specific zone if it can be found consistent with the provisions of the General Plan.

§ **90405.05 INFRASTRUCTURE/SERVICE CAPACITY**

An Accessory Dwelling Unit shall only be allowed in a specific zone if the County finds that the required public services can be provided efficiently, effectively and safely, and further creates no adverse effect on capacity of services such as water, sewer, police and/or fire protection. The County's review of such an application shall be based on cumulative considerations.

§ **90405.06 STANDARDS (GENERAL)**

For R-1 and R-2 Zoned Accessory Dwelling Units may only be established until an acceptable building permit application and site plan have been submitted to, and approved by County Planning & Development Services Department, as well as meeting the following development standards:

- A. meets or can meet all required setbacks for that zone
- B. provides or can provide required parking for combined total primary & and ADU structure
- C. meets or can meet separation requirement for fire and safety codes
- D. has legal and physical access to public streets
- E. has or will have potable water to ADU
- F. has or will have approved sewer system or is connected to public system
- G. has adequate accessibility for fire protection

§ **90405.07 STANDARDS (MINIMUM)**

No Accessory Dwelling Unit (ADU) may be allowed unless it complies with the following minimum standards:

- A. The lot/parcel upon which a second residential unit may be placed shall be a minimum of 9,000 net square feet in the R-1 Zone and 20,000 net square feet in the A-1, A-2 or A-3 zones.
- B. The ADU shall not exceed the allowable density of the zone in which it is to be placed.
- C. The principal dwelling on the lot shall contain a minimum gross area of at least 1000 square feet.
- D. Only one (1) ADU may be allowed per legal parcel, regardless of the zone, or size of parcel.
- E. The total square footage of floor area for the second residential unit shall not exceed the 50 percent of the square footage of the primary residence.
- F. The ADU shall contain a separate kitchen and bathroom facilities and have a separate entrance.
- G. The ADU shall comply with all development standards of the Zone within which it is to be placed, including front, rear and side yard setbacks.
- H. Off street parking for the ADU shall be provided for the Zone within which it is to be placed.
- I. The ADU shall be constructed according to the provisions of the latest adopted edition of the California Building Code, or in case of manufactured home meet the requirements of the California Code of Regulations, Title 25 (CCR).
- J. The ADU shall be constructed in such a manner as to be compatible with the existing principal dwelling unit and neighborhood in terms of design, height, material and landscaping.
- K. The ADU shall comply with applicable health and safety standards of the County of Imperial, a State of California.
- L. A mobile home or a manufactured home shall be permitted under same terms and conditions as a conventional home. The placement of a manufactured home shall not be allowed to violate CCR requirements.

§ **90405.08 OWNER AFFIDAVIT:**

In conjunction with a County application (ministerial and/or discretionary) the property owner(s) shall submit a signed affidavit that they currently reside on the subject property and will continue to do so after the second residential unit has been placed on the said property. The property owner(s) shall supply documented proof of

residence on the property where the second residential unit is proposed to be located. Said documented proof could include such documents as a copy of a current utility bill or other document acceptable to the Planning & Development Services Department.

§ 90405.09 REVIEW AND APPROVAL PROCEDURE:

The property owner shall submit a completed County application (ministerial), and site plan applicable review fees. The site plan will include a parking plan and landscaping plan in accordance with Section 90302.00 and Section 90402.00.

Site Plan: Every Application for a land use permit shall include a detailed "site plan". The site plan shall include such information deemed necessary by the Planning & Development Services Department and at a minimum shall include the following:

1. All property boundary lines
2. All property boundary dimensions
3. All existing structures (below and above ground)
4. All proposed structures (below and above ground)
5. Distance from all structures to property lines and between structures
6. North orientation
7. Scale
8. Access from adjacent street/road
9. All utility locations, (i.e. electrical, plumbing)
10. Name and telephone number of person(s) preparing plan
11. Location of known hazard areas, if any
12. Assessor's Parcel Number
13. Public Use Easement, if any
14. Parking
15. Landscaping
16. Drainage

The site plan shall be drawn upon substantial paper (8½" x 11") using black ink, if 18" x 22" or larger paper plans must include at least one digital version of the plans. "Blue print", and one-piece xerox copies are acceptable. The Department shall reject any site plan that is incomplete, inaccurate, illegible or otherwise unacceptable.

§ 90405.10 LAND USE REVIEW

The Planning & Development Services Department will review the building permit (ministerial) application and site plan package to ensure consistency with the County General Plan and Land Use Ordinance. The department shall, within a maximum of thirty (30) days from receipt, determine whether an application is complete or incomplete.

- Any project application deemed complete shall be reviewed for compliance with the General Plan and Land Use Ordinance. If found to be inconsistent, the project will be rejected.
- Any project application deemed incomplete shall be returned to the applicant with a written letter for transmittal explaining the reasons of rejection.
- When a project application has been deemed complete and in compliance with the County General Plan and Land Use Ordinance, the project will be processed pursuant to the Sections 91001.00 through 91014.02 (building permits).

§

90405.11 JUNIOR ACCESSORY DWELLING UNITS

A local agency may, by ordinance, provide for the creation of junior accessory dwelling units in single-family residential zones. The ordinance, may require a permit to be obtained for the creation of a Junior Accessory Dwelling Unit.

A. There shall be no more than one dwelling unit per one residential lot zoned for single-family residences with a single family residential unit already built on it.

B. The single family dwelling shall be owner-occupied (owner may reside in either remaining portion of structure or the newly created junior accessory dwelling unit.) Owner- occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

C. A deed restriction shall be recorded, which shall run with the land, shall be filed with the permitting agency, and shall include the following:

—1. A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.

2. A restriction on the size and attributes of the junior accessory dwelling that conforms to this section.

D. A Junior accessory building must be constructed within the existing walls of the structure and require the inclusion of an existing bedroom.

E. Shall include a separate entrance from the main entrance to the structure, within an interior entry to the main living area. A permitted junior accessory dwelling may include a second interior doorway for sound attenuation.

F. Shall include an efficiency kitchen, which shall include all of the following:

—1. A sink with a maximum waste line diameter of 1.5 inches.

—2. A cooking facilities with appliances that do not require electrical service greater than 120 volts, or natural or propane gas.

—3. A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

G. This subdivision shall not be interpreted to prohibit the requirement of an inspection, including the imposition of a fee for that inspection, to determine whether the junior accessory dwelling unit is in compliance with applicable building standards.

1. An application for a permit pursuant to this section shall, notwithstanding Sections 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, be considered ministerially, without discretionary review or a hearing. A permit shall be issued within 120 days of submission of an application for a permit pursuant to this section. A local agency may charge a fee to reimburse the local agency for costs incurred in connection with the issuance of a permit pursuant to this section.

2. For the purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit. This section shall not be construed to prohibit a city, county, city and county, or other local public entity from adopting an ordinance or regulation relating to fire and life protection requirements within a single-family residence that contains a junior accessory dwelling unit so long as the ordinance or regulation applies uniformly to all single-family residences within the zone regardless of whether the single-family residence includes a junior accessory dwelling unit or not.

3. For the purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.
4. This section shall not be construed to prohibit a local agency from adopting an ordinance or regulation, related to parking or a service or a connection fee for water, sewer, or power, that applies to a single-family residence that contains a junior accessory dwelling unit, so long as that ordinance or regulation applies uniformly to all single-family residences regardless of whether the single-family residence includes a junior accessory dwelling unit.

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TITLE 9

DIVISION 4: SIGNS, PARKING, FENCES, HOME OCCUPATIONS, & ACCESSORY DWELLING UNITS AND CANNABIS & INDUSTRIAL HEMP OPERATIONS

CHAPTER 6: CANNABIS & INDUSTRIAL HEMP OPERATIONS

- § 90406.00 PURPOSE
- § 90406.01 INTERPRETATION AND APPLICABILITY
- § 90406.02 DEFINITIONS
- § 90406.03 PERSONAL CULTIVATION STANDARDS
- § 90406.04 COMMERCIAL CANNABIS ACTIVITY ZONING
- § 90406.05 COMMERCIAL CANNABIS ACTIVITY ZONING (CUP)
- § 90406.06 INDUSTRIAL HEMP ACTIVITY ZONING
- § 90406.07 INDUSTRIAL HEMP ACTIVITY ZONING (CUP)

§ 90406.00 PURPOSE

The purpose and intent of this Chapter is to incorporate, adopt, and regulate, where permitted, the State of California's Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) of 2017, including any amendments thereto.

§ 90406.01 INTERPRETATION AND APPLICABILITY

- A. Nothing in this Chapter is intended, nor shall it be construed, to burden any defense to criminal prosecution otherwise afforded by California Law.
- B. Nothing in the Chapter is intended, nor shall it be construed, to exempt any Cannabis or Industrial Hemp-related activity from any applicable local or state construction, environmental, electrical, plumbing, land use, labor or employment laws or any other building or land use standards or permitting requirements.
- C. Nothing in this Chapter is intended, nor shall it be construed, to make legal any Commercial Cannabis Activity that is otherwise prohibited or non-compliant under California law.
- D. All Commercial Cannabis and Industrial Hemp-related Activities within the unincorporated areas of Imperial County shall be subject to the provisions of this Chapter, regardless of whether the use existed or occurred prior to adoption of this Chapter.

§ 90406.02 DEFINITIONS

Unless otherwise specified herein, the terms used in this Chapter shall be used as defined in the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and Title 14 of the Imperial County Codified Ordinances.

§ 90406.03 PERSONAL CULTIVATION STANDARDS

All Personal Cultivation of Cannabis shall be in accordance with MAUCRSA, California Health and Safety Code Division 10 Article 2 Section 11362.2, Title 14 of the Imperial County Codified Ordinances, and this section. Personal Cultivation of Cannabis shall be subject to the following additional restrictions:

- A. Personal Cultivation of Cannabis shall only be allowed in zones that provide for Residential Use as a primary use per Title 9 Division 5.
- B. All Personal Cultivation of Cannabis shall be conducted either inside a private residence, or within a fully enclosed and secured accessory structure located in the rear yard of a private residence that is not visible by normal unaided vision from a public place and does not exceed one hundred square feet (100 ft²).
- C. Personal growth of cannabis is limited to six plants per legal private residence.
- D. The growing area shall not impact areas that are required to satisfy parking requirement (i.e. garage) for the primary use of the lot.
- E. The maximum electrical panel for the Personal Cultivation area shall be fifty (50) amps. Except for temporary use in case of emergency power loss, the use of generators to supply power to any system or activity associated with Personal Cultivation is prohibited.
- F. Light systems used for Personal Cultivation shall not exceed two thousand (2,000) watts total, and shall be shielded, including adequate coverings on windows, so as to confine light and glare to the interior of the structure. Lighting systems shall conform to all applicable building and electrical codes.
- G. The Personal Cultivation area shall be equipped with odor control filtration and ventilation system(s) adequate to prevent odor, humidity, or mold problems on the premises and adjacent parcels.

§ 90406.04 COMMERCIAL CANNABIS ACTIVITY ZONING

Commercial Cannabis activities are permitted within the unincorporated areas of the County of Imperial, in accordance with the most current State and County Regulations and prescribed as follows:

- A. Cannabis Operations: All Forms (unless otherwise directed below)
Imperial County permits commercial cannabis: including Cultivation, Nursery, Manufacturing (including processing & storage), Distribution, Testing Laboratories, and Retail (adult-use and medicinal) with Delivery within the Gateway Industrial (GI) Zone of the Gateway of the America's Specific Plan Area, the Light Industrial (MLI1) Zone of the Mesquite Lake Specific Plan (for cultivation, microbusiness and retail only), and the Medium Industrial (MLI2) and Heavy Industrial (MLI3) Zones of the Mesquite Lake Specific Plan Area. The cultivation of commercial cannabis (non-volatile materials) is also permitted within the Government/Special Public (G/S) Zone.
- B. Cannabis Operations: Retail with Delivery (Retail Sales Only)
Imperial County permits commercial cannabis: including, Retail with Delivery (adult-use and medicinal) within the Gateway Commercial (GC) and Gateway Central Commercial Overlay (GCCO) Zones of the Gateway of the America's Specific Plan Area, as well as the Light Industrial (MLI1), Medium Industrial (MLI2) and Heavy Industrial (MLI3) Zones of the Mesquite Lake Specific Plan Area and within the Imperial Center Commercial Zone (IC CZ) of the Imperial Center Specific Plan.

§ 90406.05 COMMERCIAL CANNABIS ZONING (Conditional Use Permit):

Commercial Cannabis activities are permitted with an approved Conditional Use Permit (CUP) within the unincorporated areas of the County of Imperial, in accordance with the most current State and County Regulations and prescribed as follows:

- A. Cannabis Operations: All Forms (unless otherwise directed below)
Imperial County permits with an approved Conditional Use Permit (CUP) commercial cannabis: including Cultivation, Nursery, Manufacturing (including processing & storage), Distribution, Testing Laboratories, Retail (adult-use and medicinal) with Delivery within the Light Industrial (M-1) and Medium Industrial (M-2) Zones of Imperial County, the Agricultural Related Light Industrial (AM-1) (Manufacturing only) and Agricultural Related Medium Industrial (AM-2) Zones (Manufacturing only). The manufacturing of commercial cannabis (volatile materials) is also permitted within the Government/Special Public (G/S) Zone with a CUP.

B. Cannabis Operations: Retail with Delivery (Retail Sales Only)

Imperial County permits with an approved Conditional Use Permit (CUP) commercial cannabis operations through Retail with Delivery (adult-use and medicinal) for retail sales within the General Commercial (C-2) and Heavy Commercial (C-3) Zones of Imperial County.

§ 90406.06 INDUSTRIAL HEMP ACTIVITY ZONING

Industrial Hemp activities are permitted within the unincorporated areas of the County of Imperial, in accordance with the most current State and County Regulations and prescribed as follows:

A. Industrial Hemp Cultivation:

Imperial County permits Industrial Hemp: including, the cultivation, harvesting, and testing, and light processing within the General Agricultural (A-2) and Heavy Agricultural (A-3), Agricultural Related Light Industrial (AM-1) and Agricultural Related Medium Industrial (AM-2) Zones of Imperial County as well as Gateway Industrial (GI), Gateway Commercial (GC), Gateway Central Commercial Overlay (GCCO) Zones of the Gateway Specific Plan (on undeveloped areas that are currently being used for cultivation), the Medium Industrial (MLI2) and Heavy Industrial (MLI3) of the Mesquite Lake Specific Plan (on undeveloped areas that are currently being used for cultivation), and the Government/Special Public (G/S) Zone.

B. Industrial Hemp Operations: Processing:

Imperial County permits the processing of Industrial Hemp into semi-finished and finished products within the Light Industrial (M-1) and Medium Industrial (M-2) Zones of Imperial County, Agricultural Related Light Industrial (AM-1) and Agricultural Related Medium Industrial (AM-2) Zones of Imperial County, the Medium Industrial (MLI2) and Heavy Industrial (MLI3) of the Mesquite Lake Specific Plan, as well as the Government/Special Public (G/S) Zone (non-volatile materials).

§ 90406.07 INDUSTRIAL HEMP ACTIVITY ZONING (Conditional Use Permit):

Industrial Hemp activities are permitted with an approved Conditional Use Permit (CUP) within the unincorporated areas of the County of Imperial, in accordance with the most current State and County Regulations and prescribed as follows:

A. Industrial Hemp Operations with a Conditional Use Permit (CUP)

Imperial County permits the manufacturing of Industrial Hemp into semi-finished and finished products with an approved Conditional Use Permit (CUP) within the Heavy Agricultural (A-3) Zones, and within the Government/Special Public (G/S) Zone (for manufacturing with volatile materials).

Attachment C.
Title 9 Land Use Ordinance Division 5

TITLE 9

DIVISION 5: ZONING AREAS ESTABLISHED

- CHAPTER 1: GENERAL PROVISIONS
- CHAPTER 2: R-1 (LOW DENSITY RESIDENTIAL ZONE)
- CHAPTER 3: R-2 (MEDIUM DENSITY RESIDENTIAL ZONE)
- CHAPTER 4: R-3 (MEDIUM-HIGH DENSITY RESIDENTIAL ZONE)
- CHAPTER 5: R-4 (MOBILE HOME PARK OR SUBDIVISION/HIGH DENSITY RESIDENTIAL ZONE)
- CHAPTER 6: A-C (CONDITIONAL AGRICULTURAL ZONE)
- CHAPTER 7: A-1 (LIMITED AGRICULTURE)(WITHIN URBAN BOUNDARIES ONLY)
- CHAPTER 8: A-2 (GENERAL AGRICULTURAL ZONE)
A-2-R (GENERAL AGRICULTURAL/RURAL ZONE)
- CHAPTER 9: A-3 (HEAVY AGRICULTURAL)
- CHAPTER 10: AM-1 (AGRICULTURAL RELATED LIGHT INDUSTRIAL)
- CHAPTER 11: AM-2 (AGRICULTURAL RELATED MEDIUM INDUSTRIAL)
- CHAPTER 12: C-1 (LIGHT COMMERCIAL)
- CHAPTER 13: C-2 (MEDIUM COMMERCIAL)
- CHAPTER 14: C-3 (HEAVY COMMERCIAL)
- CHAPTER 15: M-1 (LIGHT INDUSTRIAL)
- CHAPTER 16: M-2 (MEDIUM INDUSTRIAL)
- CHAPTER 17: M-3 (HEAVY INDUSTRIAL)
- CHAPTER 18: S-1 (OPEN SPACE/RECREATION)
- CHAPTER 19: S-2 (OPEN SPACE/PRESERVATION)
- CHAPTER 20: G/S (GOVERNMENT/SPECIAL)

CHAPTER 1: GENERAL PROVISIONS

- § 90501.00 PURPOSE
- § 90501.01 SINGLE BASE ZONING AREA
- § 90501.02 ESTABLISHMENT OF BASE ZONE AREA
- § 90501.03 CREATION OF OVERLAY ZONES
- § 90501.04 ZONING MAPS
- § 90501.05 BOUNDARIES OF ZONES
- § 90501.06 REGULATIONS IN ZONES
- § 90501.07 ARCHITECTURAL DESIGN STANDARDS.
- § 90501.08 "U" ZONE (URBAN AREAS)
- § 90501.09 "PE" (PRE-EXISTING ALLOWED/RESTRICTED) ZONE
- § 90501.10 "H" ZONE, AIRPORT APPROACH HEIGHT RESTRICTIONS
- § 90501.11 "MU" ZONE, MIXED USE ZONE
- § 90501.12 ACCESSORY BUILDINGS/STRUCTURES
- § 90501.13 ~~ADDITIONAL ACCESSORY~~ DWELLING UNIT
- § 90501.14 THROUGH LOTS
- § 90501.15 YARD ENROACHMENTS
- § 90501.16 SWIMMING POOLS
- § 90501.17 FIREWORKS
- § 90501.18 SPECIFIC PLANS
- § 90501.19 ~~ELECTRIC VEHICLES CHARGING STATION REQUIREMENTS~~
- § 90501.20 UNLAWFUL ACCUMULATION OF WASTE

§ 90501.00 PURPOSE

In order to protect the public health, safety and welfare, to provide for orderly development, classify, regulate and where applicable segregate land uses and building uses; to regulate the height and size of buildings; to regulate the area of yards and other open spaces around buildings; to regulate the density of population, and

to provide the economic and social advantages resulting from orderly planned land uses and resources. The following classes of use zones and their sub-zones are established as shown in Section 90501.02.

§ **90501.01 SINGLE BASE ZONING AREA**

Every lot or parcel of land or portion thereof within the unincorporated areas of the County of Imperial shall be classified in only one of the base zoning areas established in this section.

EXCEPTION

Parcels greater than 40 acres in net area may be divided by zoning district boundaries (A-2/A-3 Traffic corridor). Parcels less than 40 acres net and currently divided by a zoning boundary shall have the larger of the current designation apply to the entire parcel. Where a zoning map shows two zones on the same parcel the parcel shall have the larger of the two zones applicable to the entire parcel regardless of the map depiction. Unless identified by a Community/ Urban or Specific Plan Area

§ **90501.02 ESTABLISHMENT OF BASE ZONE AREA**

In order to classify, regulate, restrict, manage and segregate the use of lands and buildings; to regulate, manage and restrict the height, bulk and construction of buildings; to regulate the area of yards and other open spaces around buildings; and to regulate intensity of land use and uses and the density of population, the following base zoning areas are established.

1. **Residential Areas**
 - R-1 Low Density Residential Area [maximum density of one unit/lot]
 - R-2 Medium Density Residential Area (one to two units/lot)
 - R-3 High Density Residential Area (density of more than two attached units/lot)
 - R-4 Manufactured Home (Mobile Home Park) Areas/Subdivision
2. **Agricultural Areas**
 - A-1 Limited/light Agricultural Area [Rural Residential- allowed within Urban Areas only]
 - A-2 General Agricultural Area
 - A-3 Heavy Agricultural Area
 - A-A Conditional Agricultural Area
 - AM-1- Agricultural related Light Industrial
 - AM-2- Agricultural related Medium Industrial
3. **Commercial Areas**
 - C-1 Light Commercial Area [Neighborhood Commercial]
 - C-2 Intermediate Commercial Area [General Commercial]
 - C-3 Highway Commercial Area
4. **Industrial Areas**
 - M-1 Light Industrial Area
 - M-2 Medium Industrial Area
 - M-3 Heavy Industrial Area
5. **Open Space Areas**
 - S-1 Open Space/Recreational
 - S-2 Open Space/Preservation
6. **Government/Special Public Areas**
 - G.S.- Government/Special Public

§ 90501.03 CREATION OF OVERLAY ZONING AREAS

In order to further refine, classify, regulate, restrict and segregate the use of land and buildings; to regulate and restrict the high bulk and construction of building; regulate the area of yards and other open space around buildings and to regulate intensity of land uses and the density of population the following overlay zoning area boundaries are established. New overlay district zones established will be subject to zone change approval for establishment.

1. L-(x) Lot Size Minimum (i.e. A-2-L-1 is A-2, Lot 1 acre minimum)
2. G- Geothermal Overlay
3. REG Renewable Energy / Geothermal Overlay
4. GH- Geological Hazard Area
5. FP- Flood Plain Hazard Area
6. H- Airport Approach Height Restriction
7. SH- Specific Hazard Restriction
8. MP- Multi-Purpose (Restricted)
9. PE- Pre-Existing Allowed/Restricted (i.e. C-2-PE)
10. U- Urban Areas (upon permit/development applicable Urban area regulations will be followed)
11. N- No Residential
12. SPA- Specific Plan Area
13. MU Mixed Use
14. C Conditional Zone Change

In addition to being classified in a base zoning area, a lot or parcel of land or a portion of land thereof maybe classified into one or more combination of overlay district established by this section.

§ 90501.04 ZONING MAPS

The boundaries of the zoning area established by this Title are not included within this chapter but are shown on official zoning maps maintained by and at the Imperial County Planning & Development Services Department. A small-scale version is in Division 25. The official zoning maps (on 11x17", or 18x24" or a 24"x36" format) and all notation, references, and other information shown there on shall be as much a part of this Title as if the matter and information said forth on such maps were fully described and contained herein. The original zoning maps and amendments thereto are contained in Section 92501.00 et seq. For public purposes, and due to increased computer capabilities only a copy signed by the Director, and "sealed" with the Planning Department's embossed stamp, shall be deemed the official zone map. Any copy of said maps without seal shall not be considered official or up to date.

§ 90501.05 BOUNDARIES OF ZONES

Where uncertainty exists as to the boundaries of any zone shown on said map, the following rules shall apply:

- A. Where such boundaries are indicated as "approximately" following street and alley lines or lot lines, such lines shall be construed to be such boundaries;
- B. In case any uncertainty exists, the Planning Commission shall determine the location of boundaries;
- C. Where any public street or alley is officially vacated or abandoned, the regulations applicable to abutting property shall apply to such vacated or abandoned street or alley;
- D. Where any private right-of-way or easement of any railroad; railway, canal, transportation or public utility company is vacated or abandoned, the regulations applicable to abutting property shall apply to such vacated or abandoned property.

§ 90501.06 REGULATIONS IN ZONES

The following regulations shall apply in the respective zones unless otherwise provided in this Division:

A. USES PERMITTED

Except as hereinafter provided:

1. No building, structure or manufactured home shall be erected or installed and no existing building or manufactured home shall be moved, altered, added to or enlarged, nor shall any land, building or premises be used, designed or intended to be used for any purpose or in any manner other than a use listed in this Division, or amendments thereto, as permitted in the respective zone in which such land, building or premises is located.
2. No use, existing upon the effective date of this Division, of any building, manufactured home, structure or land, shall be enlarged or altered as to the extent, area or manner provided for the zone in which the building, structure or land is located.
3. While a non-conforming use exists on any lot no other new use shall be permitted, even though such other use would otherwise be a conforming use, unless and until the non-conforming use is removed and/or the property owner agrees in a written agreement with County to abate within a specified period of time as determined by the Planning Director. This decision can be appealed to the Board of Supervisors.

B. BUILDING HEIGHT

Where a building height is given, this shall be the maximum building height except as hereinafter provided:

No building shall be erected nor any existing building be moved, reconstructed or structurally altered to exceed in height the limit established by this Division or amendments hereto, for the zone in which such building is located.

C. YARDS

Where a yard distance is given this shall be a minimum distance, except as hereinafter provided:

1. No building or mobile home shall be erected or installed nor shall any existing building or mobile home be moved, altered, enlarged or rebuilt, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner except in conformity with the yard regulations established by this Division, or amendments thereto, for the zone in which such building is located.
2. No yard or other open space provided about any building for the purpose of complying with the regulations of this Division, or amendments thereto, shall be considered as providing a yard or open space for any other building or structure.
3. Where lots comprising forty (40) percent or more of the frontage on one side of a street between intersecting streets are developed with buildings having an average front yard with a variation of not more than ten (10) feet, no building hereafter erected or structurally altered shall project beyond the average front yard line so established. In determining such front yard depth, buildings located more than thirty-five (35) feet from the front yard property line or buildings facing a side street on a corner lot shall not be counted.

4. The front yard shall be measured from the front property line except that where there is an official plan line or a future street line the front yard shall be measured from said official plan line or future street line.

D. AREA REQUIREMENTS

Where the lot area per dwelling is given this shall be the minimum lot area per dwelling unit, provided, however, that when a lot has less area than herein required and was recorded at the time of the passage of this Title, said lot may be occupied by one dwelling unit.

E. LOT WIDTH

Where a lot width is given this shall be a minimum distance.

§ 90501.07 ARCHITECTURAL DESIGN STANDARDS

A. Architectural standards

In order that buildings, structures, signs, grounds and landscaping will be in harmony with other structures and improvements in the area and with the General Plan for the harmonious appearance of the area, and not of obnoxious, undesirable or unsightly appearance, the following items shall be considered in approving plans of proposed improvements in any Architectural Design zone.

1. The height, bulk and area of building
2. The setback distance from the property line
3. The color and material of the exterior of the structures
4. The type and pitch of roof
5. The size and spacing of windows, doors and other openings
6. The size, type and location of signs
7. Towers, chimneys, roof structures, flag poles, radio and television antennae
8. Plot plan, landscaping and automobile parking areas
9. The relationship of the existing buildings and structures in the general vicinity
10. Lighting of the building, signs and grounds
11. Size and shape of parcel.

B. Compliance

No building or structure shall be erected and no existing building or structure shall be moved, altered, painted, added to, or enlarged in the "D" Architectural Design zone without conforming to the provisions of this Section.

C. Procedure

1. Plans of the exterior architectural design and appearance of all buildings and structures
2. Plot plans
3. Advertising sign plans and parking area plans as well as building set-back plans shall be submitted to the Planning & Development Services Department for review and approval by the Planning Director or the Planning Commission, or its designated representatives.
 - a. In order that the proposed buildings, structures, signs and landscaping will be in harmony with other structures and improvements in the area and with the General Plan for the harmonious appearance of the area and not of obnoxious, undesirable or unsightly appearance.
 - b. In the event that it is determined that such proposed buildings or structures are not harmonious or are unsightly in appearance, the Planning Director or Planning Commission or its designated representative shall confer with the applicant in an

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endeavor to have the plans changed, so that the buildings or structures shall be harmonious and attractive in appearance. In the case where the applicant is not satisfied with the actions of the Planning Director, his/her decision may be appealed to the Planning Commission. In the event that the applicant is not satisfied with the determination of the Planning Commission, the applicant may appeal the decision to the Board of Supervisors. Said Board of Supervisors shall hold a public hearing on said appeal and shall render its decision.

§ **90501.08 "U" ZONE (URBAN AREAS)**

Land classified in the "U" zone shall also be classified in another zone. The "U" zone is therefore intended to be an Overlay zone to designate areas that are within an Urban area of an incorporated city or an Urban area as designated on the County's General Plan. With regard to Urban areas around incorporated cities, it is the intent of the County of Imperial to adhere to the standards, rules, regulations and ordinances of said Urban jurisdiction. To that end, the Board of Supervisors directs staff to work with their respective counterparts in the Urban area and to use to the extent feasible and possible the Urban area regulations in implementing any proposed land use action.

§ **90501.09 "PE" (PRE-EXISTING ALLOWED/RESTRICTED) ZONE**

Land classified in the "PE" (Pre-Existing Allowed/Restricted) zone shall also be classified in another zone. The intent of the "PE" designation following the base use designation is to allow an existing base zoned use to continue with its current use, even though through the strict interpretation of the General Plan and Zoning Ordinances, such use is a Pre-Existing, non-conforming use. The intent is to allow the owner/operator of such an identified use to continue to operate such use, maintain and modify the structural facilities as required under the Health and Safety Codes to enlarge the facilities by no more than 30 percent of its current assessed value, and to replace such a facility should it be destroyed by fire, flood or act of God.

§ **90501.10 "H" ZONE, AIRPORT HEIGHT RESTRICTION**

The following regulations shall apply in the "H" Airport Use Zone unless otherwise provided in this Division. Land shall be classified in this zone only upon application of the owners of such land. Property once placed in the "H" Airport Use Zone shall not be reclassified to another zone until one (1) year has elapsed from the date of a duly advertised public hearing pertaining to such proposed zoning.

A. **USES PERMITTED**

Airports and aircraft landing fields and all necessary accessory buildings, structures, and uses including aircraft runways, taxi strips, control towers, radio masts, storage and tie down areas, hangars and open spaces; and reasonably necessary facilities for air passengers, air freight, air mail and air express; and reasonably necessary facilities for demonstrating, testing and servicing of aircraft, and the feeding and housing of passengers and employees and the parking of their automobiles and all public utility facilities necessary for these uses.

B. **COVENANTS**

There shall be recorded in the Office of the County Recorder of Imperial County, a covenant by the owners of the property for the benefit of the County of Imperial to the effect that the property will be used only for the uses permitted in the "H" Airport Use Zone for a period of not less than ten (10) years from the date the property is placed in such "H" Airport Use Zone.

§ **90501.11 "MU" ZONE, MIXED USE ZONE**

The mixed-use overlay zone is established to encourage a mixture of compatible and synergistic land uses such as residential with compatible non-residential uses including office, retail, personal services, public spaces and other community amenities.

A. ZONES ESTABLISHED

The Mixed Use Overlay Zone may be established within base zones C1 and C2 to provide development opportunities for integrated complementary residential and commercial development on the same parcel or a contiguous group of parcels. Singular, stand-alone uses are permitted when they foster an overall mixture of uses in the zone. A wide range of uses is permitted, and it is the intent of the overlay zone to foster a mixture of product types. Development solely as commercial or residential districts is strongly discouraged. Design and development standards for the mixed use overlay zone is directed toward encouraging pedestrian activity and ensuring that mixed commercial and residential uses are designed to be compatible both within the development and with other surrounding areas.

B. SITE PLAN REVIEW AND REQUIRED FINDINGS

New development in the Mixed Use overlay zone is subject to a Site Plan Review Permit in accordance with this Ordinance. Prior to submittal of a Site Plan Review Permit application, a pre-application conference with the Planning Division staff is encouraged.

§ 90501.12 ACCESSORY BUILDINGS/STRUCTURES

The following regulations shall apply to the location or development of any accessory building/structure, unless otherwise provided in this Division:

- A. No detached accessory buildings in the R-1, R-2, R-3 or R-4 zones may exceed three (3) stories, or thirty-five (35) feet in height.
- B. No detached accessory buildings in the R-1, R-2, R-3 or R-4 zones shall be located in front of or in the front yard of the primary use unless otherwise allowed herein.
- C. On a corner lot no detached accessory buildings in the R-1, R-2, R-3 or R-4 zones shall be located at a distance less than fifteen (15) feet from the side street line.
- D. No accessory buildings in the R-1, R-2, R-3 or R-4 zones, if more than one (1) story in height shall be located nearer than five (5) feet to any interior property line.
- E. No accessory buildings on the rear twenty five (25) feet of a reversed corner lot in the R-1, R-2, R-3 or R-4 zones shall be located nearer to the side lot line on the street side of such reversed corner lot than the front yard depth required on the key lot in the rear.
- F. A private garage of not to exceed one thousand (1000) square feet may be a part of the main building if the garage and the main building have a common wall of not less than five (5) feet in length, or if not more than six (6) feet from the main building and connected thereto by a roof of not less than five (5) feet in width. Such attached garage may extend into the required rear yard for a setback distance of not more than twenty (20) feet.

1. EXCEPTION: If an attached private garage is located outside of an Urban Area, as identified by the land use designation or a zoning overlay, the building/structure's area may exceed the above requirement (as indicated on the table below), which may require the approval of an Administrative Permit, processed according to Section(s) 90404.04-10, if:

- a. The parcel/lot's zoning is A-2, A-3, S-1, and S-2.
- b. The building/structure is not located in the front yard or front yard setback.
- c. The building/structure meets the setbacks established for the primary use.
- d. The square footage of the building/structure does not exceed a 2:1 (garage to house) ratio to the square footage of the house for structures 4,000 sq. ft. or greater.
- e. The building/structure meets any and all wastewater and water well requirements regarding separation and sanitation.

Acres	Garage (maximum) Sq. Ft.	House (minimum) Sq. Ft.
<0.5	1,000	1,000

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0.5<1	1,500	1,500
1<2	2,000	2,000
2<3	3,000	2,000
3<4	4,000*	2,000
4<5	5,000*	2,500
5<6	6,000*	3,000
6<7	7,000*	3,500
7+	8,000*	4,000

* Garages 4,000 SF and over not to exceed twice the SF of living space and requires an administrative permit.

G. One (1) detached access building for use as a private garage or similar private use may be permitted to occupy the front yard, outside of the front and side yard setbacks, of an interior lot in the R-1, R-2, R-3 and R-4 zones, when the slope of the front half of such lot is greater than two (2) foot rise or fall in the horizontal distance of four (4) feet from the established street elevation at the front property line, provided that no such building shall exceed fifteen (15) feet in height.

H. Swimming pools refer to Section 90501.16

§ 90501.13 ACCESSORY DWELLING UNIT

Notwithstanding any other provisions of this Division, where a lot in the R-1 zone has an area of nine thousand (9,000) square feet or more and with adequate provisions for ingress and egress, a building permit may be granted for the construction of an accessory dwelling unit and allowable accessory building, however the maximum site area coverage shall not be exceeded. Notwithstanding any other provisions of this Division, where a lot in the R-2 zone has an area of six thousand (6,000) square feet or more and with adequate provisions for ingress and egress, a building permit may be granted for the construction of an accessory dwelling unit and allowable accessory building, however, the minimum site area shall be four thousand five hundred (4,500) square feet of lot area per each family dwelling unit.

§ 90501.14 THROUGH LOTS

On through lots, either line separating such lot from a public thoroughfare may be designated by the owner as the front lot line. In such cases, the minimum rear yard shall be the average of the yards on lots next adjoining. If such lot next adjoining are undeveloped, the minimum rear yard shall conform to the front yard setback for the zone in which the property is located.

§ 90501.15 YARD ENCROACHMENTS

Where yards are required in this Title, they shall be not less in depth or width than the minimum dimension specified for any part, and they shall be at every point open and unobstructed from the ground upward, except as permitted by the following:

- A. Cornices, eaves, or other similar architectural features not providing additional floor space within the building may extend into a required front or side yard not to exceed two (2) feet.
- B. Open, unclosed, uncovered porches, platforms or landing places which do not extend above the level of the first floor of the building, may extend into any front or side yard setback not more than six (6) feet, provided, however, that an open work railing of not more than thirty (30) inches in height may be installed or constructed on any such porch, platform or landing place.
- C. Cornices, garages, eaves, gazebos, patios, and other canopied structures may occupy not more than fifty (50) percent of a rear yard.
- D. Detached accessory buildings may occupy side and rear yards except as otherwise provided in this Division.

§ **90501.16 SWIMMING POOLS**

- A. Swimming pools may occupy rear yards, but not allowed in front or side yard.
- B. The distance between the swimming pool and the property line shall be five (5) feet or equal to the depth of the pool; whichever is less.
- C. The distance between the swimming pool and a weight bearing structure shall be at least equal to the depth of the pool.

§ **90501.17 FIREWORKS**

The storage and assembly of commercial and agricultural fireworks, black powder and explosives excluding military munitions and industrial explosives, in the A-2, A-2-R and A-3 Zones, with an approved Conditional Use Permit, for non-retail purposes. Proposal must meet the following criteria:

- A. Parcel must be at least five (5) acres or more in size.
- B. Project site must be located no less than one (1) mile from any school, hospital or other similar institution and any area zoned or planned for residential uses.
- C. All structures, facilities or equipment must be no less than 200 feet from any public road or structure used for human habitation.
- D. The entire perimeter of the site shall be secured and maintained with a fence no less than six (6) feet in height or other approved barrier(s).
- E. Project shall comply with all applicable County, State and/or Federal statutes or laws regulating such uses including the applicable California Fire Code and National Fire Protection Association standards.
- F. Project applicant must possess a valid State and/or Federal pyrotechnics license(s).

§ **90501.18 SPECIFIC PLANS**

Specific Plans, such as Gateway and Mesquite Lake, may have zoning designations and development standards built into their Specific Plan document. These zoning designation development standards, and mitigation measures are explained in detail within the Specific Plan documents which are attached herein as "Exhibits" at the end of this "Title". In the event that zoning and development standards are not specifically identified within a given Specific Plan, then this "Title" shall apply.

§ **90501.2019 ELECTRIC VEHICLES CHARGING STATION REQUIREMENTS**

1) Electric Vehicle (EV) Charging Space Calculation:

- a) Single Family Dwelling/Duplex: For each new dwelling unit, a dedicated 208/240-volt branch circuit shall be installed in the raceway required by California Green Building Standards Code, Section 4.106.4.1 to allow for future installation of Electric Vehicle Supply Equipment (EVSE) to provide Electric Vehicle Charge Station (EVCS) readiness. The branch circuit and associated overcurrent protective device shall be rated at 40 amperes minimum. Other electrical components, including receptacles or blank cover, related to requirement shall be installed in accordance with the California Electrical Code.
- b) Multifamily (MF) Dwellings, 3 to 16 units: 3% of the total number of provided parking spaces shall be EVCS capable of future installation of EVSE as required by California Green Building Standards Code, Section 4.106.4.2 to provide EVCS readiness. Calculations for the number of EV charging spaces shall be rounded up to the nearest whole number, and at no case shall the number of dedicated parking space(s) be less than 1.

- c) MF Dwellings, 17 or more units: 3% of the total number of provided parking spaces provided shall be EVCS capable of future installation of EVSE as required by California Green Building Standards Code, Section 4.106.4.2 to provide EVCS-readiness. In addition, at a minimum, 50% of the EVCS ready parking spaces shall have the necessary EVSE installed to provide an active EVCS for daily use; if 100% of the EVCS provided by the development are active for daily use, the number of required regular parking spaces may be reduced by 10%. Calculations for the number of EVCS spaces shall be rounded up to the nearest whole number, and at no case shall the number of active EVCS space(s) for daily use be less than 1.
- d) Where determined by the Imperial County Planning & Development Services Director, any nonresidential uses shall provide service capacity necessary and EVSE for 3% of the total provided parking spaces but at no case less than the requirements shown on Table in Subsection 90501.19 (f). In addition, at a minimum, 50% of the EVCS ready parking spaces shall have the necessary EVSE installed to provide an active EVCS for daily use; if 100% of the provided EVCS are active for daily use, the number of regular parking may be reduced by 10%. Calculations for the number of EVCS spaces shall be rounded up to the nearest whole number, and at no case shall the number of active EVCS for daily use space(s) be less than 1.
- e) Table 90501.19 (e)

TOTAL NUMBER OF PARKING SPACES	NUMBER OF REQUIRED EV CHARGING SPACES
0-25	1
26-50	2
51-100	3
101 and over	3%*

*Calculations for spaces shall be rounded up to the nearest whole number.

- f) Residential Exception for unfeasible conditions: The Planning & Development Services Director may determine if any of the above requirements in Subsection a., b., c., and d. are not feasible based upon one or more of the following conditions:
 - i. Where there is no commercial power supply;
 - ii. Where there is insufficient electrical supply that the utility is unable to provide;
 - iii. Where there is evidence substantiating that meeting the requirements will alter the local utility infrastructure design requirements on the utility side of the meter so as to increase the utility side cost to the homeowner or developer by more than \$400.00 per dwelling unit.
- 2) Any EV charging spaces provided in accordance to the Land Use Ordinance shall count towards meeting the minimum parking spaces required by Division 4, Chapter 2 (Parking).
- 3) All EV charging spaces shall be provided in accordance to the California Green Standards and Electrical Codes.
- 4) Future EV charging spaces shall qualify as low-emitting, fuel-efficient vehicle(s) and carpool vehicle(s) designated parking requirements, pursuant to Section 5.106.5.2 of the California Green Building Standards Code.
- 5) The EV charging spaces shall be developed in accordance to Section 90402.13 (M) but in no case in violation of any State or Federal laws.

§ 90501.20 UNLAWFUL ACCUMULATION OF WASTE

Every person who causes or permits to be accumulated on private property any trash, rubbish, garbage, swill, cans, bottles, paper, ashes, refuse, which may support any verminous vectors of public health is guilty of a misdemeanor and/or infraction.

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EEC ORIGINAL PKG

TITLE 9

DIVISION 5: ZONING AREAS ESTABLISHED

CHAPTER 2: R-1 (LOW DENSITY RESIDENTIAL ZONE)

§ 90502.00	PURPOSE AND APPLICATION
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§ 90502.03	PROHIBITED USES
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§ 90502.00 PURPOSE AND APPLICATION

The purpose of the LOW DENSITY RESIDENTIAL ZONE (R-1) is to designate areas that are and will be suitable for traditional smaller lot(s) with single family homes and related compatible or accessory uses. Typically the R-1 Zones are to be characterized by single family residential subdivisions. The maximum density for the R-1 Zone shall not exceed five (5) dwelling units per (net) acre, except that an increase for density bonus consideration, and/or an increase under Division 3, Chapter 1, may be considered. No new R-1 development shall be allowed unless full infrastructure, which at a minimum shall include sewer, water treatment and streets meeting County standards are provided.

§ 90502.01 PERMITTED USES

The following uses are permitted in the R-1 Zone provided they meet the requirements of this Title:

- a) Community related recreational facility owned publicly or by an association of area property owner(s).
- ~~b)~~ Community vegetable gardens
- ~~b)c)~~ Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)
- ~~e)d)~~ Elementary school (public, charter, private)
- ~~e)e)~~ Guest house, provided it does not contain a kitchen and has no independent utility connections
- ~~f)~~ High school (public)
- ~~e)g)~~ Home Occupation per Division 4, Chapter 4 of Title 9 Land Use Ordinance (Home Occupation Permit required)
- ~~f)h)~~ Junior high school (public)
- ~~i)~~ Large Family Daycare Home as defined by CA Health & Safety Code Section 1597.46
- ~~g)i)~~ One (1) Accessory dwelling unit or Junior accessory dwelling unit, provided it does not exceed the density of one dwelling per 4500 square feet of lot area. A maximum of two manufactured (mobile) homes may be placed on any lot provided one is "owner" occupied at all times. (Must conform to Section 90405.02) subject to Division 4 Chapter 5 of Title 9 Land Use Ordinance
- ~~h)k)~~ One Mobile home; or one manufactured home; or one factory built home
- ~~i)l)~~ Public fire station/Police station
- ~~j)m)~~ Public parks/playgrounds with swimming areas
- ~~k)~~ Public swimming pool

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- ~~l)a) R.V. only as a temporary use during construction of the single family residence, and not to exceed one year total time and only with an active building permit. (reference 90405 et seq.)~~
- ~~m)n) Residential accessory structure(s) (including cargo containers provided they meet architectural standards as defined herein Division 14)~~
- ~~o) Residential care facility serving five (5) or less.~~
- ~~p) R.V. only as a temporary use during construction of the single family residence, and not to exceed one year total time and only with an active building permit. (reference 90405 et seq.)~~
- ~~r) Single family dwelling [conventional/or manufactured]~~
- ~~p)r) Small Family Daycare as defined by CA Health & Safety Code Section 1597.44 & 1597.45~~
- ~~q)s) Solar energy extraction generation (on-site consumption only).~~
- ~~r) One (1) Accessory dwelling unit or Junior accessory dwelling unit, provided it does not exceed the density of one dwelling per 4500 square feet of lot area. A maximum of two manufactured (mobile) homes may be placed on any lot provided one is "owner" occupied at all times. (Must conform to Section 90405.02)~~
- ~~s) Home Occupation per Division 4, Chapter 4 (home occupation permit required).~~
- ~~t) Electrical Vehicles Charging Stations as an Accessory Use (incidental to Primary Use)~~

§ 90502.02 USE(S) PERMITTED ONLY WITH A CONDITIONAL USE PERMIT

- a) Ambulance station
- b) Animals in excess of those allowed in Section 90502.13
- ~~c) Mortuary, mausoleum, cemetery~~
- d) Church
- e) Club or Lodge
- f) Convalescent hospital
- g) Country Club
- h) Flood control facilities by a public entity
- i) Golf Course/ Driving Range
- j) Hospital
- ~~k) Library~~
- ~~k)l) Mortuary, mausoleum, cemetery~~
- ~~l)m) Museum~~
- ~~m)n) Pre-school (less than 20 children)~~
- ~~o) Pre-school (greater than 20 children)~~
- ~~n)p) Pre-school (less than 20 children)~~
- ~~e)q) Private non-profit service clubs or lodges (no alcoholic license)~~
- ~~p)r) Radio, T.V., or commercial communication, transmitter, receiver, or translators~~
- ~~q)s) Residential care facility serving more than 5 people~~
- ~~r)t) Retirement Home~~
- ~~s)u) Senior citizen complex~~
- ~~t)v) Temporary real estate office/trailer connected with the sale of a given subdivision~~
- ~~u)w) Tennis or swim club~~
- ~~v)x) Utility substation or utility District conveyance control facility that routinely House employees~~

§ 90502.03 PROHIBITED USES

All other uses not specifically permitted by Section 90502.01 or 90502.02 are hereby strictly prohibited in the R-1 Zones.

§ **90502.04 MINIMUM LOT/PARCEL SIZE**

Except as otherwise provided within this Title, no lot/parcel or portion thereof within the R-1 Zone shall contain less than 6000 sq. ft. net. Except as otherwise provided herein no lot/parcel shall have an access width of less than 50 foot net, to a public street, except for "cul-de-sac" lots which will have at least 33 feet of frontage as measured at right-of-way line. Lots created specifically for public purpose and continued public ownership may be less than 6000 square feet.

§ **90502.05 MINIMUM LOT AREA/DWELLING UNIT**

Except as otherwise provided within this Title, there shall be no more than one (1) dwelling unit per legal parcel in the R-1 zone. In no case shall the density allowed exceed that specified in the General Plan, and/or 5 units per acre, (net) and/or 4500 square feet of land per unit.

§ **90502.06 YARDS AND SETBACKS**

The following yard and setback requirements shall apply in the R-1 Zone:

- A. **FRONT YARD.** Except as otherwise provided, the front yard minimum setback for all buildings shall be as follows:
1. Standard - 25 feet for existing lots unless the lot is less than 90 feet in depth in which case the setback is 20 feet. Furthermore, if a minimum of three (3) covered or enclosed off street parking spaces are provided behind the setback line a minimum of 20 feet may be allowed.
 2. Option 1 - 20 feet minimum (averaged) for new subdivisions provided the setback dimensions vary from an absolute minimum of 10 feet, provided further that any lot with a setback of 20 feet or less shall provide a minimum of three (3) covered or enclosed off street parking spaces, behind the setback line.
 3. Option 2 - 10 feet minimum on any new or existing lot where a minimum of three (3) off street parking spaces are located entirely within the rear yard, with access to a street or public (paved) alley (20' in width) from the rear yard, or with access to the street by means of a single driveway not less than 16 feet in width.

NOTE Designated or required on-site parking areas shall be accessible and usable at all times, shall be outside of the front and side yard setbacks and may not be eliminated or constructed upon in any way that would reduce the minimum number of spaces required. Once option 1 or 2 is allowed, no further variance from the parking requirement shall be granted.

- B. **SIDE YARD.** Except as otherwise provided, the side yard minimum setback for all buildings shall be as follows:
1. There shall be a minimum five feet (5') on each side of an R-1 structure to property line except as follows:
 2. On corner lots, the side yard facing a street shall have a 15 feet setback.
 3. On designated zero lot line R-1 structures, one side may be zero provided that the opposite side is ten feet (10') minimum, and provided further that the zero lot line portion of the structure meets California Building Code (CBC) fire protection standards. At a minimum, the zero lot line dividing wall shall be fire rated for at least 2 hours and provide a noise attenuation to less than 40 db.

C. REAR YARD. Except as otherwise provided, the rear yard minimum setback for all buildings shall be as follows:

1. 25 feet minimum for all primary structures on lots that do not have an alley. Structures attached to the primary structure that are open on at least three sides, such as open patios may be allowed to encroach into the rear yard setback by 10 feet (maximum) provided they remain open at all times. Converting such patios shall then be strictly prohibited.
2. 20 feet minimum for all primary structures on lots that do not have an alley. Provided that a patio open on at least two sides is incorporated into the primary structure's building "footprint," and that does not encroach into the rear yard setback. Provided further that said patio is a minimum of 10 feet by 10 feet in size.
3. 10 feet minimum for all primary structures on lots that have a minimum alley of 20 feet width. Provided that a patio open on at least two sides is incorporated into the primary structure's building "footprint," and that does not encroach into the rear yard setback. Provided further that said patio is a minimum of 10 feet by 10 feet in size.
4. 5 feet for detached accessory structures for lots that do not have an alley.
5. 0 feet for detached accessory structures that abut an alley of 20 feet minimum in width, provided the wall facing the alley meet minimum California Building Code fire protection standards.

NOTE: Any such structure found to have been converted or restored to its previous use without County approval (permits) shall not be allowed and shall be ordered removed by the Building Official if and when found to have been enclosed or converted.

D. INNOVATIVE OPTION (A)

Where the design for all off-street parking in an R-1 area is entirely within the back yard, and no driveway from the front yard, as well as, no on-street parking is allowed, the front setbacks may vary from a minimum of 5 feet and the side yard setbacks may be 0 feet on one side (protected to CBC minimum or two hour minimum fire resistance) with 5 feet on the opposite side and the rear yard shall be a minimum of 15 feet to the primary structure, accessory structures shall be the standard setback options under A., B. and C.

E. INNOVATIVE OPTION (B)

In new subdivisions where the developer submits concurrent with the subdivision application a "site plan review" that clearly shows all lots, their layout, their infrastructure, and the landscaping, as well as, parking and where said subdivision provides for bicycle paths, or walking paths mixed with public open space areas, including parks, playgrounds, community facilities, and/or other INNOVATIVE concepts that support a community atmosphere, the following allowances may be considered during the site review process, and subsequently approved for the subdivision.

1. Lot size reduction to 5,000 square feet minimum, for 25% of total lots
2. Street width without parking minimum 32 feet curb/curb
3. 0 lot line for side yard on one side only
4. 10 feet front yard setback for lots with 4 car off street parking behind setback
5. 15 feet front yard setback for lots with 3 car off street parking
6. 20 feet front yard setback for 2 car off street parking
7. one-way streets
8. alleys (one way)

§ 90502.07 HEIGHT

The following height limits shall apply to all R-1 Zones (all heights measured from AGL (average ground level) of lot):

- A. Primary residential buildings shall not exceed three (3) stories in height, or 40 feet whichever is less.
- B. Detached accessory structures shall not exceed two (2) stories or 25 feet whichever is less.
- C. Radio and/or television antenna incidental to the structure, or chimneys, or any other architectural feature shall not exceed 60 feet in height.

§ 90502.08 MINIMUM DISTANCE BETWEEN STRUCTURES

The following requirements apply to the minimum distances between structures in the R-1 Zone.

- A. There shall be a minimum of ten (10) feet between primary residential use buildings, except for 0 lot line approved subdivisions.
- B. There shall be a minimum distance of six (6) feet between a residential building and any detached accessory building, except that any detached structure used to house, keep or maintain animals, permitted in this zone shall be separated as follows:
 - 30 ft. from primary residence
 - 80 ft. from front lot line
 - 25 ft. from any side or rear lot line
 - 100 ft. from any school or public park
 - 100 ft. from any water well
- C. Swimming pools refer to 90501.16

NOTE: A covered walk way or breeze way is not considered attached.

§ 90502.09 PARKING

Off-street parking shall be provided in the R-1 Zone according to the standards contained in Sections 90402.00 through 90402.16 of this Title. RV's, trailers and other vehicles may be stored on site only if they are within the rear yard and not readily visible or accessible to public view with a primary use on the property.

§ 90502.10 SIGNS

The following signs shall be permitted in the R-1 Zone; however, all signs shall be subject to Section 90401.00 et. seq. as applicable.

1. Temporary real estate signs not exceeding 10 square feet, and advertising the property for sale or lease, and meeting requirements of Division 4, Chapter 1.
2. Temporary construction signs related to construction on said property, meeting requirements of Division 4, Chapter 1.
3. Temporary political, religious, civic and campaigning signs not to exceed three (3) months, meeting requirements of Division 4, Chapter 1.
4. Institutional signs.
5. Signs approved in conjunction with a Conditional Use Permit approved for the site.

§ 90502.11 LANDSCAPING

Every R-1 lot, parcel or use shall meet the requirements of Section 90302.06.

§ 90502.12 YARD/PROPERTY MAINTENANCE

The areas within an R-1 lot area shall at all times be maintained so as to not create a fire or life safety, or health hazards either to the occupants or the public.

§ 90502.13 ANIMALS

The breeding, keeping or maintaining of large or medium size animals is strictly prohibited, except as follows:

- A. R-1 lots greater than ½ but less than 1 acre net may keep two medium animals per acre provided the separation distances under Section 90502.08 can be achieved.
- B. R-1 lots greater than ¾ acre net may keep and maintain one large animal per ¼ acre up to 5 acres, and one large animal for every 5 acres of lot area thereafter (i.e. 40 acre lot equals 12 large animals). Small animals (i.e. goats, sheep, etc.) shall be allowed at the ratio of 1 large animal equals two small animals. Separation as required under Section 90502.08 shall be met.
- C. R-1 lots allow for the keeping of small fowl, rabbits, birds, provided as follows: they are for domestic or hobby purposes; are maintained within proper enclosed/containment structures; are not free to leave the property; and the number of such animals does not exceed 5 of any one or combination thereof.
- D. The keeping of small domestic pets such as cats and dogs are allowed for non-commercial uses, and the number of such animals does not exceed 5 of any one or combination thereof.
- E. Special project animals considered to be a student oriented fair project that may be sponsored by an agricultural organization such as FFA or 4H may allow for the keeping of one large animal or two medium animals per parcel provided that they are:
 - 1. For the duration of the FFA/4H or agricultural fair schedule or 7 months maximum whichever is less;
 - 2. The property owner files an affidavit with the Planning & Development Services Department to verify it is a legitimate special project, including the name of the club, club leader and other information required by the Planning Director.

NOTE: The keeping of animals as designated is only allowed to the extent that said animals do not constitute a nuisance or public health hazard.

§ 90502.14 GARAGE/YARD SALES

Garage or yard sales are permitted without special use permits, provided they meet the following conditions:

- A. Sales last no longer than two (2) consecutive days.
- B. Sales are held no more than two (2) times a year.
- C. Sales are contained within the property.
- D. No goods purchased for re-sale are evident.
- E. Directional signs shall be removed immediately after sale ends.
- F. Directional signs shall not exceed 9 square feet.
- G. Directional signs may be placed on public right-of-way provided they do not interfere with traffic.
- H. Directional signs on private property shall have property owners (not tenants) permission.
- I. Directional or other signs not removed within 24 hours after sale ends shall be fined \$50.00.
- J. No signs shall be posted on utility posts/pole, or other highway information or directional sign.
- K. Violation of one or all of items (a) through (j) is a misdemeanor and may be cited as such.

§ 90502.15 SPECIAL PROCEDURES/STANDARDS

Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008) (Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

A mobile home or a recreational vehicle may be permitted as a temporary dwelling within the R-1 zone, provided it complies with and meets the following standards.

A. TEMPORARY DWELLING

1. A building permit for the construction of the conventional single-family residence shall be obtained either prior to or concurrently with the installation/utility permit of the mobile home.
2. The mobile home or recreational vehicle shall be removed from the property as follows:
 - a. Within twelve (12) months from the time the mobile home or recreational vehicle is placed on the property, and/or
 - b. Within ten (10) days from the time of final inspection for the conventional dwelling has been approved, and/or
 - c. Within five (5) days from the time a building permit has lapsed due to lack of activity or other reason(s), as determined by the Building Official.
3. The Planning & Development Services Department has received adequate assurances, which may include surety in a form acceptable to County.
4. The Planning Director may, upon written request from the property owner, grant an extension for the mobile home or the recreational vehicle for a period of not to exceed six (6) months. Extension of time may only be approved upon the following conditions:
 - a. An active building permit is on file with the Planning & Development Services Department of the County of Imperial, and actual construction is in progress.
 - b. The construction of the dwelling unit on the site has progressed to a stage of inspection and approval, which is at least in the framing, rough electrical, rough mechanical, and rough plumbing stage.
 - c. The construction of a single-family dwelling is nearing completion.
5. Any mobile home or recreational vehicle permitted as a temporary dwelling, shall be removed at any time if so determined by the Planning Director.

The electrical service supplying the mobile home or recreational vehicle on a temporary basis shall be terminated at the time that the electrical is approved for the conventional dwelling. Under no conditions shall two (2) electrical services remain on the premises.

B. TEMPORARY VISITORS USE

While the use of Recreational Vehicles (R.V.'s) is not allowed as temporary or permanent residential dwellings, the incidental and occasional utilization of an R.V. may be allowed under the following conditions:

1. Any legal residence may have an R.V. connected to approved utilities and occupied for a period not to exceed two weeks annually per Title 12, Section 4 et al.
2. The R.V. connections are installed to meet applicable Health and Safety Code Regulations, and permitted by Planning & Development Services Department.
3. The R.V. connections are for the primary use and are not independent service connections.

4. The R.V. is not allowed in or upon any public street or right-of-way.

§ 90502.16 FENCING

Fencing, if installed, shall at a minimum meet the requirements of Section 90403 et seq. Under no conditions shall the use of barbed, razor edged, or electrified fencing be allowed within this zone.

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Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008)
(Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

TITLE 9

DIVISION 5: ZONING AREAS ESTABLISHED

CHAPTER 3: R-2 (MEDIUM DENSITY RESIDENTIAL ZONE)

§ 90503.00	PURPOSE AND APPLICATION
§ 90503.01	PERMITTED USES IN THE R-2 ZONE
§ 90503.02	USES PERMITTED BY CUP ONLY
§ 90503.03	PROHIBITED USES
§ 90503.04	MINIMUM LOT/PARCEL SIZE
§ 90503.05	MINIMUM LOT AREA/DWELLING UNIT
§ 90503.06	YARDS AND SETBACKS
§ 90503.07	HEIGHT
§ 90503.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90503.09	PARKING
§ 90503.10	LANDSCAPING
§ 90503.11	SIGNS
§ 90503.12	YARD/PROPERTY MAINTENANCE
§ 90503.13	ANIMALS
§ 90503.14	GARAGE/YARD SALES
§ 90503.15	SPECIAL PROCEDURE/DEVELOPMENT STANDARDS
§ 90503.16	FENCING

§ 90503.00 PURPOSE AND APPLICATION

The purpose of the medium density R-2 Zone is to designate and establish standards for single family and duplex, residential uses. This zone is typified with single family and duplex structures. The density shall not exceed ten (10) dwelling units per net acre. While duplex structures typify this zone, other innovative housing techniques including clustering, zero lot line and garden housing unit, may be permitted. No new R-2 development shall be allowed unless full infrastructure, which at a minimum shall include sewer, water treatment and streets meeting County standards is provided.

§ 90503.01 PERMITTED USES IN THE R-2 ZONE

The following uses are permitted in the R-2 zone provided they meet the standards established for the R-2 zone, as well as, the requirements of this Title.

- a) Community recreational facilities owned by an association or publicly
- b) Community vegetable gardens
- c) Duplex, Apartment, Condominium, Etc.
- d) Elementary School (public)
- e) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)
- ~~Fire station~~
- f) _____
- g) High School (public)
- h) Home occupation per Division 4, Chapter 4 (home occupation permit required)
- ~~_____~~
- e)j) Junior High School (public)
- f)a) High School (public)
- i) Residential care facility serving 5 or less individuals
- k) Parks, playgrounds and swimming areas (public or association maintained)
- g) _____

Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008) (Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

- l) Residential accessory structure (including cargo containers provided they meet architectural standards as defined herein Division 14)
- ~~Residential care facility serving 5 or less individuals~~
- h) ~~i) Temporary mobile home/recreational vehicle used during construction only (see Section 90502.15 for standards).~~
- ~~j) Public swimming club~~
- ~~k)a) Fire station~~
- ~~l) Parks and playgrounds (public or association maintained)~~
- m) Single-family dwelling (one unit typical- two units maximum/legal lot), (per Section 90405.00).
- n) Small Family Daycare as defined by CA Health & Safety Code Section 1597.44 & 1597.45
- o) Solar energy extraction generation provided that it is for on-site consumption only.
- ~~p) Temporary mobile home/recreational vehicle used during construction only (see Section 90502.15 for standards)~~
- ~~p) Home occupation per Division 4, Chapter 4 (home occupation permit required).~~
- ~~q)a) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)~~

§ 90503.02 USES PERMITTED BY CUP ONLY

- a) Ambulance station
- b) Cemetery
- c) Church
- d) Community care facility
- e) Country club
- f) Day care facility limited to fourteen (14) children or less
- g) Golf course/Driving Range
- h) Hospital
- i) Library
- j) Mausoleum
- k) Medical offices
- l) Museums
- m) Pre-school
- n) Private non-profit club or lodge
- o) Radio, TV or commercial communication transmitter, receiver or translator
- p) Rehabilitation facilities
- q) Residential care facility serving six (6) or more
- r) Sanitarium
- s) Senior Retirement Home
- t) Schools (private)
- u) Tennis/swim club
- v) Utility substations

§ 90503.03 PROHIBITED USES

All uses not specifically permitted by Sections 90503.01 or 90503.02 are strictly prohibited.

§ 90503.04 MINIMUM LOT/PARCEL SIZE

Except as otherwise provided within this Title no lot, parcel or portion thereof within the R-2 Zone shall be less than 6000 square feet for one dwelling and 3000 square feet/dwelling for multiple dwellings. No parcel within this zone shall have less than 60 feet of street frontage, except for cul-de-sac designs, which will be no less than 33 feet as measured at the right-of-way line.

§ 90503.05 MINIMUM LOT AREA/DWELLING UNIT

Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008) (Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

Except as otherwise provided within this Title there shall be a minimum of 3000 square feet of lot area per dwelling unit in the R-2 zone, provided however that the basic lot minimum is 6000 square feet, for the first unit.

§ **90503.06 YARDS AND SETBACKS**

The following yard and setback requirements shall apply in the R-2 Zone:

- A. **FRONT YARD.** Except as otherwise provided, the front yard minimum setback for all buildings shall be as follows:
1. 25 feet minimum if at a minimum two off-street parking spaces per unit plus one visitor parking space for every two units is provided, which must be behind the setback line.
 2. 20 feet minimum if at a minimum two off-street parking spaces per unit plus one visitor parking space for every two units is provided and that all said parking (except visitor parking) is within an enclosed garage.
- B. **SIDE YARD.** Except as otherwise provided, the side yard minimum setback for all buildings shall be as follows:
1. There shall be a minimum side yard of five feet (5') on each side of the building, except as follows:
 2. On a corner lot the side yard facing the street shall have a 15' setback.
 3. On designated zero lot line construction, one side may be zero provided the opposite side is a minimum of ten feet (10') (except corner lots) and provided further that the zero lot line side of the structure meets all California Building Code and California Fire Code requirements, for fire protection, or two hour fire resistant construction, whichever is greater.
- C. **REAR YARD.** Except as otherwise provided, the rear yard minimum setback for all buildings shall be as follows:
1. 25 feet minimum for all primary structures on lots that do not have an alley. Structures attached to the primary structure that are open on at least three sides, such as open patios may be allowed to encroach into the rear yard setback by 10 feet (maximum) provided they remain open at all times. Converting such patios shall then be strictly prohibited.
 2. 20 feet minimum for all primary structures on lots that do not have an alley. Provided that a patio open on at least two sides is incorporated into the primary structure's building "footprint," and that does not encroach into the rear yard setback. Provided further that said patio is a minimum of 10 feet by 10 feet in size.
 3. 10 feet minimum for all primary structures on lots that have a minimum width alley of 20 feet. Provided that a patio open on at least two sides is incorporated into the primary structure's building "footprint," and that does not encroach into the rear yard setback. Provided further that said patio is a minimum of 10 feet by 10 feet in size.
 4. 5 feet for detached accessory structures for lots that do not have an alley.
 5. 0 feet for detached accessory structures that abut an alley of 20 feet minimum in width, provided the wall facing the alley meet minimum California Building Code fire protection standards.

NOTE: Any such structure found to have been converted without County approval (permits) shall not be allowed and shall be ordered removed by the Building Official if and when found to have been enclosed or converted.

§ **90503.07 HEIGHT**

The following height limits shall apply to all R-2 zones (all heights measured from AGL (average ground level) of lot):

- A. Primary residential buildings shall not exceed three (3) stories in height, or 40 feet whichever is less.
- B. Detached accessory structures shall not exceed two (2) stories or 25 feet whichever is less.
- C. Radio and/or television antenna incidental to the structure, or chimneys, or any other architectural feature shall not exceed 60 feet in height.

§ **90503.08 MINIMUM DISTANCE BETWEEN STRUCTURES**

- A. There shall be a minimum of ten feet (10') between residential use structures, unless constructed with common walls meeting a minimum of 2 hour fire rated separation.
- B. There shall be a minimum of six feet (6') between any residential use and any detached accessory structure(s).

§ **90503.09 PARKING**

Off-street parking shall be provided in the R-2 Zone according to the standards contained in Sections 90402.00 through 90402.16 of this Title. RV's, trailers and other vehicles may be stored on site only if they are within the rear yard and not readily visible or accessible to public view with a primary use on the property.

§ **90503.10 LANDSCAPING**

Every R-2 lot/parcel shall be landscaped to meet the requirements of Section 90302.05.

§ **90503.11 SIGNS**

The following signs shall be permitted in the R-2 Zone; however, all signs shall be subject to Section 90401.00 et.seq as applicable.

- 1. Temporary real estate signs not exceeding 10 square feet, and advertising the property for sale or lease, and meeting requirements of Division 4, Chapter 1.
- 2. Temporary construction signs related to construction on said property, meeting requirements of Division 4, Chapter 1.
- 3. Temporary political, religious, civic and campaigning signs not to exceed three (3) months, meeting requirements of Division 4, Chapter 1.
- 4. Institutional signs.
- 5. Signs approved in conjunction with a Conditional Use Permit approved for the site.

§ **90503.12 YARD/PROPERTY MAINTENANCE**

The areas within an R-2 lot area shall at all times be maintained so as to not create a fire or life safety, or health hazards either to the occupants or the neighbors.

§ **90503.13 ANIMALS**

~~The keeping of animals except for domesticated animals is strictly prohibited. In cases where a single-family dwelling unit exists, restrictions apply per Section 90502.13.~~

§ 90503.14 GARAGE/YARD SALES

Garage or yard sales are permitted without special use permits, provided they meet the following conditions:

- A. Sales last no longer than two (2) consecutive days.
- B. Sales are held no more than two (2) times a year.
- C. Sales are contained within the property.
- D. No goods purchased for re-sale are evident.
- E. Directional signs shall be removed immediately after sale ends.
- F. Directional signs shall not exceed 9 square feet.
- G. Directional signs may be placed on public right-of-way provided they do not interfere with traffic.
- H. Directional signs on private property shall have property owners (not tenants) permission.
- I. Directional or other signs not removed within 24 hours after sale ends shall be fined \$50.00.
- J. No signs shall be posted on utility posts/pole, or other highway information or directional sign.
- K. Violation of one or all of items (a) through (j) is a misdemeanor and may be cited as such.

§ 90503.15 SPECIAL PROCEDURE/DEVELOPMENT STANDARDS

- A. The R-2 Zone allows for a maximum of ten (10) dwelling units per (net) acre. This may be a mixture of units on any one legal parcel. The density shall be the limiting factor on the number of dwelling units per legal lot.
- B. The R-2 Zone does allow for a mixture of a single family or duplex structures, i.e. one house and a duplex, provided all requirements including density can be met.

C. TEMPORARY DWELLINGS/RV:

While the use of Recreational Vehicles (R.V.'s) is not allowed as temporary or permanent residential dwellings, the incidental and occasional utilization of an R.V. may be allowed under the following conditions:

- 1. Any legal residence may have an RV connected to approved utilities and occupied for a period not to exceed two weeks annually per Title 12, Section 4 et al.
- 2. The R.V. connections are installed to meet applicable Health and Safety Code Regulations, and permitted by Planning & Development Services Department.
- 3. The R.V. connections are for the primary use and are not independent service connections.
- 4. The R.V. is not allowed in or upon any public street or right-of-way.

§ 90503.16 FENCING

Fencing, if installed, shall at a minimum meet the requirements of Section 90403 et seq. Under no conditions shall the use of barbed, razor edged, or electrified fencing be allowed within this zone.

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TITLE 9

DIVISION 5: ZONING AREAS ESTABLISHED

CHAPTER 4: R-3 (MEDIUM-HIGH DENSITY RESIDENTIAL ZONES)

§ 90504.00	PURPOSE AND APPLICATION
§ 90504.01	PERMITTED USES IN THE R-3 ZONE
§ 90504.02	USES PERMITTED BY CUP ONLY
§ 90504.03	PROHIBITED USES
§ 90504.04	MINIMUM LOT/PARCEL SIZE
§ 90504.05	MINIMUM LOT AREA/DWELLING UNIT
§ 90504.06	YARDS AND SETBACKS
§ 90504.07	HEIGHT
§ 90504.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90504.09	PARKING
§ 90504.10	LANDSCAPING
§ 90504.11	SIGNS
§ 90504.12	YARD PROPERTY MAINTENANCE
§ 90504.13	ANIMALS
§ 90504.14	YARD/GARAGE SALES
§ 90504.15	SPECIAL PROCEDURES
§ 90504.16	FENCING

§ 90504.00 PURPOSE AND APPLICATION

The purpose of the medium-high density residential (R-3) zone is to designate and establish standards, as well as, areas appropriate for a variety of light and medium density to high density residential living environments, including therein, apartments, townhouses, and condominiums. The maximum density is established at 29 dwelling units per net acre. The R-3 zoning designation may be allowed in any urban area of the County provided it has adequate utility services, streets and other public facility capacities. No new R-3 development shall be allowed unless full infrastructure, which at a minimum, include water, sewer treatment and streets meeting County standards is provided.

§ 90504.01 PERMITTED USES IN THE R-3 ZONE

The following uses are permitted in the R-3 zone provided they meet the standards established for the R-3 zone, as well as, the requirements of this Title.

- a) Apartments
- b) Community vegetable gardens
- c) Condominiums
- d) Day Care Center (not to exceed a capacity of 1 child for every two dwelling units located on the property, provided the lot contains a minimum of 3 dwelling units.)
- e) Day Care Home not to exceed 5 people
- f) Duplex
- g) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)
- ~~g)h)~~ Park or Play Grounds
- ~~h)j)~~ Pre-school, Elementary School, Junior High School, Senior High School, College, or University (public)
- ~~i)j)~~ Public Agency or Public Building
- ~~j)k)~~ Public Recreation Facilities
- ~~k)l)~~ Public Swimming Pool
- ~~l)m)~~ Quadruplex
- ~~m)n)~~ Residential Accessory Structure (including cargo containers provided they meet architectural standards as defined herein Division 14)

Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008) (Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

- n) Residential Care Facility (serving 5 or fewer persons)
- o) Senior Retirement Home
- p) Solar energy extraction generation provided that it is for on-site consumption only.
- q) Supportive Housing
- r) Temporary On-site Construction Office
- s) Temporary On-site Real Estate Tract Sales/Rental Office
- t) Townhouse
- u) Transitional Housing (as defined in Section 50675.2 of the Health and Safety Code)
- v) Triplex
- w) ~~Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)~~

§ 90504.02 USES PERMITTED BY CONDITIONAL USE PERMIT ONLY

The following uses and all those determined to be similar are permitted in the R-3 zone in accordance with the standards set out in this Title, subject to first securing a conditional use permit, in accordance with the standards and procedures set forth in this Title.

- | | |
|--|-----|
| a) Ambulance Service | [I] |
| b) Auto Parking Garage | [I] |
| c) Boarding or Rooming House | [M] |
| d) Cemetery | [I] |
| e) Charitable or Public Service Organization | [M] |
| f) Church | [I] |
| g) Club or Lodge | [I] |
| h) Community Care Facility | [I] |
| i) Community Center | [I] |
| j) Fraternity or Sorority | [I] |
| k) Golf Course/Driving Range | [I] |
| l) Library | [I] |
| m) Mausoleum/Columbarium | [I] |
| n) Museum | [I] |
| o) Public Tennis or Swim Club | [I] |
| p) Radio, Television or Commercial Communication Transmitter | [I] |
| q) Rehabilitation Facility | [I] |
| r) Residential Hotel/SRO's | [M] |
| s) Retirement or Rest Home | [M] |
| t) Sanitarium | [I] |
| u) Sewage Treatment Plant | [I] |
| v) Utility Sub-station | [I] |
| w) Water Treatment Plant | [I] |

§ 90504.03 PROHIBITED USES

All other uses not permitted by Section 90504.01 or 90504.02 are hereby strictly prohibited.

§ 90504.04 MINIMUM LOT/PARCEL SIZE

Except as otherwise provided within this Title no lot, parcel or portion thereof within the R-3 Zone shall be less than 6000 square feet, and shall provide a minimum of 2000 square feet/dwelling for multiple dwellings. No parcel within this zone shall have less than 60 feet of street frontage, except of cul-de-sac entrances.

§ 90504.05 MINIMUM LOT AREA

There shall be a minimum of 2,000 net square feet of lot area per dwelling unit in the R-3 zone, provided however that the basic lot minimum is 6,000 square feet, for the first unit.

Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008) (Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

§ 90504.06 YARDS AND SETBACKS

The following yard and setback requirements shall apply in the R-3 zone:

- A. **FRONT YARD.** Except as otherwise provided, the front yard minimum setback for all buildings shall be as follows:
20 feet minimum unless a minimum of 2 off-street parking spaces per unit, plus one visitor parking space for every three units is provided in which case the minimum may be 15 feet.
- B. **SIDE YARD.** Except as otherwise provided, the side yard minimum setback for all buildings shall be as follows:
 - 1. The minimum side yard shall be at least 5 feet on each side of the building except for the following:
 - 2. On a corner lot, the side yard facing the street shall meet the same setback as the front yard.
 - 3. On designated 0 lot line construction, one side may be 0 provided the opposite side is minimum of 10 feet and provided further that the 0 lot line side of the structure meets all UBC and UFC requirements for fire protection.
- C. **REAR YARD.** Except as otherwise provided, the rear yard minimum setback for all buildings shall be as follows:
 - 1. 15 foot minimum for all primary structures on lots that do not have an alley.
 - 2. 10 foot minimum for all primary structures on lots that do have a minimum width alley of 20 feet.
 - 3. 5 feet for accessory structures for lots that do not have an alley.
 - 4. 0 feet for accessory structures that abut an alley that have a minimum 20 foot width.

§ 90504.07 HEIGHT

The following heights shall apply to all R-3 zones (all heights measured from AGL (average ground level) of lot):

- A. Buildings and structures located in the R-3 zone shall not exceed six (6) stories or 80 feet.
- B. Detached accessory structures shall not exceed two stories or 25 feet whichever is less.
- C. Radio and/or television antenna incidental to the structure or chimneys or another architectural feature shall not exceed 60 feet in height.

§ 90504.08 MINIMUM DISTANCE BETWEEN STRUCTURES

Requirements for minimum distances between structures in the R-3 Zone are as follows:

- A. There shall be a minimum distance of 20 feet between residential buildings/structures.
- B. There shall be a minimum of 10 feet between a residential building/structure and any accessory building or structure; or between accessory buildings or structures.

§ **90504.09 PARKING**

Off-street parking shall be provided in the R-3 zone according to the standards contained in Sections 90402.00 through 90402.16. Where off-street parking is provided vis-à-vis enclosed garages or carports, that are not readily visible from the street, 10% increase in unit density area along with a front yard setback reduction to 15 feet may be allowed.

§ **90504.10 LANDSCAPING**

Every R-3 lot/parcel shall be landscaped to meet the requirements of Section 90302.15.

§ **90504.11 SIGNS**

The following signs shall be permitted in the R-3 Zone; however, all signs shall be subject to Section 90401 as applicable.

1. Temporary real estate signs not exceeding 10 square feet, and advertising the property for sale or lease, and meeting requirements of Division 4, Chapter 1.
2. Temporary construction signs related to construction on said property, meeting requirements of Division 4, Chapter 1.
3. Temporary political, religious, civic and campaigning signs not to exceed three (3) months, meeting requirements of Division 4, Chapter 1.
4. Institutional signs.
5. Signs approved in conjunction with a Conditional Use Permit approved for the site.

§ **90504.12 YARD/PROPERTY MAINTENANCE**

The areas within an R-3 lot area shall at all times be maintained so as to not create a fire or life safety, or health hazard either to the occupants of the structures or to adjacent neighboring properties.

§ **90504.13 ANIMALS**

~~The keeping of animals other than domestic animals in the R-3 zone is strictly prohibited. In cases where a single-family dwelling unit exists, restrictions apply per Section 90502.13.~~

§ **90504.14 YARD/GARAGE SALES**

Garage or yard sales are permitted without special use permits, provided they meet the following conditions:

- A. Sales last no longer than two (2) consecutive days.
- B. Sales are held no more than two (2) times a year.
- C. Sales are contained within the property.
- D. No goods purchased for re-sale are evident.
- E. Directional signs shall be removed immediately after sale ends.
- F. Directional signs shall not exceed 9 square feet.
- G. Directional signs may be placed on public right-of-way provided they do not interfere with traffic.
- H. Directional signs on private property shall have property owners (not tenants) permission.
- I. Directional or other signs not removed within 24 hours after sale ends shall be fined \$50.00.
- J. No signs shall be posted on utility posts/pole, or other highway information or directional sign.
- K. Violation of one or all of items (a) through (j) is a misdemeanor and may be cited as such.

§ **90504.15 SPECIAL PROCEDURE**

Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008) (Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

- A. While the R-3 zone allows for multi-family housing such as duplex, triplex, quadruplex, etc. The development within an R-3 zone does not allow one or multiple single-family detached structures or one or multiple manufactured structure.
- B. In any R-3 zone containing more than ten units, provisions for an on-site manager and/or contact person shall be made.

§ 90504.16 FENCING

Fencing, if installed, shall at a minimum meet the requirements of Section 90403 et seq. Under no conditions shall the use of barbed, razor edged, or electrified fencing be allowed within this zone.

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TITLE 9

DIVISION 5: ZONING AREAS ESTABLISHED

CHAPTER 5: R-4 (MOBILE HOME PARK OR SUBDIVISION ZONE/HIGH DENSITY RESIDENTIAL)

§ 90505.00	PURPOSE & APPLICATION
§ 90505.01	PERMITTED USES IN THE R-4 ZONE
§ 90505.02	USES PERMITTED WITH CONDITIONAL USE PERMIT ONLY
§ 90505.03	PROHIBITED USES
§ 90505.04	MINIMUM LOT SIZE
§ 90505.05	MINIMUM LOT AREA
§ 90505.06	YARDS AND SETBACKS
§ 90505.07	HEIGHT
§ 90505.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90505.09	PARKING
§ 90505.10	SIGNS
§ 90505.11	LANDSCAPING
§ 90505.12	YARD MAINTENANCE
§ 90505.13	ANIMALS
§ 90505.14	SPECIAL PROCEDURES
§ 90505.15	SITE DEVELOPMENT PLAN REVIEW REQUIRED
§ 90505.16	SPECIAL DEVELOPMENT STANDARDS AND CONDITIONS
§ 90505.17	FENCING

§ 90505.00 PURPOSE & APPLICATION

The purpose of the High Density Residential and Mobile Park/Subdivision Zone, is to allow for areas that are suitable for high density residential environments and mobile home (manufactured home) residential living environments and regulate development within these areas to be in compliance with California Code of Regulations (CCR) Title 25.

§ 90505.01 PERMITTED USES IN THE R-4 ZONE

The following uses are permitted in the R-4 Zone.

- a) Accessory facilities, such as laundry, a storage facility and a convenience store, with an RV/Mobile home park
- b) All permitted R-3 uses listed in § 90504.01
- c) Commercial Office, related to the park or subdivision
- d) Community Recreational Facilities
- e) Day Care Facility limited to one child per 3 mobile homes
- f) ~~Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)~~
- a)g) ~~Manager's/Caretaker or proprietor's quarters~~
- b)h) ~~Mobile Home (manufactured home) (one per legal lot within a mobile home park subdivision zone)~~
- e)j) ~~Residential accessory structure, (including cargo containers provided they meet architectural standards as defined herein Division 14). When located in a mobile home park or park subdivision only after installation of a mobile home.~~
- e)j) ~~Solar energy extraction generation provided that it is for on-site consumption only.~~
- e) ~~Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)~~

§ 90505.02 USES PERMITTED WITH CONDITIONAL USE PERMIT ONLY

The following uses are permitted in the R-4 (Mobile Home Park) Zone subject to first securing a conditional use permit in accordance with the standards and procedures set out within this Title.

Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008) (Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

- a) All R-3 uses listed under 90504.02
- b) Community Care Facility
- c) Community sewage treatment facility
- d) Flood control facility, water storage or groundwater recharge facility
- e) Public agency or utility building or facility
- f) Utility sub-station

§ 90505.03 PROHIBITED USES

All other uses not permitted by Section 90505.01 and 90505.02 herein are prohibited in the R-4 (Mobile Home Park) Zone, including dwellings other than manufactured homes.

§ 90505.04 MINIMUM LOT SIZE

Except as otherwise provided within this Title, no portion of any lot within the R-4 Zone shall be less than 6,000 square feet, except that lots within a designated and permitted mobile home park shall meet the requirements of Title 25 of CCR.

§ 90505.05 MINIMUM LOT AREA

In a mobile home park subdivision, there shall be no more than one dwelling unit per legal lot in the R-4 Zone.

§ 90505.06 YARDS AND SETBACKS

The following yard and setback requirements shall apply in the R-4 Zone:

- A. Front Yard. Except as otherwise provided, the front yard minimum setback for all buildings shall be as follows:

The front yard minimum setback for all structures shall be 20 feet from property line.

- B. Side Yard. Except as otherwise provided, the side yard minimum setback for all buildings shall be as follows:

- 1. For mobile home parks, there shall be a side yard on each side of the property or main building of not less than 5 feet and not less than 10 feet on the other side, except that on a corner lot, the side fronting on the street shall be the same as the front yard setback.
- 2. For development other than mobile home parks, the minimum side yard shall be at least 5 feet on each side of the building except for the following:
 - a. On a corner lot, the side yard facing the street shall meet the same setback as the front yard.
 - b. On designated 0 lot line construction, one side may be 0 provided the opposite side is minimum of 10 feet and provided further that the 0 lot line side of the structure meets all UBC and UFC requirements for fire protection.

- C. Rear Yard. Except as otherwise provided, the rear yard minimum setback for all buildings shall be as follows:

- 1. 15 foot minimum for all primary structures on lots that do not have an alley.
- 2. 10 foot minimum for all primary structures on lots that do have a minimum width alley of 20 feet.

3. 5 feet for accessory structures for lots that do not have an alley.
4. 0 feet for accessory structures that abut an alley that have a minimum 20 foot width.

§ 90505.07 HEIGHT

The following heights shall apply to all R-4 zones (all heights measured from AGL (average ground level) of lot):

1. Buildings and structures shall not exceed 2 stories or 30 feet, whichever is less.
2. Radio and/or television antenna, chimneys and other similar structures shall not exceed 60 feet.

§ 90505.08 MINIMUM DISTANCES BETWEEN STRUCTURES

The following requirements apply to the minimum distances between structures in the R-4 Zone:

- A. There shall be a minimum distance of 10 feet between primary residential use structures.
- B. There shall be a minimum of 6 feet between a primary residential structure and any accessory structure.

SPECIAL NOTE: In addition to the above this zone shall comply with setback requirements of Title 25, at a minimum. Where a "park" is governed by CCR Title 25, the CCR requirements shall govern.

§ 90505.09 PARKING

Off-street parking shall be provided in the R-4 Zone according to the standards contained in Sections 90402.00 through 90402.16 of this Title.

§ 90505.10 SIGNS

The following signs shall be permitted in the R-4 Zone; however, all signs shall be subject to Section 90401 as applicable.

1. Temporary real estate signs not exceeding 10 square feet, and advertising the property for sale or lease, and meeting requirements of Division 4, Chapter 1.
2. Temporary construction signs related to construction on said property, meeting requirements of Division 4, Chapter 1.
3. Temporary political, religious, civic and campaigning signs not to exceed three (3) months, meeting requirements of Division 4, Chapter 1.
4. Institutional signs.
5. Signs approved in conjunction with a Conditional Use Permit approved for the site.

§ 90505.11 LANDSCAPING

Every R-4 lot/parcel or use shall meet the requirements of Section 90302.02.

§ 90505.12 YARD/PROPERTY MAINTENANCE

Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008) (Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

The areas within an R-4 Zone/lot shall at all times be maintained so as to not create a fire or life safety, or health hazard either to the occupants of the structures or to adjacent neighboring properties.

§ **90505.13 ANIMALS**

~~In cases where a single-family dwelling unit exists, restrictions apply per Section 90502.13. The breeding, keeping or maintaining of large or medium size animals in the R-4 zone, used for high density residential or mobile home park are strictly prohibited in the R-4 zone except where the R-4 zone is used as a mobile home subdivision the following is allowed:~~

- ~~A. R-4 lots greater than ½ but less than 1 acre net may keep two medium animals per acre provided the separation distances under Section 90502.08(B) can be achieved.~~
- ~~B. R-4 lots greater than 1 acre net may keep and maintain one large animal per acre up to 5 acres, and one large animal for every 5 acres of lot area thereafter (i.e. 40 acre lot equals 12 large animals). Small animals (i.e. goats, sheep, etc.) shall be allowed at the ratio of 1 large animal equals two small animals. Separation as required under Section 90502.08(B) shall be met.~~
- ~~C. R-4 lots allow for the keeping of small fowl, rabbits, birds, provided they are for domestic or hobby purposes and are maintained within proper structures, are not free to leave the property and provided the number of such animals does not exceed 5 of any one or combination thereof.~~
- ~~D. The keeping of small domestic pets such as cats and dogs are allowed for non-commercial uses, and provided there are less than 5.~~
- ~~E. Special project animals considered to be 4H or FFA projects may allow for the keeping of one large animal or two small animals per parcel provided that they are:
 - ~~1. for the duration of the FFA/4H or agricultural fair schedule or 7 months maximum whichever is less;~~
 - ~~2. the property owner files an affidavit with the Planning & Development Services Department to verify it is a legitimate special project, including the name of the club, club leader and other information required by the Planning Director.~~~~

~~NOTE: The keeping of animals as designated is only allowed to the extent that said animals do not constitute a nuisance or public health hazard.~~

§ **90505.14 SPECIAL PROCEDURES**

The following special procedures, development and standards apply to the R-4 Zone.

- A. No development shall be permitted within the R-4 Zone prior to the recordation of a final subdivision map in accordance to the procedures of Imperial County or following issuance of a Permit to Operate to a permitted mobile home park.
- B. Each mobile home placed on an individual lot/parcel shall be:
 - 1. Placed on a permanent foundation system
 - 2. Be installed according to manufacturer's instructions and State requirements and either be recessed into the grounds or be otherwise enclosed so that no portion of the under carriage is visible

Note that a mobile home shall not be recessed into the ground if it is connected to liquefied petroleum gas. Any recessed mobile home shall have a finished floor elevation of a minimum of 12 inches above adjacent street and shall make provisions for proper drainage.

§ 90505.15 SITE DEVELOPMENT PLAN REVIEW REQUIRED

No mobile home park shall be established, no development shall occur and no building or grading permit shall be issued for any use or development in the mobile home park until an application for a site development plan review has been submitted and approved by the Director of Planning. At a minimum the site development plan review shall contain the following:

- A. Name and address of applicant
- B. Name and address of property owners
- C. Assessor's Parcel Number
- D. Legal description
- E. A site development plan, drawn to scale specified by the Director of Planning, include the following:
 - 1. Topography and proposed grading
 - 2. Proposed private access drive-ways and parking areas
 - 3. Location of all mobile home pads
 - 4. Location of all permanent buildings and structures
 - 5. Parks, open space and recreational areas
 - 6. Proposed landscaping
 - 7. North arrow
 - 8. Manager's office/residential location
- F. Elevation of all permanent common buildings
- G. Phasing of development
- H. A detail description of the facility improvements including:
 - 1. Curbs, gutter, sidewalks, and street widths
 - 2. Water supply system
 - 3. Sewage collection and disposal system
 - 4. Public utility system
 - 5. Fencing
- I. Any other reports or approvals as required and/or specified as a mitigation measure by any environmental document for the implementation of a mobile home park.

§ 90505.16 SPECIFIC DEVELOPMENT STANDARDS AND CONDITIONS

Development within a mobile home park zone or within a mobile home park shall comply with the following minimum standards:

- A. The project shall be consistent with the General Plan and all development shall be consistent with the goals and policies of the County's General Plan.
- B. Access, access driveways and parking.
 - 1. All access driveways within a mobile home park shall be not less than 25 feet in width.
 - 2. Guest parking shall be distributed throughout the mobile home park as required by this Title and the department.
 - 3. All vehicular parking areas and driveways shall be surfaced and graded in accordance with the requirements for local public streets as contained in County ordinance.

4. All mobile home parks spaces shall have frontage on internal private/public driveways. No mobile home space shall have direct access to a public street or public alley way.
5. All mobile home park sites shall have access from an abutting improved and dedicated County street or State highway.

C. Public street and highway dedications.

1. Streets and highway dedications adjacent to a mobile home park may be required by the Director of Planning in conjunction with Public Works Director, according to the following standards.
 - a. If the park is adjacent to a major highway, as shown on the Imperial County's Circulation Plan, the owner shall dedicate or make an irrevocable offer of dedication of all property lying within 55 feet of the center line of such highway for public highway purposes at no cost to the County.
 - b. If the park is adjacent to a secondary highway as shown on the Imperial County's Circulation Plan, the owner shall dedicate or make an irrevocable offer of dedication of all property lying within 45 feet of the center line of such highway for public highway purposes at no cost to the County.
 - c. If the park lies adjacent to the projected alignment of a planned local street which is necessary for circulation within the general area or neighborhood, the owner shall dedicate or make an irrevocable offer of dedication of all property lying within 30 feet of the center line of such street for public street and no cost to the County.
 - d. If the park is adjacent to an adopted specific plan or official plan line, the owner shall dedicate or make an irrevocable offer of dedication of all property lying within the specified right-of-way line for public highway purposes, and no cost to the County.
2. Required street and highway improvements shall include any necessary tie to existing pavement and shall be under permit of the County Public Works Department or the State Division of Highways (CalTrans) as appropriate.

D. Recreational areas and facilities.

1. If a mobile home park contains 10 or more mobile home spaces, or if a mobile home park combined with a recreational vehicle park contains a combination of 10 or more mobile home spaces and recreational spaces, an open area of land devoted to and landscaped for recreational uses shall be provided within the park.
2. Such recreational areas shall not be less than 5,000 square feet, plus any additional 100 square feet for each space in excess of 10.
3. Required recreational areas may be divided into more than one location, provided that no single location, however, is less than 3,000 square feet.
4. No building or mobile home shall occupy a required recreational area, except buildings and structures necessary or used and devoted to the recreational use, such as a recreational building, swimming pools, accessory buildings, saunas, playgrounds (with or without equipment), picnic areas, etc.

5. No required front yard, side, or rear yard of the park or any mobile home space, recreational vehicle space or storage area shall be counted to with the requirement for recreational space.
6. The required recreational space shall be accessible to all occupants of the park and shall not be used for any other purpose other than recreational use of the occupants of the park.

E. Enclosures.

1. Each mobile home park shall be completely enclosed within a fence, hedge or combination thereof subject to the approval of the Director of Planning.
2. Such enclosures may have driveway or pedestrian way opening subject to the approval of the Director of Planning.
3. Within the front yard a required enclosure shall be no more than 4 feet in height.
4. Within any other portion of the park required enclosures shall be a minimum of 6 feet in height.
5. When deemed necessary by the Director or the Planning Commission, in order to maintain standards compatible with an existing development, on adjacent properties, specific types of fences may be required.

F. Utility Installation.

1. All public utility transmission lines located within the park shall be underground.
2. Utility connections to each mobile home space shall be placed underground.

G. Drainage.

1. The drainage system shall be installed prior to occupancy of the park and shall be continuously maintained in accordance with the plan approved by the Department.
2. The plan shall include, but not limited to the following:
 - a. All drainage originating on the park site shall be contained on the same site, unless the plan for acceptance of such drainage to off-site canals approved by the Department of Public Works and Planning & Development Services Department.
 - b. The method for transporting off-site drainage through and away from a mobile home park shall be in accordance with the Department of Public Works standards and accommodate a minimum of a 100-year flood.
 - c. In the event that any drainage sump is located within the park, it must have a water holding capacity of more than 18 inches in depth and shall be completely enclosed with a secured fence.

H. Water Distribution and Sewage Disposal System.

1. A water distribution system shall be installed prior to occupancy of the park and shall be continuously maintained in accordance with the plan approved by the Imperial

County Planning & Development Services Department and Imperial County Public Health Department or California Department of Public Health, as applicable.

2. A sewage disposal system shall be installed prior to occupancy of the park and shall be continuously maintained in accordance with State Water Resources Control Board, Division of Drinking Water Standards as applicable.

I. State Permit Requirements.

- a. Mobile home park owner/operator shall secure all necessary building permits and all operating licenses as required by the State of California, through the Imperial County Planning & Development Services Department.

Garage or yard sales are permitted without special use permits, provided they meet the following conditions:

- a. Sales last no longer than two (2) days.
- b. Sales are held no more than two (2) times a year.
- c. Sales are contained within the property.
- d. No goods purchased for re-sale are efferent.
- e. Directional signs shall be removed immediately after sale ends.
- f. Directional signs shall not exceed 9 square feet.
- g. Directional signs may be placed on public right-of-way provided they do not interfere with traffic.
- h. Directional signs on private property shall have property owner's (not tenants) permission.
- i. Violation of one or all of items (a) through (h) is a misdemeanor and may be cited.

§ 90505.17 FENCING

Fencing, if installed, shall at a minimum meet the requirements of Section 90403 et seq. Under no conditions shall the use of barbed, razor edged, or electrified fencing be allowed within this zone.

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TITLE 9

DIVISION 5: ZONING AREAS ESTABLISHED

**CHAPTER 6: (RESERVED FOR FUTURE USE)
A-C (CONDITIONAL AGRICULTURAL ZONE)**

§ 90506.00

TO BE ADDED AT A FUTURE DATE

NOTE: The intent of this zone is to allow agricultural uses in certain "open space" (S-2) areas and areas outside of currently designated agricultural areas.

COMMENT: This section will be written at a future date and only upon consultation with the Farm Bureau.

TITLE 9

DIVISION 5: ZONING AREAS ESTABLISHED

CHAPTER 7: A-1 (LIMITED AGRICULTURE) (WITHIN URBAN BOUNDARIES ONLY)

§ 90507.00 PURPOSE AND APPLICATION
§ 90507.01 PERMITTED USES IN THE A-1 ZONE
§ 90507.02 USES PERMITTED WITH A CONDITIONAL USE PERMIT
§ 90507.03 PROHIBITED USES
§ 90507.04 MINIMUM LOT SIZE
§ 90507.05 YARDS AND SETBACKS
§ 90507.06 HEIGHT LIMITS
§ 90507.07 MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90507.08 PARKING
§ 90507.09-8 SIGNS
§ 90507.10 LANDSCAPING
§ 90507.11 ANIMALS
§ 90507.12 GARAGE/YARD SALES
§ 90507.13 SPECIAL REVIEW PROCEDURE AND DEVELOPMENT STANDARDS

§ 90507.00 PURPOSE AND APPLICATION

The purpose of the A-1 designation is to designate areas and allow uses that are suitable for larger residential living environments. The uses are generally limited to those typical of and compatible with quiet residential neighborhoods. The minimum lot size shall be one-half acre (net), unless required to be larger by other regulatory requirements, such as health and safety standards. The minimum lot size in the A-1 Zone may be reduced if public infrastructure including sewer and potable water are available from either a district or a city. The A-1 designation is only allowed within urban designated areas as reflected on the land use diagram of the County General Plan.

COMMENT: The acreage here needs to be "net" vs. "gross" due to the fact that the absolute minimum amount of land needed for sewage disposal is 20,000 square feet of usable land, and the County already has numerous locations where this creates problems.

§ 90507.01 PERMITTED USES IN THE A-1 ZONE

The following uses and other uses determined to be similar are permitted in this Zone:

- a) Accessory agricultural building, structures, and uses, including farm buildings, housing of agricultural workers, garages and implement shelter, provided no livestock or any building or enclosure used in connection with livestock shall be located nearer than one hundred (100) feet to the front lot line, nor nearer than fifty (50) feet to any existing dwelling on any contiguous property, or to any public park or school.
- b) Accessory Dwelling Unit provided it complies with Imperial County code sections Title 9 Section 90405.01 & ~~and~~ Title 8 Section 8.80.150
- c) Agricultural accessory structure(s) (including cargo containers)
- d) Agricultural crops, private greenhouses and horticultural collections, flowers and vegetable gardens, fruit trees, nut trees, vines and nurseries for producing trees, vines and horticultural stock
- e) Agricultural uses, (light farming only)
- f) Apiaries
- g) Breeding and raising of animals pursuant to the requirements of this Chapter
- h) Crop and tree farming, pasturing and grazing, provided, however, that not to exceed one horse, mule, or cow; five hogs, goats, sheep or other similar livestock be permitted for each one half (1/2) acre of the area of the parcel of land upon which the same are kept (except suckling animals), except that the pasturing of livestock to feed on vegetable matter grown on said premises may be permitted. Feeding

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of garbage, (cooked or raw), shall not be permitted, nor shall a "feed lot" style operation be allowed. Other animals similar to those listed by example and having similar impact may be allowed at the same ratio of the "similar" animal.

- i) Daycare Home for less than five (5) people
- ~~jj) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)~~
- ~~j) Employee Housing~~
- ~~k) Growing of agricultural crops for domestic use of the resident occupant~~
- ~~l) Hatching, raising and fattening of chickens, turkeys or other fowl or poultry and rabbits, fish or frogs for domestic or commercial use provided that no commercial poultry pen or coop or commercial rabbitry shall be maintained within fifty (50) feet of any dwelling or other building used for human habitation. There shall be no killing or dressing of any such animals or poultry on the premises for commercial purposes.~~
- ~~m) Home occupation per Division 4, Chapter 4 (Home Occupation Permit required) use~~
- ~~n) Keeping of horses and other large animals on lots having an area of one (1) acre or more, providing that the number of horses on any one lot or parcel shall not exceed one horse for every three quarters (3/4) acre, or keeping of farm animals under recognized youth programs. The keeping of such animals shall conform to all other provisions of law governing same, and no horses, nor any stable, barn or corral shall be kept or maintained within fifty (50) feet of any dwelling or other building used for human habitation, or within one hundred (100) feet of the front lot line of the lot upon which is located or within one hundred (100) feet of any public park, school, hospital, or similar institution.~~
- ~~o) Mobile Home or Recreational Vehicle, temporary during construction of a single family dwelling,~~
- ~~p) Park or Playground (public)~~
- ~~q) Preschool, Elementary School, Junior High School, Senior High School, College or University~~
- ~~r) Public buildings~~
- ~~s) Public Swimming Pool (public)~~
- ~~t) Residential accessory structures~~
- ~~u) Residential care facilities serving six (6) or fewer people~~
- ~~v) Signs advertising the products produced or sold locally or identifying the premises or occupants.~~
- ~~w) Single family dwelling (conventional or manufactured),~~
- ~~x) Solar energy extraction generation provided that it is for on-site consumption only.~~
- ~~y) Storage of agricultural products~~
- ~~z) Storage of products for use on the premises~~
- ~~aa) Transitional Housing (as defined in Section 50675.2 of the Health and Safety Code)~~
- ~~bb) The keeping of poultry, rabbits and similar small animals~~
- ~~cc) Wind driven electrical generator for on-site consumption~~
- ~~dd) -The sale of agricultural, horticultural or farming products grown or produced on the premises of the owner.~~
- ~~ee) Wind driven electrical generator for on-site consumption~~
- ~~ff) Home Occupation per Division 4, Chapter 4, (home occupation permit required).~~
- ~~gg) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)~~

§ 90507.02 USES PERMITTED WITH A CONDITIONAL USE PERMIT

The following uses and all other determined to be similar are permitted in the A-1 Zone, subject to securing a Conditional Use Permit from the Planning & Development Services Department.

- a) Animal shelters
- b) Birds, including show or racing pigeons, and other small fowl not in excess of 25 per half acre
- c) Cemeteries, Mausoleums, Columbariums
- d) Church
- e) Club or Lodge
- f) Community Care Facility
- g) Community Center
- h) Community Recreational Facility

- i) Construction office/yard, temporary only
- j) Country Club
- k) Emergency shelters
- l) Equestrian Establishment
- m) Facilities for abused people
- n) Fish, frog and shrimp farms
- o) Golf Course, Golf Driving Range
- p) Gun Club
- q) Heliports
- r) Library,
- s) Museum
- t) Mineral Exploration
- u) Mineral Extraction
- v) Mortuaries
- w) Oil, gas and geothermal exploration
- x) Potable water treatment and Wastewater Treatment Plant
- y) Preschool, Elementary School, Junior High School, Senior High School, College or University
- z) Public Agency or Public Utility building or structure
- aa) Race Track or Test Track, including automobile, bicycle, horse or motorcycle
- ~~aa) Recreational Vehicle Park~~
- ~~bb) Recreational, Entertainment and Tourism Facilities~~
- cc) Rehabilitation Facility
- dd) Resource Extraction
- ~~ee) Resource Extraction energy development~~
- ff) Rest home, Retirement Home
- gg) Sanitarium
- hh) Scale repair facility
- ii) Senior Citizen Center
- jj) Solar Energy generation at more than ten (10) kilowatts
- ~~kk) Sports Arena (indoor)~~
- ~~ll) Sports Arena (outdoor)~~
- ~~mm) Surface mining operations~~
- nn) Tennis or Swim Club
- ~~oo) Trade Fairs and Exhibits, temporary not to exceed ten (10) days duration~~
- ~~pp) Transportation Facilities~~
- qq) Utility and Communication Facilities
- rr) Utility Substations not specifically exempted by other statutes

§ 90507.03 PROHIBITED USES

All other uses not permitted by Sections 90507.01 or 90507.02 are strictly prohibited.

§ 90507.04 MINIMUM LOT SIZE

Except as otherwise provided, no portion of any lot within the A-1 Zone shall be less than one-half acre (net), except in the case of a conveyance to or from a governmental agency, public entity, public utility or community water company or water district, for public purposes, public utility purposes or for rights-of-way, provided such governmental use occupies said parcel. The minimum lot size may be required to be larger than one (1) acre if an OWTS will be used, as required by County Ordinance §8.80.150, Subsection C.

§ 90507.05 YARDS AND SETBACKS

The following yard and setback requirements shall apply in the A-1 Zone:

A. Front Yard. Except as otherwise provided, the front yard minimum setback for all buildings shall be as follows:

1. 25 feet from the edge of right-of-way, or
2. 60 feet from the legal center line of any existing or proposed County road. In no case shall the minimum setback be less than 25 feet from the edge of right-of-way as established by the County.

B. Side Yard. Except as otherwise provided, the side yard minimum setback for all buildings shall be as follows:

There shall be a side yard on each side of any building of not less than five (5) feet, except that on the street side of a corner lot, the building shall be setback at least fifteen (15) feet from the edge of right-of-way/property line.

C. Rear Yard. Except as otherwise provided, the rear yard minimum setback for all buildings shall be as follows:

There shall be a rear yard setback of not less than five (5) feet, except in the case of a through lot, the designated rear yard shall be equal to the front yard setback.

§ **90507.06** -~~HEIGHT LIMIT~~Height-Limit

Height limits in any district shall be as follows:

1. Residential buildings shall not exceed three (3) stories or forty (40) feet.
2. Detached accessory structures shall not exceed two (2) stories or thirty (30) feet.
3. Radio and television antennae, chimneys and other similar structures shall not exceed sixty (60) feet.

§ **90507.07** **MINIMUM DISTANCE BETWEEN STRUCTURES**

The following requirements apply to the minimum distance separation between structures in the A-1 Zone.

- A. There shall be a minimum distance of ten (10) feet between residential buildings/structures.
- B. There shall be a minimum distance of ten (10) feet between residential buildings and any accessory building. However, there shall be a minimum of fifty (50) feet between any residential building and an accessory structure used to house animals, including pens, coops and other structures. Structures used to house animals shall be a minimum of 100 feet from any public park, school, hospital or similar institution, and a minimum of fifty (50) feet from any adjacent residential structure.

§ **90507.08** **PARKING**

Off street parking in the A-1 Zone shall be provided in accordance with the standards contained in Sections 90402.00 et seq.

§ **90507.09** **SIGNS**

The following signs shall be permitted in the A-1 Zone; however, all signs shall be subject to Section 90401 as applicable.

1. Temporary real estate signs not exceeding 20 sq. ft., and advertising the property for sale or lease, and meeting requirements of Division 4, Chapter 1.
2. Temporary construction signs related to construction on said property, meeting requirements of Division 4, Chapter 1.
3. Temporary political, religious, civic and campaigning signs not to exceed three (3) months, meeting requirements of Division 4, Chapter 1.
4. Signs approved in conjunction with a Conditional Use Permit approved for the site.
5. Temporary agricultural signs as allowed by Section 90401.10.

§ 90507.010 LANDSCAPING

Landscaping for non-residential development in the A-1 zone shall be the same as the M-1 zone (excluding crop and tree farming). Landscaping for residential development shall be the same as the R-1 zone.

§ 90507.11 ANIMALS

The breeding, keeping or maintaining of large or medium size animals shall be limited to the allotted amount as set forth in Section 90507.01 for non-residential uses; however, for residential uses, the following requirements shall apply in the A-1 zone:

- A. Lots greater than ½ but less than 1 acre net may keep two medium animals per acre provided the separation distances under Section 90507.07 can be achieved.
- B. Lots greater than ¾ acre net may keep and maintain one large animal per ¾ acre up to 5 acres, and one large animal for every 5 acres of lot area thereafter (i.e. 40 acre lot equals 12 large animals). Small animals (i.e. goats, sheep, etc.) shall be allowed at the ratio of 1 large animal equals two small animals. Separation as required under Section 90502.08 shall be met.
- C. Lots allow for the keeping of small fowl, rabbits, birds, provided as follows: they are for domestic or hobby purposes; are maintained within proper enclosed/containment structures; are not free to leave the property; and the number of such animals does not exceed 5 of any one or combination thereof.
- D. The keeping of small domestic pets such as cats and dogs are allowed for non-commercial uses, and the number of such animals does not exceed 5 of any one or combination thereof.
- E. Special project animals considered to be a student oriented fair project that may be sponsored by an agricultural organization such as FFA or 4H may allow for the keeping of one large animal or two medium animals per parcel provided that they are:
 2. For the duration of the FFA/4H or agricultural fair schedule or 7 months maximum whichever is less;
 2. The property owner files an affidavit with the Planning & Development Services Department to verify it is a legitimate special project, including the name of the club, club leader and other information required by the Planning Director.

NOTE: The keeping of animals as designated is only allowed to the extent that said animals do not constitute a nuisance or public health hazard.

§ 90507.12 GARAGE/YARD SALES

Garage or yard sales are permitted without special use permits, provided they meet the following conditions:

Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008) (Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

- A. Sales last no longer than two (2) consecutive days.
- B. Sales are held no more than two (2) times a year.
- C. Sales are contained within the property.
- D. No goods purchased for re-sale are evident.
- E. Directional signs shall be removed immediately after sale ends.
- F. Directional signs shall not exceed 9 square feet.
- G. Directional signs may be placed on public right-of-way provided they do not interfere with traffic.
- H. Directional signs on private property shall have property owners (not tenants) permission.
- K. Directional or other signs not removed within 24 hours after sale ends shall be fined \$50.00.
- L. No signs shall be posted on utility posts/pole, or other highway information or directional sign.
- K. Violation of one or all of items (a) through (j) is a misdemeanor and may be cited as such.

§ 90507.13 SPECIAL REVIEW PROCEDURE AND DEVELOPMENT STANDARDS

The following special review procedures and development standards shall apply in the A-1 Zone.

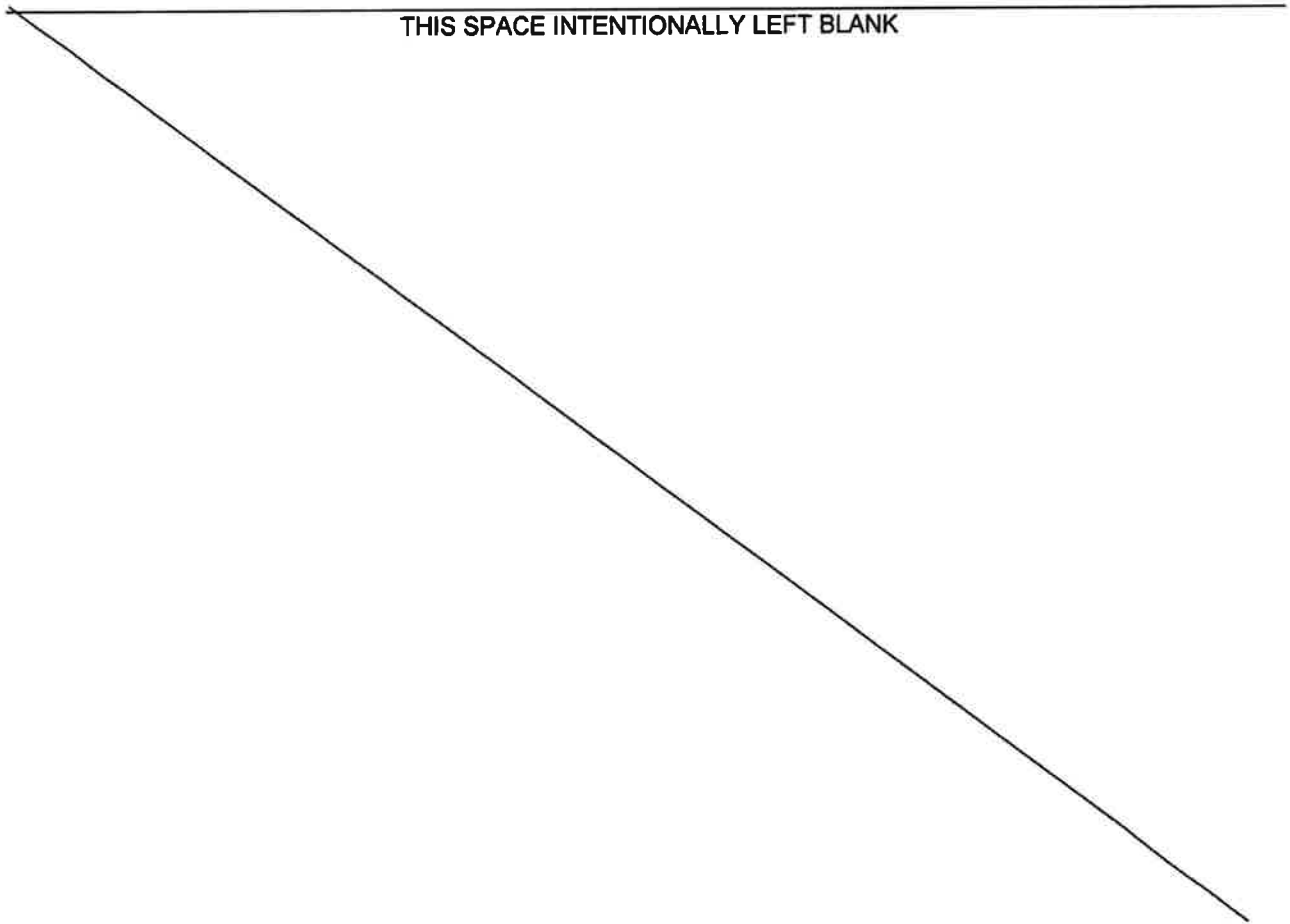
- A. The breeding and raising of livestock permitted pursuant to this section shall be limited to one horse, one donkey, one mule, one cow, one buffalo, one llama, five goats, five sheep, or five other similar size animals per half acre.
- B. Temporary farm stand for the sale of allowed agriculture, horticultural or farming products, permitted within the A-1 Zone shall comply with the following standards:
 - 1. The floor area of the farm stand shall not exceed 600 square feet.
 - 2. The farm stand shall not be located closer than 25 feet from the driveway line of the front yard.
 - 3. The stand shall be erected in such a manner that it can be readily removed.
 - 4. The owner shall remove the stand at his or her own expense, when the stand is not in use for a period of one hundred twenty (120) consecutive days.
 - 5. Customer parking, at the ratio of one car per 100 square feet, with a minimum of two (2) car spaces shall be provided, and shall be surfaced to prevent fugitive dust emissions.
- C. The breeding and raising of livestock in numbers greater than that allowed by subsection A, by minors in conjunction with a student oriented fair project sponsored by a bona fide agricultural organization, such as FFA or 4-H, shall be permitted upon application to and approval by the Director of Planning for a temporary permit. The contents of the application shall contain the following information:
 - 1. Name and address of applicant.
 - 2. Name and address of property owner.
 - 3. Assessor's Parcel Number.
 - 4. Legal description of the property.
 - 5. Name of organization sponsoring applicant.

6. Plot plan showing location of proposed pens, coops, or areas for raising of animals, and principal residential structures, both on site and immediate adjacent to subject site.
7. The signature of the owner of the real property.

D. TEMPORARY VISITORS USE

While the use of Recreational Vehicles (R.V.'s) is not allowed as temporary or permanent residential dwellings, the incidental and occasional utilization of an R.V. may be allowed under the following conditions:

1. An R.V. may be connected to utilities and occupied for a period not to exceed two weeks annually per Title 12, Section 04 et al.
2. The R.V. connections are installed to meet applicable Health and Safety Code Regulations, and has been approved by Planning & Development Services Department.
3. The R.V. connections are for the primary use and are not independent service connections.
4. The R.V. is not allowed in or upon any public street or right-of-way or setback area.



TITLE 9

DIVISION 5: ZONING AREA ESTABLISHED

CHAPTER 8: A-2 (GENERAL AGRICULTURE ZONE)
A-2-R (GENERAL AGRICULTURAL/RURAL ZONE)

§ 90508.00	PURPOSE AND APPLICATION
§ 90508.01	PERMITTED USES IN THE A-2 ZONE
§ 90508.02	USES PERMITTED WITH CONDITIONAL USE PERMIT
§ 90508.03	PROHIBITED USES
§ 90508.04	MINIMUM LOT/PARCEL SIZE
§ 90508.05	MINIMUM LOT AREA/DWELLING
§ 90508.06	YARDS AND SETBACKS
§ 90508.07	HEIGHT
§ 90508.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90508.09	PARKING
§ 90508.10	SIGNS
§ 90508.11	LANDSCAPING
§ 90508.12	SPECIAL REVIEW PROCEDURES AND DEVELOPMENT STANDARDS

§ 90508.00 PURPOSE AND APPLICATION

The purpose of the A-2 (General Agriculture), [40 Acre minimum] Zone is to designate areas that are suitable and intended primarily for agricultural uses (limited) and agricultural related compatible uses.

§ 90508.01 PERMITTED USES IN THE A-2 ZONE

The following uses and all others determined to be similar to these uses, provided they meet the requirements of this Title, are permitted within the A-2 Zone.

- a) Agricultural accessory structure(s) (including cargo containers)
- b) All agricultural and grazing uses, including breeding and/or grazing of animals as follows:
 - 1. On parcels greater than 30 acres, no limit for temporary or transitory grazing provided primary food source is a product grown on site and any import is a supplement and does not generate significant vector breeding (Strictly prohibited unless approved by CUP are: livestock feed lots; hog ranches, dairies, animal sales yards, cotton gins, dehydration units, labor camps, packing plants and other similar intense uses).
 - 2. On parcels less than 30 acres and parcels contiguous to four (4) or more homes:
 - a. Large animals (cattle, horses, etc.) not to exceed one (1) per half (½) acre;
 - b. Medium animals (goats, sheep, swine, etc.) not to exceed five (5) per half (½) acre;
 - c. Small animals (poultry, rabbits, etc.) not to exceed five (5) ~~per half (1/2) acre;~~
 - d. (All such animals shall be maintained at least 50 feet from any residence).
- ~~c)a) Strictly prohibited unless approved by CUP are: livestock feed lots; hog ranches, dairies, animal sales yards, cotton gins, dehydration units, labor camps, packing plants and other similar intense uses.~~
- d)c) Animal Grooming, (no boarding of animals)
- e)d) Any Agricultural use permitted in the A-1 Zone, under § 90507.01 (a)
- f)e) Aquaculture to allow for the growing and harvesting of algae, fish, frogs, shrimp and similar aquatic products. This includes shipping but does not include processing.
- f) A "temporary" mobile home or recreational vehicle serving as a temporary residence during construction of a single family home, meeting the requirements specified in 90508.12 (c)
- g) Day Care home for less than five (5) people
- h) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)
- g) ~~h)i) Employee Housing~~
- h)i) ~~Fish farms and frog farms (no processing)~~

- ~~j)a) Day Care home for less than five (5) people~~
- k) Farm stand for products grown locally (no processing) subject to Section 90509.12 (A)
- ~~k) Fish farms and frog farms (no processing)~~
- l) General retail sales for products grown on site (no processing)
- ~~l)m) Home Occupation per Division 4, Chapter 4 (home occupation permit required)~~
- n) Industrial Hemp: including the cultivation, harvesting and testing, and light processing, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- ~~m)o) Mineral exploration~~
- n)p) Oil, gas and geothermal exploration meeting requirements specified in Division 17
- o)q) One Single family dwelling
- p)r) Residential accessory structure(s)
- o)s) Residential care facility serving five (5) or fewer persons
- ~~r) Agricultural accessory structure(s) (including cargo containers)~~
- s)t) Single day fund raising event provided it is held no more than twice per year in an approved (meeting all Health and Safety, Traffic & Fire Code regulations) structure or facility. Any such event shall notify the Planning & Development Services Department, Public Works, EHS and Fire/OES at least sixty (60) days prior to the event and request a written approval. The County shall inspect the facilities and may upon compliance with applicable regulations approve the use. If the facility does not or cannot meet the minimum requirements the County shall not approve and the event shall not be held at the specified location. (Temporary Use Permit)
- u) Solar energy extraction provided that it is for on-site consumption only
Strictly prohibited unless approved by CUP are: livestock feed lots, hog ranches, dairies, animal sales yards, cotton gins, dehydration units, labor camps, packing plants and other similar intense uses.
- ~~t) _____~~
- u)v) The growing and harvesting of all types of crops including but not limited to the following: Berry crops, Bush crops, Field crops, ~~Fish farms and Frog Farms~~, Flowers and horticultural Specialties, Green house, Nursery, Nut and fruit trees, Timber, Vegetables, Vine crops
- v)w) Wildlife Preserve
- w)x) Wind driven electrical generator for on-site consumption of electricity-
- x)y) ~~Home Occupation per Division 4, Chapter 4 (home occupation permit required).~~
- ~~y)a) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)~~
- ~~z) _____~~

§ 90508.02 USES PERMITTED WITH CONDITIONAL USE PERMIT

The following uses and all others determined to be similar to these uses are permitted in the A-2 Zone, subject to securing a Conditional Use Permit in accordance with standards and procedures set forth within this Title.

- a) Abattoir or animal slaughter house and/or meat packing facilities
- b) Accessory ~~dwelling-Dwelling unit-Unit~~ (one additional) unit per legal parcel, not to exceed two (2) per legal parcel which cannot then be subdivided at a later date
- c) Agricultural related trucking business (trucking predominantly agricultural products)
- d) Airports or aircraft landing fields Airport for private non-commercial use and agricultural air applicators
- e) Animal hospitals, kennels and veterinarians office
- f) Animal Kennel or boarding facility
- g) Animal sales yards or stockyard
- h) Animal shelters
- ~~i) Animal slaughter and/or meat packing facilities~~
- ~~j)i) Animal training facility~~
- ~~k)j) Breeding and raising of animals in excess of the limits specified in 90508.01;~~
- ~~l)k) Cemetery or Mausoleum;~~
- ~~m)l) Cheese & other dairy product manufacturing~~
- ~~n)m) Chickory processing facilities~~
- ~~o)n) Circus or carnival, Country Club, or other amusement facilities~~

- p)o) City, County, State, and Federal enterprises, including buildings, facilities and uses of departments or institutions thereof which are necessary or advantages to the general welfare of the community
- q)p) Cold storage facilities for agricultural products only
- r)q) Commercial nurseries
- s)r) Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc... (subject to requirements of this zone and Division 24; Section 92401 "Communications Facilities Ordinance" et al).
- t)s) Concrete or Asphalt Batch Plant (Temporary, less than 180 days)
- u)t) Contract Harvesting businesses (not trucking business)
- v)u) Cotton gins
- w)v) Dairies
- x)w) Dehydration mills
- y)x) Electrical generation plants (less than 50 mw) excluding nuclear or coal fired and meeting requirements in Division 17
- ~~z) Electrical Power Generating Plant excluding nuclear or coal fired;~~
- aa)y) Electrical substations in an electrical transmission system (500 kv/230 kv/161 kv).
- bb)z) Equestrian establishments, stables and riding academies
- cc)aa) Facilities for the transmission of electrical energy (100-200 kv)
- dd)bb) Farm equipment rental agencies
- ee)cc) Farm implement sales and farming related metal fabrication
- ff)dd) Farm labor housing for onsite farm employees (Employee Housing)
- gg)ee) Fireworks; assembly and storage according to §90501.4617
- hh)ff) Flood Control Facility
- ii)gg) Fruit and vegetable packing plants
- jj)hh) Geothermal test facilities, Intermediate projects, and major exploratory wells, meeting requirements in Division 17
- kk)ii) Grain storage and loading facilities
- ll)jj) Gun Club
- mm)kk) Hay processing and storage
- nn)ll) Heliports
- oo)mm) Hunting and fishing clubs
- ~~pp) Institutions of a philanthropic nature~~
- qq)nn) Land application of sludge or similar "waste" material to agricultural land
- rr)oo) Livestock feed yards or stockyards to include onsite agricultural material composting
- ~~ss)a) Manufacturing building materials from agricultural products~~
- tt)pp) Major facilities relating to the generation and transmission of electrical energy, provided such facilities are not, under State or Federal law, to be approved exclusively by an agency or agencies of the State and/or Federal governments and provided that such facilities shall be approved subsequent to coordination and review with the Imperial Irrigation District for electrical matters.
- qq) Major Geothermal projects overlay zone per Division 17
- ~~rr) Manufacturing building materials from agricultural products~~
- ~~uu)~~
- vv)ss) Meat and fish packing plants
- ~~ww) Mining and Mineral Extraction;~~
- xx)tt) Poultry farming including hatching, breeding, butchering, processing or shipping of chickens, turkeys or other fowl or poultry, including eggs-
- yy)uu) Public Agency Structure
- ~~zz) Racetrack or Test track including automobile, bicycle, horse or motorcycle;~~
- aaa)vv) Resource extraction and energy development; as per Division 17
- bbb)ww) Scale repair facility (truck or other large unit)
- ccc)xx) Seed mills
- ddd)yy) Small ethanol plant with a capacity not to exceed one million gallons a year;
- eee)zz) Solar Energy Electrical Generator
- fff)aaa) Temporary Real Estate offices
- ~~bbb) Temporary Construction office/yard~~
- ~~ggg)ccc) Construction office/yard;~~

~~hhh)ddd~~ Trade Fairs and Exhibits (temporary, less than ten (10) days)

~~iii)eee~~ Transfer Station for solid waste

~~jjj)fff~~ Transportation, Treatment Units (TTU's) which are used to process/treat hazardous and/or non-hazardous waste/material and which may or may not require permit from such agencies as Department of Health Services, Regional Water Quality Control Board and Air Pollution Control Board. TTU's shall not be allowed in any zone without the issuance of a Conditional Use Permit. TTU's shall only be considered for permitting if there is an existing industrial, manufacturing or commercial use, and then only for a limited period not to exceed ninety (90) days.

~~kkk)ggg~~ Waste to energy facility less than 10 megawatt.

~~lll)hhh~~ Water and/or Wastewater Treatment Plant.

~~mmm)iii~~ Wind Driven Electrical Generator, for commercial sale as per Division 17

§ 90508.03 PROHIBITED USES

All other uses not expressly permitted by Section 90508.01 or 90508.02 are prohibited.

§ 90508.04 MINIMUM LOT/PARCEL SIZE

No portion of any lot within the A-2 Zone shall contain less than forty (40) acres gross (existing parcels at time of adoption of this Title are legal), except in the case of a conveyance to or from a governmental agency or public entity, for public purpose, public utility purpose (non-fee) right-of-way. The intent is to maintain agricultural and in the largest farmable parcel configurations.

EXCEPTION: (The lot sizes in any Lot Reduction Exception may require minimum net land area per dwelling unit if an OWTS will be used, as required by County Ordinance §8.80.150, Subsection C.

LOT REDUCTION EXCEPTION #1

Notwithstanding Section 90508.04, the Planning Director or Planning Commission may approve a parcel map creating no more than two (2) parcels where one or both of the parcels is smaller than the applicable minimum parcel size only if the following conditions can be met.

- a. The subdivision is to authorize conveyance of an existing single family dwelling which was actually constructed prior to April 1, 1976.
- b. The subdivider agrees to convey and surrender development rights to the County covering a sufficient remainder of property to guarantee that the reduction in the lot area will not result in an increase in the density of residential uses than otherwise permitted in the zone in which the property is located. Such a conveyance shall be in a form approved by the Planning Director and shall be recorded with the final parcel map.
- c. Compliance is made with all other requirements contained in this Title.

LOT REDUCTION EXCEPTION #2

Notwithstanding Section 90508.04, the Planning Director or Planning Commission may approve a parcel map creating no more than four (4) parcels where one or all of the parcels is smaller than the applicable minimum parcel size only if all of the following conditions and findings can be met.

CONDITIONS

There are existing small parcels within identified existing enclaves that meet all (a.-e.) of the following parameters:

- a. The existing and the proposed parcels meet or can meet minimum health and safety standards for potable water, for fire protection, for police protection and for sewage disposal.
- b. There are six (6) or more existing small contiguous parcels (1/2 to 10 acres maximum) within a confined area.
- c. There are at least six (6) existing residences within the enclave.
- d. The enclave consists of parcels sized to allow further division while still meeting minimum parcel sizes that can meet the requirements of this Division.
- e. The further division of land within the enclave does not promote the enlargement of the outer boundary of the area.

FINDINGS

To allow divisions of land within an identified enclave the Commission and/or Board of Supervisors must be able to make the following findings:

- a. The division is within an impacted enclave that will not adversely impact surrounding agricultural operations,
- b. The division enhances agricultural land protection by converting existing impacted land more efficiently and by keeping other agricultural land protected
- c. The division is within an existing enclave of six (6) or more shall (1/2 to 10 acre) parcels, and six (6) or more existing residences,
- d. The parcel (s) shall not be less than .5 acres net if a full soils report shows adequate soil conditions to support development and long term sewage disposal capacity. Larger size parcels will be required, if the soil report or other factors necessitate,
- e. The area can be provided adequate fire and police protection services. A written statement from the Fire Department and the Sheriff/Police Department shall be required,
- f. The division can mitigate and comply with added traffic impacts,
- g. The proposed division has an adequate supply of water to each parcel, through an acceptable conveyance system, and can or will provide potable water to each parcel,
- h. Each existing, as well as proposed parcel, abuts a public road or highway and/or has legal and physical access via a County road,
- i. The long term impacts of additional sewage disposal system within the enclave is verified and can sustain the additional loads as shown by acceptable engineering studies.

§ 90508.05 MINIMUM LOT AREA/DWELLING UNIT

There shall be no more than one principal single family dwelling per legal lot in the A-2 Zone, except with a conditional use permit. There shall be a minimum one acre per dwelling unit, for the first unit, and there shall be a minimum of 30,000 square feet for any additional dwelling unit that may be allowed. However, when an OWTS is proposed for any dwelling unit, the lot area per dwelling unit shall be a minimum of (2.5) two and a half acres as set forth in County Ordinance §8.80.150, Subsection C.

§ **90508.06 YARDS AND SETBACKS**

The following yard setback requirements shall apply in the A-2 Zone:

- A. **FRONT YARD.** Except as otherwise provided, the front yard minimum setback for all buildings shall be as follows:

The minimum front yard setback for all buildings within the A-2 Zone shall be 30 feet from the front yard property line or edge of public right-of-way, or in absence of a known (identifiable) property line, 80 feet from centerline of any existing or proposed secondary road or highway. In no case shall the front yard minimum setback be less than 30 feet from the edge of right-of-way.

- B. **SIDE YARD.** Except as otherwise provided, the side yard minimum setback for all buildings shall be as follows:

Side yard setback on each side of any building of not less than five (5) feet, except that on street sides of a corner lot, the building shall be setback a minimum of thirty (30) feet from the edge of right-of-way.

- C. **REAR YARD.** Except as otherwise provided, the ~~front~~ rear yard minimum setback for all buildings shall be as follows:

There shall be a rear yard setback of not less than ten (10) feet for all structures, except that in the case of through lots that designate rear yard shall be the equivalent of the front yard.

§ **90508.07 HEIGHT**

The following height limits apply in the A-2 Zone.

- A. Residential buildings shall not exceed three (3) stories in height or forty (40) feet.
- B. Radio and television antennae, chimney and other residential accessory features, structures, shall not exceed sixty (60) feet in height and as may be required by Airport Land Use Compatibility Plan (ALUCP).
- C. Non-Residential structures and commercial communication towers shall not exceed one hundred twenty (120) feet in height, and shall meet ALUC Plan requirements.
- D. All height limits shall also be subject to the restrictions of other divisions including airport approach zones, etc.

§ **90508.08 MINIMUM DISTANCE BETWEEN STRUCTURES**

The following requirements shall apply to the minimum distance between structures in the A-2 Zone.

- A. There shall be least ten (10) feet between any residential structure and a residential accessory structure.
- B. There shall be at least fifteen (15) feet between residential structures.
- C. There shall be at least fifty (50) feet between any residential structure and a non-residential structure housing animals, including pens, coops, stables, barns.
- D. There shall be a minimum of one hundred (100) feet between any sanitary disposal system and a groundwater well.

- E. There shall be at least one hundred (100) feet between any structure/pen housing animals and a groundwater well or potable water supply.

§ 90508.09 PARKING

Off-street parking in the A-2 Zone shall be provided in accordance with the requirements of Section 90402.01A (Residential Uses). Each single family dwelling shall meet this requirement. Additional parking shall be required for accessory or secondary uses.

§ 90508.10 SIGNS

The following signs shall be permitted in the A-2 Zone; however, all signs shall be subject to Section 90401 as applicable.

1. Temporary real estate signs not exceeding 20 sq. ft., and advertising the property for sale or lease, and meeting requirements of Division 4, Chapter 1, of this Title.
2. Temporary construction signs related to construction on said property, meeting requirements of Division 4, Chapter 1.
3. Temporary political, religious, civic and campaigning signs not to exceed three (3) months, meeting requirements of Division 4, Chapter 1.
4. Signs approved in conjunction with a Conditional Use Permit approved for the site.
5. Temporary agricultural signs as allowed by Section 90401.10.

§ 90508.11 LANDSCAPING

Landscaping for non-residential development in the A-2 zone shall be the same as the M-1 zone (excluding crop and tree farming). Landscaping for residential development shall be the same as the R-1 zone.

§ 90508.12 SPECIAL REVIEW PROCEDURES AND DEVELOPMENT STANDARDS

The following special review procedures and development standards shall apply in the A-2 Zone.

- A. Temporary farm stand for the sale of agriculture, horticultural or farming products, permitted within the A-2 Zone shall comply with the following standards:
1. Comply with standards of Division 17 of the Food & Agricultural Code and Chapter 12.5 of the California Health & Safety Code.
 2. The floor area of the farm stand shall not exceed 600 square feet.
 3. The farm stand shall not be located closer than 25 feet from the driveway line of the front yard.
 4. The stand shall be erected in such a manner that it can be readily removed.
 5. The owner shall remove the stand at his or her own expense, when the stand is not in use for a period of sixty (60) consecutive days.
 6. Customer parking, at the ratio of one car per 100 square feet, with a minimum of two (2) car spaces shall be provided, and shall be surfaced to prevent fugitive dust emissions.

B. A mobile home or recreational vehicle permitted as a temporary dwelling during construction of a conventional dwelling shall comply with the following standards.

1. Building permits for construction of a conventional single family residence shall be obtained prior to or concurrent with the installation of the permit for the mobile home or RV.
2. The mobile home shall be removed from the premises if:
 - a. 6 months has passed since the mobile home or recreational vehicle was installed;
 - b. 7 days has passed since the conventional dwelling was approved for occupancy;
 - c. The building permit has lapsed due to lack of activity.
3. One extension of time for a period not to exceed six (6) months may be directed by the Director of Planning, upon written request by the property owner. Extension may only be approved subject to the following condition:
 - a. An active building permit is on file with Imperial County Planning & Development Services Department.
 - b. The construction of a conventional dwelling unit on the site has progressed to a stage of inspection and approval, for the framing, rough electric, rough mechanical and top out.

C. TEMPORARY VISITORS USE

While the use of Recreational Vehicles (R.V.'s) is not allowed as temporary or permanent residential dwellings, the incidental and occasional utilization of an R.V. may be allowed under the following conditions:

1. An R.V. may be connected to utilities and occupied for a period not to exceed two weeks annually per Section-Title 12.04 et al. of the Imperial County Codified Ordinance.
2. The R.V. connections are installed to meet applicable Health and Safety Code Regulations, and permitted by Planning & Development Services Department.
3. The R.V. connections are for the primary use and are not independent service connections.
4. The R.V. is not allowed in or upon any public street or right-of-way.

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TITLE 9

DIVISION 5: ZONING AREA ESTABLISHED

CHAPTER 9: A-3 (HEAVY AGRICULTURE)

§ 90509.00 PURPOSE & APPLICABILITY
§ 90509.01 PERMITTED USES IN THE A-3 ZONE
§ 90509.02 USES PERMITTED WITH CONDITIONAL USE PERMIT ONLY
§ 90509.03 PROHIBITED USES
§ 90509.04 MINIMUM LOT SIZE
§ 90509.05 MINIMUM LOT AREA PER DWELLING UNIT
§ 90509.06 YARDS AND SETBACKS
§ 90509.07 HEIGHT
§ 90509.08 MINIMUM DISTANCE BETWEEN SETBACKS
§ 90509.09 PARKING
§ 90509.10 LANDSCAPING
§ 90509.11 SIGNS
§ 90509.12 SPECIAL REVIEW PROCEDURES AND DEVELOPMENT STANDARDS

§ 90509.00 PURPOSE & APPLICABILITY

The purpose of the A-3 (Heavy Agriculture) [40 acres or larger typical] Zone is to designate areas that are suitable for agricultural land uses; to prevent the encroachment of incompatible uses onto and within agricultural lands; and to prohibit the premature conversion of such lands to non-agricultural uses. It is a land use that is to promote the heaviest of agricultural uses in the most suitable land areas of the County. Uses in the A-3 zoning designation are limited primarily to agricultural related uses and agricultural activities that are compatible with agricultural uses.

§ 90509.01 PERMITTED USES IN THE A-3 ZONE

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

- a) Agricultural accessory structure(s) (including cargo containers)
- b) Agricultural industry and agricultural services when incidental to and secondary to the primary use of the agricultural parcel and by the same land owner.
- c) All uses shown in § 90508.01 but not § 90507.01
- d) Animal sales yards or stockyard
- e) Contract harvesting, when incidental to and secondary to the primary use of the premise for agriculture.
- f) Cotton gins
- g) Creameries, cheese processing, yogurt manufacturing
- h) Dehydration mills
- Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)
- ~~i) _____~~
- ~~h) _____~~
- i) Farm stands, temporary in nature, and incidental to the permitted primary use are allowed. Retail sales of processed products, processed under A-3 Zone provided that they are incidental to and secondary to the primary use, subject to Section 90509.12 (A).
- j) Fruit, vegetable and plant product processing including, cold storage, packaging, preserving, canning, and shipping when the agricultural products are produced or grown by the owner of the processing facility on the premise or on land leased, rented or owned by the owner of the processing facility
- ~~j)k) Home Occupation per Division 4, Chapter 4 of Title 9 Land Use Ordinance (Home Occupation permit required)-~~
- ~~k) Honey extraction-~~
- m) Industrial Hemp: including the cultivation, harvesting and testing, and light processing, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance

~~Miscellaneous uses. Accessory building, structures including cargo tank containers, if incidental to and accessory to the primary permitted use, flood control facilities, home occupation, hunting or fishing clubs without permanent structures, water storage or groundwater recharge facilities, water systems, sewage treatment facilities, wildlife or natural preserves.~~

~~n)~~

~~a) o) One single family dwelling~~

~~p) Residential accessory structure(s) (including cargo containers)~~

~~q) Single family dwelling~~

~~r) Solar energy extraction generation provided that it is for on-site consumption only.~~

~~b)~~

~~c) s) The breeding and raising of animals including, bee keeping, cattle or livestock grazing, birds, dairy stock, fish and frogs, hogs, horse, donkeys, mules, poultry, rabbits, and sheep.~~

~~d) t) The growing and harvesting of all agricultural crops, including berry crops, bush crops, field crops (both dry and irrigated), flowers, and horticultural specialties, greenhouse, nursery, nut, timber, vegetable and vine.~~

~~Special Note: The uses under agricultural industries may be in the form of a co-operative, corporation, limited partnership or sole proprietorship provided, if the facility continues to be used for agricultural related processing. In the event the facility ceases to operate, it shall not be converted to another non-agricultural related processing or other commercial/industrial use.~~

~~e) a) Miscellaneous uses. Accessory building, structures including cargo tank containers, if incidental to and accessory to the primary permitted use, flood control facilities, home occupation, hunting or fishing clubs without permanent structures, water storage or groundwater recharge facilities, water systems, sewage treatment facilities, wildlife or natural preserves.~~

~~f) a) Residential accessory structures, farm labor housing under California law.~~

~~g) a) Single family dwelling~~

~~h) a) Solar energy extraction generation provided that it is for on-site consumption only.~~

~~i) u) Transmission lines, including supporting towers, poles microwave towers, utility substations.~~

~~j) v) Home Occupation per Division 4, Chapter 4 (home occupation permit required).~~

~~k) a) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)~~

~~Special Note: The uses under agricultural industries may be in the form of a co-operative, corporation, limited partnership or sole proprietorship provided, if the facility continues to be used for agricultural related processing. In the event the facility ceases to operate, it shall not be converted to another non-agricultural related processing or other commercial/industrial use.~~

§ 90509.02 USES PERMITTED WITH A CONDITIONAL USE PERMIT ONLY

The following uses are permitted in the A-3 Zone, subject to first securing a conditional use permit in accordance with the procedures and standards established within this Title.

a) Abattoir or animal ~~s~~laughter house ~~hel~~ter

b) Accessory ~~D~~dwelling ~~U~~unit (one additional) unit per legal parcel, not to exceed two (2) per legal parcel which cannot then be subdivided at a later date

~~c) a) Agricultural chemical storage, shipping and packing facilities (no manufacturing)~~

c) Agricultural animal products processing including, meat ~~and fish~~ packing, canning and shipping, provided the livestock is produced or grown by the owner of the process facility on the premise or on land, leased, rented or owned by the owner of the processing facility. This section does not allow for slaughterhouses, rendering plants or tanning operations or any similar animal or agricultural waste or by product processing

~~d) Agricultural chemical storage, shipping and packing facilities (no manufacturing)~~

~~d)~~

e) Agricultural related trucking facility (hauling primarily agricultural products)

- f) Airports or aircraft landing fields for private non-commercial use and agricultural air applicators
- g) Animal hospitals, kennels and veterinarian office
- h) Animal shelters
- ~~i) Animal slaughter and/or meat packing facilities~~
- ~~jj) Bio-mass energy conversion plant~~
- ~~kk) Cemeteries, columbariums, crematories and mausoleums~~
- ~~ll) Chickory processing facilities~~
- ~~mm) City, County, State and Federal enterprises, including buildings, facilities and uses of departments or institutions thereof which are necessary or advantageous to the general welfare of the community~~
- ~~nn) Cold storage facility for agricultural products~~
- ~~oo) Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc.. (subject to requirements of this zone and Division 24; Section 92401 "Communications Facilities Ordinance" et al).~~
- ~~pp) Composting Facility~~
- ~~qq) Concrete or asphalt batch plants (Temporary and in conjunction with an active capital improvement project)~~
- ~~rr) Dams and/or Reservoir~~
- ~~ss) Drainage control systems~~
- ~~tt) Equestrian establishments, stables and riding academies~~
- ~~uu) Ethanol plants with a capacity not to exceed one million gallons a year~~
- ~~vv) Explosive material storage and handling~~
- ~~ww) Farm labor housing for contract labor~~
- ~~xx) Farm machinery and equipment repair facilities~~
- ~~yy) Fertilizer mixing, storage and transport facilities (not manufacturing)~~
- ~~zz) Fireworks; assembly and storage according to §90501.4617~~
- ~~aaa) Flower mills~~
- ~~bbb) Fruit and vegetable packing and processing plants~~
- ~~ccc) Garbage feeding ranches~~
- ~~ddd) Geothermal test facilities, Intermediate projects, and major exploratory wells meeting the requirements in Division 17~~
- ~~eee) Glucose processing~~
- ~~fff) Government office or public buildings~~
- ~~ggg) Grain elevators for commercial storage and shipping~~
- ~~hhh) Guest ranches~~
- ~~iii) Hay processing and storage~~
- ~~jjj) Heliport~~
- ~~kkk) Hog ranches~~
- ~~lll) Hospitals, sanitariums and rest homes~~
- ~~llkk) Industrial Hemp: manufacturing into semi-finished and finished products, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance~~
- ~~mmm) Institutions of a philanthropic nature~~
- ~~nnn) Labor camps~~
- ~~ooo) Land application of sludge or similar product/waste to agricultural land~~
- ~~ppp) Major facilities relating to the generation and transmission of electrical energy, provided such facilities are not, under state or federal law, to be approved exclusively by an agency or agencies of the state and/or federal governments and provided that such facilities shall be approved subsequent to coordination and review with the Imperial Irrigation District for electrical matters, meeting the requirements in Division 17-~~
- ~~qqq) Major geothermal projects, in overlay zones meeting the requirements in Division 17~~
- ~~rrr) Meat and fish packing plants~~
- ~~sss) Mining and mineral extraction or rock, gravel, sand and crushing processing~~
- ~~ttt) Non-hazardous waste facility~~
- ~~uuu) Oil extraction~~
- ~~vvv) Private airports~~
- ~~www) Public agency or public utility buildings and structures~~
- ~~xxx) Race tracks (non-motorizednon-motorized)~~

yy)vv) Restricted Produce Sales. This "restricted" produce sales would allow for the retail sales of minor food items and souvenirs generally attributable to items sold at roadside and fruit stands, provided, however, that such use is otherwise allowable by State and local laws.

zz)ww) Septic disposal systems

aaa)xx) Shooting range

bbb)yy) Solar energy plants meeting the requirements in Division 17

eee)zz) Surface mining operations

ddd)aaa) Tasting rooms

eee)bbb) Temporary construction yard/office

fff)ccc) Temporary Real Estate tract offices and signs

ggg)ddd) Transfer stations (solid waste non-hazardous)

hhh)eee) Transportation Treatment Units (TTU's) which are used to process/treat process hazardous and/or non-hazardous waste/material and which may or may not be required permit from such agencies as Department of Health Services, Regional Water Quality Control Board and Air Pollution Control Board shall only be permitted through a Conditional Use Permit. TTU's shall not be allowed in any other zone and only with the issuance of a Conditional Use Permit. TTU's shall only be considered for permitting in the zones if there is an existing industrial, manufacturing or commercial use to which the TTU would be an accessory use, and then only for a limited period not to exceed ninety (90) days.

iii)fff) Veterinary clinics

jjj)ggg) Waste to energy facilities

kkk)hhh) Water treatment plants

##)iii) Wineries

mmm)jjj) Wool pulling and scouring

§ 90509.03 PROHIBITED USES

All other uses not permitted specifically by Sections 90509.01 and 90509.02 of this Chapter are prohibited.

§ 90509.04 MINIMUM LOT SIZE

No portion of any lot parcel within the A-3 Zone shall contain less than 40 acres gross, except in the case of conveyances to or from a governmental agency, public entity, public utility, community water company or mutual water company, or parcels less than 40 acres(net or gross) at time of adoption of this ordinance. The intent is to maintain all agricultural land in the largest farmable parcel size.

EXCEPTION:

LOT REDUCTION EXCEPTION #1

Notwithstanding Section 90509.04, the Planning Director or Planning Commission may approve a parcel map creating no more than two (2) parcels where one (1) or both of the parcels is smaller than the applicable minimum parcel size and only if the following conditions can be met:

- a. The subdivision is to authorize conveyance of a single family dwelling which was actually constructed prior to April 1, 1976.
- b. The subdivider agrees to convey and surrender development rights to the County covering a sufficient remainder of property to guarantee that the reduction in the lot area will not result in an increase in the density of residential uses than otherwise permitted in the zone in which the property is located. Such a conveyance shall be in a form approved by the Planning Director and shall be recorded with the final parcel map.
- c. Compliance is made with all other requirements contained in this Title.

LOT REDUCTION EXCEPTION #2

Notwithstanding Section 90508.04, the Planning Director or Planning Commission may approve a parcel map creating no more than four (4) parcels where one or all of the parcels is smaller than the applicable minimum parcel size and only if all of the following conditions and findings can be met:

CONDITIONS:

There are existing small parcels within identified existing enclaves that meet all (a.-e.) of the following parameters.

- a. The existing and the proposed parcels meet or can meet minimum health and safety standards for potable water, for fire protection, for police protection and for sewage disposal.
- b. There are six (6) or more existing small, contiguous parcels (1/2 to 10 acres maximum) within a confined area.
- c. There are at least six (6) existing residences within the enclave.
- d. The enclave consists of parcels sized to allow further division while still meeting minimum parcel sizes the can meet the requirements of this division.
- e. The further division of land within the enclave does not promote the enlargement of the outer boundary of the area.

FINDINGS:

To allow divisions of land within an identified enclave the Commission and/or Board of Supervisors must be able to make the following findings:

- a. The division is within an impacted enclave that will not further adversely impact surrounding agricultural operations,
- b. The division enhances agricultural land protection by converting existing impacted land more efficiently and by keeping other agricultural land protected
- c. The division is within an existing enclave of six (6) or more shall (<10 acre) parcels, and six (6) or more existing residences,
- d. The parcel (s) shall not be less than .5 acres net if a full soils report shows adequate soil conditions to support development and long term sewage disposal capacity. Larger size parcels will be required, if the soil report or other factors necessitate,
- e. The area can be provided adequate fire and police protection services. A written statement from the Fire Department and the Sheriff/Police Department shall be required,
- f. The division can mitigate and comply with added traffic impacts,
- g. The proposed division has an adequate supply of water to each parcel, through an acceptable conveyance system, and can or will provide potable water to each parcel,

- h. Each existing, as well as proposed parcel, abuts a public road or highway and/or has legal and physical access via a County road,
- i. The long term impacts of additional sewage disposal system within the enclave is verified and can sustain the additional loads as shown by acceptable engineering studies.

§ 90509.05 MINIMUM LOT AREA PER DWELLING UNIT

There shall be not more than one (1) principal single-family dwelling on any legal parcel in the A-3 Zone, except that by a conditional use permit, a caretaker residence may be allowed in addition to the principal residence. Where due to a proven need two (2) caretakers residences are needed to service an existing on-site use, two (2) may be allowed upon adequate findings. Where one (1) or more residence is allowed in an A-3 zone, they shall then not be allowed to be subdivided from the existing parcel at a later date. However, when an OWTS is proposed for any dwelling unit, the lot area per dwelling unit shall meet the standards set forth in County Ordinance §8.80.150, Subsection C,

§ 90509.06 YARDS AND SETBACKS

The following yard and setback requirements shall apply in the A-3 Zone.

A. Front Yard. Except as otherwise provided, the front yard minimum setback for all buildings shall be as follows:

- 1. 30 feet minimum from front yard property line or 80 feet from centerline of adjacent street
- 2. 30 feet from the front yard property line for all non-residential structures.
- 3. 300 feet from centerline of adjacent street for any animal, livestock pens
- 4. 100 feet from centerline of adjacent street for any agricultural processing facility

B. Side Yard. Except as otherwise provided, the side yard minimum setback for all buildings shall be as follows:

There shall be a side yard setback on each side of a building of not less than 10 feet.

C. Rear Yard. Except as otherwise provided, the rear yard minimum setback for all buildings shall be as follows:

There shall be a rear yard of not less than 10 feet for all structures.

§ 90509.07 HEIGHT

The following height limits apply in the A-3 Zone.

- A. Residential buildings shall not exceed three (3) stories in height or forty (40) feet.
- B. Radio and television antennae, chimney and other residential accessory features, structures, shall not exceed sixty (60) feet in height and as may be required by the Airport Land Use Compatibility Plan (ALUCP).
- C. Non-Residential structures and commercial communication towers shall not exceed one hundred twenty (120) feet in height, and as may be required by the Airport Land Use Compatibility Plan (ALUCP).

- D. All height limits shall also be subject to the restrictions of other divisions including airport approach zones, etc.

§ 90509.08 MINIMUM DISTANCE BETWEEN STRUCTURES

The following requirements shall apply to the minimum distance between structures in the A-3 Zone.

- A. There shall be least ten (10) feet between any residential structure and a residential accessory structure.
- B. There shall be at least fifteen (15) feet between residential structures.
- C. There shall be at least fifty (50) feet between any residential structure and a non-residential structure housing animals, including pens, coops, stables, barns.
- D. There shall be a minimum of one hundred (100) feet between any sanitary disposal system and a groundwater well.
- E. There shall be at least one hundred (100) feet between any structure/pen housing animals and a groundwater well or potable water supply.

§ 90509.09 PARKING

Off-street parking shall be provided in the A-3 Zone according to the standards contained in Sections 90402.00 through 90402.16 of this Title.

§ 90509.10 LANDSCAPING

Landscaping for non-residential development in the A-3 zone shall be the same as the M-1 zone (excluding crop and tree farming). Landscaping for residential Development shall be the same as the R-1 zone.

§ 90509.11 SIGNS

The following signs shall be permitted in the A-3 Zone; however, all signs shall be subject to Section 90401 as applicable:

1. Temporary real estate signs, not exceeding 20 square feet, in advertising property for sale or lease and meeting the requirements of Division 4, Chapter 1.
2. Temporary construction signs related to construction on said property, again meeting requirements of Division 4, Chapter 1.
3. Temporary political, religious, civic and campaign sign not exceeding three (3) months in duration and meeting the requirements of Division 4, Chapter 1.
4. Signs related to agricultural products grown on-site or for sale on-site.
5. Institutional identification signs when approved in conjunction with the CUP.

§ 90509.12 SPECIAL REVIEW PROCEDURES AND DEVELOPMENT STANDARDS

The following special review procedures and development standards shall apply in the A-3 Zone.

- A. Temporary farm stand for the sale of agriculture, horticultural or farming products, permitted within the A-3 Zone shall comply with the following standards:

1. Comply with standards of Division 17 of the Food & Agricultural Code and Chapter 12.5 of the California Health & Safety Code.
2. The floor area of the farm stand shall not exceed 600 square feet.
3. The farm stand shall not be located closer than 25 feet from the driveway line of the front yard.
4. The stand shall be erected in such a manner that it can be readily removed.
5. The owner shall remove the stand at his or her own expense, when the stand is not in use for a period of one hundred twenty (120) consecutive days.
6. Customer parking, at the ratio of one car per 100 square feet, with a minimum of two (2) car spaces shall be provided, and shall be surfaced to prevent fugitive dust emissions.

B. A mobile home or recreational vehicle permitted as a temporary dwelling during construction of a conventional dwelling shall comply with the following standards.

1. Building permits for construction of a conventional single family residence shall be obtained prior to or concurrent with the installation of the permit for the mobile home.
2. The mobile home shall be removed from the premises if:
 - a. 6 months has passed since the mobile home or recreational vehicle was installed;
 - b. 7 days has passed since the conventional dwelling was approved for occupancy;
 - c. The building permit has lapsed due to lack of activity.
3. One extension of time for a period not to exceed six (6) months may be directed by the Director of Planning, upon written request by the property owner. Extension may only be approved subject to the following condition:
 - a. An active building permit is on file with Imperial County Planning & Development Services Department.
 - b. The construction of a conventional dwelling unit on the site has progressed to a stage of inspection and approval, for the framing, rough electric, rough mechanical and top out.

C. TEMPORARY VISITORS USE

While the use of Recreational Vehicles (R.V.'s) is not allowed as temporary or permanent residential dwellings, the incidental and occasional utilization of an R.V. may be allowed under the following conditions:

1. An R.V. may be connected to utilities and occupied for a period not to exceed two weeks annually per Section 12.04 et al.
2. The R.V. connections are installed to meet applicable Health and Safety Code Regulations, and permitted by Planning & Development Services Department.

3. The R.V. connections are for the primary use and are not independent service connections.
4. The R.V. is not allowed in or upon any public street or right-of-way.

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TITLE 9

DIVISION 5: ZONING AREA ESTABLISHED

CHAPTER 10: AM-1 (AGRICULTURAL RELATED LIGHT INDUSTRIAL)

§ 90510.00	PURPOSE & APPLICATION
§ 90510.01	PERMITTED USES IN THE AM-1 ZONE
§ 90510.02	USES PERMITTED WITH A <u>CONDITIONAL USE PERMIT</u>
§ 90510.03	PROHIBITED USES
§ 90510.04	MINIMUM LOT/PARCEL SIZE
§ 90510.05	MINIMUM LOT/AREA IMPROVEMENT STANDARDS
§ 90510.06	YARDS AND SETBACKS
§ 90510.07	HEIGHT
§ 90510.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90510.09	PARKING
§ 90510.10	SIGNS
§ 90510.11	LANDSCAPING

§ 90510.00 PURPOSE & APPLICATION

The purpose of the AM-1 (Agriculture related Light Industrial) zone is to:

- A. Provide a zone that is consistent with the intent of the General Plan to protect agriculture and at the same time allow limited but compatible industrial uses within the agriculture land use categories;
- B. Provide areas that are suitable for agricultural related Light Industrial land uses, yet are still compatible with and create no adverse impacts on adjacent agricultural land uses;
- C. Provide an opportunity for existing Industrial uses, or for existing M-1 & M-1-N zones to become consistent with the General Plan without becoming pre-existing non-conforming uses.

§ 90510.01 PERMITTED USES IN THE AM-1 ZONE

- ~~a) Accessory Dwelling Unit per Section 90405.02 incidental to primary use (i.e. caretakers residence; owners residence, security guard residence)~~
- ~~a)b) Agricultural accessory structure(s) (including cargo containers)~~
- ~~b)a) Agricultural signs less than 100 square feet and less than 15 feet high~~
- ~~c) Agriculture chemical (fertilizer, pesticides, etc.) sales & shipping (not manufactured)~~
- ~~d) Agricultural signs less than 100 square feet and less than 15 feet high. See Section 90510.10.~~
- ~~e)~~
- d)e) All agricultural (farming) uses in the A-2 zone as listed under 90508.01
- e)f) Animal grooming
- f)g) Animal kennel or boarding facility
- g)h) Animal training facility
- h)i) Cold storage facilities for agriculture products
- i)j) Contract harvesting business
- k) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)
- j)l) Equestrian establishment
- k)m) Farm implement manufacturing (Light Manufacturing & assembly with less than 20 employees)
- l)n) Farm implement rental facility
- m)o) Farm implement repair (facility with less than 20 employees)
- n)p) Farm implement sales including parts (new)
- o)q) Farm implement sales including parts (used)
- p)r) Farmers market facility

- q)s) Feed stores (rental & wholesale) (Not regional distribution centers)
- r)t) Fuel (bulk) sales
- s)u) Gardening & landscape supply store
- t)v) Industrial Hemp: including the cultivation, harvesting and testing, and light processing, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- w) Industrial Hemp: manufacturing into semi-finished and finished products, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- u)x) Mineral exploration
- v)y) Packaging facility for agricultural products
- w)z) Poultry butchering including processing & shipping
- x)aa) Processing facility for agricultural products
- y) ~~Accessory Dwelling Unit per Section 90405.02 incidental to primary use (i.e. caretakers residence; owners residence, security guard residence)~~
- z)bb) Seed processing facility
- aa)cc) Seed stores (retail & wholesale)
- bb)dd) Solar energy extraction generation provided that it is for on-site consumption only.
- cc)ee) Veterinary clinic/hospital
- dd)a) ~~Electrical Vehicles Charging Stations as an Accessory Use (incidental to Primary Use)~~

§ **90510.02 USES PERMITTED WITH A CUP**

- a) Agriculture chemical manufacturing
- b) Commercial Cannabis (Manufacturing), subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- b)c) Composting facility
- e)d) Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc... (subject to requirements of this zone and Division 24; Section 92401 "Communications Facilities Ordinance" et al).
- d)e) Farm labor bus transport facility
- e)f) Farm labor housing
- f)g) Heliports
- g)h) Mineral extraction facility
- h)i) Race track for horse or dog racing
- i)j) Rendering facility
- j)k) Slaughterhouse
- k)l) Solar power generation greater than 10-MW meeting the requirements in Division 17.
- l)m) Solid waste transfer station
- m)n) Waste to energy facility
- n)o) Wind electric power generation, meeting the requirements in Division 17.

§ **90510.03 PROHIBITED USES**

All uses not expressly permitted either under 90510.01 or 90510.02 are strictly prohibited. In addition, where an agricultural industrial use/business is allowed in an AM-1 zone, it shall not be converted to a non-agricultural use, for a minimum of seven (7) years from date of Certificate of Occupancy for any project developed after adoption of this Title or five (5) years from adoption of this Title for any project operating in compliance with this zone at date of adoption.

Prior to such a conversion, the property owner/operator shall file a written request for a zone change in allowed use. The County may approve or deny such a request upon a public hearing before the Planning Commission and/or the Board of Supervisors. To allow the change the County must be able to find that the proposed change meets all of the following:

- A. The proposed use does not create or impose an adverse impact on the adjoining agricultural land uses.

- B. The proposed use has or will have adequate infrastructure which at a minimum shall include adequate sized and designed roads, waste water treatment and related infrastructure.
- C. The average daily trips (ADT) count for the proposed new project is less than or equal to the average ADT for the existing project. If the new project exceeds the average ADT, a traffic study shall be required and all required mitigation measures implemented.
- D. Applicant has met the burden of proof to show that there are no other alternatives available to him/her except for the conversion to a non-agricultural land use.

§ 90510.04 MINIMUM LOT/PARCEL SIZE

No portion of or any lot within the AM-1 zone shall contain less than 1 acre net.

§ 90510.05 MINIMUM LOT/AREA IMPROVEMENT STANDARDS

In order for structures and/or facilities and/or land uses allowed in the AM-1 zone to be consistent with the intent of the General Plan they shall meet the minimum requirements of this Title, applicable State & Federal regulations and the following standards:

A. TRAFFIC

Any AM-1 use that generates in excess of 100 ADT (to and from the facility) shall prepare a traffic study and shall implement all traffic mitigation measures, including turn lanes, signal lights, signage etc., as determined by the Department of Public Works.

B. AIR QUALITY

Any AM-1 use shall comply with and obtain permits from the Air Quality Control District prior to construction/operation, if determined necessary by the Air Pollution Control Officer.

C. WATER & WASTEWATER

Any AM-1 use that requires by Federal, State or local law/code or employs people shall provide treated (potable) water meeting the California drinking water standard. Likewise any such facility shall provide for wastewater treatment meeting California Regional Water Quality Control Board (CRWQCB) standards.

D. AG COMPATIBILITY

It shall be the obligation through studies, if necessary, for the proponent/owner of an AM-1 facility/use to prove that the use is compatible with the adjacent agricultural land uses.

§ 90510.06 YARDS AND SETBACKS

The following yard setback requirements shall apply in the AM-1 zone:

- A. Front Yard. Except as otherwise provided, the front yard minimum setback for all buildings shall be as follows:
 - 1. 25' minimum from public right-of-way, and/or
 - 2. 80' from centerline of existing or proposed secondary arterial and/or
 - 3. 60' from centerline of existing or proposed local street, and/or

4. 65' from centerline of existing or proposed collector
- B. Side Yard. Except as otherwise provided, the side yard minimum setback for all buildings shall be as follows:
1. 10' on each side.
 2. Except that on a corner lot, the side facing a street shall be the same as the front yard.
 3. Except that the side yard may be 0' setback where the construction of the wall including parapet is of four (4) hour fire resistant construction and provided the overall height of the structure is less than 20 feet.
- C. Rear Yard. Except as otherwise provided, the rear yard minimum setback for all buildings shall be as follows:
1. 10' minimum
 2. The rear yard may be 0' setback where the construction of the wall including parapet is of four (4) hour fire resistant construction and provided the overall height of the structure is less than 20 feet.

§ 90510.07 HEIGHT

The following height limit shall apply in the AM-1 Zone:

- A. Primary Structure- 80 feet
- B. Accessory Structure(s)- 30 feet
- C. Architectural Appurtenances such as TV & radio antennae, communication towers, silo elevators shall not exceed 100 feet.
- D. All height limits shall meet and be subject to other Divisions within this Title and other applicable regulations such as the Airport Land Use Compatibility Plan.

NOTE: Height shall be measured from the Average Ground Level (AGL) of the parcel.

§ 90510.08 MINIMUM DISTANCE BETWEEN STRUCTURES

The following minimum distances between structures in the AM-1 zone shall be provided:

- A. There shall be at least 20 feet between the primary structure and any accessory structure.
- B. There shall be at least 50 feet between a Light Industrial use structure and a residence.
- C. There shall be at least 100 feet between any structure housing animals or processing animals and a residence.

§ 90510.09 PARKING

The parking for the AM-1 zone shall be the same as required for the M-1 zone.

§ 90510.10 SIGNS

The following signs shall be permitted in the AM-1 Zone; however, all signs shall be subject to Section 90401 as applicable.

- A. Temporary Real Estate signs advertising the property for sale or rent, and not to exceed 20 square feet.
- B. Temporary construction signs not to exceed 40 square feet.
- C. Temporary political, religious or civic campaign signs, not to exceed three (3) months.
- D. Agricultural signs not to exceed 100 square feet.
- E. Institutional identification signs.
- F. Off-site directional signs.

§ 90510.11 LANDSCAPING

Landscaping in the AM-1 zone shall be the same as the M-1 zone.

TITLE 9

DIVISION 5: ZONING AREA ESTABLISHED

CHAPTER 11: AM-2 (AGRICULTURALLY RELATED- MEDIUM INDUSTRIAL)

§ 90511.00	PURPOSE & APPLICATION
§ 90511.01	PERMITTED USES
§ 90511.02	USES PERMITTED WITH A CONDITIONAL USE PERMIT
§ 90511.03	PROHIBITED USES
§ 90511.04	MINIMUM LOT/PARCEL SIZE
§ 90511.05	MINIMUM LOT/AREA IMPROVEMENT STANDARDS
§ 90511.06	YARDS AND SETBACKS
§ 90511.07	HEIGHT
§ 90511.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90511.09	PARKING
§ 90511.10	LANDSCAPING
§ 90511.11	SIGNS
§ 90511.12	YARD AND PROPERTY MAINTENANCE
§ 90511.13	SPECIAL PROCEDURES/DEVELOPMENT STANDARDS

§ 90511.00 PURPOSE & APPLICATION

The purpose of the AM-2 (Agricultural related Industrial) Zone is to:

- A. Provide a zone that is consistent with the intent of the General Plan to protect agriculture and at the same time allow limited but compatible and consistent agricultural related industrial land uses within the agricultural land use categories as defined in the General Plan.
- B. Provide uses that are suitable for Agricultural related Medium intensity Industrial land uses, yet are still consistent with the General Plan and compatible with the agricultural land uses in the vicinity, that are intended not to create adverse impacts on adjacent agricultural land or adjacent infrastructure.
- C. Provide an opportunity for existing Industrial uses or for existing M-2 and M-2-N Zones to become consistent with the General Plan without becoming pre-existing, non-conforming uses.
- D. Provide an opportunity for on-farm processing of agricultural related products and produce that while industrial in nature, can be safely, effectively done within the agricultural designated land uses without adversely affecting either the surrounding agricultural land uses and without becoming a detriment on planned industrial areas.

§ 90511.01 PERMITTED USES

- a) Agricultural accessory structure(s) (including cargo containers)
- b) Agricultural chemical manufacturing
- ~~c) Agricultural signs, less than 100 square feet and less than 15 feet in height~~
- d)c) Agricultural chemical (fertilizer, pesticide, etc.) sales, handling and shipping (not disposal)
- ~~d) Agricultural signs, less than 100 square feet and less than 15 feet in height. See Section 90511.10~~
- e) All agricultural (farming) uses in the A-3 Zone as listed under 90509.01
- f) Animal grooming and training facility
- g) Animal kennel or boarding facility
- h) Aquaculture product packaging, processing and shipping plant
- i) Cold storage facilities for agricultural products
- j) Composting facility
- k) Contract harvesting businesses
- l) Cotton gins

- m) Creamery and other dairy product processing
- n) Dehydration plant
- o) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)
- e)p) Equestrian establishment
- p)q) Farm implement manufacturing (medium manufacturing and assembly with more than 20 employees)
- q)r) Farm implement rental facility
- r)s) Farm implement repair facility (facility with more than 20 employees)
- s)t) Farm implement sales and parts (new)
- t)u) Farm implement sales (used) (include dismantling)
- u)v) Farmers Market
- v)w) Farm labor bus transport facility
- w)x) Farm labor housing ~~facility~~
- x)y) Feed stores (rental and wholesale)
- y)z) Fuel (bulk) sales
- aa) Gardening and landscape supply store
- bb) Industrial Hemp: including the cultivation, harvesting and testing, and light processing, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- z)cc) Industrial Hemp: manufacturing into semi-finished and finished products, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- aa)dd) Mineral exploration
- bb)ee) Packing facility for agricultural products
- ee)ff) Poultry butchering including processing and shipping
- dd)gg) Processing facility for agricultural products
- ee) ~~Accessory~~ Accessory Dwelling Unit per Section 90405.02
- ff)hh) incidental to primary use (i.e. caretakers residence, owners residence, security guards residence) per Section 90405.02
- gg)ii) Seed processing facility
- hh)jj) Seed store, retail and wholesale
- ii)kk) Slaughterhouse
- jj)ll) Solar energy extraction generation provided that it is for on-site consumption only.
- kk)mm) Vegetable and other produce packaging, processing and shipping plant
- ll)nn) Veterinary clinic/hospital
- mm)oo) Winery
- nn)a) ~~Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)~~

§ 90511.02 USES PERMITTED WITH A CONDITIONAL USE PERMIT

- a) Agricultural pesticide manufacturing
- b) Asphalt and concrete batch plants
- c) Blacksmith shop
- d) Candle manufacturing
- e) Coffee roasting
- e)f) Commercial Cannabis Manufacturing, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- d)a) ~~Candle manufacturing~~
- e)a) ~~Coffee roasting~~
- f)g) Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc... (subject to requirements of this zone and Division 24; Section 92401 "Communications Facilities Ordinance" et al).
- g)h) Manufacturing, compounding, assembling or treating or articles or merchandise from previously prepared materials as follows: bone, quartz, feather, felt, fur, hair, horn, paper, leather, tobacco, wood, manufacturing of batteries, manufacturing of ice, manufacturing of soap, manufacturing of textiles
- h)i) Mineral extraction facility
- i)j) Paper and straw board manufacturing
- j)k) Pickle and sauerkraut manufacturing

- k) Race track for horse or dog racing
- l) Rendering facility
- m) Soap manufacturing
- n) Solid waste transfer station
- o) Starch manufacturing
- p) Sugar manufacturing
- q) Taxidermist
- r) Temporary contractor's yard
- s) Vinegar manufacturing
- t) Waste to energy facility

§ 90511.03 PROHIBITED USES

All uses not expressly permitted in 90511.01 or 90511.02 are strictly prohibited.

§ 90511.04 MINIMUM LOT/PARCEL SIZE

No portion of any lot within the AM-2 zone shall contain less than 2 acres (net).

§ 90511.05 MINIMUM LOT/AREA IMPROVEMENT STANDARDS

In order for structures and/or facilities and/or land uses allowed in the AM-2 zone to be consistent with the intent of the General Plan they shall meet the minimum requirements of this Title, applicable State & Federal regulations and the following standards:

A. TRAFFIC

Any AM-2 use that generates in excess of 100 ADT (to and from the facility) shall prepare a traffic study and shall implement all traffic mitigation measures, including turn lanes, signal lights, signage etc., as determined by the Department of Public Works.

B. AIR QUALITY

Any AM-2 use shall comply with and obtain permits from the Air Quality Control District prior to construction/operation, if determined necessary by the Air Pollution Control Officer.

C. WATER & WASTEWATER

Any AM-2 use that requires by Federal, State or local law/code or employs people shall provide treated (potable) water meeting the California drinking water standard. Likewise any such facility shall provide for wastewater treatment meeting California Regional Water Quality Control Board (CRWQCB) standards.

D. AG COMPATIBILITY

It shall be the obligation through studies, if necessary, for the proponent/owner of an AM-2 facility/use to prove that the use is compatible with the adjacent agricultural land uses.

§ 90511.06 YARDS AND SETBACKS

The following yard setback requirements shall apply in the AM-2 zone:

A. Front Yard. Except as otherwise provided, the front yard minimum setback for all buildings shall be as follows:

1. 25' minimum from public right-of-way, and/or

2. 80' from centerline of existing or proposed secondary arterial and/or
 3. 60' from centerline of existing or proposed local street, and/or
 4. 65' from centerline of existing or proposed collector
- B. Side Yard. Except as otherwise provided, the side yard minimum setback for all buildings shall be as follows:
1. 10' on each side, except that on a corner lot, the side facing a street shall be the same as the front yard.
 2. The side yard may be 0' setback where the construction of the wall including parapet is of four (4) hour fire resistant construction and provided the overall height of the structure is less than 20 feet.
- C. Rear Yard. Except as otherwise provided, the rear yard minimum setback for all buildings shall be as follows:
1. 10' minimum
 2. The side yard may be 0' setback where the construction of the wall including parapet is of four (4) hour fire resistant construction and provided the overall height of the structure is less than 20 feet.

§ 90511.07 HEIGHT

The following height limit shall apply in the AM-2 Zone:

- A. Primary Structure- 80 feet
- B. Accessory Structure(s)- 30 feet
- C. Architectural Appurtenances such as TV & radio antennae, communication towers, silo elevators shall not exceed 100 feet.
- D. All height limits shall meet and be subject to other Divisions within this Title and other applicable regulations such as the Airport Land Use Compatibility Plan.

NOTE: Height shall be measured from the Average Ground Level (AGL) of the parcel.

§ 90511.08 MINIMUM DISTANCE BETWEEN STRUCTURES

The following minimum distances between structures in the AM-2 zone shall be provided:

- A. There shall be at least 20 feet between the primary structure and any accessory structure.
- B. There shall be at least 50 feet between a Light Industrial use structure and a residence.
- C. There shall be at least 100 feet between any structure housing animals or processing animals and a residence.

§ 90511.09 PARKING

The parking for the AM-2 zone shall be the same as required for the M-1 zone.

§ 90511.10 SIGNS

The following signs shall be permitted in the AM-2 Zone; however, all signs shall be subject to Section 90401 as applicable.

- A. Temporary Real Estate signs advertising the property for sale or rent, and not to exceed 20 square feet.
- B. Temporary construction signs not to exceed 40 square feet.
- C. Temporary political, religious or civic campaign signs, not to exceed three (3) months.
- D. Agricultural signs not to exceed 100 square feet.
- E. Institutional identification signs.
- F. Off-site directional signs.

§ 90511.11 LANDSCAPING

Landscaping in the AM-2 zone shall be the same as the M-1 zone.

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TITLE 9

DIVISION 5: ZONING AREA ESTABLISHED

CHAPTER 12: C-1 (LIGHT COMMERCIAL)

§ 90512.00	PURPOSE & APPLICABILITY
§ 90512.01	PERMITTED USES IN THE C-1 ZONE
§ 90512.02	USES PERMITTED WITH CONDITIONAL USE PERMIT ONLY
§ 90512.03	PROHIBITED USES
§ 90512.04	MINIMUM LOT SIZE
§ 90512.05	MINIMUM LOT AREA PER DWELLING UNIT
§ 90512.06	YARDS AND SETBACKS
§ 90512.07	HEIGHT
§ 90512.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90512.09	PARKING
§ 90512.10	LANDSCAPING
§ 90512.11	SIGNS
§ 90512.12	YARD AND PROPERTY MAINTENANCE
§ 90512.13	SPECIAL PROCEDURES/DEVELOPMENT STANDARDS

§ 90512.00 PURPOSE & APPLICABILITY

The purpose of the C-1 (Light Commercial) Zone is to designate areas for low density commercial activities that are oriented to serving and compatible with nearby residential areas. The C-1 Zone may also be combined with the combination use MP Zone (Multi-Purpose Overlay) referenced Title 9, Division 3, Chapter 6 to achieve innovative unique and inventive office or commercial development. The C-1 Zone typically includes small retail service oriented commercial activities. The C-1 Zones are generally located in residential neighborhoods along major or secondary highways.

§ 90512.01 PERMITTED USES IN THE C-1 ZONE

The following uses are permitted in the C-1 Zone, in accordance with the standards and procedures set forth within this Title.

- a) Art gallery
- b) Artist studio
- c) Automobile parking areas when developed as required by this Division if adjacent to a residential zone
- ~~d)a) Auto parts and accessory retail store~~
- e)d) Automobile service station (containing not more than 6 pumps)
- ~~e) Auto parts and accessory retail store~~
- f) Bakeries
- g) Banks
- ~~h) Barber/beauty shop~~
- h)i) Bar/tavern/cocktail lounge
- ~~i)a) Barber/beauty shop~~
- j) Bath house (including saunas, spa, Turkish, steam or tanning)
- k) Bicycle sales (including rental and service)
- l) Book store
- m) Business or professional office
- n) Caretaker, security or proprietor residential quarters (Accessory ~~d~~Dwelling USunit per Section 90405.02)
- o) Charitable or public service organizations
- p) Christmas tree sales (temporary)
- q) Church
- r) Clinic (medical for out-patient use only)

- s) Clothing and apparel stores (small not large department stores)
- t) Commercial accessory structure(s) (including cargo containers)
- u) Community or senior service center
- v) Computer Stores (retail and repair)
- w) Confectionery stores
- x) Convenience Market
- y) Dress making or millinery shops
- z) Drive-in food market or dairy
- aa) Driving school
- bb) Drug and pharmacy store
- cc) Dry cleaning, pressing and laundry agencies
- dd) Dry goods and notions stores
- ee) Electric appliance stores and repairs
- ff) Electrical Vehicles Charging Stations as a Primary Use
- fg) Elementary School
- gg) Fast food restaurant
- hh) Financial institutions
- ii) Florists shops
- jj) Food store
- kk) Gift and cards store
- ll) Government office or government building
- mm) Grocery, fruit and vegetable stores
- nn) Hardware stores (general), excluding outside storage of material
- oo) Health club, tennis or swim club (in door use only)
- qq) High school
- rr) Hotels and motels (including bed and breakfasts)
- ss) Household pets (with no outside kennel)
- tt) Ice cream parlor (including yogurt)
- uu) Ice storage houses or not more than 5 ton capacity
- vv) Ice vending machines
- ww) Instruction school
- xx) Interior decorating
- yy) Jewelry stores
- zz) Junior high school
- aaa) Laboratory for medical, dental, optical, or biological
- bbb) Laundry mat/laundry
- ccc) Lawn mower, including repair, sales and service (including service and repairs, provided it is contained within a building)
- ddd) Library
- eee) Locksmith and key shop
- fff) Martial arts school
- ggg) Meat markets or delicatessen stores
- hhh) Museum
- iii) Newspaper, magazine stand
- jjj) Offices, business, professional or public utility
- kkk) Photographic shops
- lll) Pre-school
- mmm) Public buildings
- nnn) Real estate offices
- ooo) Research and development office
- ppp) Restaurant/cafe/coffee shop/team rooms where all customers are served at a table or counter (excluding dancing and entertainment)
- qqq) Retail appliance store (including service and repairs, provided it is contained within a building)
- rrr) Retail store, general
- sss) Satellite dish (sales and repair)
- ttt) School

- sss)uuu) ~~Self-service~~Self-service laundries
- ttt)yvv) Senior high school
- uuu)www) Shoe stores, shoe repair or shoe sales
- vvv)xxx) Solar energy extraction generation provided that it is for on-site consumption only.
- www)yyy) Specialized stores including meat, vegetable, health foods.
- xxx)zzz) Stationary and office supply
- yyy)aaaa) Tailor, clothing or wearing apparel shops
- zzz)bbbb) Taxidermists
- aaaa)cccc) Telegraph
- bbbb)dddd) Ticket agency
- cccc)eeee) Tobacco store
- dddd)ffff) Trade school
- eeee)gggg) Travel agency
- fff)hhh) Utility sub-station
- gggg)iiii) Variety Store
- hhhh)jjjj) Video Rental
- iiii)a) ~~Electrical Vehicles Charging Stations as a Primary Use~~

The above specified stores, shops and businesses shall be retail establishments selling new merchandise exclusively and shall be permitted only under the following conditions:

Such stores, shops or businesses except automobile service stations shall be conducted entirely within an enclosed building

Products made incidental to a permitted use shall be sold at retail on the premises.

Any exterior sign displayed shall pertain only to a use conducted within the building.

The accessory building and structures necessary to such use located on the same lot or parcel of land, including a storage garage for the exclusive use of the patrons of the above stores or businesses.

§ 90512.02 USES PERMITTED WITH A CONDITIONAL USE PERMIT ONLY

The following uses are permitted in the C-1 Zone, subject to first securing a conditional use permit in accordance with the procedures and standards established within this Title.

- a) Airports or aircraft landing fields
- b) Ambulance
- c) Apartment building
- d) Auto wash
- e) Automobile parking garage or parking lot
- ~~f) Battery Storage~~
- g)f) Billboard and advertising structures
- h)g) Boarding/rooming house
- i)h) Cemeteries, columbariums, crematories and mausoleums
- j)i) Cemetery
- k)j) Circus or carnival
- l)k) City, County, State and Federal enterprises, including buildings, facilities and uses of departments or institutions thereof which are necessary or advantageous to the general welfare of the community
- m)l) Club or lodge
- n)m) Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc.. (subject to requirements of this zone and Division 24; Section 92401 "Communications Facilities Ordinance" et al).
- o)n) Community care facility
- p)o) Convalescent home
- q)p) Day nurseries and nursery schools

- f)g) Educational institutions including schools, elementary and high
- r) ~~Electrical generation plants~~
- s) ~~Electrical substations in an electrical transmission system (500 kv/230 kv/161 kV)~~
- s)t) Establishments or enterprises involving large assemblages of people or automobiles, including amusement parks, circuses, carnivals, exposition, fairground, open-air theatres, race tracks, recreational and sport centers
- t)u) Facilities for abused women
- u)v) Facilities for the transmission of electrical energy (100-200 kV)
- v)w) Farm implement sales and metal fabrication
- w)x) Fire or police station
- x)y) Fraternity or sorority house
- y)z) Heliport
- z)aa) Hospital
- aa)bb) Hospitals, sanitariums and rest homes
- bb)cc) Hotels
- ee)dd) Institutions of a philanthropic nature
- dd)ee) Labor or union hall
- ee)ff) Libraries, museums, private clubs and golf courses
- ff)gg) Major facilities relating to the generation and transmission of electrical energy, provided such facilities are not, under state or federal law, to be approved exclusively by an agency or agencies of the state and/or federal governments and provided that such facilities shall be approved subsequent to coordination and review with the Imperial Irrigation District for electrical matters. Such uses shall include, but not limited to the following:
 - gg)a) ~~Electrical generation plants~~
 - hh)a) ~~Electrical substations in an electrical transmission system (500 kv/230 kv/161 kV)~~
 - ii) ~~Facilities for the transmission of electrical energy (100-200 kV)~~
 - jj)hh) Mausoleums
 - kk)jj) Mini storage
 - ll)jj) Miniature golf course
 - mm)kk) Mobile home parks
 - nn)ll) Mortuaries
 - oo)mm) Movie Theater
 - pp)nn) Nursery
 - qq)oo) Park or playground
 - rr)pp) Parks, playgrounds and community buildings
 - ss)qq) Pool or billiard parlor
 - tt)rr) Post office
 - uu)ss) Printing (topography or blueprints)
 - vv)tt) Public agency or utility buildings or facilities
 - ww)uu) Recycling Collection Facility, per Title 8, Chapter 8.68
 - xx)vv) Rehabilitation facility
 - yy)ww) Residential hotel
 - zz)xx) Rest home
 - aaa)yy) Retirement home
 - bbb)zz) Sanitarium
 - eee)aaa) Swap meets
 - ddd)bbb) Swimming (public)
 - eee)ccc) Tennis club (outdoor-public)
 - fff)ddd) Used car sales and repair facilities
 - ggg)eee) Video game arcade

§ 90512.03 PROHIBITED USES

All other uses not permitted specifically by Sections 90512.01 and 90512.02 of this Chapter are prohibited in the C-1 Zone.

§ **90512.04 MINIMUM LOT SIZE**

Except as otherwise provided within this Title no lot, parcel or portion thereof within the C-1 Zone shall be less than 8,000 square feet net, except in the case of conveyances to or from a governmental agency, public entity, public utility. No parcel within this zone shall have less than 60 feet of street frontage.

§ **90512.05 MINIMUM LOT AREA PER DWELLING UNIT**

Where a residential use is permitted on a C-1 Zone lot or parcel, there shall be a minimum of 1,500 square feet of lot area per dwelling unit, in addition to the minimum lot size.

§ 90512.06 YARDS AND SETBACKS

The following yard and setback requirements shall apply in the C-1 Zone.

- A. Front Yard. Except as otherwise provided, the front yard minimum setback for all buildings shall be as follows:
1. 10 feet from front yard property line or right-of-way of public street or easement.
 2. 0 feet from property line or right-of-way line upon the approval of a full site plan review by Public Works, Fire/OES, and Planning/Building.
- B. Side Yard. Except as otherwise provided, the side yard minimum setback for all buildings shall be as follows:
- None required provided that adequate fire segregation is provided between all structures as required under the California Building Code and California Fire Code.
- C. Rear Yard. Except as otherwise provided, the rear yard minimum setback for all buildings shall be as follows:
- Shall be a minimum of 20 feet rear yard, except for lots that have public alley access. The Director of Planning may reduce the rear yard requirement to a minimum of 5 feet, provided written concurrence is obtained from the Imperial County Fire/OES and Imperial County Public Works Department.
- D. Front, rear and side yard setbacks for residential occupancies permitted within the C-1 Zone shall meet the same setbacks as those contained in the R-3 Zone.

§ 90512.07 HEIGHT

Building and/or structures within the C-1 Zone shall not exceed 5 stories or 50 feet whichever is less.

§ 90512.08 MINIMUM DISTANCES BETWEEN STRUCTURES

There are no minimum distances between structures in the C-1 Zone.

§ 90512.09 PARKING

Off-street parking shall be provided in the C-1 Zone according to the standards contained in Sections 90402.00 through 90402.15 of this Title. Where off-street parking is prohibited vis-à-vis enclosed parking garages that are not readily visible from the street a 5% reduction in the density may be allowed.

§ 90512.10 LANDSCAPING

Every C-1 lot/parcel shall be landscaped to meet the requirements of Section 90302.04.

§ 90512.11 SIGNS

The following signs shall be permitted in the C-1 Zone; however, all signs shall be subject to Section 90401 as applicable.

1. Temporary real estate signs, advertising property for sale or lease not to exceed 20 square feet.
2. Temporary construction signs.

3. Temporary political signs, not to exceed three (3) months.
4. Institutional signs.
5. Signs attached to buildings.
6. Monument signs.
7. Pole signs advertising on-site identification uses only.
8. Off-site advertising signs when approved by a conditional use permit.

All signs shall meet requirement of Division 4, Chapter 1.

§ 90512.12 YARD AND PROPERTY MAINTENANCE

All areas within the C-1 Zone shall be, at all times, maintained as not to create a fire or life safety or health hazard either to the occupants of the structures or to neighboring properties.

§ 90512.13 SPECIAL PROCEDURES/DEVELOPMENT STANDARDS

Any residential development allowed within the C-1 Zone either as an outright use or as a conditional use shall comply with the provisions and standards as contained in the R-2 Zone and meet all applicable Health and Safety regulations.

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TITLE 9

DIVISION 5: ZONING AREA ESTABLISHED

CHAPTER 13: C-2 (MEDIUM COMMERCIAL)

§ 90513.00	PURPOSE & APPLICABILITY
§ 90513.01	PERMITTED USES IN THE C-2 ZONE
§ 90513.02	USES PERMITTED WITH CONDITIONAL USE PERMIT ONLY
§ 90513.03	PROHIBITED USES
§ 90513.04	MINIMUM LOT/PARCEL SIZE
§ 90513.05	MINIMUM LOT AREA PER DWELLING UNIT
§ 90513.06	YARDS AND SETBACKS
§ 90513.07	HEIGHT
§ 90513.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90513.09	PARKING
§ 90513.10	LANDSCAPING
§ 90513.11	SIGNS
§ 90513.12	YARD AND PROPERTY MAINTENANCE
§ 90513.13	SPECIAL PROCEDURES/DEVELOPMENT STANDARDS

§ 90513.00 PURPOSE & APPLICABILITY

The purpose of the C-2 (Medium Commercial) Zone is to designate areas for a wide range of retail, commercial activities, including shopping centers, and other medium to high density commercial uses. The C-2 Zones are generally located along major highways or collectors.

§ 90513.01 PERMITTED USES IN THE C-2 ZONE

The following uses are permitted in accordance with the standards and procedures set out within this Title.

- a) All permitted uses in the C-1 zone under § 90512.01
- b) Ambulance
- c) Antique stores
- d) Appliance stores, including service and repair provided no outside storage or repair
- e) Auditoriums for public use
- f) Auto leasing facilities
- g) Auto rental
- h) Auto sales lots (new)
- i) Auto sales lots (used)
- j) Auto service, tire sales and repair
- k) Auto wash
- l) Bakery
- m) Bingo parlor, bowling alley, card room
- n) Boats sales, including service and parts, provided repairs are completed indoors
- o) Call Center
- p) Camera stores
- q) Carpet cleaning
- r) Catering
- s) Charitable public service organizations
- t) Classifying or experimental, not involving any materials of using explosive or hazardous materials
- u) Clinic (medical or physical therapy for outpatient use only)
- v) Clothing and apparel stores
- w) Club or lodge
- x) Commercial accessory structure(s) (including cargo containers)
- y) Computer stores (large retail/repair)

- z) Convalescent hospital
- aa) Dance hall, ballroom or discotheque
- bb) Dance school
- cc) Department stores
- dd) Electrical Vehicles Charging Stations as a Primary Use
- ee) Emergency Shelters
- ff) Equipment (small equipment rental, repair)
- gg) Farmers market
- hh) Feed stores
- ii) Fire/police station
- jj) Floor covering, drapery and upholstery stores
- kk) Furniture cleaning, refinishing upholstery
- ll) Furniture stores
- mm) Gardening and landscaping stores
- nn) General surplus
- oo) Golf/driving range
- pp) Gun stores (including repair)
- qq) Hardware (general), including lumber sales provided there is no outside storage of materials
- rr) Health club
- ss) Hobby supplies
- tt) Home or office furniture stores
- uu) Hospital
- vv) Janitorial service
- ww) Labor/union hall
- xx) Laboratory testing
- yy) Laboratory, including medical, optical and biological
- zz) Lapidary
- aaa) Lawn equipment, including repair located entirely within structures
- bbb) Leather goods and luggage
- ccc) Liquor stores
- ddd) Manager, caretaker or proprietors residential quarters (Accessory dwelling unit)
- eee) Military surplus
- fff) Miniature golf course
- ggg) Mini-warehouse (no outside storage)
- hhh) Mobile home sales, including rental and service
- iii) Mortuary or funeral parlor
- jjj) Motorcycle sales, including service and repair
- kkk) Movie theater (walk-in)
- lll) Music
- mmm) Newspaper or magazine stores
- nnn) Nursery
- ooo) Office machine/equipment
- ppp) Paint and wallpaper stores
- qqq) Pawn shops
- rrr) Pest control
- sss) Pet grooming
- ttt) Pet stores
- uuu) Photographic development
- vvv) Photographic studio
- www) Photographic supplier
- xxx) Picture framing
- yyy) Plumbing supply, provided no outside storage
- zzz) Pool or billiard parlor
- aaaa) Pottery stores
- aaaa)bbbb) Printing
- bbbb)cccc) Public agency

cccc)dddd)	Recreational vehicle sales and service
dddd)eeee)	Rehabilitation facility
eeee)ffff)	Sanitarium
ffff)gggg)	Self-service auto wash
gggg)hhhh)	Skating rink, roller or ice skating rink
hhhh)iiii)	Solar energy extraction generation provided that it is for on-site consumption only.
iiii)jjjj)	Sporting goods
jjjj)kkkk)	Swim instruction school
kkkk)llll)	Tennis or swim club
llll)mmmm)	_____ Theaters (Live)
mmmm)nnnn)	Toy stores
nnnn)oooo)	Transitional Housing (as defined in Section 50675.2 of the Health and Safety Code)
oooo)pppp)	Truck fueling station without repair
pppp)qqqq)	Truck sales, including rental provided no repair or service
qqqq)rrrr)	Used clothing and household goods
rrrr)ssss)	Utility building
ssss)tttt)	Veterinarians office
tttt)uuuu)	_____ Video game arcade
uuuu)vvvv)	_____ Wedding chapels
vvvv)a)	Electrical Vehicles Charging Stations as a Primary Use

§ **90513.02 USES PERMITTED BY CONDITIONAL USE PERMIT ONLY**

The following uses are permitted in accordance with the standards set out within this Title.

- a) Adult book stores
- b) Adult movie theater
- c) Airport (private)
- d) Airport (public)
- e) Amusement park
- f) Auto body repair and painting
- g) Auto parking garage
 - ~~h) _____~~ **Battery Storage**
- ~~h) _____~~ Billboards/Off site advertising signs
- ~~i) _____~~ Boarding and rooming house
- ~~j) _____~~ Bus depot
- ~~k) _____~~
- ~~l) _____~~ Cemeteries, columbarium, mortuary, crematoriums and mausoleums
- ~~m) _____~~ Circus or carnival
- ~~n) _____~~ College or university
- ~~n) _____~~ **Commercial Cannabis Retail Sales, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance**
- o) Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc.. (subject to requirements of this zone and Division 24; Section 92401 "Communications Facilities Ordinance" et al).
- p) Community care facility
- q) Community sewage treatment facility
- r) Community water treatment facility
- s) Contractors storage yard, provided it is incidental to a contractor's business that is that is wholly enclosed within a building or solid screen fence
- t) Drive-in movie theater
- u) Equestrian establishment
- v) Flea market
- w) Flood control facility
- x) Fraternity or sorority house
- y) Heliport

- z) Massage parlor
- aa) Park or playground
- bb) Photographic processing plant or wholesale supply
- cc) Race track
- dd) Recreational vehicle storage facilities
- ee) Recreational vehicle park
- ff) Recycling Collection Facility, per Title 8, Chapter 8.68
- gg) Residential hotel
- hh) Shooting range or gun club
- ii) Sports arena (indoor)
- jj) Sports arena (outdoor)
- kk) Swimming pool
- ll) Taxi depot
- mm) Temporary fruit stands
- nn) Trade fairs
- oo) Transfer station
- pp) Veterinary hospital
- qq) Waste or energy facility
- rr) Water purification plants
- ss) Water storage and recharge facilities
- tt) Zoo

§ 90513.03 PROHIBITED USES

All other uses not permitted by Sections 90513.01 and 90513.02 above are prohibited in the C-2 Zone.

§ 90513.04 MINIMUM LOT/PARCEL SIZE

Except as otherwise provided within this Title no portion of any lot within the C-2 Zone shall contain less than 20,000 square feet, except in the case of conveyances to or from a governmental agency, public entity, public utility.

~~§ 90513.05 MINIMUM LOT AREA PER DWELLING UNIT~~

~~Where a residential use occupancy is allowed in the C-2 Zone, there shall be a minimum of 1,500 square feet of lot area per dwelling unit in addition to the base of 20,000 square feet, including dwelling units that are permitted by conditional use permit.~~

~~§ 90513.05 REMOVED~~

§ 90513.06 YARDS AND SETBACKS

The following yard and setback requirements shall apply in the C-2 Zone.

- A. Front Yard. Except as otherwise provided, the front yard minimum setback for all buildings shall be as follows:

None provided that any structure built on property line or on the right-of-way line shall meet all California Building Code and California Fire Code requirements, for fire protection and shall be so located as to not create visual obstruction to traffic.

- B. Side Yard. Except as otherwise provided, the side yard minimum setback for all buildings shall be as follows:

None required provided, except that any structure built on property line shall meet all California Building Code and California Fire Code requirements.

- C. Rear Yard. Except as otherwise provided, the rear yard minimum setback for all buildings shall be as follows:

Shall be a rear yard of not less than 20 feet, except that no rear yard shall be required in the event that a public alley exists and is adequate size to accommodate large commercial vehicles for the loading and unloading of products to the site.

- D. Yards and setbacks for residential developments approved to be developed on C-2 Zones, shall meet the requirements of the R-3 Zone, as far as setbacks.

§ 90513.07 HEIGHT

Building and/or structures within the C-2 Zone shall not exceed 6 stories or 75 feet, whichever is less.

§ 90513.08 MINIMUM DISTANCE BETWEEN STRUCTURES

There is no minimum distance between structures in the C-2 Zone.

§ 90513.09 PARKING

Off-street parking shall be provided in the C-2 Zone according to the standards contained in Sections 90402.00 through 90402.15 of this Title.

§ 90513.10 LANDSCAPING

Every C-2 lot/parcel shall be landscaped to meet the requirements of Section 90302.04.

§ 90513.11 SIGNS

The following signs shall be permitted in the C-2 Zone; however, all signs shall be subject to Section 90401.00 as applicable.

1. Temporary real estate signs, advertising property for sale or lease not to exceed 20 square feet.
2. Temporary construction signs.
3. Temporary political signs, not to exceed three (3) months
4. Institutional signs.
5. Signs attached to buildings.
6. Monument signs.
7. Pole signs advertising on-site identification uses only.
8. Off-site advertising signs when approved by a conditional use permit.

All signs shall meet requirement of Division 4, Chapter 1.

§ 90513.12 YARD AND PROPERTY MAINTENANCE

All areas within the C-2 lot/area shall be, at all times, maintained as not to create a fire or life safety or health hazard either to the occupants of the structures, property or the neighbors' property.

§ 90513.13 SPECIAL PROCEDURES/DEVELOPMENT STANDARDS

Any residential development authorized in the C-2 Zone shall meet the requirements of the R-2 Zone, and applicable Health and Safety regulations.

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TITLE 9

DIVISION 5: ZONING AREA ESTABLISHED

CHAPTER 14: C-3 (HIGHWAY COMMERCIAL DISTRICT)

§ 90514.00	PURPOSE & APPLICABILITY
§ 90514.01	PERMITTED USES
§ 90514.02	USES PERMITTED WITH CONDITIONAL USE PERMIT ONLY
§ 90514.03	PROHIBITED USES
§ 90514.04	MINIMUM LOT/PARCEL SIZE
§ 90514.05	MINIMUM LOT AREA PER DWELLING UNIT
§ 90514.06	YARDS AND SETBACKS
§ 90514.07	HEIGHT
§ 90514.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90514.09	PARKING
§ 90514.10	LANDSCAPING
§ 90514.11	SIGNS
§ 90514.12	YARD AND PROPERTY MAINTENANCE
§ 90514.13	SPECIAL PROCEDURES/DEVELOPMENT STANDARDS

§ 90514.00 PURPOSE & APPLICABILITY

The purpose of the C-3 (Highway/Commercial) Zone is to designate areas for use and services normally associated with the traveling public or for the regional Commercial convenience. The C-3 Zones shall be located adjacent to major highways, freeways, or other significant circulation corridors.

§ 90514.01 PERMITTED USES IN THE C-3 ZONE

The following uses are permitted in the C-3 Zone in accordance with the standards and procedures set out within this Title.

- a) All permitted uses in the C-2 Zone under § 90513.01
- b) Amusement park
- c) Auto self-service
- d) Auto service station
- e) Auto station (small)
- f) Auto towing
- g) Automobile parking garage or lot
- h) Bus depot
- i) Commercial accessory structure(s) (including cargo containers)
- j) Drive-in
- k) Drive-in food market
- l) Post office
- m) Public agency or utility
- n) Rail station
- o) Solar energy extraction generation provided that it is for on-site consumption only.
- p) Sports arena (in door)
- q) Taxi depot

§ 90514.02 USES PERMITTED BY CONDITIONAL USE PERMIT ONLY

The following uses are permitted in the C-3 Zone in accordance with the standards and procedures contained in this Title.

- a) Airport

- ~~b) Battery Storage~~
- ~~b) Billboards/Off site advertising signs~~
- ~~e) —~~
- ~~d)c) Campgrounds, RV park, or mobile home park~~
- ~~e)d) Circus or carnival~~
- ~~f)e) College or university~~
- ~~f) Commercial Cannabis Retail Sales, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance~~
- a)g) Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc.. (subject to requirements of this zone and Division 24; Section 92401 "Communications Facilities Ordinance" et al).
- ~~b)h) Drainage facilities~~
- ~~i) Electrical Vehicles Charging Stations as a Primary Use~~
- ~~e)j) Golf course~~
- ~~d)k) Heliport~~
- ~~e)l) Movie theater~~
- ~~f)m) Race track or test track~~
- ~~g)n) Recreational vehicle park~~
- ~~h)o) Recycling Collection Facility, per Title 8, Chapter 8.68~~
- ~~i)p) Sports arena (outdoor)~~
- ~~j)q) Trade fair and exhibits~~
- ~~k)r) Travel center with incidental short term truck parking~~
- ~~l)s) Truck repair (provided all repairs are in enclosed building)~~
- ~~m)t) Utility substations~~
- ~~n)u) Waste water treatment plants~~
- ~~e)v) Water purification plants~~
- ~~p)w) Water treatment plants~~
- ~~q)a) Electrical Vehicles Charging Stations as a Primary Use~~

§ 90514.03 PROHIBITED USES

All other uses not permitted by Sections 90514.01 and 90514.02 above are prohibited in the C-3 Zone.

§ 90514.04 MINIMUM LOT/PARCEL SIZE

Except as otherwise provided within this Title no portion of any lot within the C-3 Zone shall contain less than 20,000 square feet, except in the case of conveyances to or from a governmental agency, public entity, public utility.

§ 90514.05 MINIMUM LOT AREA PER DWELLING UNIT

Where a residential use occupancy is allowed in the C-3 Zone, there shall be a minimum of 1,500 square feet of lot area per dwelling unit, including dwelling units that are permitted by conditional use permit.

§ 90514.06 YARDS AND SETBACKS

The following yard and setback requirements shall apply in the C-3 Zone.

A. Front Yard. Except as otherwise provided, the front yard minimum setback for all buildings shall be as follows:

None provided that any structure built on property line or on the right-of-way line shall meet all California Building Code and California Fire Code requirements, for fire protection and shall be so located as to not create visual obstruction to traffic.

B. Side Yard. Except as otherwise provided, the side yard minimum setback for all buildings shall be as follows:

None required provided, except that any structure built on property line shall meet all California Building Code and California Fire Code requirements.

C. Rear Yard. Except as otherwise provided, the rear yard minimum setback for all buildings shall be as follows:

Shall be a rear yard of not less than 20 feet, except that no rear yard shall be required in the event that a public alley exists and is adequate size to accommodate large commercial vehicles for the loading and unloading of products to the site.

D. Yards and setbacks for residential developments approved to be developed on C-3 Zones, shall meet the requirements of the R-3 Zone, as far as setbacks.

§ 90514.07 HEIGHT

Building and/or structures within the C-3 Zone shall not exceed 6 stories or 75 feet, whichever is less.

§ 90514.08 MINIMUM DISTANCE BETWEEN STRUCTURES

There is no minimum distance between structures in the C-3 Zone .

§ 90514.09 PARKING

Off-street parking shall be provided in the C-3 Zone according to the standards contained in Sections 90402.00 through 90402.15 of this Title.

§ 90514.10 LANDSCAPING

Every C-3 lot/parcel shall be landscaped to meet the requirements of Section 90302.04.

§ 90514.11 SIGNS

The following signs shall be permitted in the C-3 Zone; however, all signs shall be subject to Section 90401 as applicable.

1. Temporary real estate signs, advertising property for sale or lease not to exceed 20 square feet.
2. Temporary construction signs.
3. Temporary political signs (not to exceed three (3) months).
4. Institutional signs.
5. Signs attached to buildings.
6. Monument signs.
7. Pole signs advertising on-site identification uses only.
8. Off-site advertising signs when approved by a conditional use permit.

All signs shall meet requirement of Division 4, Chapter 1 of this Title.

§ 90514.12 YARD AND PROPERTY MAINTENANCE

All areas within the C-3 lot/area shall be, at all times, maintained as not to create a fire or life safety or health hazard either to the occupants of the structures, property or the neighbors' property.

§ 90514.13 SPECIAL PROCEDURES/DEVELOPMENT STANDARDS

Any residential development authorized in the C-3 Zone shall meet the requirements of the R-2 Zone, and applicable Health and Safety regulations.

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TITLE 9

DIVISION 5: ZONING AREA ESTABLISHED

CHAPTER 15: M-1 (LIGHT INDUSTRIAL)

§ 90515.00	PURPOSE AND APPLICATION
§ 90515.01	PERMITTED USES IN THE M-1 ZONE
§ 90515.02	USES PERMITTED WITH A CONDITIONAL USE PERMIT
§ 90515.03	PROHIBITED USES
§ 90515.04	MINIMUM LOT SIZE
§ 90515.05	MINIMUM LOT AREA PER DWELLING UNIT
§ 90515.06	YARDS AND SETBACKS
§ 90515.07	HEIGHT LIMIT
§ 90515.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90515.09	PARKING
§ 90515.10	SIGNS
§ 90515.11	LANDSCAPING

§ 90515.00 PURPOSE AND APPLICATION

The purpose of the M-1 (Light Industrial) Zone is to designate areas for wholesale commercial, storage, trucking, assembly type manufacturing and other similar light industrial uses. Processing or fabrication is limited to activities conducted entirely within a building, that does not emit fumes, odor, dust, smoke or gas, beyond the confines of the building within which the activity occurs, or produces significant levels of noise or vibration beyond the perimeter of the building.

§ 90515.01 PERMITTED USES IN THE M-1 ZONE

The following uses and all others determined to be similar shall be allowed.

- ~~a) Accessory Dwelling Unit, Caretakers Residence or Managers Residence per Section 90405.02~~
- ~~a) Auto Parking Garages (two (2) stories or less and enclosed)~~
- ~~b) Accessory dwelling unit, caretakers Residence or Managers Residence per Section 90405.02~~
- ~~c)b) Ambulance station~~
- ~~d)c) Antique Store~~
- ~~e)d) Appliance Repair store~~
- ~~f)e) Appliance Store~~
- ~~g)f) Art Gallery~~
- ~~h)g) Artist Studio~~
- ~~i)h) Auditoriums~~
- ~~j)i) Auto Body Repair within enclosed facility~~
- ~~k)j) Auto Leasing Store~~
- ~~k) Auto Parking Garages (two (2) stories or less and enclosed)~~
- l) Auto Rental
- ~~m) Auto Service within enclosed facility~~
- n)m) Auto Service Station
- ~~n) Auto Service within enclosed facility~~
- o) Auto Tire Repair
- p) Auto Wash
- q) Auto Wash- self service
- r) Automobile Dealership- New (including parts)
- s) Automobile Dealership- Used (including parts)
- t) Automobile Parts and Accessories Store
- u) Automobile Tire Store including Service
- v) Bakery

- w) Ball Room
- x) Barber/Beauty
- y) Bars
- z) Bath House
- aa) Bicycle Sales and Rental Service
- bb) Bingo Parlor
- cc) Boats sales, including Service and Parts
- dd) Book Store- Adult
- ee) Book Store- General
- ff) Bottled Gas Distributorship (no manufacturing or packaging)
- gg) Bowling Alley
- hh) Bus Depots
- ii) Business or Professional Office
- jj) Cafes
- kk) Card Room
- ll) Cargo Containers (provided they have an approved building permit)
- mm) Carpet Cleaning
- nn) Catering
- oo) Christmas Tree Sales
- pp) Circus or Carnival (not to exceed 5 days)
- qq) Clinic (health maintenance)
- rr) Clothing and Apparel sales, manufacturing, distribution
- ss) Clubs
- tt) Cocktail Lounges
- uu) Coffee Shop
- vv) Cold Storage facilities
- ww) College and Universities
- xx) Computer sales, repair, manufacturing
- yy) Contractors Storage Yard
- zz) Convenience Market
- aaa) Dance Hall
- bbb) Data center (within enclosed building)
- ccc) Department Store
- ddd) Discotheque
- eee) Drapery and Upholstery Store
- fff) Drug and Pharmaceutical sales and manufacturing
- ggg) Educational Institutions
- hhh) Electrical Appliance sales, repair and distribution
- iii) Electrical Equipment repair, assembly within enclosed facility
- jjj) Electronic Equipment Assembly (enclosed)
- jjj)kkk) Electrical Generation with rate and capacity not to exceed 15 kilowatts
- ~~kkk)a) Electronic Equipment Assembly (enclosed)~~
- lll) Electrical Vehicles Charging Stations as a Primary Use
- lll)mmm) Emergency Shelters
- mmm)nnn) Equipment and Building Materials
- nnn)ooo) Equipment- Heavy Truck, Trailer Rental
- ooo)ppp) Equipment- (small rental facility)
- ppp)qqq) Farmers Market
- qqq)rrr) Fast Food preparation, sales or distribution
- rrr)sss) Feed and fuel facility
- sss)ttt) Financial Institution
- ttt)uuu) Fire/Police Station
- uuu)vvv) Floor Covering
- vvv)www) Florists
- www)xxx) Food Store
- xxx)yyy) Freight Storage Yard

yyy)zzz) Funeral Parlor
 zzz)aaaa) Furniture Cleaning, Refinishing & Upholstery
 aaaa)bbbb) Furniture Store
 bbbb)cccc) Gardening and Landscape Store
 eeee)dddd) Gift and Card Store
 dddd)eeee) Golf Driving Range
 eeee)ffff) Government Buildings
 ffff)gggg) Gun, including Repair Store
 gggg)hhhh) Hardware- General including Lumber
 hhhh)iiii) Health Club
 iiij)jjjj) Hobby Supplies
 jjjj)kkkk) Home or Office Furnishing
 kkkk)llll) Hotel/Motel
 lljj)mmmm) Ice Cream Parlors
 nnnn) Ice Vending Machine
 oooo) Industrial Hemp: manufacturing into semi-finished and finished products, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
 mmmm) _____
 nnnn)pppp) Industrial Storage
 oooo)qqqq) Interior Decorator
 pppp)rrrr) Janitorial
 qqqq)ssss) Jewelry and Watches
 rrrr)tttt) Labor/Union Halls
 ssss)uuuu) Laboratory- Medical, Dental, Optical and Biological
 tttt)vvvv) Laboratory Testing
 uuuu)wwww) Lapidary
 vvvv)xxxx) Laundromat
 wwwww)yyyy) Lawnmower (sales/repair)
 xxxx)zzzz) Leather Goods, sales and manufacturing
 yyyy)aaaaa) Libraries
 zzzz)bbbbb) Light Machine Shop Fabrication within enclosed facility
 aaaaa)ccccc) Liquor Store
 bbbbb)ddddd) Locksmith
 ccccc)eeeee) Lumber
 dddd)ffff) Lumber Yard
 gggg) Manager / Caretaker / Security Guard Residence (One only)
 eeeee)hhhhh) Medical and Physical Therapy
 ffff)iiii) Microwave Relay Stations
 gggg)jjjj) Military Surplus store
 hhhh)kkkk) Mini Warehouse (no outside storage)
 iiij)llll) Miniature Golf Course
 jjjj)mmmm) Mobile Home Sales and Service
 kkkk)nnnn) Mortuary
 lljj)oooo) Motorcycle Sales and Service
 mmmmm)pppp) Movie Theatre
 nnnn)qqqq) Moving and Storage Warehouse
 oooo)rrrr) Museums
 pppp)ssss) Musical Instrument Sales and Service
 qqqq)tttt) Newspaper, Magazine printing, distribution and sales
 rrrr)uuuu) Nursery
 ssss)vvvv) Office Machine Equipment Sales & Service
 tttt)wwww) Oil and Gas Exploration
 uuuu)xxxx) Paint and Wallpaper Sales & Service
 vvvv)yyyy) Pawn Shop
 wwwww)zzzz) Pest Control
 xxxx)aaaaa) Pet Grooming

yyyyyy)bbbbbb) Pet Store
 zzzzz)ccccc) Photographic Processing Plant
 aaaaaa)dddddd) Photographic Supply Store
 bbbbbb)eeeeee) Photography Studio
 eeeeee)ffffff) Picture Framing
 dddddd)gggggg) Plastic Assembly
 eeeeee)hhhhhh) Plumbing Supply
 fffff)iiiiii) Pool or Billiard Parlor
 gggggg)jjjjj) Post Office
 hhhhhh)kkkkkk) Pottery
 iiiii)llllll) Printing, Lithography or Blue Printing
 jjjjj)mmmmm) Public Utility Buildings
 kkkkk)nnnnn) Real Estate Office
 lllll)ooooo) Recreational Vehicle Sales & Service
 mmmmm)ppppp) Research and Development Office/Laboratory
 nnnnn)qqqqq) Resource Extraction and Energy Development
 ooooo)rrrrr) Restaurants
 ppppp)sssss) Sheet Metal Shop within enclosed facility
 qqqqq)ttttt) Shoe repair and manufacturing
 rrrrr)uuuuu) Shoe Shine
 sssss)vvvvv) Sign Fabrication
 ttttt)wwwww) Skating Rink
 uuuuu)xxxxx) Small Appliance assembly and repair
 vvvvv)yyyyy) Solar energy extraction generation provided that it is for on-site consumption only.
 wwwww)zzzzz) Specialized Store
 xxxxx)aaaaaa) Sporting Good
 yyyyy)bbbbbb) Stationary
 zzzzz)ccccc) Tailor or Dress Maker
 aaaaaa)dddddd) Taverns
 bbbbbb)eeeeee) Taxi Depots
 eeeeee)ffffff) Taxidermist
 dddddd)gggggg) Telegraph
 eeeeee)hhhhhh) Tennis, Swim, Athletic Club
 fffff)iiiiii) Theatre
 ggggg)jjjjj) Ticket Agency
 hhhhhh)kkkkkk) Tire Re-Treading, Less than 10 employees
 iiiii)llllll) Tobacco
 jjjjj)mmmmm) Toy manufacturing
 kkkkk)nnnnn) Trade Schools
 lllll)ooooo) Transitional Housing (as defined in Section 50675.2 of the Health and Safety Code)
 mmmmm)ppppp) Transmission Lines
 nnnnn)qqqqq) Travel Agency
 ooooo)rrrrr) Truck Fueling Station
 ppppp)sssss) Truck, including Sales, Rental, Service
 qqqqq)ttttt) Used Clothing
 rrrrr)uuuuu) Utility Substations
 sssss)-----Variety
 ttttt)vvvvv) Veterinary including Veterinary Hospital (indoor only)
 uuuuu)wwwww) Video Game Arcade
 vvvvv)xxxxx) Wedding Chapel
 wwwww)yyyyy) Welding or Blacksmithing provided it is adequately fenced with obscured fencing
 xxxxx)zzzzz) Wholesale Distribution
 yyyyy)aaaaaa) Wind Driven Electrical Generator, capacity not to exceed 15 kilowatts
 zzzzz)a) ~~Manager / Caretaker / Security Guard Residence (One only)~~
 aaaaaa)a) ~~Electrical Vehicles Charging Stations as a Primary Use~~

Note: Pre-School, Elementary School, Junior High and High Schools are not permitted in the M-1 Zone.

§ **90515.02 USES PERMITTED WITH A CONDITIONAL USE PERMIT**

The following uses and all others deemed to be similar shall be allowed subject to securing a Conditional Use Permit from the Imperial County Planning & Development Services Department.

- a) Airports or aircraft landing fields
- b) Amusement Park
- c) Animal hospitals, kennels and veterinarians
- d) Asphalt production and products
- e) Asphalt/Concrete Batch Plant
- f) Auto Towing/Dismantling
- g) Auto wrecking
- h) Bakery- Large (more than 25 employees)
- i) Battery Storage
- j) Billboards/Off site advertising signs
- k) Bulk fuel storage facilities
- ~~l) Call Center~~
- ~~l)~~
- m) Cemeteries, columbariums, crematories and mausoleums
- n) Chemical Storage (Non-Toxic, Non-Explosive)
- o) Churches or other places used exclusively for religious worship
- p) Circus
- q) City, County, State and Federal enterprises including buildings, facilities and uses of departments or institutions thereof which are necessary or advantageous to the general welfare of the community
- r) Commercial Cannabis (All Forms), subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- r)s) Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc. (subject to requirements of this zone and Division 24; Section 92401 "Communications Facilities Ordinance" et al).
- s)t) Cotton gins
- t)u) Dairies
- u)v) Data center yard
- v)w) Dehydration mills
- w)x) Electrical Power Generation Plants
- x)y) Equestrian Establishment
- y)z) Establishments or enterprises involving large assemblages of people or automobiles, including amusement parks, circuses, carnivals, exposition, fairground, open air theatres, race tracks, recreational and sport centers
- z)aa) Farm implement sales and metal fabrication
- aa)bb) Geothermal Test Facilities, intermediate projects and major exploratory wells
- bb)cc) Golf Course
- cc)dd) Grain storage and loading facilities
- dd)ee) Heliport
- ee)ff) Hospitals, sanitariums and rest homes
- ff)gg) Institutions of a philanthropic nature
- gg)hh) Labor camp
- hh)ii) Libraries, museums, private clubs and golf courses
- ii)jj) Major facilities relating to the generation and transmission of electrical energy, provided such facilities are not, under state or federal law, to be approved exclusively by an agency, or agencies of the state and/or federal governments, and provided that such facilities shall be approved subsequent to coordination and review with the Imperial Irrigation District for electrical matters. Such uses shall include, but not be limited to, the following:
 - Electrical generation plants
 - Facilities for the transmission of electrical energy (100-200 kV)

Electrical substations in an electrical transmission system (500 kv/230 kv/161 kV)

jj)kk)	Meat and fish packing plants
kk)ll)	Mineral Exploration
ll)mm)	Newspaper, Magazine or Book Printing
mm)nn)	Race Track
nn)oo)	Railroad Station
oo)pp)	Recreational Vehicle Storage Facilities
pp)qq)	Recycling Facility
qq)rr)	Rock shops and related facilities
rr)ss)	Seed mills
ss)tt)	Shooting Range (indoor only)
tt)uu)	Small ethanol plants with a capacity not to exceed one million gallons a year
uu)vv)	Sports Arena- Indoor/Outdoor
vv)ww)	Surface mining operations
ww)xx)	Swap meets
xx)yy)	Swimming Pool
yy)zz)	Transfer Station
zz)aaa)	Trucking Services and Terminals; Trucking Firms
aaa)bbb)	Waste Energy Facility
bbb)ccc)	Well Drilling Service

§ **90515.03 PROHIBITED USES**

All other uses not permitted by Section 90515.01 or 90515.02 of the Chapter are prohibited in the M-1 Zone.

§ **90515.04 MINIMUM LOT SIZE**

The minimum lot size requirement in the M-1 Zone, is 10,000 square feet.

§ **90515.05 MINIMUM LOT AREA PER DWELLING UNIT**

There is no requirement for a minimum area per dwelling unit in the M-1 District since it does not allow dwelling units, except as accessory security or caretakers unit to the permitted use. Any residential use must meet R-1 set-back requirements.

§ **90515.06 YARDS AND SETBACKS**

Yards and setbacks in the M-1 Zone are as follows.

A. **FRONT YARD.**

The front yard minimum setback for all buildings shall be as follows.

1. 10 feet from the property line or public right-of-way line.
2. 0 feet if approved by the Planning Director with the written concurrence from Public Works Department and the Fire Marshall.

In no case shall buildings be located in the right-of-way or on the property line, unless it meets the latest edition of the California Building Code.

B. **SIDE YARD**

None required.

C. **REAR YARD**

None required.

§ 90515.07 HEIGHT LIMIT

Buildings and structures in the M-1 District shall not exceed six (6) stories or 80 feet.

§ 90515.08 MINIMUM DISTANCE BETWEEN STRUCTURES

There is no requirement for a minimum distance between structures in the M-1 Zone, except that required by the California Building Code.

§ 90515.09 PARKING

Off street parking in the M-1 Zone shall be provided in accordance with Section 90402.01 (f).

§ 90515.10 SIGNS

The following signs shall be permitted in the M-1 Zone; however, all signs shall be subject to Section 90401 as applicable.

1. Temporary real estate signs not exceeding 20 square feet, advertising the property for sale or lease, and meeting requirements of Division 4, Chapter 1.
2. Temporary construction signs related to construction on said property, meeting requirements of Division 4, Chapter 1.
3. Temporary political, religious, civic and campaigning signs not to exceed three (3) months, meeting requirements of Division 4, Chapter 1.
4. Signs approved in conjunction with a Conditional Use Permit approved for the site.

§ 90515.11 LANDSCAPING

Landscaping in the M-1 Zone shall be provided according to Section 90302.03

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TITLE 9

DIVISION 5: ZONING AREA ESTABLISHED

CHAPTER 16: M-2 (MEDIUM INDUSTRIAL)

§ 90516.00	PURPOSE & APPLICATION
§ 90516.01	PERMITTED USES IN THE M-2 ZONE
§ 90516.02	USES PERMITTED WITH A CONDITIONAL USE PERMIT
§ 90516.03	PROHIBITED USES
§ 90516.04	MINIMUM LOT SIZE
§ 90516.05	MINIMUM LOT AREA PER DWELLING UNIT
§ 90516.06	YARDS AND SETBACKS
§ 90516.07	HEIGHT LIMIT
§ 90516.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90516.09	PARKING
§ 90516.10	SIGNS
§ 90516.11	LANDSCAPING

§ 90516.00 PURPOSE & APPLICATION

The purpose of the M-2 (Medium Industrial) zone is to designate areas for wholesale commercial, storage, trucking, assembly type manufacturing, general manufacturing, research and development, medium intensity fabrication and other similar medium intensity processing facilities. The processing or fabrication within any of these facilities is to be limited to activities conducted either entirely within a building or within securely fenced (obscured fencing) areas. Provided further that such facilities do not omit fumes, odor, dust, smoke or gas beyond the confines of the property line within which their activity occurs, or produces significant levels of noise or vibration beyond the perimeter of the site.

§ 90516.01 PERMITTED USES IN THE M-2 ZONE

- a) Alcohol and alcoholic beverage manufacturer
- b) All M-1 uses permitted under §90515.01
- c) Asphalt and asphalt products manufacturing
- d) Automobile assembly
- e) Automobile body and fender works
- f) Automobile dismantling for used parts storage, only if operated and maintained entirely within a building
- g) Automobile painting
- h) Automobile upholstery
- i) Bag cleaning
- j) Boiler or tank works
- k) Brick, tile or terra cotta
- l) Building materials and manufacturing
- m) Candle making
- n) Carbon manufacturing
- o) Cargo Containers (provided they have an approved building permit)
- p) Celluloid or pyroxylin manufacturing
- q) Cement and cement product manufacturing
- r) Contractors equipment yards
- s) Contractors general
- t) Contractors storage yards
- u) Cotton gins or oil mills
- v) Crumb rubber processing
- w) Data centers
- x) Disinfectant manufacturing

y) Electrical Vehicles Charging Stations as a Primary Use

Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008) (Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

- y)z) Feed mills
- z)aa) Fertilizer and insecticide manufacturing
- aa)bb) Fish and meat packing plant
- bb)cc) Grain elevators
- ee)dd) Graphite manufacturing
- dd)ee) Gypsum manufacturing
- ff) House movers or wreckers
- ee)gg) Industrial Hemp: manufacturing into semi-finished and finished products, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- ff)hh) Ink, lime, linoleum, matches, paper and straw board, petroleum products, pickles, sauerkraut, soap, starch, sugar, tar and tar products, vinegar, accessory buildings and/or structures necessary to such use located on the same lot or parcel of land as the primary structure or use
- gg)ii) Insulation materials manufacturing
- hh)jj) Mini Storage (outside storage allowed provided it is screened)
- ii)kk) Oil reclamation plant
- jj)ll) Petroleum products storage
- kk)mm) Railroad repair shop
- ll)nn) Railroad yard
- mm)oo) Seed mill
- nn)pp) Solar energy extraction generation provided that it is for on-site consumption only.
- oo)qq) Wool pulling and scouring
- ~~pp)a) Electrical Vehicles Charging Stations as a Primary Use~~

§ 90516.02 USES PERMITTED WITH A CONDITIONAL USE PERMIT

- a) Acid manufacturing
- b) Ammonia, chlorine and bleaching powder manufacturing
- c) Animal sales yards
- d) Animal slaughter plant
- e) Animal stock yards
- f) Automobile wrecking yard (operated entirely within a fenced area where all portions of the site are obscure from any adjacent parcel)
- g) Battery Storage
- h) Billboards/Off site advertising signs
- i) Blast furnace
- j) Chemical manufacturing
- j)k) Commercial Cannabis (All Forms), subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- k)l) Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc. (subject to requirements of this zone and Division 24; Section 92401 "Communications Facilities Ordinance" et al).
- l)m) Distillation of coal, wood or tar
- m)n) Fat rendering
- n)o) Gelatin manufacturing
- o)p) Glass manufacturing
- p)q) Incinerators
- q)r) Junk yards
- s) Labor camps
- r) _____
- s)t) Major facilities relating to the generation and transmission of electrical energy, provided such facilities are not, under state or federal law, to be approved exclusively by an agency, or agencies of the state and/or federal governments, and provided that such facilities shall be approved subsequent to coordination and review with the Imperial Irrigation District for electrical matters. Such uses shall include, but not be limited to, the following:
 - Electrical generation plants
 - Facilities for the transmission of electrical energy (100-200 kV)

Electrical substations in an electrical transmission system (500 kv/230 kv/161 kv)

- t)u) Recycling Facility
- u)v) Rubber and rubber products manufacturing
- w) Smelting of tin, copper or iron ore
- v)x) Solid Waste Facilities
- w)y) Storage and handling of radio-active materials
- x)z) Surface mining
- y)aa) Transportation treatment units (TTU's)
- z)bb) Trucking firms, truck and automobile storage yards

§ 90516.03 PROHIBITED USES

All other uses not permitted by Section 90516.01 or 90516.02 of this Division are prohibited in the M-2 zone.

§ 90516.04 MINIMUM LOT SIZE

Minimum lot size requirement in the M-2 zone is 20,000 square feet.

§ 90516.05 MINIMUM LOT AREA PER DWELLING UNIT

There is no requirement for a minimum area per dwelling unit in the M-2 zone since it does not allow dwelling units as an outright use except as an accessory and/or security or caretakers unit which may be permitted incidental to the primary use. Any residential use must meet R-1 setback requirements.

§ 90516.06 YARDS AND SETBACKS

Yards and setbacks in the M-2 zone are as follows:

A. FRONT YARD

Minimum front yard setback for all buildings shall be as follows:

1. 10 feet from property line or public right-of-way line

2.1. 0 feet if approved by the Planning Director with written concurrence from the Public Works Department and Fire Marshall

In no case shall buildings be located in the right-of-way or on the property line unless it meets the latest edition of the California Building Code.

B. SIDE YARD

None required

C. REAR YARD

None required

§ 90516.07 HEIGHT LIMIT

Buildings and structures in the M-2 zone shall not exceed six (6) stories or 80 feet.

§ 90516.08 MINIMUM DISTANCE BETWEEN STRUCTURES

There is no requirement for minimum distance between structures in the M-2 zone except as required by the Uniform Building Codes.

§ **90516.09** **PARKING**

Off street parking in the M-2 zone shall be as provided in accordance with Section 90402.01 (F).

§ **90516.10** **SIGNS**

The following signs shall be permitted in the M-2 Zone; however, all signs shall be subject to Section 90401 as applicable.

1. Institutional Identification Signs
2. Monument Signs not to exceed 100 square feet
3. Pole Signs
4. Signs attached to buildings
5. Temporary Construction Signs
6. Temporary Political Signs, not to exceed 3 months
7. Temporary Real Estate signs, advertising property for sale or lease not to exceed 20 square feet.

§ **90516.11** **LANDSCAPING**

Landscaping in the M-2 zone shall be provided according to Section 90302.03.

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TITLE 9

DIVISION 5: ZONING AREA ESTABLISHED

CHAPTER 17: M-3 (HEAVY INDUSTRIAL)

§ 90517.00	PURPOSE & APPLICATION
§ 90517.01	PERMITTED USES
§ 90517.02	USES PERMITTED WITH A CONDITIONAL USE PERMIT
§ 90517.03	PROHIBITED USES
§ 90517.04	MINIMUM LOT SIZE
§ 90517.05	MINIMUM LOT AREA PER DWELLING UNIT
§ 90517.06	YARDS AND SETBACKS
§ 90517.07	HEIGHT LIMIT
§ 90517.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90517.09	PARKING
§ 90517.10	SIGNS
§ 90517.11	LANDSCAPING

§ 90517.00 PURPOSE & APPLICATION

The purpose of the M-3 (Heavy Industrial) zone is to designate areas for the most intense, heaviest type of manufacturing processing or fabrication facilities. Processing or fabrication in these areas is allowed to be conducted entirely within a building or outside of a building, provided however the facility does not omit fumes, odors, dust, smoke or gas beyond the confines of the property upon which the activity occurs, nor produces significant levels of noise or vibrations beyond the perimeter of the site in accordance with the County's General Plan.

§ 90517.01 PERMITTED USES IN THE M-3 ZONE

- a) Abattoir or animal slaughter house
- b) Acid manufacturing
- c) All M-2 uses permitted under § 90516.01, not including § 90515.01
- d) Ammunition manufacturing
- e) Automobile assembly plants
- f) Automobile wrecking yard provided it is conducted entirely within a fenced area where all portions of the site are obscure from any adjacent parcel
- g) Battery Storage
- h) Cargo Containers (provided they have an approved building permit)
- i) Creosote manufacturing
- j) Curing, tanning and storage of raw hides or skins
- k) Distillation of bones
- l) Distillation of coal, wood or tar
- m) Drop forge industries
- n) Explosive manufacturing and storage
- o) Fat rendering
- p) Gas manufacturing
- q) Graphite manufacturing
- r) Incinerators
- s) Iron, steel, brass or copper foundries or fabrication plants
- t) Lumber mills
- u) Major facilities relating to the generation and transmission of electrical energy, provided such facilities are not, under state or federal law, to be approved exclusively by an agency, or agencies of the state and/or federal governments, and provided that such facilities shall be approved subsequent to coordination and review with the Imperial Irrigation District for electrical matters. Such uses shall include, but not be limited to, the following:

- Electrical generation plants
- Facilities for the transmission of electrical energy (100-200 kV)
- Electrical substations in an electrical transmission system (500 kv/230 kv/161 kv)
- v) MRF (Material recovery facility)
- w) Ore reduction plants
- x) Petroleum refineries
- y) Quarry or stone mills
- z) Recycling facility
- aa) Regional Landfill
- bb) Rolling mills
- cc) Rubber and rubber products manufacturing
- dd) Smelting of tin, copper, zinc or iron ore
- ee) Solar energy extraction generation provided that it is for on-site consumption only.
- ff) Transformation facility

§ 90517.02 USES PERMITTED WITH A CONDITIONAL USE PERMIT

- Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc.. (subject to requirements of this zone and Division 24; Section 92401 "Communications Facilities Ordinance" et al).

§ 90517.03 PROHIBITED USES

All uses not permitted by Section 90517.01 of this Division are prohibited in the M-3 zone.

§ 90517.04 MINIMUM LOT SIZE

The minimum lot size required in the M-3 zone is 20,000 square feet.

§ 90517.05 MINIMUM LOT AREA PER DWELLING UNIT

There is no requirement for minimum area for a dwelling unit in the M-3 zone since it does not allow dwelling units except as accessory, security or caretaker units. Any residential use must meet R-1 setback requirements.

§ 90517.06 YARDS AND SETBACKS

Yards and setbacks in the M-3 zone are as follows:

A. FRONT YARD

The minimum front yard setback for all buildings shall be as follows:

1. 10 feet from property line or public right-of-way line
2. 0 feet if approved by the Planning Director with the written concurrence from the Public Works Department and the Fire Marshall.

B. SIDE YARD

None required.

C. REAR YARD

None required.

§ 90517.07 HEIGHT LIMIT

Buildings constructed in the M-3 zone shall not exceed six (6) stories or 80 feet.

§ 90517.08 MINIMUM DISTANCE BETWEEN STRUCTURES

There are no requirements for a minimum distance between structures in the M-3 zone except that required by the California Building Codes.

§ 90517.09 PARKING

Off street parking in the M-3 zone shall be as provided in accordance with Section 90402.01 (F).

§ 90517.10 SIGNS

The following signs shall be permitted in the M-3 Zone; however, all signs shall be subject to Section 90401 as applicable.

1. Institutional Identification Signs
2. Monument Signs not to exceed 100 square feet
3. Pole Signs
4. Signs attached to buildings
5. Temporary Construction Signs
6. Temporary Political Signs, not to exceed 3 months
7. Temporary Real Estate signs, advertising property for sale or lease not to exceed 20 square feet.
8. Temporary Subdivision Signs

§ 90517.11 LANDSCAPING

Landscaping in the M-3 zone shall be provided according to Section 90302.03.

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TITLE 9

DIVISION 5: ZONING AREA ESTABLISHED

CHAPTER 18: S-1 (OPEN SPACE/RECREATIONAL)

§ 90518.00	PURPOSE & APPLICATION
§ 90518.01	PERMITTED USES IN THE S-1 ZONE
§ 90518.02	USES PERMITTED WITH A CONDITIONAL USE PERMIT
§ 90518.03	PROHIBITED USES
§ 90518.04	MINIMUM LOT SIZE
§ 90518.05	MINIMUM LOT AREA PER DWELLING UNIT
§ 90518.06	YARDS AND SETBACKS
§ 90518.07	HEIGHT LIMIT
§ 90518.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90518.09	PARKING
§ 90518.10	SIGNS
§ 90518.11	LANDSCAPING
§ 90518.12	ANIMALS

§ 90518.00 PURPOSE & APPLICATION

The purpose of the S-1 zone is to designate areas that recognize the unique Open Space and Recreational character of Imperial County including the deserts, mountains and water front areas. Primarily the S-1 Zone is characterized by low intensity human utilization and small scale recreation related uses. Any new subdivision in the S-1 zone will require all necessary infrastructure, including potable water, sewer and roads to County standards.

§ 90518.01 PERMITTED USES IN THE S-1 ZONE

The following uses are allowed in the S-1 Zone:

- a) Accessory Structure including cargo container (provided they have an approved building permit and are subordinate to a primary building/use)
- b) Crop and tree farming (not allowed within Ocotillo/Nomirage Community Area Plan)(ONCAP)
- c) Directional signs of not to exceed six (6) square feet in area but not including commercial advertising
- d) Duck clubs (not allowed within ONCAP)
- e) Fish farms (not allowed within ONCAP)
- f) Forest industries
- g) Grazing
- h) Gun clubs
- i) Harvesting of any wild crop
- j) Home Occupation per Division 4, Chapter 4 (home occupation permit required) Hotels and motels
- k) Marinas, boat liveries and boat launching ramps
- l) Mobile home/RV Park provided 50% of the total use is for RV use
- m) Residence (one per legal parcel)
- n) RV Park
- o) Solar energy extraction generation provided that it is for on-site consumption only.
- p) Home Occupation per Division 4, Chapter 4 (home occupation permit required).

§ 90518.02 USES PERMITTED WITH A CONDITIONAL USE PERMIT

- a) Accessory dDwelling uUnit
- a)b) Airports
- b)c) Breeding and raising of animals in excess of the limits specified in Section 90502.13
- e)d) Churches and other places used exclusively for religious worship

Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008) (Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

EEC ORIGINAL PKG

- d)e) City, County, State and Federal enterprises including buildings and facilities
- e)f) Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc.. (subject to requirements of this zone and Division 24; Section 92401 "Communications Facilities Ordinance" et al).
- f)g) Contractors office and storage yard (temporary)
- g)h) Daycare or nursery school
- h)i) Equestrian establishments, stables, or riding academies (not allowed within ONCAP)
- i)j) Establishments or enterprises involving large assemblages of people or automobiles including amusement parks, circuses, carnivals, expositions, fairs, open air theatres, race tracks, recreational and sport centers
- j)k) Facilities for abused people
- k)l) Hospital sanitariums
- l)m) Institutions of a philanthropic nature
- m)n) Major facilities relating to the generation and transmission of electrical energy provides such facilities are not under State or Federal law, to approved exclusively by an agency, or agencies of the State or Federal government, and provided such facilities shall be approved subsequent to coordination review of the Imperial Irrigation District for electrical matters. Such uses shall include but be limited to the following:
 - Electrical generation plants
 - Facilities for the transmission of electrical energy (100-200 kV)
 - Electrical substations in an electrical transmission system (500 kv/230 kv/161 kv)
- n)o) Meteorological Tower
- o)p) Oil, gas & geothermal exploration
- p)q) Planned unit development
- q)r) Recreational vehicle storage facilities
- r)s) Real Estate tract office and signs (temporary)
- s)t) Surface mining operations

§ 90518.03 PROHIBITED USES

All other uses not permitted by Section 90518.01 or 90518.02 of the Chapter are prohibited in the S-1 Zone.

§ 90518.04 MINIMUM LOT SIZE

The minimum lot size for the S-1 zone is 1 acre and any parcel existing at less than 1 acre at the adoption of this Ordinance shall be deemed an legal parcel.

§ 90518.05 MINIMUM LOT AREA PER DWELLING UNIT

The minimum lot area per dwelling unit in the S-1 zone shall be 1 acre for each residence allowed by this Chapter.

§ 90518.06 YARDS AND SETBACKS

Yards and setbacks in the S-1 zone are as follows:

A. FRONT YARD.

The front yard minimum setback for all buildings shall be as follows.

25 feet from the edge of right-of-way or property line or 80 feet from center line or adjacent street, whichever is greater.

B. SIDE YARD

10 feet minimum.

C. REAR YARD

10 feet minimum.

§ 90518.07 HEIGHT LIMIT

Buildings or structures in the S-1 zone shall not exceed 35 feet, except for communication towers, which are 100 feet.

§ 90518.08 MINIMUM DISTANCE BETWEEN STRUCTURES

The following requirements apply to the minimum distances between structures in the S-1 Zone.

- A. There shall be a minimum of ten (10) feet between primary residential use buildings, except for 0 lot line approved subdivisions.
- B. There shall be a minimum distance of six (6) feet between a residential building and any detached accessory building, except that any detached structure used to house, keep or maintain animals, permitted in this zone shall be separated as follows:
 - 30 ft. from primary residence
 - 80 ft. from front lot line
 - 25 ft. from any side or rear lot line
 - 100 ft. from any school or public park
 - 100 ft. from any water well

NOTE: A covered walkway or breezeway is not considered attached.

§ 90518.09 PARKING

Off-street parking shall be provided in the S-1 Zone according to the standards contained in Sections 90402.00 through 90402.15 of this Title. RV's, trailers and other vehicles provided they belong to the property owner may be stored on site only if they are within the rear yard and not readily visible or accessible to public view.

§ 90518.10 SIGNS

The following signs shall be permitted in the S-1 Zone; however, all signs shall be subject to Section 90401 as applicable.

- 1. Temporary real estate signs not exceeding 20 sq. ft., and advertising the property for sale or lease, and meeting requirements of Division 4, Chapter 1, of this Title.
- 2. Temporary construction signs related to construction on said property, meeting requirements of Division 4, Chapter 1.
- 3. Temporary political, religious, civic and campaigning signs not to exceed three (3) months, meeting requirements of Division 4, Chapter 1.
- 4. Institutional Signs
- 5. Signs attached to buildings.
- 6. Monument signs.
- 7. Pole signs advertising on-site identification uses only.

8. Signs approved in conjunction with a Conditional Use Permit approved for the site.

§ **90518.11 LANDSCAPING**

Every S-1 lot, parcel or use shall meet the requirements of Section 90302.06.

§ **90518.12 ANIMALS**

The keeping of animals in the S-1 zone shall comply with Section 90502.13.

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TITLE 9

DIVISION 5: ZONING AREA ESTABLISHED

CHAPTER 19: S-2 (OPEN SPACE/PRESERVATION)

§ 90519.00	PURPOSE & APPLICATION
§ 90519.01	PERMITTED USES IN THE S-2 ZONE
§ 90519.02	USES PERMITTED WITH A CONDITIONAL USE PERMIT
§ 90519.03	PROHIBITED USES
§ 90519.04	MINIMUM LOT SIZE
§ 90519.05	MINIMUM LOT AREA PER DWELLING UNIT
§ 90519.06	YARDS AND SETBACKS
§ 90519.07	HEIGHT LIMIT
§ 90519.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90519.09	PARKING
§ 90519.10	SIGNS
§ 90519.11	LANDSCAPING
§ 90519.12	ANIMALS

§ 90519.00 PURPOSE & APPLICATION

The S-2 Zone is considered to be the Open Space Preservation Zone. The primary intent here is to preserve the cultural, biological, and open space areas that are rich and natural as well as cultural resources. The S-2 Zone is dominated by native desert habitat and stark topographic features. While certain uses are allowed within the S-2 Zone, such uses must be compatible with the intent of the Open Space and Conservation Element of the General Plan.

§ 90519.01 PERMITTED USES IN THE S-2 ZONE

The following uses are allowed in the S-2 Zone:

- a) Accessory agricultural buildings, structures and uses including farm buildings, housing of agricultural product, garages and implementation shelters, provided no livestock or any building or enclosure used in connection with livestock shall be closer than 100 feet to the property lines. (not allowed within ONCAP)
- b) Accessory structure including cargo container (provided they have an approved building permit and are subordinate to a primary building/use)
- c) All permitted uses in S-1 zone under § 90518.01 except for mobile home and/or RV park
- d) Apiaries
- e) Home Occupation per Division 4, Chapter 4 (home occupation permit required)
- e)f) Keeping of poultry, or similar small animals.
- g) Mineral Extraction
- f)h) Pasturing and grazing, provided however, that it shall not exceed one large animal (horse, mule, cow, etc.) or five medium size animal (hogs, goat, sheep) for each acre of the area of the parcel of land upon which the same are kept, except the temporary pasturing of livestock to feed on vegetable manner grown on said premises made be permitted. The feeding of garbage (cooked or raw), produce, or import materials shall be strictly prohibited. (not allowed with ONCAP)
- g)i) Public buildings
- h)j) Residence, one per legal parcel.
- i)k) Solar energy extraction generation provided that it is for on-site consumption only.
- j)l) Stands for the sale of agricultural, horticultural, or farming products grown on the premises.
- k)m) Storage of agricultural products.
- l)n) Storage of products used for premises.
- m)a) Home Occupation per Division 4, Chapter 4 (home occupation permit required)

§ 90519.02 USES PERMITTED WITH A CONDITIONAL USE PERMIT

- a) Airports, airparks, heliparks.
- b) Asphaltic/concrete batch plants
- c) Boat delivery and launching ramps.
- d) Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc.. (subject to requirements of this zone and Division 24; Section 92401 "Communications Facilities Ordinance" et al).
- e) Community recreational buildings.
- f) Contractors office and storage yard (temporary)
- g) Equestrian establishment.
- h) General Store, 2000 square feet maximum.
- i) Major facilities relating to the generation and transmission of electrical energy provides such facilities are not under State or Federal law, to approved exclusively by an agency, or agencies of the State or Federal government, and provided such facilities shall be approved subsequent to coordination review of the Imperial Irrigation District for electrical matters. Such uses shall include but be limited to the following:
 - Electrical generation plants
 - Facilities for the transmission of electrical energy (100-200 kV)
 - Electrical substations in an electrical transmission system (500 kv/230 kv/161 kV)
- j) Mobile home/RV Park.
- k) Off road vehicle and or motorcycle events.
- l) Oil, and gas and geothermal exploration.
- m) Parks and picnic grounds.
- n) Recreational camps, resorts, guest and dude ranches, organized camps.
- o) Recreational vehicle storage compounds/mini storage provided at least 75% of total use is for RV storage
- p) Riding, hiking, and bicycle trials.
- q) Seasonal Vendor Area
- r) Surface mining
- s) Tourist information centers.
- t) Youth camps.

§ 90519.03 PROHIBITED USES

All other uses not permitted by Section 90519.01 or 90519.02 shall be prohibited in the S-2 Zone.

§ 90519.04 MINIMUM LOT SIZE

The minimize lot size of the S-2 zone is 20 acres (net).

§ 90519.05 MINIMUM LOT AREA PER DWELLING UNIT

There shall be a minimum of one (1) acre (net) of lot area per dwelling unit.

§ 90519.06 YARDS AND SETBACKS

Yards and setbacks in the S-2 zone are as follows:

A. FRONT YARD.

The front yard minimum setback for all buildings shall be as follows:

30 feet minimum from property line or 80 feet from center line of adjacent road.

B. SIDE YARD

20 Feet minimum.

C. REAR YARD

20 feet minimum

§ **90519.07 HEIGHT LIMIT**

Maximum height limit in the S-2 zone shall be 40 feet, except for communication towers which are 100 feet

§ **90519.08 MINIMUM DISTANCE BETWEEN STRUCTURES**

The following requirements apply to the minimum distances between structures in the S-2 Zone.

- A. There shall be a minimum of ten (10) feet between primary residential use buildings, except for 0 lot line approved subdivisions.
- B. There shall be a minimum distance of six (6) feet between a residential building and any detached accessory building, except that any detached structure used to house, keep or maintain animals, permitted in this zone shall be separated as follows:
 - 30 ft. from primary residence
 - 80 ft. from front lot line
 - 25 ft. from any side or rear lot line
 - 100 ft. from any school or public park
 - 100 ft. from any water well

NOTE: A covered walk way or breeze way is not considered attached.

§ **90519.09 PARKING**

Off-street parking shall be provided in the S-2 Zone according to the standards contained in Sections 90402.00 through 90402.15 of this Title. RV's, trailers and other vehicles provided they belong to the property owner, may be stored on site only if they are within the rear yard and not readily visible or accessible to public view.

§ **90519.10 SIGNS**

The following signs shall be permitted in the S-2 Zone; however, all signs shall be subject to Section 90401 as applicable.

1. Temporary real estate signs not exceeding 20 sq. ft., and advertising the property for sale or lease, and meeting requirements of Division 4, Chapter 1, of this Title.
2. Temporary construction signs related to construction on said property, meeting requirements of Division 4, Chapter 1.
3. Temporary political, religious, civic and campaigning signs not to exceed three (3) months, meeting requirements of Division 4, Chapter 1.
4. Signs attached to buildings.
5. Monument signs.
6. Pole signs advertising on-site identification uses only.

7. Institutional Signs

8. Signs approved in conjunction with a Conditional Use Permit approved for the site.

§ **90519.11 LANDSCAPING**

Every S-2 lot, parcel or use shall meet the requirements of Section 90302.06.

§ **90519.12 ANIMALS**

The keeping of animals in the S-2 zone shall comply with Section 90502.13.

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TITLE 9

DIVISION 5: ZONING AREA ESTABLISHED

CHAPTER 20: G/S (GOVERNMENT/SPECIAL PUBLIC ZONE)

§ 90520.00	PURPOSE & APPLICATION
§ 90520.01	PERMITTED USES IN THE G/S ZONE
§ 90520.02	USES PERMITTED WITH A CONDITIONAL USE PERMIT
§ 90520.03	PROHIBITED USES
§ 90520.04	MINIMUM LOT SIZE
§ 90520.05	MINIMUM LOT AREA PER DWELLING UNIT
§ 90520.06	YARDS AND SETBACKS
§ 90520.07	HEIGHT LIMIT
§ 90520.08	MINIMUM DISTANCE BETWEEN STRUCTURES
§ 90520.09	PARKING
§ 90520.10	SIGNS
§ 90520.11	LANDSCAPING
§ 90520.12	REVERSION IF PRIVATIZED

§ 90520.00 PURPOSE & APPLICATION

The purpose of the G/S zone is to designate areas that allow for the construction, development and operation of governmental facilities and special public facilities, primarily this zone allows for all types of government owned and/or government operated facilities, be they office or other uses. It also allows for special public uses such as security facilities, jails, solid and/or hazardous wastes facilities and other similar special public benefit uses.

§ 90520.01 PERMITTED USES IN THE G/S ZONE

The following uses are intended to be owned and/or operated by a public agency:

- a. Airport (public)
- b. Adult care facilities
- c. Agricultural Products (growing, harvesting and processing)
- d. Business and Industry Incubation Space (non-volatile materials)
- e. Cargo container (provided they have an approved building permit)
- f. Child care facilities
- g. Commercial Cannabis (Cultivation non-volatile materials), subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- h. County buildings
- i. Electrical Vehicles Charging Stations as an Accessory Use. (Incidental to Primary Use)
- j. Incarceration
- k. Industrial Hemp: including the cultivation, harvesting and testing, and light processing, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- l. Industrial Hemp (non-volatile materials): manufacturing into semi-finished and finished products, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- m. Maintenance facilities
- n. Offices
- o. Parks, organized camps
- p. Public buildings
- q. Research and development (non-explosive or nuclearvolatile materials)
- r. Schools
- s. Solar energy extraction generation provided that it is for on-site consumption only.
- t. Solid waste recycling facility
- u. ~~Electrical Vehicles Charging Stations as an Accessory Use. (Incidental to Primary Use)~~

§ **90520.02 USES PERMITTED WITH A CONDITIONAL USE PERMIT**

- a. Airport (private)
- a-b. Business and Industry Incubation Space (volatile materials)
- c. Commercial Cannabis Manufacturing (volatile materials), subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- b-d. Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc.. (subject to requirements of this zone and Division 24; Section 92401 "Communications Facilities Ordinance" et al).
- e-e. Hazardous materials disposal
- d-f. Hazardous materials processing
- e-g. Hazardous materials recycling
- h. Hazardous materials treating
- f-i. Industrial Hemp (volatile materials): manufacturing into semi-finished and finished products, subject to Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance
- g-j. Major facilities relating to the generation and transmission of electrical energy provides such facilities are not under State or Federal law, to approved exclusively by an agency, or agencies of the State or Federal government, and provided such facilities shall be approved subsequent to coordination review of the Imperial Irrigation District for electrical matters. Such uses shall include but be limited to the following: Electrical generation plants (less than 50 mw) Facilities for the transmission of electrical energy (100-200 kV) Electrical substations in an electrical transmission system (500 kv/230 kv/161 kV)
- k. Research and development (volatile materials)
- h-l. Solid waste landfill facility
- i-m. Training facility
- j-n. Water treatment facility
- k-o. Wastewater treatment facility

§ **90520.03 PROHIBITED USES**

All other uses not permitted by Section 90520.01 of this Division are prohibited in the G/S zone.

§ **90520.04 MINIMUM LOT SIZE**

The minimize lot size of the G/S zone is 20,000 square feet.

§ **90520.05 MINIMUM LOT AREA PER DWELLING UNIT**

Dwelling units are not permitted in the G/S zone except as ancillary facilities such as caretakers or security facilities, therefore no minimum lot area per dwelling unit is required.

§ **90520.06 YARDS AND SETBACKS**

None required.

§ **90520.07 HEIGHT LIMIT**

Buildings or structures in the G/S zone shall not exceed six (6) stories or 80 feet, except communication towers which are 100 feet.

§ **90520.08 MINIMUM DISTANCE BETWEEN STRUCTURES**

No minimum distance separation requirements are required except to meet the California Codes.

§ **90520.09 PARKING**

Off-street parking shall be provided as required by the Department of Public Works and Planning & Development Services Department.

§ **90520.10 SIGNS**

No restriction on the placement or maintenance of signs shall apply in the G/S zone.

§ **90520.11 LANDSCAPING**

Every G/S zoned facility shall provide landscaping consistent with the requirements of the C-2 zone.

§ **90520.12 REVERSION IF PRIVATIZED**

In the event a parcel that is zoned G/S by virtue of the fact that it is under public ownership is sold or otherwise privatized, the zone of the parcel shall be automatically changed to that of S-2.

Any privately owned G/S facility shall only be allowed to operate the business or facility in existence at time of adoption of this Ordinance. Any change in use shall first require a change of zone.

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APPENDIX A
GATEWAY OF THE AMERICAS SPECIFIC PLAN

Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008)
(Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

EEC ORIGINAL PKG

APPENDIX B
MESQUITE LAKE SPECIFIC PLAN

APPENDIX C
RIO BEND SPECIFIC PLAN

APPENDIX D
IMPERIAL LAKES (SKI LAKES) SPECIFIC PLAN

Division 5 Adopted November 24, 1998 (Amended December 16, 2003) (Amended August 3, 2004) (Amended October 31, 2006) (Amended January 29, 2008)
(Amended July 2, 2013 MO#12) (Amended December 9, 2014) (Amended April 18, 2017)

EEC ORIGINAL PKG

APPENDIX E
McCABE RANCH SUBDIVISION SPECIFIC PLAN

APPENDIX F
RIVER FRONT SPECIFIC PLAN