

TITLE 9

DIVISION 5: ZONING AREAS ESTABLISHED

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CHAPTER 1: GENERAL PROVISIONS

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§ 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

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.

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

§ 90501.19 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.

TITLE 9

DIVISION 5: ZONING AREAS ESTABLISHED

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

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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
- c) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)
- d) Elementary school (public, charter, private)
- e) Guest house, provided it does not contain a kitchen and has no independent utility connections
- f) High school (public)
- g) Home Occupation per Division 4, Chapter 4 of Title 9 Land Use Ordinance (Home Occupation Permit required)
- h) Junior high school (public)
- i) Large Family Daycare Home as defined by CA Health & Safety Code Section 1597.46
- j) One (1) Accessory dwelling unit or Junior accessory dwelling unit, subject to Division 4 Chapter 5 of Title 9 Land Use Ordinance
- k) One Mobile home; or one manufactured home; or one factory built home
- l) Public fire station/Police station
- m) Public parks/playgrounds with swimming areas
- 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.)
- q) Single family dwelling [conventional/or manufactured]
- r) Small Family Daycare as defined by CA Health & Safety Code Section 1597.44 & 1597.45
- s) Solar energy extraction generation (on-site consumption only).

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

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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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)
- f) Fire station
- g) High School (public)
- h) Home occupation per Division 4, Chapter 4 (home occupation permit required)
- i) Junior High School (public)
- j) Parks, playgrounds and swimming areas (public or association maintained)
- k) Residential accessory structure (including cargo containers provided they meet architectural standards as defined herein Division 14)
- l) Residential care facility serving 5 or less individuals
- 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)

§ 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 of 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

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

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

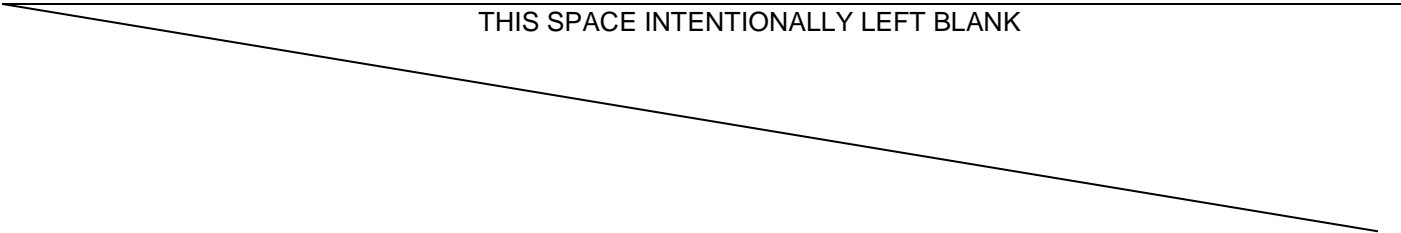
- A. The R-2 Zone allows for a maximum of ten (10) dwelling units per (net) acre. This may be a mixture of units on any one legal parcel. The density shall be the limiting factor on the number of dwelling units per legal lot.
- B. The R-2 Zone does allow for a mixture of a single family or duplex structures,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



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)
- h) Park or Play Grounds
- i) Pre-school, Elementary School, Junior High School, Senior High School, College, or University (public)
- j) Public Agency or Public Building
- k) Public Recreation Facilities
- l) Public Swimming Pool
- m) Quadplex
- n) Residential Accessory Structure (including cargo containers provided they meet architectural standards as defined herein Division 14)

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

§ 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.

§ 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

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

- 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)
- g) Manager's/Caretaker or proprietor's quarters
- h) Mobile Home (manufactured home) (one per legal lot within a mobile home park subdivision zone)
- i) 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.
- j) Solar energy extraction generation provided that it is for on-site consumption only.

§ 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.

- 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

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.

§ 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	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

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
- j) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)
- k) Employee Housing
- l) Growing of agricultural crops for domestic use of the resident occupant
- m) 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.
- n) Home occupation per Division 4, Chapter 4 (Home Occupation Permit required)
- o) 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.
- p) Mobile Home or Recreational Vehicle, temporary during construction of a single family dwelling,
- q) Park or Playground (public)
- r) Preschool, Elementary School, Junior High School, Senior High School, College or University
- s) Public buildings
- t) Public Swimming Pool (public)
- u) Residential accessory structures
- v) Residential care facilities serving six (6) or fewer people
- w) Signs advertising the products produced or sold locally or identifying the premises or occupants.
- x) Single family dwelling (conventional or manufactured),
- y) Solar energy extraction generation provided that it is for on-site consumption only. .
- z) Storage of agricultural products
- aa) Storage of products for use on the premises
- bb) Transitional Housing (as defined in Section 50675.2 of the Health and Safety Code)
- cc) The keeping of poultry, rabbits and similar small animals
- 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

§ 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
- bb) Rehabilitation Facility
- cc) Resource Extraction
- dd) Rest home, Retirement Home
- ee) Sanitarium
- ff) Scale repair facility
- gg) Senior Citizen Center
- hh) Solar Energy generation at more than ten (10) kilowatts
- ii) Tennis or Swim Club
- jj) Utility and Communication Facilities
- kk) 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 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:

- 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.

§ 90507.13 SPECIAL REVIEW PROCEDURE AND DEVELOPMENT STANDARDS

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

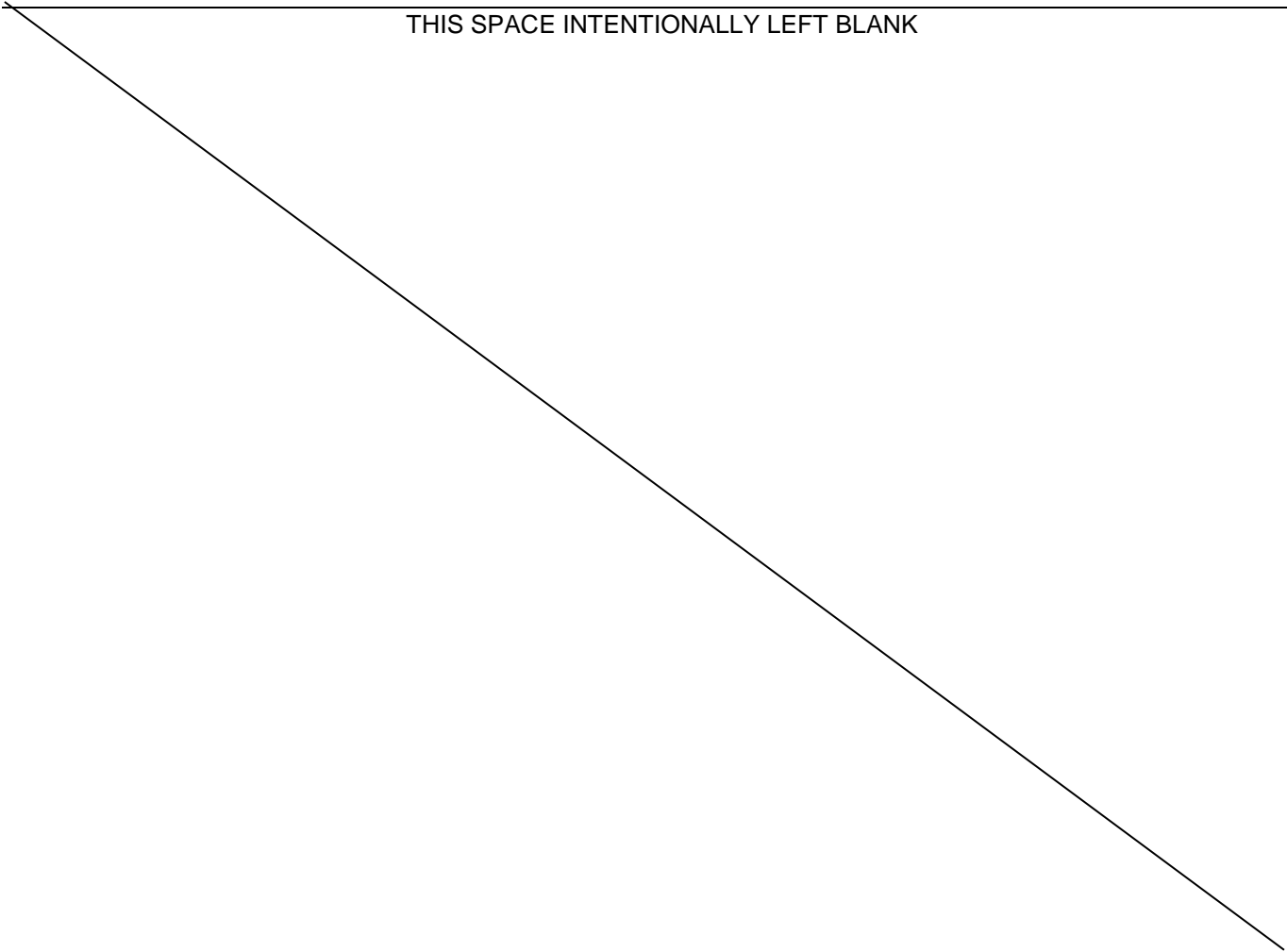
- A. The breeding and raising of livestock permitted pursuant to this section shall be limited to one horse, one donkey, one mule, one cow, one buffalo, one llama, five goats, five sheep, or five other similar size animals per half acre.
- B. Temporary farm stand for the sale of allowed agriculture, 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.

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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);
 - d. (All such animals shall be maintained at least 50 feet from any residence).
- c) Animal Grooming, (no boarding of animals)
- d) Any Agricultural use permitted in the A-1 Zone, under § 90507.01 (a)
- 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)
- i) Farm stand for products grown locally (no processing) subject to Section 90509.12 (A)
- j) General retail sales for products grown on site (no processing)
- k) Home Occupation per Division 4, Chapter 4 (home occupation permit required)

- l) 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) Mineral exploration
- n) Oil, gas and geothermal exploration meeting requirements specified in Division 17
- o) One Single family dwelling
- p) Residential accessory structure(s)
- q) Residential care facility serving five (5) or fewer persons
- r) 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 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)
- s) Solar energy extraction generation provided that it is for on-site consumption only
- t) The growing and harvesting of all types of crops including but not limited to the following: Berry crops, Bush crops, Field crops, , Flowers and horticultural Specialties, Green house, Nursery, Nut and fruit trees, Timber, Vegetables, Vine crops
- u) Wildlife Preserve
- v) Wind driven electrical generator for on-site consumption of electricity

§ 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 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 training facility
- j) Breeding and raising of animals in excess of the limits specified in 90508.01
- k) Cemetery or Mausoleum
- l) Cheese & other dairy product manufacturing
- m) Chickory processing facilities
- n) Circus or carnival, Country Club, or other amusement facilities
- 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
- p) Cold storage facilities for agricultural products only
- q) Commercial nurseries
- 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).
- s) Concrete or Asphalt Batch Plant (Temporary, less than 180 days)
- t) Contract Harvesting businesses (not trucking business)
- u) Cotton gins
- v) Dairies
- w) Dehydration mills
- x) Electrical generation plants (less than 50 mw) excluding nuclear or coal fired and meeting requirements in Division 17

- y) Electrical substations in an electrical transmission system (500 kv/230 kv/161 kv).
- z) Equestrian establishments, stables and riding academies
- aa) Facilities for the transmission of electrical energy (100-200 kv)
- bb) Farm equipment rental agencies
- cc) Farm implement sales and farming related metal fabrication
- dd) Farm labor housing for onsite farm employees (Employee Housing)
- ee) Fireworks; assembly and storage according to §90501.17
- ff) Flood Control Facility
- gg) Fruit and vegetable packing plants
- hh) Geothermal test facilities, Intermediate projects, and major exploratory wells, meeting requirements in Division 17
- ii) Grain storage and loading facilities
- jj) Gun Club
- kk) Hay processing and storage
- ll) Heliports
- mm) Hunting and fishing clubs
- nn) Land application of sludge or similar “waste” material to agricultural land
- oo) Livestock feed yards or stockyards to include onsite agricultural material composting
- 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 per Division 17
- rr) Manufacturing building materials from agricultural products
- ss) Meat and fish packing plants
- tt) Poultry farming including hatching, breeding, butchering, processing or shipping of chickens, turkeys or other fowl or poultry, including eggs
- uu) Public Agency Structure
- vv) Resource extraction and energy development as per Division 17
- ww) Scale repair facility (truck or other large unit)
- xx) Seed mills
- yy) Small ethanol plant with a capacity not to exceed one million gallons a year
- zz) Solar Energy Electrical Generator
- aaa) Temporary Real Estate offices
- bbb) Temporary Construction office/yard
- ccc) Trade Fairs and Exhibits (temporary, less than ten (10) days)
- ddd) Transfer Station for solid waste
- eee) 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
- fff) Waste to energy facility less than 10 megawatt
- ggg) Water and/or Wastewater Treatment Plant
- hhh) 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 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 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
§ 50509.12	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
- i) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)
- j) 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)
- k) 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
- l) Home Occupation per Division 4, Chapter 4 of Title 9 Land Use Ordinance (Home Occupation permit required)
- m) Honey extraction
- 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

- o) 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.
- p) One single family dwelling
- q) Residential accessory structure(s) (including cargo containers)
- r) Single family dwelling
- s) Solar energy extraction generation provided that it is for on-site consumption only
- t) 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.
- u) 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.
- v) Residential accessory structures, farm labor housing under California law
- w) Transmission lines, including supporting towers, poles microwave towers, utility substations.

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 slaughter house
- b) Accessory Dwelling 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 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)
- 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) Bio-mass energy conversion plant
- j) Cemeteries, columbariums, crematories and mausoleums
- k) Chickory processing facilities
- l) 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) Cold storage facility for agricultural products
- n) 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) Composting Facility
- p) Concrete or asphalt batch plants (Temporary and in conjunction with an active capital improvement project)
- q) Dams and/or Reservoir
- r) Drainage control systems
- s) Equestrian establishments, stables and riding academies
- t) Ethanol plants with a capacity not to exceed one million gallons a year
- u) Explosive material storage and handling

- v) Farm labor housing for contract labor
- w) Farm machinery and equipment repair facilities
- x) Fertilizer mixing, storage and transport facilities (not manufacturing)
- y) Fireworks; assembly and storage according to §90501.17
- z) Flower mills
- aa) Fruit and vegetable packing and processing plants
- bb) Geothermal test facilities, Intermediate projects, and major exploratory wells meeting the requirements in Division 17
- cc) Glucose processing
- dd) Government office or public buildings
- ee) Grain elevators for commercial storage and shipping
- ff) Guest ranches
- gg) Hay processing and storage
- hh) Heliport
- ii) Hog ranches
- jj) Hospitals, sanitariums and rest homes
- kk) 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
- ll) Labor camps
- mm) Land application of sludge or similar product/waste to agricultural land
- nn) 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
- oo) Major geothermal projects, meeting the requirements in Division 17
- pp) Mining and mineral extraction or rock, gravel, sand and crushing processing
- qq) Non-hazardous waste facility
- rr) Oil extraction
- ss) Private airports
- tt) Public agency or public utility buildings and structures
- uu) Race tracks (non-motorized)
- 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.
- ww) Septic disposal systems
- xx) Shooting range
- yy) Solar energy plants meeting the requirements in Division 17
- zz) Surface mining operations
- aaa) Tasting rooms
- bbb) Temporary construction yard/office
- ccc) Temporary Real Estate tract offices and signs
- ddd) Transfer stations (solid waste non-hazardous)
- 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.
- fff) Veterinary clinics
- ggg) Waste to energy facilities
- hhh) Water treatment plants
- iii) Wineries
- 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 (<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 CONDITIONAL USE PERMIT
§ 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)
- b) Agricultural accessory structure(s) (including cargo containers)
- 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) All agricultural (farming) uses in the A-2 zone as listed under 90508.01
- f) Animal grooming
- g) Animal kennel or boarding facility
- h) Animal training facility
- i) Cold storage facilities for agriculture products
- j) Contract harvesting business
- k) Electrical Vehicles Charging Stations as an Accessory Use. (incidental to Primary Use)
- l) Equestrian establishment
- m) Farm implement manufacturing (Light Manufacturing & assembly with less than 20 employees)
- n) Farm implement rental facility
- o) Farm implement repair (facility with less than 20 employees)
- p) Farm implement sales including parts (new)
- q) Farm implement sales including parts (used)
- r) Farmers market facility
- s) Feed stores (rental & wholesale) (Not regional distribution centers)
- t) Fuel (bulk) sales

- u) Gardening & landscape supply store
- 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
- x) Mineral exploration
- y) Packaging facility for agricultural products
- z) Poultry butchering including processing & shipping
- aa) Processing facility for agricultural products
- bb) Seed processing facility
- cc) Seed stores (retail & wholesale)
- dd) Solar energy extraction generation provided that it is for on-site consumption only.
- ee) Veterinary clinic/hospital

§ 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
- c) Composting facility
- 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) Farm labor bus transport facility
- f) Farm labor housing
- g) Heliports
- h) Mineral extraction facility
- i) Race track for horse or dog racing
- j) Rendering facility
- k) Slaughterhouse
- l) Solar power generation meeting the requirements in Division 17.
- m) Solid waste transfer station
- n) Waste to energy facility
- 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

§ 90511.00 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 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)

- p) Equestrian establishment
- q) Farm implement manufacturing (medium manufacturing and assembly with more than 20 employees)
- r) Farm implement rental facility
- s) Farm implement repair facility (facility with more than 20 employees)
- t) Farm implement sales and parts (new)
- u) Farm implement sales (used) (include dismantling)
- v) Farmers Market
- w) Farm labor bus transport facility
- x) Farm labor housing
- y) Feed stores (rental and wholesale)
- 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
- 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
- dd) Mineral exploration
- ee) Packing facility for agricultural products
- ff) Poultry butchering including processing and shipping
- gg) Processing facility for agricultural products
- hh) Accessory Dwelling Unit incidental to primary use (i.e. caretakers residence, owners residence, security guards residence) per Section 90405.02
- ii) Seed processing facility
- jj) Seed store, retail and wholesale
- kk) Slaughterhouse
- ll) Solar energy extraction generation provided that it is for on-site consumption only.
- mm) Vegetable and other produce packaging, processing and shipping plant
- nn) Veterinary clinic/hospital
- oo) Winery

§ 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
- 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
- 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).
- 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
- i) Mineral extraction facility
- j) Paper and straw board manufacturing
- k) Pickle and sauerkraut manufacturing
- l) Race track for horse or dog racing
- m) Rendering facility
- n) Soap manufacturing
- o) Solid waste transfer station
- p) Starch manufacturing
- q) Sugar manufacturing

- r) Taxidermist
- s) Temporary contractor's yard
- t) Vinegar manufacturing
- u) 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) Automobile service station (containing not more than 6 pumps)
- e) Auto parts and accessory retail store
- f) Bakeries
- g) Banks
- h) Barber/beauty shop
- i) Bar/tavern/cocktail lounge
- 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 Dwelling Unit 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
- gg) Elementary School
- hh) Fast food restaurant
- ii) Financial institutions
- jj) Florists shops
- kk) Food store
- ll) Gift and cards store
- mm) Government office or government building
- nn) Grocery, fruit and vegetable stores
- oo) Hardware stores (general), excluding outside storage of material
- pp) 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
- uuu) Self-service laundries
- vvv) Shoe stores, shoe repair or shoe sales
- www) Solar energy extraction generation provided that it is for on-site consumption only.

- xxx) Specialized stores including meat, vegetable, health foods.
- yyy) Stationary and office supply
- zzz) Tailor, clothing or wearing apparel shops
- aaaa) Taxidermists
- bbbb) Telegraph
- cccc) Ticket agency
- dddd) Tobacco store
- eeee) Trade school
- ffff) Travel agency
- gggg) Utility sub-station
- hhhh) Variety Store
- iiii) Video Rental

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) Billboard and advertising structures
- g) Boarding/rooming house
- h) Cemeteries, columbariums, crematories and mausoleums
- i) Cemetery
- j) Circus or carnival
- 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
- l) Club or lodge
- 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).
- n) Community care facility
- o) Convalescent home
- p) Day nurseries and nursery schools
- q) 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)
- 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

- u) Facilities for abused women
- v) Facilities for the transmission of electrical energy (100-200 kV)
- w) Farm implement sales and metal fabrication
- x) Fire or police station
- y) Fraternity or sorority house
- z) Heliport
- aa) Hospital
- bb) Hospitals, sanitariums and rest homes
- cc) Hotels
- dd) Institutions of a philanthropic nature
- ee) Labor or union hall
- ff) Libraries, museums, private clubs and golf courses
- 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:
- hh) Mausoleums
- ii) Mini storage
- jj) Miniature golf course
- kk) Mobile home parks
- ll) Mortuaries
- mm) Movie Theater
- nn) Nursery
- oo) Park or playground
- pp) Parks, playgrounds and community buildings
- qq) Pool or billiard parlor
- rr) Post office
- ss) Printing (topography or blueprints)
- tt) Public agency or utility buildings or facilities
- uu) Recycling Collection Facility, per Title 8, Chapter 8.68
- vv) Rehabilitation facility
- ww) Residential hotel
- xx) Rest home
- yy) Retirement home
- zz) Sanitarium
- aaa) Swap meets
- bbb) Swimming (public)
- ccc) Tennis club (outdoor-public)
- ddd) Used car sales and repair facilities
- 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
- bbbb) Printing
- cccc) Public agency

- dddd) Recreational vehicle sales and service
- eeee) Rehabilitation facility
- ffff) Sanitarium
- gggg) Self-service auto wash
- hhhh) Skating rink, roller or ice skating rink
- iiii) Solar energy extraction generation provided that it is for on-site consumption only.
- jjjj) Sporting goods
- kkkk) Swim instruction school
- llll) Tennis or swim club
- mmmm) Theaters (Live)
- nnnn) Toy stores
- oooo) Transitional Housing (as defined in Section 50675.2 of the Health and Safety Code)
- pppp) Truck fueling station without repair
- qqqq) Truck sales, including rental provided no repair or service
- rrrr) Used clothing and household goods
- ssss) Utility building
- tttt) Veterinarians office
- uuuu) Video game arcade
- vvvv) Wedding chapels

§ 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) Billboards/Off site advertising signs
- i) Boarding and rooming house
- j) Bus depot
- k) Cemeteries, columbarium, mortuary, crematoriums and mausoleums
- l) Circus or carnival
- m) 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 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) Billboards/Off site advertising signs
- c) Campgrounds, RV park, or mobile home park
- d) Circus or carnival
- 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
- 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).
- h) Drainage facilities
- i) Electrical Vehicles Charging Stations as a Primary Use
- j) Golf course
- k) Heliport
- l) Movie theater
- m) Race track or test track
- n) Recreational vehicle park
- o) Recycling Collection Facility, per Title 8, Chapter 8.68
- p) Sports arena (outdoor)
- q) Trade fair and exhibits
- r) Travel center with incidental short term truck parking
- s) Truck repair (provided all repairs are in enclosed building)
- t) Utility substations
- u) Waste water treatment plants
- v) Water purification plants
- w) Water treatment plants

§ 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
- b) Ambulance station
- c) Antique Store
- d) Appliance Repair store
- e) Appliance Store
- f) Art Gallery
- g) Artist Studio
- h) Auditoriums
- i) Auto Body Repair within enclosed facility
- j) Auto Leasing Store
- k) Auto Parking Garages (two (2) stories or less and enclosed)
- l) Auto Rental
- 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)
- kkk) Electrical Generation with rate and capacity not to exceed 15 kilowatts
- lll) Electrical Vehicles Charging Stations as a Primary Use
- mmm) Emergency Shelters
- nnn) Equipment and Building Materials
- ooo) Equipment- Heavy Truck, Trailer Rental
- ppp) Equipment- (small rental facility)
- qqq) Farmers Market
- rrr) Fast Food preparation, sales or distribution
- sss) Feed and fuel facility
- ttt) Financial Institution
- uuu) Fire/Police Station
- vvv) Floor Covering
- www) Florists
- xxx) Food Store
- yyy) Freight Storage Yard
- zzz) Funeral Parlor
- aaaa) Furniture Cleaning, Refinishing & Upholstery
- bbbb) Furniture Store
- cccc) Gardening and Landscape Store

dddd)	Gift and Card Store
eeee)	Golf Driving Range
ffff)	Government Buildings
gggg)	Gun, including Repair Store
hhhh)	Hardware- General including Lumber
iiii)	Health Club
jjjj)	Hobby Supplies
kkkk)	Home or Office Furnishing
llll)	Hotel/Motel
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
pppp)	Industrial Storage
qqqq)	Interior Decorator
rrrr)	Janitorial
ssss)	Jewelry and Watches
tttt)	Labor/Union Halls
uuuu)	Laboratory- Medical, Dental, Optical and Biological
vvvv)	Laboratory Testing
wwww)	Lapidary
xxxx)	Laundromat
yyyy)	Lawnmower (sales/repair)
zzzz)	Leather Goods, sales and manufacturing
aaaaa)	Libraries
bbbbb)	Light Machine Shop Fabrication within enclosed facility
ccccc)	Liquor Store
ddddd)	Locksmith
eeeee)	Lumber
fffff)	Lumber Yard
ggggg)	Manager / Caretaker / Security Guard Residence (One only)
hhhhh)	Medical and Physical Therapy
iiiiii)	Microwave Relay Stations
jjjjj)	Military Surplus store
kkkkk)	Mini Warehouse (no outside storage)
lllll)	Miniature Golf Course
mmmmm)	Mobile Home Sales and Service
nnnnn)	Mortuary
ooooo)	Motorcycle Sales and Service
ppppp)	Movie Theatre
qqqqq)	Moving and Storage Warehouse
rrrrr)	Museums
sssss)	Musical Instrument Sales and Service
ttttt)	Newspaper, Magazine printing, distribution and sales
uuuuu)	Nursery
vvvvv)	Office Machine Equipment Sales & Service
wwwww)	Oil and Gas Exploration
xxxxx)	Paint and Wallpaper Sales & Service
yyyyy)	Pawn Shop
zzzzz)	Pest Control
aaaaaa)	Pet Grooming
bbbbbb)	Pet Store
ccccc)	Photographic Processing Plant
dddddd)	Photographic Supply Store
eeeeee)	Photography Studio
ffffff)	Picture Framing

gggggg)	Plastic Assembly
hhhhhh)	Plumbing Supply
iiiiii)	Pool or Billiard Parlor
jjjjjj)	Post Office
kkkkkk)	Pottery
llllll)	Printing, Lithography or Blue Printing
mmmmmm)	Public Utility Buildings
nnnnnn)	Real Estate Office
oooooo)	Recreational Vehicle Sales & Service
pppppp)	Research and Development Office/Laboratory
qqqqqq)	Resource Extraction and Energy Development
rrrrrr)	Restaurants
ssssss)	Sheet Metal Shop within enclosed facility
tttttt)	Shoe repair and manufacturing
uuuuuu)	Shoe Shine
vvvvvv)	Sign Fabrication
wwwwww)	Skating Rink
xxxxxx)	Small Appliance assembly and repair
yyyyyy)	Solar energy extraction generation provided that it is for on-site consumption only.
zzzzzz)	Specialized Store
aaaaaa)	Sporting Good
bbbbbb)	Stationary
cccccc)	Tailor or Dress Maker
dddddd)	Taverns
eeeeee)	Taxi Depots
ffffff)	Taxidermist
gggggg)	Telegraph
hhhhhh)	Tennis, Swim, Athletic Club
iiiiii)	Theatre
jjjjjj)	Ticket Agency
kkkkkk)	Tire Re-Treading, Less than 10 employees
llllll)	Tobacco
mmmmmm)	Toy manufacturing
nnnnnn)	Trade Schools
oooooo)	Transitional Housing (as defined in Section 50675.2 of the Health and Safety Code)
pppppp)	Transmission Lines
qqqqqq)	Travel Agency
rrrrrr)	Truck Fueling Station
ssssss)	Truck, including Sales, Rental, Service
tttttt)	Used Clothing
uuuuuu)	Utility Substations
vvvvvv)	Veterinary including Veterinary Hospital (indoor only)
wwwwww)	Video Game Arcade
xxxxxx)	Wedding Chapel
yyyyyy)	Welding or Blacksmithing provided it is adequately fenced with obscured fencing
zzzzzz)	Wholesale Distribution
aaaaaaa)	Wind Driven Electrical Generator, capacity not to exceed 15 kilowatts

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
- 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
- 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).
- t) Cotton gins
- u) Dairies
- v) Data center yard
- w) Dehydration mills
- x) Electrical Power Generation Plants
- y) Equestrian Establishment
- 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
- aa) Farm implement sales and metal fabrication
- bb) Geothermal Test Facilities, intermediate projects and major exploratory wells
- cc) Golf Course
- dd) Grain storage and loading facilities
- ee) Heliport
- ff) Hospitals, sanitariums and rest homes
- gg) Institutions of a philanthropic nature
- hh) Labor camp
- ii) Libraries, museums, private clubs and golf courses
- 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)
- kk) Meat and fish packing plants
- ll) Mineral Exploration
- mm) Newspaper, Magazine or Book Printing
- nn) Race Track
- oo) Railroad Station
- pp) Recreational Vehicle Storage Facilities
- qq) Recycling Facility

- rr) Rock shops and related facilities
- ss) Seed mills
- tt) Shooting Range (indoor only)
- uu) Small ethanol plants with a capacity not to exceed one million gallons a year
- vv) Sports Arena- Indoor/Outdoor
- ww) Surface mining operations
- xx) Swap meets
- yy) Swimming Pool
- zz) Transfer Station
- aaa) Trucking Services and Terminals; Trucking Firms
- bbb) Waste Energy Facility
- 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

- z) Feed mills
- aa) Fertilizer and insecticide manufacturing
- bb) Fish and meat packing plant
- cc) Grain elevators
- dd) Graphite manufacturing
- ee) Gypsum manufacturing
- ff) House movers or wreckers
- 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
- 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
- ii) Insulation materials manufacturing
- jj) Mini Storage (outside storage allowed provided it is screened)
- kk) Oil reclamation plant
- ll) Petroleum products storage
- mm) Railroad repair shop
- nn) Railroad yard
- oo) Seed mill
- pp) Solar energy extraction generation provided that it is for on-site consumption only.
- qq) Wool pulling and scouring

§ 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
- 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
- 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).
- m) Distillation of coal, wood or tar
- n) Fat rendering
- o) Gelatin manufacturing
- p) Glass manufacturing
- q) Incinerators
- r) Junk yards
- s) Labor camps
- 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)
- u) Recycling Facility

- v) Rubber and rubber products manufacturing
- w) Smelting of tin, copper or iron ore
- x) Solid Waste Facilities
- y) Storage and handling of radio-active materials
- z) Surface mining
- aa) Transportation treatment units (TTU's)
- 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
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 emit 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 obscured 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

§ 90518.02 USES PERMITTED WITH A CONDITIONAL USE PERMIT

- a) Accessory Dwelling Unit
- b) Airports
- c) Breeding and raising of animals in excess of the limits specified in Section 90502.13
- d) Churches and other places used exclusively for religious worship
- e) City, County, State and Federal enterprises including buildings and facilities

- 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).
- g) Contractors office and storage yard (temporary)
- h) Daycare or nursery school
- i) Equestrian establishments, stables, or riding academies (not allowed within ONCAP)
- 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
- k) Facilities for abused people
- l) Hospital sanitariums
- m) Institutions of a philanthropic nature
- 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)
- o) Meteorological Tower
- p) Oil, gas & geothermal exploration
- q) Planned unit development
- r) Recreational vehicle storage facilities
- s) Real Estate tract office and signs (temporary)
- 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)
- f) Keeping of poultry, or similar small animals.
- g) Mineral Extraction
- 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)
- i) Public buildings
- j) Residence, one per legal parcel.
- k) Solar energy extraction generation provided that it is for on-site consumption only.
- l) Stands for the sale of agricultural, horticultural, or farming products grown on the premises.
- m) Storage of agricultural products.
- n) Storage of products used for premises.

§ 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) Special Events
- s) Surface mining
- t) Tourist information centers.
- u) 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-volatile materials)
- r. Schools
- s. Solar energy extraction generation provided that it is for on-site consumption only.

- t. Solid waste recycling facility

§ 90520.02 USES PERMITTED WITH A CONDITIONAL USE PERMIT

- a. Airport (private)
- 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
- 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. Hazardous materials disposal
- f. Hazardous materials processing
- g. Hazardous materials recycling
- h. Hazardous materials treating
- 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
- 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)
- l. Solid waste landfill facility
- m. Training facility
- n. Water treatment facility
- 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

APPENDIX B
MESQUITE LAKE SPECIFIC PLAN

APPENDIX C
RIO BEND SPECIFIC PLAN

APPENDIX D
IMPERIAL LAKES (SKI LAKES) SPECIFIC PLAN

APPENDIX E
McCABE RANCH SUBDIVISION SPECIFIC PLAN

APPENDIX F
RIVER FRONT SPECIFIC PLAN