

MARCH JOINT POWERS AUTHORITY



DEVELOPMENT CODE

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DEVELOPMENT CODE PLANNING AND ZONING

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Section 9.01.010 **Purpose And Intent**

The March Joint Powers Commission of the March JPA has established these standards, guidelines, and procedures to protect and promote the public health, safety, convenience, and welfare of present and future citizens of Riverside County and of the member jurisdictions of the March JPA, and more specifically to:

Implement the goals, objectives, policies, and programs of the March JPA General Plan, and to manage future growth and change in accordance with that plan;

Protect the physical, social, and economic stability and the vitality of residential, commercial, industrial, public, institutional, and open space uses within the March JPA Planning Area to assure their orderly development;

Reduce or eliminate hazards to the public resulting from potentially inappropriate location, use, or design of buildings and other improvements; and

Attain the physical, social, and economic advantages resulting from comprehensive and orderly land use and resource planning.

Section 9.01.020 **Authority**

The authority for the regulations contained in this Code is based on the provisions of the California Planning and Zoning Law (Division 1 of Title 7 of the California Government Code) which provide for the regulation of the intensity of land use and the adoption of standards for the regulation of population density.

In addition, the provisions of this Code relating to the regulation and control of subdivisions are herein adopted pursuant to the authority of the Subdivision Map Act (Division 2 of Title 7 of the California Government Code). The provisions of the Subdivision Map Act are incorporated by this reference as though fully set forth herein. In the event of any actual conflict between the provisions of the Subdivision Map Act, as it may be amended from time to time, and provisions of this Code, the Subdivision Map Act shall prevail.

Section 9.01.030 **Applicability**

All land, buildings, and structures within the March JPA planning area shall be used only as hereinafter provided. No use of land, and no use, construction, maintenance, operation, reconstruction or enlargement of any building or structure shall be allowed unless permitted under the express provisions of this Code or by other applicable ordinances of the March JPA.

1. Private Projects

- a. No land, building, or structure shall be used, constructed, altered, or maintained except in conformance with the provisions of this Code.
- b. No use that requires a permit or approval under the provisions of this Code shall be established or operated until the permit or approval is finally granted, and all conditions of the permit or approval have been complied with.

- c. No use that requires a permit or approval under the provisions of this Code shall be established or operated in violation of, or contrary to, any terms and conditions of the granted permit or - approval.

2. Public Projects

Unless otherwise exempted, federal, state, county, March JPA, and any other governmental projects shall be subject to the provisions of this Code, including projects operated by any combination of these agencies, or by a private person for the benefit of any such governmental agency.

3. Legal Procedure

Any building or structure erected or maintained, or any use of property, contrary to the provisions of this Code shall be and the same is hereby declared to be unlawful and a public nuisance, and the March JPA Legal Counsel, the District Attorney or other proper official may immediately commence action or actions, proceeding or proceedings for the abatement, removal and enjoinder thereof, in the manner provided by law; and may take such other steps, and may apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such building, structure or use and restrain and enjoin any person from setting up, erecting or maintaining such building or structure, or using any property contrary to the provisions of this Code. It shall be the right and duty of every citizen to participate and assist March JPA Officials in the enforcement of the provisions of this Title.

4. Applicable Standards

- a. In determining whether to approve or disapprove an application for a land development application which was accepted prior to the effective date of this Code, the March Joint Powers Commission shall apply those ordinances, policies and standards in effect when the application was accepted, except that lapse of approvals and extensions of time shall be governed by the provisions of Section 9.02.230.
- b. The approval or conditional approval of a development application shall not limit the authority to impose the then current conditions, codes and standards with respect to subsequent approvals, extensions or permits necessary for the development at the time of such request, unless otherwise prohibited by law.

Section 9.01.040 **Enforcement**

- 1. The Sheriff and any duly authorized law enforcement officers, the March JPA Legal Counsel, March JPA Executive Director, District Attorney, Agency Chief Building Official, March JPA Planning Director, or any authorized designee and all officials charged with the issuance of licenses and permits shall enforce the provisions of this Code.
- 2. All officials and employees of the March JPA vested with the authority or duty to issue permits shall conform to the provisions of this Code and shall not issue a permit, certificate or licenses for uses, purposes, buildings or structures in conflict with the provisions of this Code. Any such permit, certificate or license issued in conflict with the provisions of this Code shall be null and void.

3. Remedies. All remedies provided for herein shall be cumulative and not exclusive. The conviction and punishment of any person hereunder shall not relieve such person from the responsibility of correcting prohibited conditions or removing prohibited buildings, structures or improvements, nor prevent the enforced correction or removal thereof.
4. Violation Penalty. Any person, firm, association, corporation or other entity violating, or causing the violation, or permitting any of the provisions of this Code to be violated shall upon conviction thereof, be punished in accordance with the provisions of Sections 9.01.040 (E) through (H) of the Development Code.
5. Continuing Violations. Any violation of this Code is a separate violation of this Code for each and every day that such violation exists.

A. Territorial limitation.

This code shall refer only to the omission or commission of acts within the territorial limits of the March Joint Powers Authority Planning Area and that territory outside of the March Joint Powers Authority Planning Area over which the March Joint Powers Authority has jurisdiction or control by virtue of the Constitution, or any law, or by reason of ownership or control of property.

B. Local Signification.

All references in this code to places, acts, persons or things and all else in relation to this code shall be construed to mean that the same are applicable to the March Joint Powers Authority, whether the March Joint Powers Authority is mentioned in each particular section or not. Portions of this code have been adopted from the Riverside County Code and the Moreno Valley Code. To the extent that any section, subsection, sentence, clause or phrase of this code is in conflict with the Riverside County Code and Moreno Valley Code provisions so adopted, the later-adopted portion of this code shall control and shall take precedence over the inconsistent portions of the Riverside County Code or Moreno Valley Code.

C. Reference to Code Applies to all Amendments.

Whenever a reference is made to this code as the March JPA Development Code or to any portion thereof, or to any ordinance of the March Joint Powers Authority, California, codified in this code, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made.

D. Reference to Statutes, Regulations or Ordinances-Application to Amendments.

Whenever any reference in this code is made to an ordinance or regulation, unless expressly provided otherwise, the reference shall apply to such ordinance or regulation of the March Joint Powers Authority. Whenever any reference is made in this code to any state or federal statute or regulation, or to any portion of this code, or to any ordinance or regulation of the March Joint Powers Authority, the reference shall, unless expressly provided otherwise, apply to all amendments, re-enactments, corrections and additions heretofore, now, or hereafter added to such statute, regulation, portion or ordinance.

E. Violations.

1. It is unlawful for any person to violate any provision or to fail to comply with any of the requirements of this code or the provisions of any code adopted by reference by this code or any provision of any ordinance of the March JPA not included within this code or any condition of any permit or approval issued pursuant to this code. Any person violating any of such provisions or failing to comply with any of the mandatory requirements of this code or any code adopted by reference by this code or any other March JPA ordinance or permit or approval condition shall be guilty of a misdemeanor, unless such violation is specifically designated as constituting an infraction.
2. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this code, or any provision of any code adopted by reference by this code, or of any other March JPA ordinance or permit or approved condition, is committed, maintained, continued, or permitted by such person, and may be punished accordingly.
3. Any provision or requirement of this code or otherwise as referred to above, the violation of which or the failure to comply with which, is designated as an infraction, may be prosecutable as a misdemeanor after a third conviction, nolo contender plea, or final determination on an administrative or civil citation.
4. Notwithstanding the above provisions, a violation of any provision of this code or any code adopted by reference by this code, or any other March JPA ordinance or permit condition may be charged as an infraction in the discretion of the enforcement official and may be the subject of a civil citation.

F. Aiding and Abetting.

Whenever in this code any act or omission is made unlawful, it shall include causing, maintaining, allowing, permitting, aiding, abetting, suffering or concealing the fact of such act or omission.

G. Establishment of Offenses as Infractions.

Any violation expressly declared to be punishable, in the discretion of the court, by either a fine, or by a fine or imprisonment, or both, shall become an infraction for all purposes under any of the following circumstances:

1. Where a judgment imposes a punishment of a fine not exceeding fifty dollars (\$50.00) in the case of a first offense; or
2. When the court grants probation to a defendant without the imposition of a sentence and, at the time of granting probation, or on application of the defendant or probation officer thereafter, the court declares the offense to be an infraction; or
3. When the March JPA attorney or any deputy district attorney files in a court having jurisdiction over misdemeanor offenses a complaint specifying that the offense is an infraction.

H. Punishments.

1. Any person convicted of a misdemeanor under the provisions of this code shall be punishable by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment as determined by the court of competent jurisdiction.
2. Any person convicted of an infraction under the provisions of this code shall be punishable for a first conviction by a fine of not more than one hundred dollars (\$100.00), for a second conviction within a period of one year by a fine of not more than two hundred dollars (\$200.00), and for a third or any subsequent conviction within a period of one year by a fine of not more than five hundred dollars (\$500.00).

I. Violations Public Nuisances.

1. In addition to other penalties provided by law, any condition caused or permitted to exist in violation of any provision of this code, or any such threatened violation, shall be deemed a public nuisance and may be abated as such by the March Joint Powers Authority in accordance with applicable statutes.
2. Also, any such violation or threatened violation as referred to in Subsection 1 (above) of this section, or any condition caused or permitted to exist in violation of any of the provisions of any code adopted by reference by this code, or of the provisions of any other March Joint Powers Authority ordinance, shall be deemed a public nuisance which may be abated by the March Joint Powers attorney in a civil judicial action.

J. Notices—Service.

Whenever a notice is required to be given, or may be given, under any provision of this code or any provision of any code adopted by reference by this code or any provision of any ordinance or resolution of the March Joint Powers Authority not included within this code, such notice may be given as herein provided. Unless different or special provisions are otherwise specifically made in this code or in some other applicable enactment, any such notice may be given either by personal delivery thereof to the person to be notified, or by deposit in the United States mail in a sealed envelope, postage prepaid, addressed to such person to be notified, at that person's last known business address as the same appears in the public records or other records pertaining to the matters to which such notice is directed. Service by mail shall be deemed to have been completed at the time of deposit in the post office or in the official receptacle thereof.

K. Notices—Proof.

Proof of giving any notice may be made by the certificate of any officer or employee of the March Joint Powers Authority or by the affidavit or declaration under penalty of perjury of any person over the age of eighteen (18) years, which shows service in conformity with this code or other provisions of law applicable to the subject matter concerned.

L. Citation in Lieu of Immediate Arraignment.

1. Notice to appear in lieu of arrest: In any case in which a person is arrested for a violation of any

provision of this code and does not demand to be taken before a magistrate, such person may, in lieu of being taken before a magistrate, be issued a written notice to appear in court and may then be released, all pursuant to and in accordance with the procedures prescribed by California Penal Code Section 853.6 et seq.

2. Issuance of citations by designated officers: Riverside County Sheriff's officials and other duly sworn peace officers may, pursuant to Section 836.5 of the Penal Code and subject to the provisions of this section, may arrest a person without a warrant whenever any such officer has reasonable cause to believe that the person to be arrested has committed an offense in the officer's presence which he or she has the discretionary duty to enforce, and to issue a notice to appear, and to release such person on his or her written promise to appear in court, pursuant to Section 853.6 of the Penal Code.

Section 9.01.045 **CIVIL CITATIONS**

A. Findings and Purpose

1. The March Joint Powers Commission finds and declares as follows:
 - a. There is a need for an alternative method of enforcement for minor violations of the March Joint Powers code and applicable state codes. The March Joint Powers Commission further finds that an appropriate method of enforcement for minor violations is through a civil citation and administrative hearing program.
 - b. This chapter makes any violation of the provisions of this code and applicable state codes subject to civil citation and civil fines.
 - c. This chapter establishes the administrative procedures for the imposition, enforcement, collection, review, and appeal of civil citations and civil fines pursuant to Government Code Section 53069.4 and the March Joint Powers Authority's general police power.
 - d. The issuance of a civil citation under this chapter is solely at the March Joint Powers Authority's discretion and is one option the March Joint Powers Authority has to address violations of this code and applicable state codes. By adopting this section, the March Joint Powers Authority does not intend to limit its discretion to utilize any other remedy, civil or criminal, for such violations that the March Joint Powers Authority may select in a particular case. The procedures established in this chapter shall be in addition to criminal, civil or any other legal remedies established by law that may be pursued to address violations of this code and applicable state codes.
 - e. Because of the serious blighting conditions that can occur affecting health and safety, this chapter is intended to impose strict civil liability for all building, housing, fire, health, land use, abandoned vehicle, and zoning violations that occur upon the subject premises.
 - f. The March Joint Powers Authority adopts this civil citation and administrative hearing program in order to achieve the following goals:

- i. To protect the public health, safety and welfare of the residents in the area;
- ii. To gain compliance with this code and applicable state codes, as well as other ordinances and regulations in a timely and efficient manner;
- iii. To encourage voluntary and complete compliance with the provisions of this code and applicable state codes and to eliminate nuisances for the protection and benefit of the entire community;
- iv. To provide for an administrative hearing process to appeal the imposition of civil citations and civil fines;
- v. To provide a method to hold persons responsible when they fail or refuse to comply with the provisions of the March Joint Powers Authority Code or applicable provisions of state codes, other ordinances or regulations, or terms and conditions imposed on licenses, permits, or entitlements issued or approved by the March Joint Powers Commission; and
- vi. To minimize the expense and delay where the sole remedy is to pursue responsible parties in the civil or criminal justice system.

B. Authority

- 1. Any person violating any provision of this code or applicable state codes may be issued a civil citation by an enforcement officer as provided in this chapter. A violation of this code includes, but is not limited to, all violations of the development code and the uniform codes adopted by the March Joint Powers Commission, or failing to comply with any condition imposed on any license, permit, or entitlement issued or approved under the provisions of this code.
- 2. An enforcement officer may issue a citation for a violation not committed in his or her presence if it is determined through investigation that the responsible person cited did commit the violation.

C. Definitions

The following definitions apply to the use of these terms for the purposes of this chapter:

“Administrative hearing” means an oral proceeding before a hearing officer regarding the civil citation(s).

“Building violation” means any violation of this code pertaining to building, housing, plumbing, electrical, mechanical or other similar structural or zoning regulations, including regulations set forth in the California Building Code as adopted by the California Building Standards Commission with any amendments adopted by the March Joint Powers Commission, that does not create an immediate danger to health or safety.

“Civil citation” means any citation issued pursuant to this chapter stating there has been a

violation of this code. “Civil citation” also means any notice of violation or notice of failure to correct.

“Code” means the March Joint Powers code or any law, rule, regulation, or code that is adopted by reference.

“Correction period” means the period of time allowed for a responsible person cited to correct a violation shown on a civil citation.

“Director” means the Executive Director of the March Joint Powers Authority, or his or her designee.

“Enforcement officer” means the Sheriff and any duly authorized law enforcement officers, the March JPA Legal Counsel, March JPA Executive Director, District Attorney, Agency Chief Building Official, March JPA Planning Director, or any authorized designee and all officials charged with the issuance of licenses and permits.

“Hearing officer” means the Executive Director or Assistant Director of the March Joint Powers Authority.

“Issue” or “issued” means service of a citation to the responsible person.

“Person” means any natural person, firm, association, business, trust, organization, corporation, partnership, company, or any other entity that is recognized by law as the subject of rights or duties.

“Reinspection fee” means a fee charged pursuant to this section against a responsible person who has become the subject of an enforcement of state or local law, and for which there is a need to recover the March Joint Powers Authority’s actual cost of a second or any subsequent inspection of the property caused by the responsible party’s failure to comply with a lawful order from an enforcement officer. The amount of this fee shall be set by resolution of the March Joint Powers Commission and shall become collectible in the same manner as civil fines.

“Responsible person” means any of the following:

1. A person who causes a code violation to occur or continue;
2. A person who maintains or allows a code violation to occur or continue by his or her action or failure to act;
3. A person whose agent, employee, or independent contractor causes a code violation to occur or continue by his or her action or failure to act;
4. A person who is the owner, lessee, sublessee, or current possessor of real property where a property-related code violation occurs or continues;

5. A person who is the on-site manager of a business where a code violation occurs or continues;
6. A person who is the beneficiary under a deed of trust for the property where a property-related violation occurs or continues and that person has not corrected the violation within thirty (30) calendar days after being notified by an enforcement officer in writing of the violation and the fact that the trustee under the deed of trust is no longer living on the property and his or her whereabouts is unknown.

D. Civil Citation—General

1. Each and every day a violation exists shall be a separate and distinct violation and is subject to a separate and distinct civil fine.
2. A civil citation may charge a violation for one or more days on which a violation exists, and for violation of one or more code sections.
3. Every person who applies for and receives a license or permit, or any type of land use approval (e.g., subdivision maps, conditional use permits, variances, etc.) or other entitlement, shall comply with all conditions imposed upon the issuance of the license or permit, or any type of land use approval or other entitlement. If a person violates any condition of such license or permit, or land use approval or other entitlement, he or she may be issued a civil citation and be liable for civil fines under the provisions of this chapter.
4. The March Joint Powers Authority may take into consideration the fact that a person has been issued civil citations when the March Joint Powers Authority is determining whether to grant, modify, suspend, revoke, or deny any license or permit, or any type of land use approval or other entitlement regarding that person or property, and such civil citations are evidence that the person has committed acts that are not compatible with the health, safety and general welfare of other persons or businesses in the vicinity.

E. Civil citation—Building violations

1. When a civil citation is issued for a building violation, a thirty (30) calendar day correction period shall be allowed for the correction of the violation and the responsible person shall correct the violation within that period. Notwithstanding the provisions of Section 9.01.045 D of this chapter, no responsible person for a building violation shall be liable for a civil fine unless the violation continues after the thirty (30) calendar days allowed for its correction, plus any extension, and a second civil citation is issued containing a notice of failure to correct.
2. The responsible person cited for a building violation may request an extension of the correction period, provided that a request is filed with the Director before the thirty (30) calendar day correction period ends. The director may, in his or her discretion, grant a reasonable extension of the time period to correct the violation if the responsible person has supplied substantial evidence showing that the correction cannot reasonably be made within the thirty (30) day calendar period. The filing for such an extension does not, unless granted, extend the thirty (30) calendar day correction period or any other time periods set by this chapter.
3. If a building violation has not been corrected by the end of the correction period, the enforcement officer has authority to issue to the responsible person a second civil citation containing a notice

of failure to correct. The responsible person to whom the notice of failure to correct is issued shall be liable for and shall pay to the March Joint Powers Authority the civil fine or fines described in the civil citation, which civil fine or fines shall be due on the date of issuance of the second civil citation. Additional civil citations may be issued and additional civil fines imposed for every day the violation continues uncorrected from the date of issuance of the second civil citation.

F. Civil citation—Contents

1. Each civil citation issued shall contain the following information:
 - a. Name of the responsible person cited for the violation of this code;
 - b. The date and approximate time when the violation(s) occurred;
 - c. The address or definite description of the location where the violation(s) occurred;
 - d. The date on which the citation was issued;
 - e. The code section(s) or condition(s) violated and a description of the violation(s);
 - f. The amount of the civil fine for each violation cited;
 - g. A description of the civil fine payment process, including a statement advising that the civil fine shall be received by the March Joint Powers Authority within thirty (30) calendar days from the date of issuance of the civil citation, the procedure for payment of the civil fine, and the consequences for failing to timely pay the civil fine;
 - h. If a building violation, the civil citation shall also contain the date the thirty (30) calendar day correction period expires and an explanation of how to request an extension of that thirty (30) calendar day correction period. If the civil citation issued is the second civil citation containing a notice of failure to correct, it shall also state the amount of the civil fine(s) and a description of the civil fine payment process;
 - i. A notice that each day thereafter that a violation(s) remains uncorrected shall be a separate violation(s) subject to separate civil fine(s) until corrected;
 - j. An order prohibiting the continuation or repeated occurrence of each violation described in the civil citation;
 - k. A notice that the responsible person cited has the right to appeal the issuance of the civil citation by requesting an administrative hearing, including the time period within which the administrative hearing must be requested, and a description of the procedure to be used in requesting an administrative hearing;
 - l. A description of the procedure for requesting a waiver of the civil fine deposit;
 - m. An assignment of a hearing date, time and location if the responsible person cited files a request for administrative hearing and/or a waiver of the civil fine deposit;

- n. A notice that the code violation is deemed to be a public nuisance;
 - o. A notice of the process for the collection of unpaid civil fines and/or nuisance abatement costs as provided for in this chapter;
 - p. The name and signature of the enforcement officer issuing the civil citation; and
 - q. Any other information deemed necessary by the Director for enforcement or collection purposes.
- 2. Each civil citation issued shall include a self-addressed envelope in which the responsible person can send the civil fine or request for administrative hearing or civil fine deposit waiver to the March Joint Powers Authority.
 - 3. Failure of the civil citation to contain all of the information required in subsection (1) above shall not be a defense to the civil citation and shall not constitute grounds for dismissal of the civil citation.

G. Civil citation—Service

A civil citation may be served by any one of the following methods:

- 1. **Personal Service.** An enforcement officer shall attempt to locate and personally serve the responsible person and obtain the signature of the responsible person on the civil citation. If the responsible person served refuses or fails to sign the civil citation, the failure or refusal to sign shall not affect the validity of the civil citation or of the subsequent proceedings.
- 2. **Service by Mail.** If the enforcement officer is unable to locate or personally serve the responsible person, the civil citation shall be served by first-class mail, postage prepaid, with a declaration under penalty of perjury of service by mail executed by the person mailing the civil citation. The civil citation shall be addressed to the responsible person at the address shown on the last equalized property tax assessment rolls for Riverside County for a building or property related violation, or to any address known for the responsible person for all other violations. Service by mail shall be deemed to be effective service on the date it is mailed and shall not affect the validity of the civil citation or of the subsequent proceedings.
- 3. **Service by Posting.** If the enforcement officer is unsuccessful in either personal service or service by mail, the civil citation shall be posted in a conspicuous place on the real property where the violation occurs for a building or property related violation. Such posting shall be deemed to be effective service on the date of posting and shall not affect the validity of the civil citation or of the subsequent proceedings.

H. Civil fines—Amount and penalties

- 1. The maximum amount of a civil fine for violating particular provisions of this code shall be set forth in a schedule of civil fines adopted by resolution of the March Joint Powers Commission. The schedule may include escalating civil fine amounts for repeat code violations occurring within specified periods of time. A fine amount, not to exceed those set forth by resolution, may

be imposed or reduced at the discretion of the citing officer or the March Joint Powers Authority attorney.

2. Where no civil fine amount is specified by resolution of the March Joint Powers Commission, civil fines shall be in accordance with those specified in Section 9.01.040 H of this code.
3. A late payment penalty shall be imposed for civil fines not paid within thirty (30) calendar days of their due date. The amount of the late payment penalty shall be one hundred (100) percent of the total amount of the civil fine owed.
4. In addition to any civil fine and/or late payment penalty, a hearing officer shall also assess administrative costs against the responsible person when it finds that a violation has occurred or that compliance has not been achieved within the time specified in the civil citation and any granted extensions thereof. Administrative costs may include any and all costs incurred by the March Joint Powers Authority in connection with the matter including, but not limited to, costs of investigation, staffing costs incurred in preparation for an administrative hearing and for the administrative hearing itself, and costs for all reinspections of the property related to the violation(s).
5. Unless otherwise prohibited by law or regulation, all civil fines and administrative costs imposed pursuant to the provisions of this chapter shall accrue interest at the rate of eight percent until the civil fine or administrative costs, including interest thereon, is paid in full. Interest shall begin to accrue thirty (30) calendar days after the due date for the civil fine or administrative costs and continue until the civil fine or administrative costs, including interest thereon, is paid in full.

I. Civil fines—Due

1. Civil fines are due on the date the civil citation is issued, except civil fines for building violations shall be due on the date the second civil citation is issued containing the notice of failure to correct.
2. A civil fine shall be late if not received by the March Joint Powers Authority within thirty (30) calendar days of the date the civil citation was issued.
3. If a responsible person requests an administrative hearing and has received a waiver of civil fine deposit and the hearing officer upholds the civil citation, the civil fine shall be due on the date the notice of decision is personally delivered or mailed to the responsible person.

J. Civil fines—Payment

1. A civil fine shall be received by the March Joint Powers Authority finance department within thirty (30) calendar days of its due date.
2. Payment of a civil fine shall not excuse the responsible person from correcting the code violation(s). The issuance of a civil citation and/or payment of a civil fine does not bar the March Joint Powers Authority from taking any other enforcement action regarding a code violation that is not corrected, including issuing additional civil citations, and/or filing civil or criminal complaints.

K. Civil fines—Collection

1. Civil fines, interest, penalties, reinspection fees, and/or administrative costs shall become a debt owing to the March Joint Powers Authority and a personal obligation of the responsible person cited.
2. The March Joint Powers Authority, at its discretion, may pursue any and all legal and equitable remedies for the collection of unpaid civil fines, administrative charges, interest and penalties. Pursuit of one remedy does not preclude the pursuit of any other remedies until the total amount of the civil fines, interest and penalties owed by a person under this chapter have been collected.
3. The March Joint Powers Authority may refuse to issue, extend, or renew any permit, license, or other March Joint Powers Authority approval to any person, who has unpaid delinquent civil fines, interest, penalties, liens or assessments due under this chapter related to the permit, license, or approval.
4. The March Joint Powers Authority may suspend any permit, license, or land use approval issued to a person who has unpaid civil fines related to the permit, license, or approval totaling five hundred dollars (\$500.00) or more that have been delinquent for over thirty (30) calendar days. The suspension shall become effective twenty (20) calendar days after notice of the suspension is placed by the Director in the U.S. mail, postage prepaid, addressed to the person and shall continue until the delinquency is paid in full. The person may request an administrative hearing pursuant to the provisions of this chapter on the issue of civil fine delinquency only, if the request is filed with the Director before the twenty (20) calendar day period ends. Continuing to operate under a suspended permit, license or land use approval shall be grounds for revocation of the permit, license or land use approval. Revocation may be made by the same department, board or commission issuing or granting the permit, license or land use approval upon the same notice and hearing requirements for the initial issue or grant, or upon such other procedures and notice requirements if controlled by another provision of this code. In no event shall revocation occur upon less than ten (10) calendar days written notice.
5. It shall be unlawful and a public nuisance for a responsible person to fail to pay any civil fine, interest, penalty, reinspection fee, or administrative charges imposed pursuant to this chapter within the time provided herein.
6. Any violation of this code shall constitute a nuisance. To compel compliance, the March Joint Powers Authority may seek to abate the nuisance and collect the costs incurred by means of a nuisance abatement lien and/or special assessment against the property where a property-related violation occurred. Any unpaid delinquent civil fines, interest, penalties, reinspection fees, or administrative charges may be recovered as part of any such lien or special assessment against the property of the responsible person who is the owner of the property where the violation occurred pursuant to Government Code Sections 38773.1 and 38773.5.
7. To recover any delinquent civil fines, interest, penalties, reinspection fees, or administrative charges as a nuisance abatement lien and/or special assessment against the property where a property-related violation occurred, the March Joint Powers Authority's Director may, at his or her discretion, take the following steps:

- a. Submit to and receive from the March Joint Powers Commission a resolution certifying the amounts of the liens and special assessments sought to be collected from each property owner;
 - b. Request the Riverside County recorder to record a notice of any liens, or special assessments, and send the recorder the resolution certifying the amounts;
 - c. Request the Riverside County tax collector to collect any special assessments certified by the March Joint Powers Commission; and
 - d. Take any and all other necessary action to enforce collection of any liens or special assessments provided for in this chapter.
8. The Director may pursue the lien and special assessment remedies whether or not the March Joint Powers Authority is pursuing any other action to terminate an ongoing code violation that was the basis for the civil fine.
9. All civil citations shall contain a notice that unpaid civil fines, interest, penalties, reinspection fees, and administrative charges are subject to the assessment and lien collection procedures of this section. The lien or assessment shall be imposed on the date the civil citation for the code violation is issued to the responsible person and becomes effective upon the recording of a notice of lien or assessment by the Riverside County recorder. This notice shall satisfy the notice requirements of Government Code Sections 38773.1 and 38773.5, when a civil citation is personally served on the responsible person. In addition, the March Joint Powers Authority finance director shall send notice by certified mail stating the date, time and location of the meeting to each property owner listed in the proposed resolution at least ten (10) calendar days before the March Joint Powers Commission considers the resolution and certifies the amounts of the liens and special assessments. Finally, the notice shall also be given at the time of imposing the assessment and shall specify that the property may be sold after three years by the tax collector for unpaid delinquent assessments.
10. A responsible person may contest the amount and/or validity of any lien or assessment for a civil fine at the public hearing to certify the amount of the lien or assessment by the March Joint Powers Commission pursuant to the provisions of this chapter. Such contests shall be limited to the issue of the amount and/or validity of the lien or assessment and may not consider whether the underlying code violation occurred. Pursuit of such a contest by a responsible person is necessary to exhaust the administrative remedies concerning a legal challenge to the validity of any such lien or assessment.
11. The parent or legal guardian of a responsible person who is a minor shall be liable for any civil fines imposed upon the minor pursuant to the provisions of this chapter. Any such civil fines may be collected from the minor, parent or guardian.

L. Preliminary civil citation review

1. A responsible person may request a preliminary civil citation review. The request for a preliminary civil citation review shall be actually received by the Planning Department within fourteen (14) calendar days of the date of issuance of the civil citation, except a civil citation containing a notice of failure to correct a building violation shall not be subject to a request for

preliminary civil citation review.

2. To obtain a preliminary civil citation review, the responsible person shall appear at the public service counter at the March Joint Powers Authority office and present a copy of the civil citation along with a signed written request for a preliminary civil citation review stating the reasons why no violation occurred or why the responsible person cited is not a responsible person for the violation. Attached to the signed written request for a preliminary civil citation review shall be copies of any evidence that the responsible person would like considered during the preliminary civil citation review. All requests for a preliminary civil citation review shall be date stamped upon receipt by the March Joint Powers Authority.
3. A March Joint Powers Authority employee designated by the Director shall conduct the preliminary civil citation review. The reviewer shall not be the enforcement officer who issued the civil citation. The purpose of the preliminary civil citation review is to uncover and cancel any mistakenly issued civil citations due to errors that are easily verifiable, and not to resolve factual disputes concerning the violation that is the subject of the civil citation.
4. The preliminary civil citation review shall consist of a review of the citation, the written statement and any other evidence submitted at the time of the request by the responsible person and, at the discretion of the reviewer, any other related information. The review shall be decided within three business days of receipt of the request.
5. The responsible person shall be notified of the results of the preliminary civil citation review by a written notice of decision. The notice of decision shall be forwarded to the responsible person by mail, facsimile, or in person.
6. A request for preliminary civil citation review does not extend any time periods for compliance, including the civil fine due date, the time any correction period ends, or the time to request an administrative hearing.
7. If the conclusion of the preliminary civil citation review is that the civil citation was mistakenly issued or that the responsible person was not responsible for the violation, the citation shall be canceled.

M. Waiver of civil fine deposit

1. A responsible person requesting an administrative hearing may also request at the same time a hardship waiver of the civil fine deposit. To seek such a waiver and obtain a separate administrative hearing on the request, the responsible person shall file with the March Joint Powers Authority the signed written request form contained on the reverse side of the civil citation, check the box indicating this request, and attach a statement of the grounds for the request. The procedure governing the filing of such requests shall be the same, as provided in Section 1.10.140(B) of this chapter.
2. The person requesting the waiver bears the burden of establishing by substantial evidence that he or she does not have the financial ability to pay the deposit of the civil fine. The responsible person shall personally appear at the administrative hearing on the request and a nonappearance shall constitute an abandonment of the request.

3. The request shall be decided by the hearing officer at the administrative hearing date, time and place specified on the civil citation. The request shall be heard at a separate administrative hearing prior to the administrative hearing on the contest of the civil citation. At the conclusion of the administrative hearing on the waiver request, the hearing officer shall issue a notice of decision that the fine deposit is or is not waived. The hearing officer shall then insert on the notice of decision form the new date set for the administrative hearing on the contest of the civil citation that shall be within forty-five (45) calendar days. A copy of the notice of decision shall be delivered to the responsible person at the end of the administrative hearing on the waiver request.
4. If the waiver request is denied, the hearing officer shall give the responsible person a self-addressed envelope to use in making the civil fine deposit. The responsible person shall mail the deposit in the envelope provided so that it is received by the March Joint Powers Authority at least five business days before the date designated on the notice of decision for the administrative hearing on the contest of the civil citation. The Director is authorized to designate the address to which the deposit is to be mailed. Failure to make the deposit by the time required shall be deemed an abandonment of the request for an administrative hearing on the contest of the civil citation.
5. The filing of a request for hardship waiver of the civil fine deposit does not extend the time within which to request an administrative hearing on the contest of the civil citation or any other time set forth in this chapter, except as provided in subsection (4) of this section. A hearing officer decision on the waiver request is final and not subject to an appeal pursuant to Section 9.01.045 (Q) of this chapter.

N. Administrative hearing—Request

1. A responsible person may contest a civil citation by filing a request for an administrative hearing, except that an administrative hearing of a building violation may not be requested unless and until a second civil citation is issued containing a notice of failure to correct. To obtain an administrative hearing, the responsible person shall file a signed written request form contained on the reverse side of the civil citation and indicate the grounds for contesting the civil citation and/or civil fine. A responsible person may contest the civil citation by denying that a violation occurred, by denying that it was not corrected within the correction period, if applicable, or by denying that the responsible person cited is a responsible person for the violation.
2. To be effective and complete, the March Joint Powers Authority must actually receive the request within thirty (30) calendar days of the date the citation was issued accompanied by a deposit of the full amount of the civil fine. The request for administrative hearing shall not be accepted for filing if not accompanied by the civil fine deposit unless the responsible person also requests a waiver of the civil fine deposit pursuant to this chapter. Where the responsible person mails a request and civil fine deposit, the request and civil fine deposit shall be deemed filed on the date actually received by the March Joint Powers Authority. All requests shall be date stamped upon receipt by the March Joint Powers Authority. The Director is authorized to designate the location within the March Joint Powers Authority where the civil fines and deposits must be received.
3. The responsible person shall appear at the administrative hearing on the date and at the time and place specified on the civil citation. Failure to personally attend the administrative hearing shall be considered a nonappearance. Nonappearance by the responsible person shall constitute an

abandonment of the request unless the administrative hearing was continued pursuant to the provisions of this chapter.

O. Administrative hearing—Procedure

1. A hearing officer shall conduct no administrative hearing unless the civil fine has been deposited or waived in accordance with the provisions of this chapter.
2. Hearings shall be conducted by a hearing officer either:
 - a. On the date and at the time and place specified on the civil citation;
 - b. On the date designated on the notice of decision when there was a request to waive the civil fine deposit which was heard on the date indicated on the citation;
 - c. On the date designated as a continued hearing date, as specified herein below; or
 - d. On a date set by the Director at least ten (10) calendar days, but not more than thirty (30) calendar days after the responsible person requests an administrative hearing pursuant to Section 9.01.045 (K) of this chapter. At least ten (10) calendar days written notice thereof shall be given to the responsible person.
3. The Director shall ensure that the pertinent civil citation records are delivered to the hearing officer, including information showing all civil fine deposits or waivers granted.
4. At the administrative hearing, the Director shall make available to the responsible person copies of any additional reports concerning the civil citation that are provided to the hearing officer.
5. The responsible person shall be given the opportunity to testify and to present evidence relevant to financial hardship, the code violation specified in the citation, or the fact that all fines have been paid. A parent or legal guardian of a responsible person who is a juvenile under eighteen (18) years of age shall accompany the responsible person at the administrative hearing or the contest of the civil citation or request for waiver of the civil fine deposit shall be deemed abandoned.
6. The civil citation, and any other reports prepared by the enforcement officer, or prepared at his or her request concerning the code violation, any attempted correction of the code violation, or civil fine payments that are provided to the hearing officer shall be accepted by the hearing officer as prima facie evidence of the code violation and the facts stated in such documents.
7. Neither the enforcement officer, nor any other representative of the March Joint Powers Authority shall be required to attend the administrative hearing. The hearing officer shall not require that there be submitted any evidence, other than the civil citation, that may exist among the public records of the March Joint Powers Authority on the code violation. However, any such appearance and/or submission may be made at the discretion of the enforcement officer or any March Joint Powers Authority employee or agent.
8. The hearing officer, Director, or March Joint Powers Authority attorney may continue an administrative hearing if a request is made by the responsible person, or the responsible person's

representative, or the representative of the March Joint Powers Authority, upon a showing of good cause. All continuance requests shall either be made in person at the administrative hearing or by written request received by the department at least twenty-four (24) hours before the administrative hearing date. If the continuance is granted, a new administrative hearing date shall be set within forty-five (45) calendar days and noted on the notice of decision. If the continuance is denied, the administrative hearing shall proceed as scheduled, and, if the responsible person is not present, the contest of the civil citation or request for civil fine deposit waiver shall be deemed abandoned in accordance with the provisions of this chapter. The decision on the continuance request is final and the notice of decision shall either be delivered personally to the responsible person or the representative if present, or be mailed to the responsible person by the department.

9. The administrative hearing shall be conducted informally and the legal rules of evidence need not be followed. The hearing officer does not have the authority to issue a subpoena.
10. The failure of the responsible person to appear at the administrative hearing, unless continued in accordance with the provisions of this chapter, shall constitute an abandonment of the request for waiver of the civil fine deposit and/or contest of the civil citation, and a failure to exhaust administrative remedies concerning the code violation(s) as set forth in the civil citation. The March Joint Powers Authority shall credit the civil fine deposit against the civil fine due for the code violation(s). The responsible person's failure to appear shall be noted on the notice of decision by the hearing officer and delivered to the responsible person either in person or by mail.

P. Administrative hearing—Decision

1. After consideration of all the evidence and testimony submitted at the administrative hearing, the hearing officer shall issue a written decision to either waive the civil fine deposit, not waive the civil fine deposit, uphold the civil citation, or cancel the civil citation. The hearing officer has no discretion or authority to reduce or modify a civil fine. The decision will be made on a notice of decision form and designate the reasons and evidence considered for the decision. The decision of the hearing officer shall be made at the conclusion of the administrative hearing and shall be final. The notice of decision shall be personally delivered to the responsible person at the conclusion of the hearing, if available, or mailed to the responsible person by the department.
2. If the decision of the hearing officer is to waive the civil fine deposit, then the responsible person is not required to deposit the civil fine prior to the date of the administrative hearing on the contest of the civil citation.
3. If the decision of the hearing officer is to uphold the civil citation, then the March Joint Powers Authority shall keep the civil fine deposited. If the civil citation is upheld and the civil fine deposit has been waived, the civil fine shall be due on the date the notice of decision is given to the responsible person at the end of the administrative hearing by the hearing officer, or the date the notice of decision is mailed to the responsible person by the department.
4. If the decision of the hearing officer is to cancel the civil citation, then the March Joint Powers Authority shall refund the civil fine deposit to the responsible person within thirty (30) calendar days of the date of the notice of decision.

5. The hearing officer's continued employment, performance evaluation, compensation, and benefits shall not directly or indirectly be linked to the number of civil citations upheld or canceled by the hearing officer.

Q. Right to judicial review

1. Any person aggrieved by an administrative decision of a hearing officer may seek judicial review of the administrative hearing decision by filing an appeal with the superior court of Riverside County in accordance with the timelines and provisions set forth in California Government Code Section 53069.4. The aggrieved person filing the appeal shall be responsible for paying the statutory filing fee to the superior court when the appeal is filed.
2. No appeal is permitted from an administrative decision regarding:
 - a. A request for preliminary civil citation review;
 - b. An extension of the thirty (30) calendar day correction period for building violations;
 - c. A request for waiver of the civil fine deposit; or
 - d. A decision that the responsible person is deemed to have abandoned the contest of the civil citation or civil fine due to her or his failure to appear at the administrative hearing or failure to deposit the civil fine.
3. The March Joint Powers Authority attorney shall forward to the superior court within fifteen (15) calendar days of its request, the pertinent civil citation documents for any case appealed to that court. If the superior court cancels any civil citation, the March Joint Powers Authority shall refund any civil fine deposit made and the appeal-filing fee within thirty (30) calendar days of its receipt of the court's decision.

R. Severability

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this chapter, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the determination of any court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this chapter or its application to other persons. The March Joint Powers Commission hereby declares that it would have adopted this chapter and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional.

Section 9.01.050 Conflicting Regulations

The provisions of this Code are not intended to interfere with or avoid any easements or legally established covenants or other existing agreements which are more restrictive than the provisions of this Code. Except where the expressed provisions of this Code or by the context hereof amend any existing ordinance, nothing in this Code shall be deemed to repeal any other ordinances relating to the properties and areas affected hereby.

Section 9.01.060 **Clarification of Ambiguities**

If ambiguity arises concerning the appropriate classification of a particular use within the meaning and intent of this Code, or if ambiguity exists with respect to matters of height, yard requirements, area requirements, or district boundaries as set forth herein, it shall be the duty of the March JPA Planning Director to ascertain all pertinent facts and issue an interpretation. The March JPA Planning Director's interpretation is subject to the appeal process as defined by Section 9.02.240.

Section 9.01.070 **March JPA To Be Held Harmless**

Any person, organization, or entity who obtains or files an application to obtain a permit or approval pursuant to this Code shall hold the March JPA harmless from any liability, including any claims of the applicant arising out of the issuance of the permit or approval, or the denial thereof, or arising out of any action by any person seeking to have a granted permit or approval held void by a court of law.

Section 9.01.080 **March Joint Powers Authority General Plan**

The March JPA shall adopt and maintain a General Plan in accordance with the requirements of California Government Code Section 65000 et. seq. as may be amended from time to time.

A. Consistency with the General Plan

1. No use of land, buildings, or structures for which an application is required pursuant to this Code is to be approved for processing under this Code unless it is consistent with the General Plan or a concurrent General Plan amendment request.
2. All land divisions within the March JPA and changes or amendments to land use classifications, districts or regulations, and conditional use permits, variances, development agreements, plot plans, and other permits and approvals shall be consistent with the March Joint Powers Authority General Plan and all applicable specific plans.
3. A proposed use or approval is consistent with the General Plan when the following conditions exist:
 - a. The proposed use is allowed in the land use designation in which the use is located, as shown by the Land Use Map, and as described in the text of the General Plan;
 - b. The proposed use is in conformance with the goals, objectives, policies, programs, and guidelines of the elements of the General Plan and the intent thereof; and
 - c. The proposed use is to be established and maintained in a manner which is consistent with the elements of the General Plan and all applicable provisions contained therein.

B. Determinations of Consistency with the General Plan

The March JPA Planning Director shall have the responsibility to prepare reports and make

determinations as to the conformity of applications and requests pursuant to this Code.

C. Administration of the General Plan

After the March Joint Powers Commission has adopted or amended all or part of the General Plan, the March Joint Powers Commission on recommendation from the March JPA Planning Director, shall have the responsibility to:

1. Investigate and make recommendations to the March Joint Powers Commission regarding reasonable and practical means for implementing the General Plan or any element thereof, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open space and natural resources, and for the efficient and effective expenditure of public funds relating to the subjects addressed in the General Plan; and
2. Provide annual report to the March Joint Powers Commission on the status of the General Plan and progress in its implementation.

Section 9.01.090 Zoning Districts

A. Districts -- Created

In order to provide a uniform basis for regulating the use of land, buildings, and structures, and to establish minimum site development regulations and performance standards applicable to sites within the March JPA, the March JPA is hereby divided into the following districts:

Residential Districts

Rural Residential (RR) District	
Hillside Residential (HR) District	
Residential 1 (R1) District	(40,000 sq. ft. min. lot size)
Residential 2 (R2) District	(20,000 sq. ft. min. lot size)
Residential Agriculture 2 (RA2)	(20,000 sq. ft. min. lot size)
Residential 3 (R3) District	(10,000 sq. ft. min. lot size)
Residential 5 (R5) District	(7,200 sq. ft. min. lot size)
Residential 10 (R10) District	
Residential 15 (R15) District	
Residential 20 (R20) District	
Residential Single Family 10 (RS10) District	

Commercial Districts

Neighborhood Commercial (NC) District
Community Commercial (CC) District
Tourist Recreation Commercial (TRC) District
Office Commercial (OC) District
Office (O) District

Employment Districts

Business Park (BP) District
Business Park - Mixed Use (BPX) District
Industrial (I) District
Aviation (A) District

Open Space and Agricultural Districts

Open Space (OS) District
Agriculture (AG) District

Special Districts

Public District (P)
Planned Development District (PD)
Specific Plan District (SP) -- precise zoning adopted separately
Air Installation Compatibility Use Overlay District (AICUZ)
Parenthesis () following district name is abbreviation appearing on Zoning Atlas Maps.

B. Adoption of Official Zoning Atlas

The boundaries of the zoning districts established pursuant to Section 9.01.090 A of this Code are delineated upon that certain map(s) entitled “Official Zoning Atlas of the March JPA,” sometimes referred to as the “Zoning Atlas.” The Zoning Atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this Code and is hereby incorporated into this Code by reference.

A copy of the Zoning Atlas shall be kept on file with the March JPA Clerk and March JPA Planning Director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this Code, and shall be reflected on the Zoning Atlas. The March JPA Planning Director shall be responsible for keeping official records relative to Zoning Atlas amendments.

C. Determination of Zoning District Boundaries

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.
2. The following rules shall apply for determining the boundaries of any district on the Zoning Atlas:
 - a. Where boundaries are indicated as approximately following street and alley lines or other identifiable property or boundary lines, such lines shall be construed to be the district boundary. Where boundaries are indicated as within a street or alley, the center line thereof shall be - construed to be the district boundary;
 - b. In un-subdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the Zoning Atlas;
 - c. A symbol or symbols indicating the classification of property on the Zoning Atlas shall in each

instance apply to the whole of the areas within the Zoning District boundaries;

- d. Where a public street, alley, or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of way adjacent to that abutting property.

Section 9.01.100 **March Joint Powers Commission**

Pursuant to Section 65100 of the California Government Code, the planning agency for the March JPA shall include the March Joint Powers Commission, and the March JPA Planning Director acting under authority of this Code.

Section 9.01.110 **Reserved**

Section 9.01.120 **March JPA Planning Director**

The provisions of this Code shall be administered by the March JPA Planning Director whose responsibilities include the following functions which may be carried out by authorized subordinate employees.

A. Application Process

The March JPA Planning Director or designee shall receive and review all applications for permits and approvals pursuant to this Code. Processing includes:

1. The certification of completed applications;
2. Responsibility for completion of appropriate documentation under the California Environmental Quality Act;
3. The establishment of a permanent file;
4. Giving and posting of public notices;
5. Applicable fees;
6. Preparation of reports;
7. Processing of appeals; and
8. Presentation of staff reports for Planning Director hearings and/or the March Joint Powers Commission.

B. Interpretation

The March JPA Planning Director shall have the responsibility to interpret the provisions and advise the public on the requirements of this Code.

C. Permit Issuance

The March JPA Planning Director shall be responsible for issuing such permits, granting such approvals, and preparing such notices as are authorized under this Code.

D. Coordination

The March JPA Planning Director shall refer and coordinate matters related to the administration of this Code with other agencies, March JPA departments, and March JPA Boards and Commissions, and shall provide information on the status of development proposals.

Section 9.01.130 **Incorporation by Reference****A. Purpose and Intent**

The purpose and intent of this Section is to list documents that are attached hereto and incorporated in the ordinance adopting this Code and are hereby incorporated by reference into this Code as if set forth in full:

1. Official Zoning Atlas;
2. Road Improvement Standards and Specifications as adopted by Riverside County Ordinance 461, or as may be amended from time to time; and

Three copies of each of the above listed documents are on file with the Secretary of the March Joint Powers Commission.

Section 9.01.140 **Refund of Fees****A. Purpose and Intent**

The purpose and intent of this Section is to establish a uniform schedule by which to refund application fees.

B. Projects that Require a Hearing or Public Notice

Whenever an application that requires a public hearing or public notice is terminated for any reason, upon request of the applicant, a refund of fees paid may be made by the March JPA Planning Director in accordance with the following schedule; if any portion of the application fee has been paid out by the March JPA Planning Director to another jurisdiction or agency for services to be rendered in connection with the application, no refund of that portion of the fee shall be made by the March JPA Planning Director to the applicant:

STAGE IN PROCESSING

REFUND PERCENTAGE

(1) Application accepted, but no project review begun	100
(2) Project review begun but not completed	80
(3) Application review completed	60
(4) Hearing advertised or public notices sent	40
(5) March Joint Powers Commission Staff Report or Conditions of Approval prepared	20
(6) Public hearing held or decision rendered	0

C. Projects that Do Not Require Public Notice

A refund of 100 percent will be made if no project review has begun. A refund of 50% of the fee paid will be made in association with an application that is withdrawn prior to approval or denial of such application.

D. Minor Development Review

A refund of 50% of the fee paid may be made in association with a non-hearing application that is withdrawn prior to approval or denial of such application.

Appeals	1-9
Civic Center Overlay District	1-7
Density	1-2
Development Agreements.....	1-5
Extensions of Time	1-3
General Plan Amendment	1-5
Hillside Residential.....	1-6
Improvement Standards	1-10
Outdoor Advertising Display	1-7
Planned Development District	1-7
Project Review Staff Committee.....	1-1, 1-8-1-10
Public District	1-7
Public Hearing	1-11-1-11
Refund of Fees	1-1
Specific Plan District	1-7
Variances.....	1-5

Chapter 9.02**PERMITS AND APPROVALS****Sections:**

9.02.010	Purpose and Intent
9.02.020	Permitted Uses
9.02.030	Development Review Process
9.02.040	General Plan Amendments
9.02.050	Amendments to Zoning Districts or Other Provisions of the Development Code
9.02.060	Conditional Use Permits
9.02.070	Plot Plan
9.02.080	Administrative Plot Plan
9.02.090	Administrative Variances
9.02.100	Variances
9.02.110	Development Agreements
9.02.120	Surface Mining Permits
9.02.130	Home Occupation Permits
9.02.140	Large Family Day Care
9.02.150	Temporary Use Permits
9.02.160	Tenant Improvements
9.02.170	Land Use Approvals
9.02.180	Nonconforming Uses and Structures Provisions
9.02.190	Application Filing
9.02.200	Public Hearing and Notification
9.02.210	Approval to Extend with Land
9.02.220	Effective Date of Decision

9.02.230	Lapse of Approvals and Extensions of Time
9.02.240	Appeals
9.02.250	New Applications Following Denial
9.02.260	Revocation of Approvals or Permits
9.02.270	Reports on Conformity with the General Plan or a Specific Plan
9.02.280	Substantial Conformance
9.02.290	Modification of Conditions
9.02.300	Director's Review

Section 9.02.010 Purpose And Intent

These provisions identify permitted uses and prescribe the procedures for filing applications for permits, variances, appeals, amendments, approvals, and the like, and the procedures for processing and consideration when required or permitted by this Chapter or by other provisions in this Code.

Section 9.02.020 Permitted Uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates a use is allowed with conditional use permit, unless otherwise expressly provided, all district use and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X – Indicates stated use is permitted subject to district requirements.

C – Indicates stated use is allowed with a Conditional Use Permit.

∅ – Indicates a use is permitted unless the use is located 300 feet or less from a residential zone or use, in which case the use is allowed with a Conditional Use Permit.

	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 10	R S 10	R 15	R 20	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Accountants												X	X	X	X	X	X			X	X	X		
Adult Entertainment Businesses																						C		
Advertising Agencies												X	X	X	X	X	X			X	X	X		
Agricultural (See Section 9.09.090)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X
Agricultural Uses – Crops Only																				X			X	X
Agricultural (involving structures)																				X			X	
Aircraft Landing Facilities													C	C		C	C	C	X	C	C	C		

Permitted Uses Table 9.02.020-1

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Airport Landing facilities for scheduled passenger service																			C					
Ambulance Service													∅					∅		X	X	X		
Amusement Parks, Fairgrounds													∅	∅						X				
Antique & Import Stores												X	X	X	X					X				
Apparel Shops & Accessories												X	X	X	X									
Appliance Stores with Incidental Repair													X											
Appliance Repair Shops												X	X							X		X		

DEVELOPMENT CODE**CHAPTER 9.02****Permitted Uses Table 9.02.020-1**

X – Indicates stated use is permitted subject to district requirements.

C – Indicates stated use is allowed with a Conditional Use Permit.

∅ – Indicates a use is permitted unless the use is located 300 feet or less from a residential zone or use, in which case the use is allowed with a Conditional Use Permit.

	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Appraisers												X	X	X	X	X	X				X	X		
Architects												X	X	X	X	X	X				X	X		
Arcades, Video Machines												∅	X	X	∅									
Art Galleries												X	X	X	X	X	X	X						
Art Studio												X	X	X	X					X		X		
Art Supply Shops												X	X	X	X	X				X				
Assayer												X	X	X	X	X	X			X	X	X		
Athletic Clubs & Spas												X	X	X		X				X	X	X		
Attorneys												X	X	X	X	X	X				X	X		

Permitted Uses Table 9.02.020-1

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Auction Houses													X									X		
Auditoriums													∅	∅		∅		∅			∅	∅		
Auto Cellular Phone Sales & Installation													X							X		X		
Auto Electronic Accessories and Installation													X							X		X		
Automobile Fleet Storage																				X				
Automobile, Motorcycle, Truck Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory													∅	∅						X				

Permitted Uses Table 9.02.020-1

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∅ – Indicates a use is permitted unless the use is located 300 feet or less from a residential zone or use, in which case the use is allowed with a Conditional Use Permit.

	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Installations																								
Auto Service Stations:																								
Without Repair Services												∅	∅	∅										
With or Without Convenience Store												∅	∅	∅										
With Boat, Motorcycle, or RV Light Repair – Excludes Major Overhaul, Paint & Body Repair																								
Automotive, Boat, Motorcycle and RV Repair – Minor –												∅	X	∅						X		X		

Permitted Uses Table 9.02.020-1

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
includes Brake, Muffler and Tire Installation and Repair																								
Automotive Paint and Body Repair – Major Engine Overhaul													∅							X				
Auto Rentals													X	X					X		X	X		
Auto Supply Stores (with installation)												∅	X	∅						X		X		
Auto Supply Stores (without installation)												X	X											
Bail Bond Service												X	X	X	X	X	X				X	X		

Permitted Uses Table 9.02.020-1

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Bakery Shops												X	X	X	X							X		
Bakery – Commercial																				X	X	X		
Banks–Financial Institutions												X	X	X	X	X	X				X	X		
Barber and Beauty Colleges												X	X			X	X				X	X		
Barber and Beauty Shops												X	X	X	X	X								
Beauty Supply Stores												X	X	X	X									
Bicycle Shops												X	X	X	X									
Boat Sales New and Used Including Repairs and Accessory Installation													∅	∅						X				

DEVELOPMENT CODE

CHAPTER 9.02

Permitted Uses Table 9.02.020-1

X – Indicates stated use is permitted subject to district requirements.

C – Indicates stated use is allowed with a Conditional Use Permit.

∅ – Indicates a use is permitted unless the use is located 300 feet or less from a residential zone or use, in which case the use is allowed with a Conditional Use Permit.

	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Boarding and Rooming Houses	X	X						X	X	X	X													
Book Stores												X	X	X	X	X						X		
Bookkeepers												X	X	X	X	X	X				X	X		
Bowling Alley												X	X	X										
Building Material Sales: With Outdoor Storage													∅											
Building Material Storage Yards																				X				
													∅	∅							∅	∅		

Permitted Uses Table 9.02.020-1

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∅ – Indicates a use is permitted unless the use is located 300 feet or less from a residential zone or use, in which case the use is allowed with a Conditional Use Permit.

	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Bus, Rail, and Taxi Stations																			X					
Business Equipment Sales (includes repairs)												X	X		X	X						X		
Business Schools												X	X			X	X				X	X		
Business Supply Stores:												X	X			X				X		X		
Including Bulk Sales Including Furnishings												X	X			X				X		X		
Business Support Services Providing General Clerical Employment or Minor Processing Services													X			X	X			X	X	X		

Permitted Uses Table 9.02.020-1

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∅ – Indicates a use is permitted unless the use is located 300 feet or less from a residential zone or use, in which case the use is allowed with a Conditional Use Permit.

	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 10	R S 10	R 15	R 20	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Cabinet Shops																				X	X	X		
Camera Shops												X	X	X	X									
Candle Shops												X	X	X	X									
Candy Shops												X	X	X	X									
Caretakers Residence ¹ (only where 24 hr. surveillance is necessary)												X	X	X	X					X	X	X		
Car Wash:												∅	∅	∅						X				

¹Do not consider residential use per distance requirement.

Permitted Uses Table 9.02.020-1

X – Indicates stated use is permitted subject to district requirements.

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 10	R S 10	R 15	R 20	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Accessory to Auto Related Use												∅	∅	∅						X	∅	∅		
Catering Service												X	X	X	X						X	X		
Cemetery (Human or Pet) with or without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C												C	

Permitted Uses Table 9.02.020-1

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 10	R S 10	R 15	R 20	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Churches ²	C	C	C	C	C	C	C	C	C	C	C	∅	∅	∅	C	∅	∅	∅		∅	∅	∅	C	
Clothing and Costume Rental												X	X	X	X									
Clubs								∅	∅	∅	∅	∅	∅	∅	∅	∅	∅	∅			∅	∅		C
Collection Agencies												X	X	X	X	X	X			X	X	X		
Commercial Radio or Television Station (Without On-Site Antenna)													X	X	X	X	X			X	X	X		

²The "tenant" improvement process may be used to establish these uses in an existing building within the any commercial or industrial zone, even if the project is located adjacent to residential uses or zones, except that no outdoor activities are permitted at any time.

DEVELOPMENT CODE

CHAPTER 9.02

Permitted Uses Table 9.02.020-1

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∅ – Indicates a use is permitted unless the use is located 300 feet or less from a residential zone or use, in which case the use is allowed with a Conditional Use Permit.

	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 10	R S10	R 15	R 20	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Communication Facilities and Antennas	See Section 9.09.040																							
Computer Sales With Service and Repairs												X	X			X				X		X		
Computer Service and Repair Only												X	X							X	X	X		
Consulting Services												X	X	X	X	X	X				X	X		
Contractors Storage Yard																				X			C	
Convalescent Homes			C	C	C	C	C	C	C	C	C	∅	∅		∅	∅	∅	∅			∅	∅	∅	
Convenience Stores, with or												X	X	X										

Permitted Uses Table 9.02.020-1

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
without drive-through																								
With Alcohol Sales												∅	∅	∅										
Copy Shops												X	X		X	X	X			X	X	X		
Counseling Services												X	X	X	X	X	X				X	X		
Convention Hall, Trade Show, Exhibit Building With Incidental Food Services													∅	∅		∅		∅			∅	∅		
Country Club	C	C	C	C	C	C	C	C	C	C	C			X										
Credit Services												X	X	X	X	X	X				X	X		

DEVELOPMENT CODE

CHAPTER 9.02

Permitted Uses Table 9.02.020-1

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 10	R S 10	R 15	R 20	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X				X	X		
Data Processing												X	X	X	X	X	X				X	X		
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	∅	∅	∅	∅	∅	∅	∅		∅	∅	∅		
Decorating Shops												X	X	X										
Delicatessens												X	X	X	X	X					X	X		
Department Stores													X	X										

Permitted Uses Table 9.02.020-1

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Diaper Supply Service: Administration Only												X	X	X	X	X	X				X	X		
Laundry With Fleet Storage																				X				
Disposal Company																				X				
Doctors, Dentists and Medical Clinics/Medical Care:																								
Outpatient Care												X	X	X		X	X			X	X	X		
Inpatient Care												X	X			X	X							

Permitted Uses Table 9.02.020-1

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Urgent Care												X	X			X	X			X	X	X		
Drapery Shops (retail only):												X	X	X	X									
With Manufacture of Drapes													X							X		X		
With Manufacture of Drapery Hardware																				X		X		
Dressmaking Shops												X	X	X	X									
Drive-in Theaters														X										
Driving School												X	X			X	X				X	X		
Drug Stores												X	X	X	X									
Dry Cleaning or Laundry:																								

Permitted Uses Table 9.02.020-1

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Pickup Only												X	X	X	X	X						X		
Self-service Laundromat												X	X	X	X									
Commercial With Fleet Storage																				X	X	X		
Electrical Supply Stores													X							X		X		
Electronic and TV Repair Shop												X	X							X		X		
Employment Agencies												X	X		X	X	X				X	X		
Engineers and Draftsperson												X	X	X	X	X	X				X	X		
													∅											

DEVELOPMENT CODE

CHAPTER 9.02

Permitted Uses Table 9.02.020-1

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 10	R S 10	R 15	R 20	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C																			X	C
Escort Service													X											
Escrow Services												X	X	X	X	X	X				X	X		
Exterminators													C							X	X	X		
Feed and Grain Stores												X	X	X	X									
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with												X	X									X		

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
installation service)																								
Florist Shops												X	X	X	X	X								
Fortune-telling												X	X											
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X	X		
Furniture Stores (may include incidental repair)												X	X		X									
Gasoline Dispensing																								
Non-Retail Accessory to an Auto Related Use													X	X					C	X	X	X		

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 10	R S 10	R 15	R 20	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Gift, Novelty, Card, and Souvenir Shops												X	X	X	X									
Glass Shops and Glass Studios – Stained, etc.												X	X							X		X		
Golf Cart Sales and Service													X	X						X				
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C			∅									∅	∅
Grocery Stores												X	X	X	X									
Gun Shops													X	X										

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 10	R S 10	R 15	R 20	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Gymnasiums												X	X	X	X							X		
Handicapped Housing								X	X	X	X					C	C							
Hardware Stores												X	X	X	X									
Bulk Hardware For Contractors																				X		X		
Health Club, Spa												X	X	X	X							X		
Health Food Stores												X	X	X	X									
Heavy Equipment Sales and Rentals													X							X				

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Hobby Stores												X	X	X	X									
Homeless Shelters													C			C	C	X		C		C		
Hospitals													∅	∅		∅	∅				C	C		
Hotels													X	X						X	X	X		
Ice Cream Stores – Including Yogurt Sales												X	X	X	X							X		
Impound Yards (Indoor)																				X		X		
Insurance Claims Centers																X	X				X	X		

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Investigation Services												X	X	X	X	X	X				X	X		
Jewelry Stores												X	X	X	X									
Kennel and Catteries (See Section 9.09.090 E)	C	C	C	C	C	C	C	C	C	C	C	C	C	∅		∅	∅	∅		∅	C	∅	X	
Laboratories (medical and dental)												X	X			X	X			X	X	X		
Landscaping Service													X							X			X	
Landscaping Service (office only)												X	X	X	X	X	X				X	X		
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X		

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 10	R S 10	R 15	R 20	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Liquor Stores												∅	∅	∅										
Locksmith Shops												X	X	X	X					X	X	X		
Lodge Halls and Similar Facilities												∅	∅	∅		∅					∅	∅		
Lumberyards													X							X				
Mail Order House													X							X	X	X		
Manufacturing and Assembly a. Custom and Light Manufacturing Indoor Uses Only, With Light Truck																			X	X	X	X		

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Traffic, On-site and Wholesaling of Goods Produced																								
b.General Manufacturing With Frequent Truck Traffic and/or Outdoor Equipment or Storage ³																			X	X	∅	∅		
c. Retail Sales of Goods																				X	X	X		

³Notwithstanding the ∅ symbol indicated for the BP and BPX, the expansion of an existing general manufacturing use is allowed without a Conditional Use Permit regardless of its distance from residential zones or residential uses.

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Produced or Warehoused On-Site ⁴																								
Massage Parlor																				C			C	
Meat Markets												X	X	X	X									
Membership Warehouses													X											
Miniature Golf Courses													∅	∅										
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals													X											

⁴Retail portion is limited to 15% to 30% of gross floor area. (See 9.05.040)

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 10	R S 10	R 15	R 20	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
(Outdoor Display)																								
Monument and Tombstone Sales													X							X		X	X	
Mortgage Services												X	X		X	X	X				X	X		
Mortuaries:																								
With Cremation Services																					X	X		
No Cremation Services			C	C	C	C	C	C		C	C	∅	∅								X	X		
Motels													X	X						X	X	X		

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Museums:	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X
General cultural, paleontological and historical, facilities primarily within a building																								
Aviation Museums																			X					
Music Stores												X	X	X	X									
Newspaper and Printing Shops												X	X							X	X	X		
Nursery, (Plant):																								

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Retail Only													X	X	X								X	
Wholesale and Distribution	X		X	X																X		X	X	X
Offices (Administrative and Professional)												X	X	X	X	X	X				X	X		
Open Air Theaters														X										
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Paint Stores												X	X	X	X									

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Painting Contractor																				X		X		
Parcel Delivery Terminals																			X	X	X	X		
Parking Lot													X	X	X	X	X		X		X			
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X
Pawnshop													X											
Personal Services (e.g. nail salons and tattoo parlors)												X	X	X	X									
Pet Grooming Shop												X	X	X	X									

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Pet Shop (excludes dangerous and venomous animals) No Outdoor Facilities												X	X	X	X									
Pharmacy ⁵												X	X	X	X	X								
Photo Engraving and Blueprint Shop Including Sales of Related Materials												X	X	X	X	X					X	X		
Photo Studios												X	X	X	X	X						X		

⁵Permitted in the OC District only as a support medical office facility.

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Picture Framing Stores												X	X	X	X									
Plumbing Shops													X									X		
Plumbing Supply Stores For Contractors																					X	X		
Pool Hall												∅	∅											
Postal Services												X	X	X	X	X					X	X		
Pottery Sales With Outdoor Sales												X	X	X	X					X		X		
Produce Markets												X	X	X	X							X		

DEVELOPMENT CODE**CHAPTER 9.02****Permitted Uses Table 9.02.020-1**

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Public Administration Buildings and Civic Centers												X	X	X	X	X	X	X		X	X	X		
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	∅	∅	∅	∅	∅	∅	∅	X	X	∅	∅	C	C
Racetracks													C	C										
Real Estate Services												X	X	X	X	X	X				X	X		
Record Store												X	X	X	X									
Recording Studio												X	X	X	X	X	X			X	X	X		
Recreational Facilities (Private)	C	C	C	C	C	C	C	C	C	C	C	∅	∅	X	∅									C

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
such as Tennis Club, Polo Club, With Limited Associated Incidental Uses																								
Recycling, Large Collection Facility ⁶													∅	∅						X	X	X	X	
Recycling, Small Collection Facility												X	X	X	X	X					X			
Recycling Processing Centers																				X	X	X		

⁶Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Refreshment Stands												X	X	X	X	X	X	X		X	X	X		
Rental Service:												X	X	X	X					X	X	X		
Within an Enclosed Structure (Furniture, Office Equipment, Party Supplies																								
With Outdoor Storage and Display (Vehicles, Equipment, etc.)												∅	∅							X		X		

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Research and Development																X	X		C	X	X	X		
Residential:																								
Single Family	X	X	X	X	X	X	X	X		X	X													
Multi Family								X		X	X													
Manufactured Home Park (see Mobile Home Park)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Restaurants (Eating and Drinking Establishments) With Entertainment													∅	∅										
Without Entertainment												X	X	X	X	X	X					X		
With Alcoholic Beverage Sales												X	X	X	X	X						X		
With Outdoor Seating												X	X	X	X	X						X		

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Restaurants (Fast Food) With Drive-Through												∅	∅	∅								X		
Without Drive-Through												X	X	X								X		
Savings and Loan Associations												X	X	X	X	X	X				X	X		
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	∅	∅			∅	∅				∅	∅		
Secondhand Stores												X	X		X									
Security Guard Service													X	X	X	X	X				X	X		
Senior Housing	X	X	X	X	X	X	X	X	X	X	X					C	C							

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 10	R S 10	R 15	R 20	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Shoe Stores												X	X	X	X									
Shoe Shine Stands												X	X	X		X	X				X	X		
Shoe Repair Shop												X	X	X	X									
Sign Shop												X	X	X	X					X	X	X		
Skating Rinks													X	X										
Sporting Goods Stores												X	X	X	X									
Stamp and Coin Stores												X	X	X	X									
Stationery Stores												X	X	X	X	X					X	X		
													∅	∅										

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Statue Shop Outdoor Display																				X				
Stock Brokers												X	X	X	X	X	X				X	X		
Storage and Distribution, Wholesale:																								
Within a Completely Enclosed Building and Involving Finished Products																				X	X	X		
Unfinished, Raw or Semi- Refined Products or Outdoor Storage																				X				

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	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Storage Lots and Mini- Warehouses:													X							X				
Indoor													C											
Outdoor																								
Supermarkets												X	X	X										
Surveying Services												X	X	X	X	X	X				X	X		
Swimming Pool and Spa													X	X						X				
Sales and Service – Including Outdoor Display												X	X											

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∅ – Indicates a use is permitted unless the use is located 300 feet or less from a residential zone or use, in which case the use is allowed with a Conditional Use Permit.

	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Indoor Display Only																								
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C		X	X										
Tailor Shop												X	X	X	X									
Taxidermist													X							X	X	X		
Telephone Answering Services												X	X	X	X	X	X				X	X		
Telephone and Mailing Business Office. No Storage of Products, Nor Sales to or Contact With the Public on the																X	X				X	X		

Permitted Uses Table 9.02.020-1

X – Indicates stated use is permitted subject to district requirements.

C – Indicates stated use is allowed with a Conditional Use Permit.

∅ – Indicates a use is permitted unless the use is located 300 feet or less from a residential zone or use, in which case the use is allowed with a Conditional Use Permit.

	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Premises																								
Theaters (excludes open air)												X	X	X										
Tire Recapping																				X				
Toy Stores												X	X	X	X									
Trade and Vocational Schools													X			X	X				X	X		
Transfer, Moving and Storage Facilities																				X	X	X		
Travel Agencies												X	X	X	X	X	X				X	X		
Truck Wash																				X	X	X		
Trophy Store												X	X	X	X									

Permitted Uses Table 9.02.020-1

X – Indicates stated use is permitted subject to district requirements.

C – Indicates stated use is allowed with a Conditional Use Permit.

∅ – Indicates a use is permitted unless the use is located 300 feet or less from a residential zone or use, in which case the use is allowed with a Conditional Use Permit.

	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Upholstery Shops													X							X		X		
Variety Stores												X	X	X	X									
Vehicle Storage Yards																								
Indoor storage lots													X							X		X		
Outdoor storage lots													C							X				
Vending Machine Service and Repair																				X	X	X		
Veterinarian (Including Animal Hospital)												X	X	X							X	X	X	

Permitted Uses Table 9.02.020-1

X – Indicates stated use is permitted subject to district requirements.

C – Indicates stated use is allowed with a Conditional Use Permit.

∅ – Indicates a use is permitted unless the use is located 300 feet or less from a residential zone or use, in which case the use is allowed with a Conditional Use Permit.

	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
All Activities Within an Enclosed Structure														∅							C	X		
With Outdoor Activities													∅										X	
Wall Covering Store												X	X	X	X									
Weight Reduction Center												X	X	X	X	X								
Wholesale, Storage, and Distribution																								
All Activities Indoors																				X	X	X		
All Activities Outdoors																			X	X				

Permitted Uses Table 9.02.020-1

X – Indicates stated use is permitted subject to district requirements.

C – Indicates stated use is allowed with a Conditional Use Permit.

∅ – Indicates a use is permitted unless the use is located 300 feet or less from a residential zone or use, in which case the use is allowed with a Conditional Use Permit.

	H R	R R	R 1	R 2 A	R 2	R 3	R 5	R 1 0	R S 1 0	R 1 5	R 2 0	N C	C C	T R C	V C	O C	O	P	A	I	B P	B P X	A G	O S
Retail Sale of Goods Warehoused On-site ⁷																				X	X	X		
Wrecking Yard																				∅				

⁷ (See Section 9.05.040).

Section 9.02.030 Development Review Process**Purpose and Intent**

The purpose and intent of this section is to identify types of Development Review process or processing and to establish, by application type, the procedures and requirements for each type of Development Review process.

A. Minor Development Review Process**1. Purpose and Intent**

The purpose of Minor Development Review is to provide a process for administrative review of development projects which are of limited size and scope. The intent of this process is to ensure that such limited projects comply with all applicable March JPA guidelines, standards, and ordinances; are not detrimental to the public health, safety, or welfare; and are not materially damaging to surrounding properties or improvements.

2. Authority

The March JPA Planning Director is authorized to approve, approve with reasonable conditions, or disapprove applications for Minor Development Review. In approving an application, the March JPA Planning Director may impose reasonable conditions to ensure compliance with this Code. Conditions may include requirements for open spaces, buffers, walls, fences, and screening; requirements for street improvements and dedications; regulation of vehicular ingress, egress, and traffic circulation; requirements for installation and maintenance of landscaping and erosion control measures; regulation of signs; regulation of hours of operation; establishment of time limits for performance or completion; and such other conditions as the March JPA Planning Director may deem necessary to make the determinations required in Section 9.02.030 A.6.

3. Minor Development Review Criteria

Unless otherwise specified for Major Development Review pursuant to criteria outlined in Section 9.02.030 B.2., applications which include any of the following criteria shall be subject to the Minor Development Review process and approval by the March JPA Planning Director:

- a. Parking lot construction, reconstruction, or expansion;
- b. Construction, reconstruction, or expansion of outdoor storage areas which are a permitted use in the applicable zone;

- c. Construction and/or placement of satellite dishes, antennas, roof or ground mounted equipment visible from public view, or similar structures or equipment as determined by the March JPA Planning Director;
 - d. New structures or additions which qualify for a categorical exemption pursuant to the California Environmental Quality Act (CEQA) and the March JPA Rules to Implement CEQA;
 - e. Development of any other uses, facilities, or structures for which Minor Development Review is specified elsewhere in this Code;
 - f. Signs permitted subject to the provisions of Section 9.12.020.
 - g. Exterior remodeling of industrial, commercial or multi-family facilities.
 - h. Model homes and changes in production unit sizes within single family residential tracts except as otherwise provided in Section 9.08.210.
4. Applications

An application for a Minor Development Review shall be filed with the March JPA Planning Director in a manner prescribed by the March JPA Planning Director.

5. Project/Design Review

If it is determined by the March JPA Planning Director that the site contains unique or unusual characteristics and therefore requires additional design review, the March JPA Planning Director may refer the application to the PRSC.

6. Required Determinations

Before granting approval of a Minor Development Review application, the March JPA Planning Director shall make the following determinations:

- a. That the proposed project is consistent with the goals, objectives, policies, and programs of the March JPA General Plan and any applicable specific plan; and
- b. That the proposed project, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity.

B. Major Development Review Process

1. Purpose and Intent

The Major Development Review process is intended to implement March JPA General Plan policies and other adopted policy and design standards, regulations, and guidelines. To achieve quality development that is functionally as well as aesthetically enhancing to the community, and

to minimize adverse effects on surrounding properties and the environment, the purposes of Major Development Review are to ensure the following:

- a. That the location and configuration of structures developed within the March JPA Planning Area are visually harmonious with their sites and with natural landforms and surrounding sites, structures, and streetscapes;
- b. That the proposed design produces harmonious transitions in both the scale and character of development between adjacent land uses;
- c. That site access and circulation thereon is safe and convenient for pedestrians, bicyclists and vehicles;
- d. That adverse environmental effects are minimized;
- e. That building site and architectural design is accomplished in an energy efficient manner;
- f. That the materials, textures, colors, and details of proposed construction are an appropriate expression of the design concept and function, and are, to the extent feasible, compatible with the adjacent and neighboring structures and functions;
- g. That development proposals do not unnecessarily block scenic views from other buildings or from public ways, or visually dominate their surroundings with respect to mass and scale, to an extent inappropriate to their use;
- h. That the amount, location and configuration of open space and landscaping conforms to the requirements of this Code, provides visually pleasing settings, and is appropriate to the design and function of the structure, site, and surrounding area;
- i. That the design and location of signs and their materials and colors are consistent with the scale and character of the buildings to which they are attached or are located on the same site, and to ensure visual harmony between signs and surrounding developments;
- j. That excessive and unsightly grading of hillsides does not occur, and to ensure the preservation of the character of natural landforms and existing vegetation where feasible;
- k. That excellence in architectural design is maintained in order to enhance the visual environment of the March JPA Planning Area and to protect the economic value of existing structures;
- l. That historically significant structures and sites are developed as much as possible in a manner consistent with their historic values;
- m. That the public health, safety and general welfare are protected;
- n. That development plans comply with applicable policies, standards, ordinances, and design guidelines.

2. Authority

- a. Discretionary projects which are not specifically subject to Minor Development Review pursuant to the provisions of Section 9.02.030 A, shall be subject to the Major Development Review process.
- b. The March Joint Powers Commission is designated as the approving body to approve, conditionally approve, or disapprove projects subject to the Major Development Review process.

3. Conditions of Approval

In approving an application subject to the Major Development Review process, conditions may be imposed to ensure compliance with applicable March JPA regulations. Conditions may include:

- a. Requirements for fences and walls, screening and buffering of adjacent properties, open spaces, and installation and maintenance of landscaping and erosion control measures;
- b. Requirements for street improvements and dedications, regulation of vehicular ingress and egress, and traffic circulation;
- c. Regulation of signs;
- d. Regulation of hours or other characteristics of operation;
- e. Establishment of time limits for performance or completion; and
- f. Such other conditions as may be deemed necessary to ensure compatibility with surrounding uses; to preserve the public health, safety and welfare; and to enable the March Joint Powers Commission to make the findings supporting its decision as required by Section 9.02.030 B.5.

4. Project/Design Review Procedure

- a. Upon determination that an application is complete, the proposed project shall be forwarded to the PRSC for their review and comment.
- b. In addition to the PRSC, projects subject to the provisions of this Subsection B shall also be submitted to such other committees and boards as may be required by the provisions of this Code, as well as to such other committees and boards as the March JPA Planning Director determines to be appropriate.
- c. Each committee or board to which a project is submitted pursuant to the provisions of this Subsection shall review the case at its first available meeting and supply written recommendations to the March JPA Planning Director.
- d. In addition to committees and Boards, the March JPA Planning Director shall forward the proposed project to such other public agencies whose operations or areas of responsibility could be affected by the proposed project for their review and comment.

- e. If after review and consideration pursuant to paragraphs "a" through "d" above, the project is determined to be unacceptable, the March JPA Planning Director shall inform the applicant of identifiable issues, and suggest alternatives to resolve such issues. The applicant shall then be directed to return with revisions and/or work with staff to resolve issues prior to public hearing or decision by the March Joint Powers Commission.

5. Finding

Following the noticed public hearing pursuant to Section 9.02.200, and unless otherwise specified in Chapter 9.02, the March Joint Powers Commission shall make the following findings before approving a Major Development Review application:

- a. That the proposed project is consistent with the March JPA General Plan;
- b. That the proposed use is in compliance with each of the applicable provisions of this Code;
- c. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity of the proposal.

C. Development Review Index

The following list indicates the review process required for each application type shown.

Development Review Index
Table 9.02.030-2

Major*** Development Review	Minor Development Review
General Plan Amendment ** Specific Plan Zone Change Conditional Use Permit Plot Plan (w/hearing) Variance * Tentative Tract Map * Tentative Parcel Map * Vesting Map * Reversion to Acreage Surface Mining Permit Development Agreements	* Lot Line Adjustment * Lot Merger * Certificate of Compliance Home Occupation Permit Large Family Day Care Permit Temporary Use Permit Administrative Variance Administrative Plot Plan **** Housing Product Change Extension of Time For Any Major Development Review

* Refer to Chapter 9.14, Subdivisions for further information.

** Refer to Chapter 9.13, Specific Plans for further information.

*** Requires a noticed public hearing pursuant to Section 9.02.200 before March Joint Powers Commission as established in each section of this Code specifying findings for each major development review.

**** Subject to the provisions contained in Section 9.08.210.

D. Concurrently Filed Applications

An application which is dependent on approval of a Change of Zone or other enabling application(s) shall be processed concurrently with such enabling application(s). Approval authority for such dependent application(s) shall be vested with the body authorized to approve the enabling application(s).

Section 9.02.040 General Plan Amendments

A. Purpose and Intent

As conditions within the March JPA Planning Area change, it may, from time to time, become necessary to amend the March JPA General Plan to enhance its effectiveness. In addition, State law requires that the General Plan be periodically updated. The purpose of this section is to provide a method for amending the General Plan to ensure its continued effectiveness.

B. Authority

Authority for approval of March JPA General Plan amendments shall be vested in the March Joint Powers Commission. The March JPA Planning Director shall provide recommendations to the March Joint Powers Commission regarding General Plan amendments. The March Joint Powers Commission may amend all or part of the General Plan, or any element thereof. All zoning districts, any specific plan and other plans of the March JPA that are applicable to the same areas or matters affected by the General Plan amendment, and which by law must be consistent with the General Plan, shall be reviewed and amended concurrently as necessary to ensure consistency between the General Plan and implementing zoning, specific plans, and other plans.

C. Restriction on Number of Amendments

Except as otherwise specified by State law (e.g. Government Code Section 65358), no mandatory element of the General Plan shall be amended more frequently than four times during any calendar year.

D. Initiation of Amendments to the General Plan

An amendment to the General Plan or any Element thereof may be initiated by any of the following actions:

1. Recommendation of the March Joint Powers Commission; or
2. A privately filed application involving a change in land use designation for a specific property shall be submitted by the property owner or the owner's authorized agent and shall be accompanied by all required applications. Applications for amendment limited to changes in goals, objectives, policies and implementing actions may be submitted by any affected party and shall be accompanied by an explanation of reasoning and, if applicable, any concurrent applications required for approval of the particular development project the amendment is

intended to accommodate. General Plan Amendment actions for any element, as necessary, will occur on approximately a quarterly basis.

E. March Joint Powers Commission Review

1. A public hearing before the March Joint Powers Commission shall be noticed in accordance with Section 9.02.200 and held within a reasonable time (unless otherwise specified by State law), after the close of the quarterly filing period in which a privately initiated application is deemed complete and after required environmental documentation has been completed. A longer period of time may be prescribed by the March Joint Powers Commission in the case of a proposed amendment initiated by the March Joint Powers Commission.
2. The March Joint Powers Commission shall render a written decision on the proposed amendment to approve, approve in modified form, or disapprove.
3. A March Joint Powers Commission action to approve, approve in modified form, or disapprove shall be final.

F. Required Findings

Amendment to the text or maps of the General Plan may be made if:

1. The proposed amendment is consistent with existing goals, objectives, policies and programs of the General Plan.
2. The proposed amendment will not adversely affect the public health, safety or general welfare.

Section 9.02.050 Amendments to Zoning Districts or Other Provisions of the Development Code**A. Purpose and Intent**

This Section establishes the procedures for amendments to this Code. The amendment process is necessary to ensure compliance with the procedures required by State Law, and to establish a reasonable and fair means to allow amendments and changes which will ensure consistency with the March JPA General Plan.

B. Initiation of Amendments to Zoning Districts and Other Provisions of the Development Code

An amendment to this Code, including the zoning classification or redistricting of any property, may be initiated by any of the following actions:

1. Recommendation of the March JPA Planning Director or the March Joint Powers Commission;
2. An application from a property owner or the owner's authorized agent, relating to his property, filed with all required applications.

3. An application from any affected party, which does not request redistricting of property.

C. Authority

Authority for approval of amendments to this Code, including amendments to the Zoning Atlas (relating to change in zoning classification or redistricting), shall be vested in the March Joint Powers Commission. Amendments to this Code, including amendments to the Zoning Atlas, may be made if:

1. The proposed amendment is consistent with the March JPA General Plan and its goals, objectives, policies, and programs, and with any applicable Specific Plan;
2. The proposed amendment will not adversely affect the public health, safety, or general welfare;
3. The proposed amendment is consistent with the purposes and intent of this Code.

D. March Joint Powers Commission Review

1. Amendments to this Code may be adopted by the March Joint Powers Commission in the same manner as other ordinances, except when an amendment is proposed to the Zoning Atlas by changing any property from one zone classification to another or proposes, removes, or modifies any of the following regulations, in which case the public hearing procedures of Section 9.02.200 shall be followed:
 - a. Regulating the use of buildings, structures, and land as between industry, business, residences, open space, including agriculture, recreation, enjoyment of scenic beauty, use of natural resources, and other purposes;
 - b. Regulating signs and billboards;
 - c. Regulating all of the following:
 - (1) The location, height, bulk, number of stories, and size of buildings and structures;
 - (2) The size and use of lots, yards, courts, and other open spaces;
 - (3) The percentage of a lot which may be occupied by a building or structure;
 - (4) The intensity of land use;
 - d. Establishing requirements for off-street parking and loading;
 - e. Establishing and maintaining building setback lines; or
 - f. Creating civic districts around civic centers, public parks, public buildings, or public grounds, and establishing regulations for those civic districts.
2. The March JPA Planning Director shall provide recommendations to the March Joint Powers Commission regarding amendments which require public hearings.

3. A Public Hearing by the March Joint Powers Commission shall be noticed and held in accordance with Section 9.02.200 and held within a reasonable time (unless otherwise specified by State law), in which a privately initiated application is deemed complete and after required environmental documentation has been completed. A longer period of time may be prescribed by the March Joint Powers Commission in the case of a proposed amendment initiated by the March Joint Powers Commission.
4. The March Joint Powers Commission shall render its decision in the form of a written determination approving, approving with modifications or disapproving the proposed amendment. The decision shall include the reasons for the determination and the relationship of the proposed amendment to the General Plan and any applicable Specific Plan.
5. A March Joint Powers Commission action of disapproval of a proposed amendment, regardless of how such amendment was initiated, shall be final.

E. Pre-zoning

1. For the purpose of establishing pre-zoning, which shall become effective at the same time the annexation becomes effective, property outside of and adjoining the corporate boundaries of the March JPA Planning Area, may be classified within one or more districts in the same manner and subject to the same procedural requirements as prescribed in Section 9.02.050 B, C and D.
2. Upon passage of an ordinance establishing the applicable pre-zoning designation for adjoining property outside the March JPA Planning Area, the zoning atlas shall be revised to identify each district or districts applicable to such property with the label "Pre-" in addition to such other map designation as may be applicable.

F. Recordation of Zoning Atlas Amendments

A change in district boundaries shall be indicated by listing on the zoning atlas the number of the ordinance amending the map.

G. Interim Zoning

1. Without following the procedures otherwise required prior to adoption of an amendment to this Code, including an amendment to the zoning map, the March Joint Powers Commission may, in order to protect the public health, safety, and welfare, adopt interim ordinances prohibiting any uses which may be in conflict with a contemplated general plan, specific plan, or zoning proposal which the March Joint Powers Commission is considering, studying, or is intending to study within a reasonable time.
2. Adoption of such an urgency measure shall require a four-fifths (4/5) vote of the March Joint Powers Commission for adoption.
3. An interim ordinance adopted pursuant to the provisions of this subsection shall be of no further force and effect forty-five (45) days from the date of adoption thereof; provided, however, that after notice pursuant to California Government Code Section 65090 and a public hearing, the March Joint Powers Commission may extend such interim ordinance for a period of ten (10) months and fifteen (15) days, and subsequently extend the interim ordinance for an additional one

(1) year. Any such extension shall also require a four-fifths vote for adoption. Not more than the two extensions described in this paragraph may be adopted.

4. Alternatively, an interim ordinance may be adopted by a four-fifths vote following notice and hearing pursuant to Government Code Section 65090 of the State Planning and Zoning Law, in which case it shall be of no further force and effect forty-five days from its date of adoption; provided, however, that after notice pursuant to Government Code Section 65090 and public hearing, the March Joint Powers Commission may, by a four-fifths vote, extend such interim ordinance for 22 months and 15 days.
5. When any interim ordinance has been adopted, every subsequent interim ordinance adopted pursuant to this Subsection G, covering the whole or a part of the same property, shall automatically terminate and be of no further force or effect upon the termination of the first interim ordinance or any extension thereof as provided in this Subsection G.
6. The March Joint Powers Commission shall not adopt or extend any interim ordinance pursuant to this Subsection G unless the ordinance contains a finding that there is a current and immediate threat to the public health, safety or welfare and that approval of additional subdivisions, use permits, variances, building permits or any other applicable entitlements for use which are required in order to comply with an existing zoning ordinance, would result in a threat to the public health, safety or welfare.
7. At least ten (10) days prior to the expiration of the ordinance or any extension, the March JPA Planning Director shall propose for issuance by the March Joint Powers Commission a written report on the measures taken to alleviate the condition which led to adoption of the ordinance.
8. Interim zoning shall be designated on the zoning map by reference to the applicable zoning symbols preceded by "I-".
9. For the period of time that the interim zoning ordinance is in effect, the permanent zoning shall be deemed to be superseded. However, the area shall continue to be subject to all other applicable provisions of this Code.
10. Upon expiration of an interim zoning ordinance, the permanent zoning shall again be in full force and effect, unless it has been replaced by new permanent zoning.

Section 9.02.060 **Conditional Use Permits**

A. Purpose and Intent

A Conditional Use Permit is intended to allow the establishment of those uses which have some special impact or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. The permit application process allows for the review of location, design, configuration of improvements, and potential impact on the surrounding area based on fixed and established standards.

B. Authority

Authority for approval of conditional use permits shall be vested in the March Joint Powers Commission except as described herein. Conditional Use Permit applications shall be subject to Major Development Review Procedures pursuant to Section 9.02.030-B and public hearing procedures pursuant to Section 9.02.200. The March JPA Planning Director may approve conditional use permits for uses identified with the “C” symbol in Table 9.02.020-1 if (1) the use is proposed within an existing building with no expansion and (2) the building or use is located more than 300 feet from a residential zone and (3) there are fewer than three residences within 300 feet in a nonresidential zone. Projects may be referred to the March Joint Powers Commission at the discretion of the March JPA Planning Director.

C. Required Findings

A Conditional Use Permit may be approved in whole or in part, if all of the following findings can be made:

1. The proposed project is consistent with the goals, objectives, policies and programs of the March JPA General Plan;
2. The proposed project complies with all applicable zoning and other regulations;
3. The proposed project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
4. The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

D. Conditions of Approval

In approving a Conditional Use Permit, the approving authority shall impose conditions of approval for the project regarding on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare and ensure that the project will be developed in accordance with the purpose and intent of this Code.

E. Revisions or Modifications

Revisions or modifications of Conditional Use Permits may be requested by the applicant. Further, the March Joint Powers Commission may periodically review, modify or revoke a Conditional Use Permit.

1. Revisions or Modifications Requested by Applicant.

A revision or modification to an approved Conditional Use Permit such as, but not limited to, change in conditions, expansions, intensity or hours of operation may be requested by an applicant. The requested revision or modification shall be processed in the same manner as the original Conditional Use Permit.

2. Review by March Joint Powers Commission.

The March Joint Powers Commission may periodically review any Conditional Use Permit to ensure that it is being operated in a manner consistent with conditions of approval or in a manner

which is not detrimental to the public health, safety, or welfare, or materially injurious to properties in the vicinity. If, after review, the Commission deems that there is sufficient evidence to warrant a full examination, then a public hearing date shall be set. At such public hearing, the March Joint Powers Commission may modify or revoke the permit pursuant to the provisions of Section 9.02.260.

Section 9.02.070 Plot Plan**A. Purpose and Intent**

The purpose of this Section is to provide a mechanism by which all new construction of Industrial, Commercial or Multiple Family Residential can be reviewed when not subject to other discretionary review processes which have review authority over project design. Unless a specific application for a particular use is identified within this Code, the Plot Plan application shall be used to implement the Major Development Review Process requirements.

B. Authority

1. Except as otherwise provided herein, authority for approval of Plot Plans shall be vested with the March Joint Powers Commission. Plot Plan applications shall be subject to Major Development Review procedures pursuant to Section 9.02.030-B and noticed Public Hearing procedures of Section 9.02.200.
2. The March JPA Planning Director may approve projects within industrial districts or commercial districts without a public hearing, when such projects are located greater than 300 feet from a residential zone and there are fewer than three (3) residences within 300 feet in a nonresidential zone. The March JPA Planning Director, however, may approve the expansion of existing commercial and industrial uses regardless of their distance to residential zones or residential uses. The decision of the March JPA Planning Director may be appealed to the March Joint Powers Commission.
3. Authority to act on a Plot Plan application which depends on approval of another enabling application(s), including, but not limited to, a Variance or General Plan Amendment, shall be vested with the review body authorized to act on the enabling application(s).

C. Required Findings

A Plot Plan may be approved in whole or in part, if all of the following findings can be made:

1. The proposed project is consistent with the goals, objectives, policies and programs of the March JPA General Plan;
2. The proposed project complies with all applicable zoning and other regulations;
3. The proposed project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and

4. The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

D. Conditions of Approval

In approving a Plot Plan, the approving authority shall impose conditions of approval for the project regarding on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare and ensure that the project will be developed in accordance with the purpose and intent of this Code.

E. Modification or Revisions

Modification or revision of Plot Plans may be requested by the applicant. A modification or revision to an approved Plot Plan may include, but shall not be limited to, change in conditions, expansion, intensity, or hours of operation. The requested modification or revision shall be processed in the same manner as the original Plot Plan.

F. Notice

Notice of a Plot Plan application and the proposed environmental determination shall be provided as specified in Subsection 9.02.200-C. With regard to a plot plan application not subject to review at a Public Hearing, the notice shall describe the nature of the proposal, the location of the project, that written responses are requested and that the decision will be made on a date not less than 20 days from the mailing of the notice.

Notice of the decision regarding an application that was not subject to a Public Hearing shall be mailed or delivered to the applicant and to all owners of property required to receive notice by mail or delivery in accordance with Subsection 9.02-200-C.

Section 9.02.080 Administrative Plot Plan**A. Purpose and Intent**

The purpose of this Section is to provide an administrative application under which development proposals listed as subject to the Minor Development Review process may be processed. Unless a specific application for a particular use is identified within this Code, the Administrative Plot Plan application shall be used to implement the Minor Development Review Process requirements.

B. Authority

The March JPA Planning Director may approve Administrative Plot Plans subject to the requirements, provisions and intentions of this Code.

C. Required Findings

An Administrative Plot Plan may be approved if all of the following findings can be made:

1. The proposed project is consistent with the goals, objectives, policies and programs of the March JPA General Plan;
2. The proposed project complies with all applicable zoning and other regulations;
3. The proposed project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
4. The location, design and operation of the proposed project will be compatible with existing or planned land uses in the vicinity.

D. Revisions or Modifications

Revisions or modifications to an Administrative Plot Plan shall be processed in the same manner as the original Administrative Plot Plan.

E. Conditions of Approval

In approving an Administrative Plot Plan, the approving authority shall impose conditions of approval for the project regarding on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare and ensure that the project will be developed in accordance with the purpose and intent of this Code.

Section 9.02.090 Administrative Variances**A. Purpose and Intent**

The purpose of Administrative Variances is to allow for an administrative procedure for limited adjustments to the provisions of this Code in order to prevent unnecessary hardships that might result from a strict or literal interpretation and enforcement of certain regulations prescribed by this Code. It is also intended that, with respect to accessory structures for existing single family residential uses, certain adjustments shall be subject to the March JPA Planning Director's Review procedures, rather than an Administrative Variance.

B. Authority

The March JPA Planning Director may grant Administrative Variances where there is a justifiable cause or reason, provided, however, that it does not constitute a grant of special privilege inconsistent with the provisions and intentions of this Code. A public hearing shall not be required for granting of an Administrative Variance.

C. Limitations on Administrative Variances

Only the following variances may be granted by the March JPA Planning Director and subject to the following limitations:

1. Fence Height

In any district, the maximum height of any fence, wall, or equivalent screening may be increased by a maximum of one (1) foot where the topography of sloping sites or a difference in grade between adjoining sites warrants an increase in height to maintain a level of privacy, or to maintain the effectiveness of screening, as would generally be provided by such fence, wall, or screening.

2. Setbacks

In any residential district, the March JPA Planning Director may decrease minimum setbacks by not more than ten (10%) percent where the proposed setback area or yard is in character with the surrounding neighborhood, and where such decrease will not unreasonably affect contiguous sites.

3. Lot Coverage

In any residential district, the March JPA Planning Director may increase the maximum allowable lot coverage by not more than ten (10%) percent where such increase is necessary for significantly improved site planning or architectural design, creation or maintenance of views or would otherwise facilitate highly desirable features or amenities, and where such increase will not unreasonably affect contiguous sites.

4. Height

In any district, the March JPA Planning Director may authorize a ten (10%) percent increase in the maximum allowable building height. Such increases may be approved only where necessary to accommodate architectural design, where scenic views or solar access on surrounding properties are not affected and where there is no increase in useable square footage of the proposed structure.

D. Notification

The March JPA Planning Director shall notify contiguous property owners and other such interested parties as he deems necessary of the application and pending decision. The notification shall state the following:

1. Requested action;
2. Location of requested action (parcel and lot number);
3. Name and address of applicant; and
4. Date after which a decision will be made on application.

If a protest of the proposed Administrative Variance is received by the March JPA Planning Director from an affected party prior to its effective date, the March JPA Planning Director shall forward the Administrative Variance to the March Joint Powers Commission for review and action.

E. Required Findings

When acting on an Administrative Variance, the March JPA Planning Director shall make all of the following findings prior to approving an application for an Administrative Variance:

1. That the strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship;
2. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties in the same district;
3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by other property owners in the same district;
4. That the granting of the Administrative Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same district, and will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity; and
5. That the granting of an Administrative Variance is consistent with the objectives and policies of the March JPA General Plan and the intent of this Code.

Section 9.02.100 Variances

A. Purpose and Intent

The purpose of Variances is to provide for equity in use of property, and to prevent unnecessary hardships that might result from a strict or literal interpretation and enforcement of certain regulations prescribed by this Code.

B. Authority

The authority to grant Variances shall be vested with the March Joint Powers Commission, and shall require a public hearing pursuant to the provisions of Section 9.02.200. Variances from the terms of the zoning regulations of this Title shall be granted only when, because of special circumstances applicable to the property in question, including size, shape, topography, location or surroundings, the strict application of the zoning regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Consequently, Variances to a zoning regulation prescribed by this Title may be granted with respect to development standards such as, but not limited to, walls, fences, screening and landscaping, site area, width and depth, coverage, front, side, and rear yards, height of structures, usable open space, and on-street and off-street parking and loading facilities. In approving a Variance, the March Joint Powers Commission may impose reasonable conditions.

C. Content of Variance Requests

Application for a Variance shall be made to the March JPA Planning Director on a form provided by the March JPA Planning Director, and shall include the following data:

1. Name and address of the applicant;
2. Statement that the applicant is the owner of the property, or is the authorized agent of the owner;
3. Address and legal description of the property;
4. Statement of the precise nature of the Variance requested and the hardship or practical difficulty which would result from the strict interpretation and enforcement of the ordinance;
5. Such sketches, drawings, diagrams, or photographs which may be necessary to clearly show applicant's proposal; and
6. Additional information as required by the March JPA Planning Director.

D. Required Findings

The March Joint Powers Commission shall make all the following findings in its decision to grant a Variance request:

1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity;
2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the vicinity and under the same zoning classification;
3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the vicinity and under the same zoning classification;
4. That the granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and under the same zoning classification;
5. That the granting of the Variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity; and
6. That the granting of a Variance is consistent with the objectives and policies of the March JPA General Plan and the intent of this Code.

Also, a Variance may be granted from the parking requirements of this Code to allow some or all of the required parking spaces to be located offsite, or by providing in-lieu fees or facilities, provided the conditions required by Government Code Section 65906.5 are met.

E. Conditions

Conditions of approval for a Variance may include, but shall not be limited to:

1. Requirements for open spaces, fences, walls, and screening buffers; requirements for landscaping
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and erosion control measures, including maintenance thereof;

2. Requirements for dedications and street improvements;
3. Regulation of vehicular ingress and egress and traffic circulation; and
4. Regulation of hours of operation; and such other conditions the March Joint Powers Commission deems necessary to ensure compatibility with surrounding uses, to preserve public health, safety, and welfare, and enable the Commission to make all the findings required above.

Section 9.02.110 Development Agreements

A. Purpose and Intent

Article 2.5 of the California Government Code permits local agencies and property owners to enter into development agreements as to matters such as the density, intensity, timing, and conditions of development of real properties. Such Development Agreements provide an enhanced degree of certainty in the development process for both the property owner/developer and the public agency. The purpose of this Section is to specify the rules and procedures under which Development Agreement requests are to be reviewed and acted upon.

B. Application

An application for a Development Agreement shall be submitted upon forms provided by the March JPA Planning Director and shall be accompanied by information required by said form and the March JPA Planning Director and applicable fees.

C. Contents

A Development Agreement shall specify the following:

1. Duration of the agreement;
2. Permitted uses of the property, including a plan of development, unless waived by the March Joint Powers Commission;
3. The range of permitted density and intensity of use;
4. The maximum height and size of proposed buildings; and
5. Provisions for reservation or dedication of land for public purposes, or the payment of fees in lieu thereof.

The Development Agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions and requirements for subsequent discretionary action shall not prevent development of the land for the uses, and to the density or intensity of development set forth in the agreement. The Development Agreement may provide that

construction shall be commenced within a specified time, and that the project or any phase thereof be completed within a specified time. The agreement may also include terms and conditions relating to applicant financing of necessary public facilities and subsequent reimbursement over time.

D. Authority

Authority for approval of Development Agreements shall be vested in the March Joint Powers Commission, pursuant to the provisions of this Section D.

1. March JPA Planning Director Review

The March JPA Planning Director shall review the application and accept it for filing if it is complete and if it appears to comply with the applicable provisions of this Section. The March JPA Planning Director shall forward a copy of the proposed Development Agreement to the March JPA Executive Director, March JPA Legal Counsel, and other affected Departments and outside servicing agencies for review and comment. Upon receipt of said comments, the March JPA Planning Director shall determine any additional requirements necessary to complete the agreement, and shall prepare a report and recommendation to the March Joint Powers Commission on the proposed Development Agreement, with any proposed amendments.

2. March Joint Powers Commission Review

A public hearing shall be noticed and held pursuant to the provisions of Section 9.02.200. After the hearing by the March Joint Powers Commission, the March Joint Powers Commission shall render its decision writing. A determination of approval shall include the following findings:

- a. The proposed Development Agreement is consistent with the goals, objectives, policies, general land uses, and programs specified in the March JPA General Plan and any applicable specific plan;
- b. The proposed Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located;
- c. The proposed Development Agreement is in conformity with public convenience, general welfare and good land use practice;
- d. The proposed Development Agreement will not be detrimental to the public health, safety and general welfare; and
- e. The proposed Development Agreement will not adversely affect the orderly development or the preservation of property values for the subject property or any other property.

3. March Joint Powers Commission Decision

After the March Joint Powers Commission completes the public hearing, it may accept, modify or disapprove the recommendation of the March JPA Planning Director. A Development Agreement shall be approved by ordinance and shall not be approved unless the March Joint Powers Commission makes or approves those findings outlined in Section D.2. above.

E. Amendment or Cancellation

1. Either party to a Development Agreement may propose an amendment to, or cancellation in whole or in part of, any Development Agreement. Any amendment or cancellation shall be by mutual consent of the parties except as provided below, or as otherwise permitted by law.
2. The procedure for proposing and adopting an amendment to or the canceling in full or in part of the Development Agreement shall be the same as the initial procedure for entering into an agreement. However, if the March JPA initiates a proposed amendment to, or a cancellation in whole or in part of, an agreement, the March JPA shall first give written notice to the party executing the agreement of its intention to initiate such proceedings not less than thirty (30) days in advance of giving public notice of the public hearing to consider an amendment or cancellation. Such notice shall be given in a manner which provides a record of receipt.
3. Except for clerical or strictly technical corrections which do not affect the substantive terms and conditions agreed to by the parties, a public hearing shall be held following notice of intention to amend or cancel a Development Agreement, in whole or in part, pursuant to the provisions of Section 9.02.200.

F. Recordation

Within ten (10) days after the March Joint Powers Commission enters into a Development Agreement, or any modification or the cancellation thereof, the Secretary of the March Joint Powers Commission shall have a copy of the agreement, modification, or cancellation recorded in the office of the County Recorder of the County of Riverside, which shall describe the land subject thereto.

G. Periodic Review

1. The March JPA Planning Director shall review the terms and conditions of the Development Agreement every twelve (12) months from the date the agreement is entered into. During this review, the applicant or applicant's successor in interest must demonstrate good faith compliance with the terms of the Development Agreement. The burden of proof on this issue is upon the applicant or the applicant's successor.
2. The March JPA Planning Director shall report the findings and determinations of the annual review to the March Joint Powers Commission.
3. If, when the Secretary of the March Joint Powers Commission places the report on the agenda, the March Joint Powers Commission or any Commission member determines on the basis of the evidence presented by the Director that the applicant or applicant's successor appears not to have complied in good faith with the terms and conditions of the agreement during the period under review, the Commission may initiate proceedings to modify or terminate the agreement.

Section 9.02.120 Surface Mining Permits**A. Purpose and Intent**

It is the purpose and intent of this Section to create and maintain an effective surface mining and reclamation policy as authorized by the California Surface Mining and Reclamation Act of 1975 (Public Resources Code, Section 2710 et. seq.). While the preservation and extraction of economically viable mineral resources has been determined to be in the interests of the people of California by the State Legislature, it is also recognized that surface mining activities may result in significant adverse environmental impacts. It is therefore the intent of this Section to regulate surface mining operations so as to assure that:

1. The adverse effects of surface mining operations will be prevented or minimized, and that mined lands will be reclaimed to a usable condition which is readily adaptable for alternative land use;
2. The reclamation of mined lands will be carried out in such a way that the continued mining of valuable minerals will not be precluded; and
3. The production and conservation of minerals will be encouraged, while giving consideration to values related to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment, and that potential residual hazards to the public health and safety will be eliminated.

B. Authority

Authority for approval of Surface Mining Permits and Reclamation Plans shall be vested in the March Joint Powers Commission. The March JPA Planning Director shall provide recommendations to the March Joint Powers Commission regarding surface mining permits and reclamation plans.

C. Applicability

1. The provisions of this Section shall not apply to:
 - a. Excavations or grading conducted for farming or on-site construction, or for the purpose of restoring land following a flood or natural disaster;
 - b. Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in total amounts of less than 1,000 cubic yards in any one location. This exemption shall not apply to any single excavation which is greater than one acre in size;
 - c. Surface mining operations that are required by federal law in order to protect a mining claim, if such operations are conducted solely for that purpose; and
 - d. Such other surface mining operations which the State Mining and Geology Board finds are exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 because they are of an infrequent nature and involve only minor surface disturbances.
2. Unless exempted by the provisions herein, no person, firm, corporation or private association shall conduct surface mining operations in the incorporated area of the March JPA Planning Area without first obtaining a Surface Mining Permit from the March Joint Powers Commission.

D. Application

In addition to the application provisions set forth in Section 9.02.190, all applications for a Surface Mining Permit shall also include a mining plan and a reclamation plan pursuant to the provisions of this Section.

1. Upon receipt of a completed application, the March JPA Planning Director shall notify the State Geologist of the filing of request for a Surface Mining Permit. In addition, the March JPA Planning Director shall include the State Geologist in the public hearing notification list.
2. Review of a Surface Mining Permit application shall be conducted pursuant to Section 9.02.030 B, Major Development Review.

E. Required Findings

A Surface Mining Permit application may be approved in whole or in part, with or without conditions, only if all of the following affirmative findings of fact can be made:

1. The proposed use would not impair the integrity and character of the district in which it is to be established or located;
2. The proposed site is suitable for the type and intensity of the proposed mining operation;
3. There are adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety;
4. The proposed use will not be detrimental to the public health, safety, or welfare, or adversely affect properties and improvements in the vicinity;
5. The proposed use is consistent with the California Surface Mining and Reclamation Act of 1975 (Public Resources Code, Section 2710 et. seq.); and
6. The mined lands will be reclaimed to a usable condition which is readily adaptable for an alternative land use appropriate to the district within which the site is located.

F. Contents of a Surface Mining Permit Request

1. The required mining plan shall, where applicable, contain information regarding:
 - a. Progression of all operations of the facility, including time frames for each phase and the estimated life of the operation;
 - b. Location of equipment, stockpiles, settling ponds, interim drainage, machinery, waste dumps, and areas to be mined;
 - c. Progression of stripping and excavating through the use of cross sections, elevations and topographic maps;
 - d. Time lags between mining and reclamation and equipment siting, removal or relocation;
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- e. Proposed methods of handling simultaneous excavation and reclamation, if applicable;
 - f. Locations of all streams, roads, railroads, sewage disposal systems, water wells, and utility facilities within 500 feet of the site, and the location of all proposed access roads to be constructed in conducting the surface mining operation; and
 - g. Type of and amount of mineral commodities to be removed, the amount of waste materials to be retained on the site and the amount of waste materials to be disposed off-site, including the method and location of disposal of said waste materials.
2. The mining plan shall be accompanied by a reclamation plan which shall:
- a. Indicate the methods to be used to reclaim the land following mining operations, including a detailed schedule of the phasing and timing of each stage of reclamation;
 - b. Describe the physical condition of the site upon the completion of all reclamation, including the proposed uses or potential uses of the reclaimed site;
 - c. Contain a map which will delineate, through the use of cross sections and elevations, the physical characteristics of the land upon the conclusion of reclamation. A topographic map shall also be provided clearly indicating the location of the reclaimed land;
 - d. Describe the manner in which derelict machinery, waste materials, and scraps will be removed from the reclaimed site, and how contaminants will be controlled;
 - e. Describe the methods to be used to ensure that the site will contain stable waste piles and slopes;
 - f. Describe how reclamation of this site may affect the future use of the area for mining purposes;
 - g. Show that the proposed site in its final form will, to the extent reasonable and practical, be re-vegetated for soil stabilization, free of drainage and erosion problems, coordinated with present and anticipated future land use, and compatible with the topography and general environment of surrounding property; and
 - h. A Surface Mining Permit may include a condition to post bonds to secure completion of reclamation activities.

G. Periodic Review

As a condition of approval for a mining and reclamation plan, an annual review shall be conducted to evaluate and ensure compliance with said plan. The March JPA Planning Director shall report the findings of the annual review.

Section 9.02.130 Home Occupation Permits

A. Purpose and Intent

The Home Occupation Permit is intended to limit enterprises which are conducted within homes to those which are clearly incidental and secondary to the use of the dwelling unit and compatible with surrounding residential uses. A Home Occupation Permit allows for the gainful employment in the home by the occupant(s) of a dwelling, to the extent that the enterprise does not require frequent customer access or have associated characteristics which would reduce the surrounding residents enjoyment of their neighborhood.

B. Authority

Authority for approval of Home Occupation Permits shall be vested with the March JPA Planning Director. A public hearing shall not be required for issuance of a Home Occupation Permit.

C. Required Findings

The March JPA Planning Director shall make the following findings if he or she determines to approve a Home Occupation Permit:

1. That the requested home occupation is not prohibited under the provisions of Section 9.02.130 E;
2. That the requested Home Occupation Permit will comply with all conditions specified in Section 9.02.130 D; and
3. That the issuance of the Home Occupation Permit will not be detrimental to the public health, safety, and general welfare.

D. Conditions for Issuance of Home Occupation Permits

The following conditions shall apply to all Home Occupation Permits:

1. The home occupation shall be clearly subordinate to the use of the property for residential purposes. Further, not more than twenty percent (20%) of the gross floor area, excluding the garage area, shall be used for a home occupation. If the home occupation is conducted within a garage area, alternative on-site parking shall be provided on the driveway or other improved surface. Any structural modification of a garage that requires a permit shall not impair the use of a garage as a parking shelter for at least one automobile in a single-car garage or at least two automobiles in a double-car or larger garage.
2. The home occupation shall not alter the appearance of the dwelling unit such that the structure is likely recognized as serving a nonresidential use (either by color, materials or construction, lighting, signs, sounds or noises, vibrations, and the like).
3. There shall be no sale or display of goods on the premises. Mail order sales are permitted. Unless otherwise prohibited by law, merchandise shall be shipped or delivered off site to the customer.
4. There shall be no signs other than the address and name of resident(s).

5. There shall be no advertising on or in the vicinity of the property or otherwise which identifies the home occupation by street address.
6. No commercial vehicles may be used for delivery of materials, with the exception of occasional and reasonable courier services to or from the premises, and no more than one vehicle larger than a 3/4 ton truck may be used in connection with a home occupation. Where applicable, said vehicle shall be subject to the parking restrictions contained in this Code or the California Vehicle Code.
7. Activities conducted and equipment, or material or hazardous materials used shall be identified on the Home Occupation Permit application.
8. No use shall create or cause noise, dust, vibration, odors, smoke, glare, electrical interference, or other conditions in violation of the performance standards given in Chapter 10 of this Code.
9. Not more than one employee other than residents of the dwelling unit, shall be allowed to work, gather, or congregate on the premises in connection with a home occupation with the exception of babysitters or domestic staff. Home occupations utilizing an outside employee must provide adequate parking.
10. The home occupation shall comply with and shall not violate any applicable local, state or federal law or regulation.
11. There shall be no outdoor storage of materials or supplies which constitutes a public nuisance as defined in the March JPA Municipal Code. Horticulture may be conducted in the rear portion of the parcel.
12. The home occupation shall not generate pedestrian or vehicular traffic beyond that which is normal and incidental to the residential district in which it is located.
13. The home shall be subject to inspection if the March JPA Planning Director finds that there is reasonable cause to believe that the premises are being used in violation of the home occupation permit. The cost of the inspection shall be born by the holder of the permit.
14. The Home Occupation Permit shall be valid only for the person to whom it is issued, at the address for which it is issued, and during the period of time for which a valid, unexpired business license is in effect. Failure to properly renew said annual business license, or failure to comply with any of these Conditions of Approval will render the Home Occupation Permit null and void. The permit is subject to any changes in March JPA ordinances, codes, or regulations, and the permit holder is responsible for determining any such changes.
15. If the applicant is not the property owner, the March JPA Planning Director shall promptly notify the property owner of the application for a Home Occupation Permit. If the property owner has an objection to use of the permit, such objection must be filed in writing with the March JPA Planning Director within ten (10) days after the notice of the application is mailed to the owner. Alternatively, written authorization of the property owner or his/her authorized representative for the proposed use shall be provided prior to acceptance of an application for a Home Occupation Permit.

16. The home occupation and the building in which it is conducted shall comply with the occupancy requirements of the March JPA Building and Construction Code and the Uniform Fire Code.
17. Home occupations that are classified in accordance with the March JPA Building and Construction Code as Group H occupancies are prohibited. Group H occupancies involve quantities of materials which may present a health and/or safety hazard, including, but not limited to, explosives, flammable or combustible dusts, liquids or gases, corrosives, irritants and toxic materials.

E. Prohibited Home Occupation Uses

The following uses, either by operation or nature, are not considered to be incidental to or compatible with residential activities and therefore shall not be permitted as home occupations:

1. Automotive and other vehicle repair (body or mechanical), upholstery, painting, or storage;
2. The sale, use or manufacture of ammunition, explosives, or fireworks;
3. Massage parlors. This shall not be construed to prohibit medical massage performed by licensed professionals as defined in this Code;
4. Junk yards; and
5. Escort services.

Section 9.02.140 Large Family Day Care**A. Purpose and Intent**

The purpose of these standards is to ensure that Large Family Day Care Homes providing child care in residential districts, do not adversely impact the adjacent neighborhood. While large family day care homes are needed by residents in close proximity to their homes, potential traffic, noise and safety impacts of this use need to be regulated in the interest of nearby residents and the children in the day care facility. It is also the intent of this Section to allow family day care homes in residential surroundings to give children a home environment which is conducive to healthy and safe development.

B. Applicability

Large Family Day Care Homes shall be subject to a Home Occupation Permit, the requirements of the underlying district and the following additional standards. In considering an application, the decision of the March JPA Planning Director shall be in compliance with and subject to the limitations set forth in California Health and Safety Code Section 1597.46.

C. Definition

A Large Family Day Care Home is a day care facility providing care for seven to twelve children

(including children residing in the home), in the provider's residence.

D. Conditions of Approval

Pursuant to the California Health and Safety Code Section 1597.46, a permit for a Large Family Day Care Home may be approved subject to the following conditions:

1. Applicant shall comply with the State Health and Safety Code, which includes a fire inspection;
2. Applicant shall provide proof of state license to the March JPA Planning Director within 60 days of this approval;
3. Person(s) operating the day care business must also live in the home. Additional care-givers, required under the State of California Health and Safety Code, need not live in the home; and
4. The day care shall be incidental to the use of the dwelling as a residence.

Section 9.02.150 Temporary Use Permits**A. Purpose and Intent**

The Temporary Use Permit is intended to allow for the short-term placement of activities on privately or publicly owned property with appropriate regulations so that such activities will be compatible with the surrounding areas.

B. Authority

Authority for approval of Temporary Use Permits shall be vested with the March JPA Planning Director through the Minor Development Review Process.

A permit shall not be required for events which occur in theaters, meeting halls, or other permanent public assembly facilities. Temporary uses may be subject to additional permits, other approvals, licenses, and inspections as required by any applicable laws or regulations.

C. Permitted Temporary Uses

The following table identifies those uses which may be permitted subject to the issuance of a Temporary Use Permit:

**TEMPORARY USES
TABLE 9.02.150-3**

Permitted Temporary Uses (With a Permitted Use Permit)	Zones	Max. No. Days per Calendar Year
Commercial and Noncommercial Christmas tree sales, and incidental sales of Christmas lights, tree stands and decorations, but excluding gift items	All zones	30
Mobile health clinic	All commercial and industrial districts	14
Merchandise sale, outdoors or in mobile or temporary enclosures in conjunction with established businesses	All commercial districts	30 days per business
Real estate offices on the site of a proposed subdivision	All districts	n/a
Construction and security personnel offices on active construction sites	All districts	n/a
Temporary construction yards not located on active construction sites.	All districts	n/a
Tent meetings	All districts	30
Commercial carnival, concert, exhibit, festival, or circus or similar; outdoors or in temporary enclosures	All commercial and industrial districts	14
Noncommercial carnival, fair, concert, exhibit, festival or similar; outdoors or in temporary enclosures	All districts	14
Pumpkin sales lots	All zones	30
Seasonal produce stands	All zones	120

D. Criteria for Permit Issuance

The March JPA Planning Director shall consider the following criteria in rendering a decision relative to a Temporary Use Permit application:

1. The operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare;

2. The proposed site is adequate in size and shape to accommodate the temporary use without material detriment to the use and enjoyment of other properties located adjacent to and in the vicinity of the site;
3. The proposed site is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that the temporary use will or could reasonably be expected to generate;
4. Adequate temporary parking to accommodate vehicular traffic to be generated by the use will be available either on-site or at alternate locations acceptable to the March JPA Planning Director; and
5. The property shall be posted at least ten days prior to issuance of a permit for a temporary outdoor event anticipated to accommodate 2,500 or more persons on a single site.

E. Conditions of Approval

In approving an application for a Temporary Use Permit, the March JPA Planning Director may impose conditions that are deemed necessary to ensure that the permit will be applied in accordance with the criteria outlined above. These conditions may involve any factors affecting the operation of the temporary use or event, and may include, but are not limited to:

1. Provision of temporary parking facilities, including vehicular ingress and egress;
2. Regulation of nuisance factors such as, but not limited to, prevention of glare or direct illumination of adjacent properties, noise, vibration, smoke, dust, dirt, odors, gases, and heat;
3. Regulation of temporary buildings, structures, and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards;
4. Provision of sanitary and medical facilities;
5. Provision of solid waste collection and disposal;
6. Provision of security and safety measures including deputized officers or fire watch if necessary as determined by the Chief of Police or Fire Marshall with all costs borne by the applicant for security and police services;
7. Regulation of signs;
8. Regulation of operating hours and days, including limitation of the duration of the temporary use to a shorter time period than that requested;
9. Submission of a performance bond or other surety device to assure that any temporary facilities or structures used for the proposed temporary use will be removed from the site within a reasonable time following the event and that the property will be restored to its former condition;
10. Submission of a site plan indicating any information required by this Section;

11. A requirement that the approval of the requested Temporary Use Permit is contingent upon compliance with applicable provisions of other ordinances;
12. All non-March JPA sponsored groups and individuals who wish to utilize March JPA facilities shall be subject to the following requirements:
 - a. Non-March JPA sponsored groups or individuals must complete an application which includes an indemnification and hold harmless clause protecting the March JPA from the lessee's activities.
 - b. Non-March JPA sponsored groups or individuals must provide the March JPA with evidence of adequate general liability insurance by providing the March JPA with an original Certificate of Liability Insurance listing the March JPA, where appropriate, as an additional insured.
13. Other conditions which will ensure the operation of the proposed temporary use in an orderly and efficient manner and in accordance with the intent and purpose of this Section.

Section 9.02.160 Tenant Improvements

A. Purpose and Intent

The purpose of this Section is to provide guidelines for the processing and review of tenant improvements to structures. Any proposed tenant improvement, which in its initial review indicates an increase in land use intensity, e.g. an increase in parking demand, may be subject to the Minor Development Review process.

B. Applicability

The March JPA Planning Director may approve tenant improvements which comply with the requirements, provisions and intentions of this Title.

C. Required Findings

The March JPA Planning Director may approve a tenant improvement if all of the following findings can be made:

1. The proposed use is permitted within the applicable district pursuant to the provisions of this Code, and complies with all of the applicable provisions of this Code;
2. The site for the proposed use is adequate in size, shape, topography, accessibility and other physical characteristics to accommodate the proposed use and development in a manner compatible with existing and proposed surrounding land uses; and
3. The proposed use will not be detrimental to the public health, safety or welfare, or adversely

affect properties and improvements in the vicinity.

Section 9.02.170 Land Use Approvals**A. Purpose and Intent**

The purpose of this Section is to provide an efficient plan check process for a variety of minor land use approvals that may be approved at the public counter with minimum review.

B. Applicability

The March JPA Planning Director may grant land use approvals which comply with the requirements, provisions and intentions of this Code.

C. Required Findings

The March JPA Planning Director may approve a land use approval if all of the following findings can be made:

1. The proposed use is permitted within the applicable district pursuant to the provisions of this Code, and complies with all of the applicable provisions of this Code;
2. The site for the proposed use is adequate in size, shape, topography, accessibility and other physical characteristics to accommodate the proposed use and development in a manner compatible with existing and proposed surrounding land uses;
3. The proposed use will not be detrimental to the public health, safety or welfare, or adversely affect properties and improvements in the vicinity; and
4. The proposal\map is consistent with any related previously approved project and\or conditions of approval.

Section 9.02.180 Nonconforming Uses and Structures Provisions**A. Purpose**

The purpose of this Section is to establish rules and procedures for the eventual elimination of building sites, uses and structures which do not conform to the provisions of this Code. It is the intent of this Section to protect the rights of owners and operators of sites, uses and structures which were previously legally established, but which have become inconsistent with the provisions of this Code.

B. Applicability

Notwithstanding the provisions of Section 9.02.020, any non-conforming land use that was expressly authorized by way of a Design Manual, Development Agreement, Conditional Use Permit or similar form of authorization in effect prior to the effective date of this Code may be established and maintained for 30

years after the effective date of the Ordinance which made it non-conforming or, if applicable, for the time period specified in the authorization.

C. Discontinuation of Nonconforming Use

Whenever a nonconforming use has been discontinued for a continuous period of twelve (12) months or more, the nonconforming use shall not be reestablished, and the use of the structure or site thereafter shall be in conformity with the regulations for the district in which it is located, provided that this Section shall not apply to the use of nonconforming single-family dwelling units for residential purposes. Discontinuation shall include termination of a use regardless of intent to resume the use. The March Joint Powers Commission may, however, grant an extension of the twelve (12) month period, based on a finding that such extension will not adversely affect the public health or welfare.

D. Continuation and Maintenance

1. Any nonconforming structure or use may be continued and maintained for the periods of time hereinafter set forth provided that there are no structural alterations, except as hereinafter provided:
 - a. Agricultural crops shall not be subject to the provisions of this Section;
 - b. Agricultural uses that involve permanent structures shall be subject to the provisions of this Section; however, such uses shall be permitted to make any changes or improvements that are required by any state law or local ordinance, including structural alterations that are necessary as a part thereof.
2. A structure or use may be maintained for the following periods of time after the effective date of the ordinance change which establishes it as nonconforming:
 - a. Where the property is unimproved: one (1) year, unless the March JPA Planning Director grants an extension on a yearly basis, based on a finding of hardship and that such extension will not adversely affect public health, safety or welfare;
 - b. Where the only improvements are structures, the replacement of which would not require a building permit: three (3) years;
 - c. Off-site signs: five (5) years;
 - d. Commercial and office uses, such as those primarily permitted in commercial districts: thirty (30) years;
 - e. Industrial uses, such as those primarily permitted within employment districts: forty (40) years;
 - f. The following commercial agricultural operations:

(1) Dairy farms	15 years
(2) Goat, sheep, and other small animal farms	5 years

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| (3) Hog ranches | 5 years |
| (4) Horse ranches | 10 years |
| (5) Menageries | 5 years |
| (6) Pen fed cattle operations | 15 years |
| (7) Poultry | 15 years |
| (8) Rabbits | 5 years |
- g. Noncommercial agricultural operations: see Section 9.09.090, Agricultural and Animal Uses; and
- h. Home Occupations: Five (5) years.
- Any structure for which a building permit has been legally issued, and on which substantial construction has been performed in reliance thereon on the site before an amendment to the ordinance making the use or structure nonconforming, may be continued in accordance with the plans and specifications upon which the permit was issued, subject to the limitations in this Section.
 - A property containing a legally established structure that does not conform with applicable development standards for front yards, side yards, rear yards, height, floor area of structures, or open space for the district in which the property is located, shall be deemed to be a non-conforming structure, and may be used and maintained as provided herein.
 - A legally established sign or display which does not conform with applicable standards may be displayed as provided herein, except that such sign shall be brought into conformance with the provisions of this Code or abated within five years of the effective date of this Code.

E. Alterations and Enlargements of Nonconforming Uses, Structures, and Signs

- A nonconforming use or sign shall not be moved, altered, or enlarged unless required by law, or unless the moving, alteration, or enlargement will result in the elimination of the nonconformity, except as permitted in this Section.
- A nonconforming use shall not be enlarged or extended in such a way as to occupy any part of the structure or site or another structure or site which it did not occupy at the time it became a nonconforming use, or in such a way as to displace any conforming use occupying a structure or site, except as permitted in this Section.
- A nonconforming structure shall not be altered or reconstructed so as to increase the discrepancy between existing conditions and the standards for front yard, side yards, rear yard, height of structures, or distances between structures, or usable open space prescribed in the regulations for the zone in which the structure is located.

F. Restoration of a Damaged Structure

- Whenever a non-conforming structure is destroyed by fire, calamity, or act of God, to the extent of 50 percent or less, the structure may be restored and the nonconforming use may be resumed, provided that restoration is started within one year and diligently pursued to completion. When the destruction exceeds 50 percent or the structure is voluntarily razed or is required by law to be

razed, the structure shall not be restored except in full conformity with the regulations for the zone in which it is located and the nonconforming use shall not be resumed.

2. The extent of damage shall be based upon the ratio of the estimated cost of restoring the structure to its condition prior to such damage to the estimated cost of duplicating the entire structure as it existed prior thereto. Estimates for this purpose shall be made by or shall be reviewed and approved by the March JPA Executive Director and shall be based on the minimum cost of construction in compliance with the March JPA Building and Construction Code.

G. March JPA Planning Director's Determination

Any request for alteration, expansion, restoration, or reconstruction of a nonconforming use, structure, or sign shall be reviewed by the March JPA Planning Director to determine compliance with the provisions of this Section, or, at the discretion of the March JPA Planning Director referred to the March Joint Powers Commission for its review. The March JPA Planning Director shall notify adjoining property owners of the application and pending decision.

Section 9.02.190 Application Filing

A. Purpose and Intent

These provisions are intended to prescribe the procedure for filing applications for permits, appeals, amendments, and approvals when required or permitted by this Code.

B. Application Forms

Requests for permits, appeals, amendments, approvals, and other actions required or permitted by this Code, shall require that a completed application on a form provided by the March JPA Planning Director be submitted to the March JPA Planning Director in addition to any other materials, reports, dimensioned plans, or other information required to take an action on the application. Each application form shall, at a minimum, contain:

1. A list or description of the information, reports, dimensioned plans and other materials needed in order to deem an application complete;
2. The criteria by which the March JPA Planning Director will determine the completeness of the application;
3. Instructions necessary to complete or supply the required information; and
4. Such other information as may be required by this Code or State law.

C. Determination of Completeness

1. No application shall be processed pursuant to this Code prior to the determination by the March JPA Planning Director that the application is complete.

2. A completed application shall consist of:
 - a. The application form with all applicable information included on, or attached to, the form;
 - b. The additional information, reports, dimensioned drawings and other material specified on the application form;
 - c. A description of how the proposed project or requested action is consistent with the goals, objectives, policies, programs, and other provisions of the March JPA General Plan;
 - d. Any other information or forms required for implementation of the California Environmental Quality Act pursuant to State and March JPA Guidelines for the Implementation of CEQA;
 - e. Payment in full of the required fees for processing the application; and
 - f. Other information or actions as may be required on the application form as prescribed by the March JPA Planning Director.
3. The March JPA Planning Director shall determine in writing the completeness of the application and shall transmit this determination to the applicant within the time limits and in such form and content and with respect to such types of project applications as established by applicable State law and local regulation.
4. The statutory time periods for processing any applications pursuant to this Code, which are subject by State law to such time limits, shall commence upon the date the application is accepted as complete, as provided in the State law relative to review and approval of development projects.

D. Additional Information

Notwithstanding procedures established in paragraph C of this Section for determination of completeness, the March JPA Planning Director may request the applicant to submit additional information in the course of processing the application if such information could not be anticipated as part of the original application. Such a request to clarify, amplify, correct, or otherwise supplement submitted information shall not invalidate the original determination that the application was complete at the time the determination was originally made. The March JPA Planning Director may request any additional information needed to prepare adequate environmental documentation pursuant to the California Environmental Quality Act and any applicable guidelines to implement CEQA.

E. Fees

The March Joint Powers Commission shall, by resolution, establish, and from time to time amend, a schedule of fees for permits, appeals, amendments, and approvals required or permitted by this Code to reimburse the Commission for costs incurred as the result of its administration of the provisions of this Code.

F. Who May File Application

Unless otherwise specified, applications for permits and approvals pursuant to this Chapter may be made only by the affected property owner or the property owner's authorized agent or representative.

G. Applicant Notification

At the time of filing an application, the March JPA Planning Director shall inform the applicant that he or she may make a written request to receive notice from the March Joint Powers Commission of any proposal to adopt or amend the March JPA General Plan, a Specific Plan, Zoning Ordinance, or an ordinance affecting building permits which may affect the application being filed. The applicant shall specify, in writing, the proposed action for which notice is requested. Prior to taking any of those actions, the March JPA Planning Director shall give notice to any applicant who has requested notice of the type of action proposed and whose development proposal is pending before the March Joint Powers Commission if the March JPA Planning Director determines that the proposal is reasonably related to the applicant's pending development request.

H. Consideration of Concurrent Applications

Where approval authority rests with the March JPA Planning Director for cases being processed pursuant to the provisions of this Code, and one or more related cases with approval authority vested at the March Joint Powers Commission are being processed concurrently, approval for all permits and approvals resting with the March JPA Planning Director shall not become effective until the effective date of related approvals by the March Joint Powers Commission.

I. Environmental Review

No permit or approval shall be granted pursuant to this Code prior to the completion of applicable environmental review as required by the California Environmental Quality Act and the March JPA's Rules to Implement CEQA.

J. Time Limit for Approving Applications

1. When required by State law, action shall be taken on projects requiring the preparation and certification of an Environmental Impact Report, within one year of the date that the application was accepted as complete.
2. When required by State law, final action shall be taken on projects that are exempt from the provisions of the California Environmental Quality Act, or which require the adoption of a Negative Declaration, within six months of the date that the application was accepted as complete.
3. Extension of the time limit for action on an application as specified in paragraphs 1 and 2 above may be granted if mutually agreed upon by the applicant and March JPA Planning Director, to the extent permitted by law.

K. Transmittal of Plans

When notification is required, a copy of the plans shall be provided to the following departments and districts for review and comment as appropriate:

1. March JPA Planning Director.

2. Riverside County Health Department.
3. Department of Public Works.
4. Fire Department.
5. Water and sewer district which has jurisdiction.
6. Riverside County Flood Control and Water Conservation District.

Section 9.02.200 Public Hearing and Notification Procedures**A. Purpose**

This Section defines procedures for conducting public hearings for applications pursuant to this Code unless otherwise specified in this Code. The purpose of this Section is to ensure public awareness and full and open public discussion and debate regarding proposed actions pursuant to this Code.

B. Public Hearing Date

Where required by State law, and unless otherwise specified in this Code, a public hearing on any application shall be scheduled before the March Joint Powers Commission, on the earliest appropriate date.

A public hearing upon an application shall be heard before the appropriate hearing body when:

1. The March JPA Planning Director has determined that the application complies with all applicable ordinances and requirements of the March Joint Powers Commission; and
2. All procedures required by the March Joint Powers Commission's rules and procedures for the implementation of the California Environmental Quality Act to hear a matter have been completed.

C. Notice of Hearings

1. Whenever a public hearing is prescribed in this Code, notice of public hearings shall be given by:
 - a. Publication in a newspaper of general circulation within Riverside County at least ten (10) calendar days prior to the public hearing;
 - b. Mailing at least ten (10) calendar days prior to the public hearing, to all owners of property within a radius of 300 feet from the exterior boundaries of the property involved in the application. For this purpose, the last known name and address of each property owner as contained in the records of the latest equalized Riverside County Assessor Rolls shall be used.

If the number of owners to whom notice would be mailed or delivered pursuant to Paragraph

2. herein is greater than 1,000, in lieu of mailed or delivered notice, notice may be provided by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation within Riverside County at least ten (10) days prior to the hearing;
 - c. Mailing at least ten (10) calendar days prior to the public hearing, or delivering at least ten (10) calendar days prior to the public hearing, to each local agency expected to provide water, sewer, schools, or other essential services or facilities to the project whose ability to provide those facilities and services may be significantly affected;
 - d. Mailing at least ten (10) calendar days prior to the public hearing, or delivering at least ten (10) calendar days prior to the public hearing, to the owner of the subject real property or to the owner's duly authorized agent, to the project applicant and the applicant's authorized representative, if any; and
 - e. Mailing at least ten (10) calendar days prior to the public hearing, to any person who has filed a written request with the March JPA Planning Director and has provided the March JPA Planning Director with a self-addressed stamped envelope for that purpose.
2. For a proposed conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, such notice shall also be given by mail to each tenant of the subject property, and, in addition to notice of the time and place of the public hearing, shall include notification of the tenant's right to appear and the right to be heard.
 3. The March JPA Planning Director may require that additional notice of the hearing be given in any other manner deemed necessary or desirable by the Director or the Director's representative to ensure that all notice requirements provided by law for the proposal are complied with.
 4. Public notice of projects for which a Negative Declaration (up to 30 days) or an Environmental Impact Report (up to 45 days) are proposed shall be provided in accordance with Assembly Bill 886 (Public Resources Code 21089 et. seq.) or any amendment adopted pursuant thereto.
 5. All notices of public hearings shall include a description of the project, the identity of the hearing body or officer(s), shall describe the property, and the date, time and place of the scheduled hearing, a statement that application and associated documents and environmental review are available for public inspection at a specified location, and the manner in which additional information and/or testimony may be received.

D. Conduct of Public Hearings

1. Public hearings held pursuant to the provisions of this Code shall be held according to such public hearing rules as the March Joint Powers Commission may, from time to time, adopt.
2. The Chairperson of the March Joint Powers Commission may require that witnesses be sworn.
3. To provide additional public input, the March Joint Powers Commission may determine the need for additional public hearings or may pursue a change in venue to accommodate a greater number of interested parties.

E. Decisions by the March JPA Planning Director

Where the authority for approval is not vested solely with the March Joint Powers Commission, the decision of the March JPA Planning Director is considered final and no decision by the March Joint Powers Commission is required unless an appeal is filed, or, prior to the end of the appeal period, the March Joint Powers Commission assumes jurisdiction by the request of any member thereof. The Secretary of the March Joint Powers Commission is to place the notice of the March JPA Planning Director's decision on the Commission's agenda following receipt of notice of decision from the March JPA Planning Director.

Section 9.02.210 Approval To Extend With Land

Unless otherwise specified, all permits and approvals granted pursuant to this Code shall run with the land, and shall continue to be valid upon a change of ownership of the site or structure to which it applies.

Section 9.02.220 Effective Date of Decision

Unless appealed or the March Joint Powers Commission assumes jurisdiction prior to expiration of the appeal period, a decision by the March JPA Planning Director subject to appeal becomes effective immediately after the appeal period has expired. When heard by the March Joint Powers Commission, any decision of the March Joint Powers Commission shall be final and shall become effective on the date of decision.

Section 9.02.230 Lapse of Approvals and Extensions of Time**A. Lapse of Approvals: Projects Not Subject to the Subdivision Map Act**

Approvals for projects not subject to the Subdivision Map Act shall lapse and become void thirty-six (36) months from the approval date, unless a different expiration date is specifically established as a condition of approval to the extent permitted by law. The project approval shall not lapse while a valid building permit is in effect in reliance upon the approved entitlement, and substantial construction has been commenced and diligently pursued toward completion or the approved use has fully commenced. Construction and/or occupancy of each phase of a multiple phase project shall automatically extend the date of expiration for three years, but not beyond nine (9) years from the original date of approval. Additional extensions may be granted as provided in Paragraph 3 of Section 9.02.230-C.

B. Lapse of Approvals: Projects Subject to the Subdivision Map Act

Approved or conditionally approved tentative parcel or tract maps, including vesting tentative parcel or tract maps, shall expire thirty-six (36) months from the approval date.

C. Extensions of Time

1. Authority

An extension of time may be granted for projects approved under 9.02.030, where substantial construction has not yet commenced or has not been completed or where the property has not yet been occupied and the approved use fully commenced. Except as otherwise provided herein, authority for approval of an extension of time shall be vested with the March JPA Planning Director. The March Joint Powers Commission shall review an extension of time application when:

- a. The applicant requests review by the March Joint Powers Commission; or
- b. There is a proposed change to the Conditions of Approval which would conflict with the original Conditions of Approval and/or the original environmental determination for the project.

2. Submittal of Extension Request

- a. Extension requests for projects not subject to the Subdivision Map Act shall only be considered if filed with the March Joint Powers Commission no more than sixty (60) days prior to the expiration date of the permit or approval.
- b. A subdivider may request an extension for projects subject to the Subdivision Map Act by written application to the March JPA Planning Director in accordance with the provisions of the Subdivision Map Act and Chapter 14 of this Code.

3. Time Limits on Extensions

One or more extensions of three (3) years or less may be allowed, except that land divisions shall not be extended more than five (5) years or as otherwise provided by law.

4. Circumstances Under Which Extensions May Be Granted

An extension of time of a project may be granted if incurred fees have been paid and the decision-making authority can make the required findings specified in this Code for approval of such a project. This shall not necessarily be construed to prohibit approval of an extension of time for a project that is nonconforming with respect to design standards. Extensions of approved land divisions shall be reviewed in accordance with Section 9.14.080 D.

Section 9.02.240 Appeals

A. Appeal of Action

Any affected person may appeal a decision of the March JPA Planning Director to the March Joint Powers Commission where the March JPA Planning Director's decision would otherwise be final.

B. Filing of Appeals

Appeals shall be addressed to the March Joint Powers Commission in a letter submitted to the March JPA Planning Director and shall be accompanied by the required fee. The appellant shall state the specific reasons for the appeal. Unless otherwise required by law, including as specified in Section

9.02.040 and 9.14.050, appeals shall be filed with the March JPA Planning Director within fifteen (15) consecutive calendar days following the date of action for which an appeal is made, or, if no public hearing was held for the taking of such action, then within fifteen (15) consecutive calendar days following the date of deposit of notice of such action in the United States mail to the applicant, or any person who has requested notice.

C. Appeal Hearings

Public notice of an appeal hearing shall be given in the manner in which the original notice was given.

D. Effective Date of Appealed Actions

Except as otherwise provided for in this Code, an action which has been appealed shall not become effective until a final determination is made by the March Joint Powers Commission.

Section 9.02.250 New Applications Following Denial

Following the denial of an application, no application for the same or substantially the same use on the same site shall be filed within one year from the effective date of the denial. This provision shall not apply in the case of an application that is denied without prejudice, or where otherwise permitted to be filed by a vote of at least 2/3 of the approving authority.

Section 9.02.260 Revocation of Approvals or Permits

A. Purpose and Intent

In order to protect the public health, safety and welfare, and in order to enforce the provisions of this Code, it may, from time to time, become necessary to revoke a previously authorized approval or approved permit. The purpose of this Section is to provide a process for revoking approvals or permits to protect the public health, safety and welfare, as well as the rights to due process of permit holders within the jurisdiction of the March JPA.

B. Authority

Authority to revoke permits or approvals shall be vested with the March Joint Powers Commission. A public hearing pursuant to Section 9.02.200 shall be required for revocation of permits or previous approvals.

C. Required Findings

A permit or approval subject to revocation pursuant to the provisions of this Section may be revoked by the March Joint Powers Commission if any one of the following findings are made:

1. That the permit or approval was obtained by misrepresentation or fraud;
2. That the use for which the permit or approval was granted has ceased for twelve (12) or more

consecutive calendar months;

3. That the conditions of the permit or approval have not been met or the permit or approval granted is being or has been exercised contrary to the terms of the permit or approval or in violation of any statute, ordinance, law, or regulation; or
4. That the public health, safety and welfare can be served only by revocation.

D. Notification and Time Limits for Correction

1. The March JPA Planning Director shall notify the holder of the permit or approval in writing of the decision to initiate a pending revocation, and shall state specifically the reasons for the proposed revocation, and provide a period of thirty (30) days for the holder to correct or show substantial progress toward correcting the defect(s) which serve as the basis for the proposed revocation. In the event the defects are not corrected within thirty (30) consecutive calendar days from the date the notice is mailed, or substantial progress is not made during said thirty (30) day period and diligently continued until fully corrected, a public hearing date before the March Joint Powers Commission shall be set pursuant to the provisions of Section 9.02.200.
2. In taking action to revoke a permit, the March Joint Powers Commission shall have the discretion to set the effective date of the revocation in order to allow the permit holder adequate and appropriate time in which to make necessary corrections.

Section 9.02.270 Reports on Conformity with General Plan or Specific Plan

A. Purpose and Intent

Pursuant to the provisions of the California Government Code and Education Code, as well as other applicable laws, rules and regulations, public agencies, including departments of the March JPA, may be required to seek a determination as to the consistency of a project being proposed by the public agency with the March JPA General Plan or with an adopted specific plan. The purpose of this section is to provide a process for requesting and granting such reports.

B. Authority

Authority to provide reports on the consistency of a proposed public project with the March JPA General Plan, or with an adopted specific plan, shall be vested in the March JPA Planning Director.

C. Reporting Process

Within forty (40) days after receipt of such request, the March JPA Planning Director shall make a report to the applicant as to the conformity of the proposed project with the March JPA General Plan, or any part thereof, or with any adopted specific plan for the area affected by the proposed project.

If the March JPA Planning Director does not report within the specific time period, or such other period as may be mutually agreed upon, it shall be deemed that a finding has been made that the proposed project is in conformity with the General Plan, or any applicable specific plan.

Section 9.02.280 Substantial Conformance**A. Purpose and Intent**

The Substantial Conformance is intended to address minor modifications to approved Plot Plans, Conditional Use Permits and similar previously approved projects. The Substantial Conformance application is not intended to authorize a deviation from any applicable development standard specified in this Code.

B. Authority

Authority to approve a Substantial Conformance shall be vested in the March JPA Planning Director. A Substantial Conformance may be approved subject to further conditions of approval to ensure continued preservation of public health, safety and welfare.

C. Review Requirements

A Substantial Conformance application shall be subject to minor development review procedures. A substantial conformance application may be filed in lieu of an applicable minor development review application, provided that the proposal complies with the limitations described below:

1. That the proposal is not inconsistent with the expressed intent of the original project approval;
2. That the proposal qualifies as a categorical exemption under the California Environmental Quality Act and/or the proposal is consistent with the environmental determination for the original project and where no further environmental determination is necessary; and
3. That the proposed modifications do not have the potential to adversely affect surrounding land uses or improvements.

Section 9.02.290 Modification of Conditions**A. Purpose and Intent**

The purpose of a Modification of Conditions is to provide a mechanism for reviewing modifications to conditions of approval for projects. The Modification of Conditions application is intended for the consideration of changes that exceed the limits prescribed in Section 9.02.280 (Substantial Conformance). The Provisions contained herein are not intended to limit the authority of the March JPA Planning Director to approve non-substantive changes to conditions of approval.

B. Authority

The authority to approve a Modification of Conditions for any project that is subject to public hearing shall be vested with the March Joint Powers Commission. The authority to approve a Modification of Conditions for a project that is not subject to a public hearing shall be vested with the March JPA Planning Director. However, the March JPA Planning Director is authorized to make non-substantive or clerical modifications to conditions of approval, provided that such modifications do not undermine or significantly revise the intent and purpose of the original project approval or the associated environmental determination.

C. Review Requirements

A Modification of Conditions shall be subject to the development review procedures, including public notice procedures, described in this Code with respect to the previously approved project for which the modification is being requested.

Section 9.02.300 March JPA Planning Director's Review

A. Purpose and Intent

The purpose of the Planning Directors Review is to provide flexibility in the application of certain development standards as they apply to accessory structures associated with existing single family residences.

B. Authority

The authority to approve applications for a Planning Director's Review shall be vested in the March JPA Planning Director.

C. Limitations on Planning Director's Review

The March JPA Planning Director may approve applications for a Planning Director's Review within the scope of the limitations listed below.

1. Heating, cooling or ventilating equipment, and swimming pool or spa heaters, pumps and filters, may be located within the required side or rear setback, provided that the equipment is screened from view from public rights-of-way and an unobstructed path at least three feet wide is provided along the side of the residence. This provision shall not be construed to require screening of equipment that is installed in window openings. Said equipment, heaters, pumps and filters shall be operated in accordance with Paragraph 5 of Section 9.03.040-E.
2. The height of a wall or fence along a street side yard or the rear of a double frontage lot may exceed six (6) feet in height as measured from the street side of the wall or fence, provided that the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six (6) foot walls or fences, and the height of the wall or fence does not exceed eight (8) feet.
3. The allowable lot coverage may be increased by not more than 10% where such increase is necessary for significantly improved site planning or architectural design, creation or

maintenance or views or would otherwise facilitate highly desirable features or amenities and where such increase will not unreasonably affect contiguous sites.

4. The allowable building height may be increased by not more than 10% where necessary to accommodate architectural design, where scenic views or solar access on surrounding properties are not affected and where there is no increase in useable square footage of the proposed structure.

D. Notice

Notice of applications for Planning Director's Review shall be mailed or delivered to the owners of adjoining real property as shown on the latest equalized tax roll. The notice shall describe the nature of the request and the location of the project. The notice shall also state that written comments are requested and that a decision will be made on a date not less than ten (10) days from the date of mailing of the notice. Notice of the decision shall be mailed or delivered to the applicant and to the adjoining property owners.

E. Findings

A Planning Director's Review shall be subject to the same findings as required in Section 9.02.080 for an Administrative Plot Plan. If the application and any preliminary evaluation disclose and substantial doubt that the required findings can be made, then approval shall not be given.

F. Appeals

Any appeal of the March JPA Planning Director's decision shall be subject to the appeal provisions in Section 9.02.240.

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Section 9.03.010 Purpose and Intent

The March JPA General Plan outlines goals, objectives, and policies regarding the character of residential uses and developments. It is the purpose of this Chapter to provide regulations that implement those goals, objectives and policies toward the provision of a wide range of residential opportunities and dwelling unit types that meet the needs of present and future March JPA Planning Area residents of all socio-economic groups. It is the further intent of this Chapter to: ensure adequate light, air, privacy, and open space for each dwelling; to minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive bulk or number in relation to the land area around them; to protect residential properties from objectionable noise, illumination, unsightliness, odors, smoke and other influences; and to facilitate the provision of utility services and other public facilities commensurate with anticipated population, dwelling unit densities, and service requirements.

Section 9.03.020 Residential Development Districts

The following describes the general product type and density provisions for the specified residential development districts. The ultimate density allowed in any residential district shall be determined through the project review process and public hearings as described in Chapter 9.02 of this Code. The March Joint Powers Commission shall have the authority to reasonably condition any discretionary residential development to ensure proper transition and compatibility to adjacent developments, existing or proposed.

Further:

1. Threshold densities established for the Residential 5, Residential 10, Residential 15, and Residential 20 districts may be exceeded up to the maximum allowable density for each such district only if it is determined that:
 - a. Area infrastructure (utilities, schools and parks) can support increases in density;
 - b. The proposed density increase will be compatible with surrounding land uses; and

- c. The project provides either:
 - (1) Housing affordable to low and very low income households;
 - (2) Housing meeting the requirements of special needs groups as identified in adopted housing policies; or
 - (3) Amenities not commonly found in projects of similar density.
- 2. Densities in excess of the maximum allowable density for projects within the Residential 10, 15, and 20 districts may be permitted for senior citizens apartment and congregate care projects, subject to all other applicable provisions of this Code.
- 3. Density bonuses may be granted subject to the provisions of California Government Code Section 65915(a) and 65918 if the following findings can be made:
 - a. The project will not have a specific, adverse impact upon the public health or safety; and
 - b. There are feasible methods to satisfactorily mitigate or avoid the adverse impacts identified.

A. Rural Residential District (RR)

In conformance with the purpose and intent of the Rural Residential land use designation established in the March JPA General Plan, it is the intent of the Rural Residential District to provide for and protect rural lifestyles involving large lots growing fruits and vegetables, and animal keeping. It is the further intent of this District to protect natural resources and hillsides in the rural portions of the March JPA Planning Area.

B. Hillside Residential District (HR)

The primary purpose of the Hillside Residential (HR) District is to balance the preservation of hillside areas with the development of view oriented residential uses. It is the further intent of this district to provide regulations for the limited development of those hillside areas in a manner that will maintain natural open space areas, protect significant landforms and other natural resources, protect views from existing development, retain opportunities for views from development sites, preserve and enhance vistas from public places, minimize the extent and occurrence of erosion and other potential hazards of development in areas of steep topography, and generally protect the public health, safety and welfare. The keeping of animals is permitted, however, the keeping of large animals may be prohibited subject to compatibility with local urbanization and topographic constraints.

C. Residential 1 District (R1)

The primary purpose of the R1 district is to provide for and protect the rural and agricultural atmosphere, including the keeping of animals that have historically characterized these areas. This district is intended as an area for development of low density, large lot, single family residential dwelling units at a maximum density of 1.0 dwelling unit (DU) per net acre.

D. Residential 2 District (R2)

The primary purpose of the R2 district is to provide for suburban life-styles on residential lots larger than are commonly available in suburban subdivisions, and to allow non-equestrian residential developments in a rural atmosphere. This district is intended as an area for development of large lot, single family residential development at a maximum allowable density of 2.0 DU's per net acre.

E. Residential Agriculture 2 District (RA2)

The primary purpose of the RA2 district is to provide for suburban life-styles on residential lots larger than are commonly available in suburban subdivisions and to provide for and protect the rural and agricultural atmosphere, including the keeping of animals, that have historically characterized these areas. This district is intended as an area for development of large lot, single family residential development at a maximum allowable density of 2.0 dwelling units (DU) per net acre.

F. Residential 3 District (R3)

The primary purpose of the R3 district is to provide a transition between rural and urban density development areas, and to provide for a suburban life-style on residential lots larger than those commonly found in suburban subdivisions. This district is intended as an area for development of large lot, single family residences at a maximum allowable density of 3 DU's per net acre.

G. Residential 5 District (R5)

The primary purpose of the R5 district is to provide for residential development on common sized suburban lots. This district is intended as an area for development of single family residential and mobile home subdivisions at a threshold density of 4 DU's per net acre and a maximum allowable density of 5 DU's per net acre in accordance with the provisions outlined herein.

H. Residential 10 District (R10)

The primary purpose of the R10 district is to provide for a variety of residential products and to encourage innovation in housing types with enhanced amenities such as common open space and recreation areas. This district is intended as an area for development of attached residential dwelling units, as well as mobile home parks at a threshold density of 8 dwelling units per net acre with maximum allowable density of 10 dwelling units per net acre in accordance with the provisions outlined herein.

I. Residential Single-Family 10 District (RS10)

The primary purpose of the RS10 District is to provide for residential development on small single-family lots with amenities not generally found in suburban subdivisions. The district is intended for subdivisions at a threshold density of 8 dwelling units per net acre with a maximum allowable density of 10 dwelling units per net acre.

J. Residential 15 District (R15)

The primary purpose of the R15 district is to provide a broadened range of housing types for those not desiring detached dwellings on individual parcels, and with open space and recreational amenities not generally associated with typical suburban subdivisions. This district is intended as an area for development of attached residential dwelling units, as well as mobile home parks, at a threshold density

of 12 DU's per net acre and with a maximum allowable density of 15 DU's per net acre in accordance with the provisions outlined herein.

K. Residential 20 District (R20)

The primary purpose of the R20 district is to provide a broadened range of housing types in a more urban setting than is typically found within other areas of the March JPA Planning Area, with particular emphasis on the needs of low and moderate income families. This district is intended as an area for development of multi-family residential dwelling units, as well as mobile home parks, at a threshold density of 16 DU's per net acre with a maximum allowable density of 20 DU's per net acre in accordance with the provisions outlined herein.

Section 9.03.030 Use Regulations for Residential Districts

For Residential Districts, unless otherwise expressly provided in this Code, permitted uses are limited to those described in the Permitted Uses Table, Section 9.02.020 of this Code.

Section 9.03.040 Residential Site Development Standards

The following standards shall apply to land and permitted or conditionally permitted buildings and structures located within the herein described residential districts. The standards stated herein are not intended to prevent more restrictive private site development standards contained in the covenants, conditions and restrictions or other private consensual restrictions imposed on any property or dwelling unit. However, in no case shall private deed or other property restrictions be applied or recognized so as to permit a lesser standard than the minimum standards established in this Code or to otherwise revise the standards established by this Code.

A. Rural Residential Requirements**1. Slope-Density-Natural Area Relationship**

The maximum density (du/ac) and the minimum percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table as defined below.

a. Slope-Density-Natural Area [Table 9.03.040-4]

<u>Slope Class (DU/Acre)</u>	<u>Allowable Density</u>	<u>Minimum Amount Open Space Required</u>
Greater than 25%	0.05 (1 du/20 ac)	60%
15.1% to 25%	0.10 (1 du/10 ac)	50%
10% to 15%	0.20 (1 du/ 5 ac)	35%
Less than 10%	0.40 (1 du/2.5 ac)	n/a

b. Slope analysis calculations and mapping shall be provided by the applicant as described

under 9.03.040 C. The March JPA Planning Director may require the slope analysis to be certified by a qualified civil engineer or licensed surveyor.

- c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if 10 acres of the project falls within the 10 to 15% slope class and 5 acres falls within the 15.1 to 25% slope class, then the total permitted yield shall be 2 dwelling units (10 ac x 0.10 du/ac plus 5 ac x 0.20 du/ac).

2. Minimum Lot Size

The minimum lot size within the Rural Residential District is one acre, except that lots as small as 20,000 square feet may be clustered on slopes of less than 10 percent if the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the March Joint Powers Commission. The on-going maintenance of such open space areas shall be ensured through a mechanism approved by the March Joint Powers Commission.

3. Subdivision Design and Future Land Divisions

Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within 300 feet of the project boundary. Parcels greater than 5 acres in area shall be excluded from the calculations when determining the average lot size within 300 feet of the project boundary.

Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the District. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by Development Agreement or other type of recorded deed restriction approved by the March Joint Powers Commission.

4. Building Height

Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height provided that on slopes of less than 10%, the overall height shall not exceed 35 feet.

5. Setbacks and Other Site Development Criteria

Front, side and rear setbacks and other site development standards not specifically referenced in this Section shall be subject to the following standards:

Lot Size

Under 40,000 s.f.
40,000 s.f. or greater

Standards

R2 district standards
R1 district standards

6. Grading within the Rural Residential District shall be performed as described under the Hillside Residential Requirements, Section 9.03.040 (B) (6).

B. Hillside Residential Requirements

1. Slope-Density-Natural Area Relationship

The maximum density (du/ac) and the percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table as defined below.

- a. Slope-Density-Natural Area Table 9.03.040-5

<u>Slope Class (DU/Acre)</u>	<u>Allowable Density</u>	<u>Minimum Amount Open Space Required</u>
Greater than 25%	0.10 (1 du/10 ac)	60%
15.1% to 25%	0.25 (1 du/4 ac)	50%
10% to 15%	0.50 (1 du/2 ac)	35%
Less than 10%	1.00 (1 du/ ac)	n/a

- b. Slope analysis calculations and mapping shall be provided by the applicant as described under 9.03.040 C. The March JPA Planning Director may require the slope analysis to be certified by a qualified civil engineer or licensed surveyor.
 - c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if 10 acres of the project falls within the 15.1 to 25% slope class and 5 acres falls within the greater than 25% slope class, then the total permitted yield shall be 3 dwelling units (10 ac x 0.25 du/ac plus 5 ac x 0.10 du/ac).

2. Minimum Lot Size

The minimum lot size within the Hillside Residential District is 20,000 square feet, except that lots as small as 10,000 square feet may be clustered on slopes of less than 10 percent if the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the March Joint Powers Commission. The on-going maintenance of such open space areas shall be ensured through a mechanism approved by the March Joint Powers Commission.

3. Subdivision Design and Future Land Divisions

Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within 300 feet of the project boundary. Parcels greater than 5 acres in area shall be excluded from the calculations when determining the average lot size within 300 feet of the project boundary.

Subdivisions shall be designed in such a way as to transfer development density to the lower

slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the District. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by Development Agreement or other type of recorded deed restriction approved by the March Joint Powers Commission.

4. Building Height

Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height provided that on slopes of less than 10%, the overall height shall not exceed 35 feet.

5. Setbacks and Other Site Development Criteria

Front, side and rear setbacks and other site development standards not specifically referenced in this Section shall be subject to the following standards:

<u>Lot Size</u>	<u>Standards</u>
Less than 20,000 s.f.	R-3 district standards
20,000 s.f. to 40,000 s.f.	R-2 district standards
40,000 s.f. or greater	R-1 district standards

6. Grading of any site shall be minimized and shall conform to the provisions contained in the March JPA Design Guidelines under "Applications for Hillside Development" and the following standards:

<u>Slope Class</u>	<u>Standards</u>
15.1 - 25%	Padded building sites may be allowed, but maximum use of custom foundations and split level designs shall be employed to reduce the need for large padded building areas.
Above 25%	Mass grading is not permitted. Special hillside architectural and design techniques are expected in order to conform to the natural landform. Homes constructed on lots within this terrain shall use custom, multiple-level foundations.
For all areas:	All graded areas shall be protected from wind and water erosion through acceptable slope stabilization methods such as planting, walls, or jute netting.

C. Slope Calculations

For the purposes of this Section, the following method will be used to determine slope.

1. Slope is herein defined as the relationship between the change in elevation (rise) of the land and the horizontal distance (run) over which that change in elevation occurs. The percent of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied

by 100.

2. For the purpose of determining the amount and location of land falling into each slope category, the applicant shall submit to the March Joint Powers Commission, at the time of application, a base topographic map of the subject site prepared and signed by a registered civil engineer or licensed land surveyor. Such a map shall have a scale of not less than one (1) inch to two hundred (200) feet and a contour interval of not more than ten (10) feet.

This base topographic map shall include all adjoining properties within 300 feet of the site boundaries. Slope bands in the range of less than ten (10) percent, ten (10) to fifteen (15) percent, fifteen (15) to twenty-five (25) percent, and greater than twenty-five (25) percent shall be delineated on the topographic map. The map shall be accompanied by a tabulation of the land area in each slope category specified in acres. The exact method for computing the percent slope and area by percent slope category is to be sufficiently described and presented so that a review can readily be made.

3. Slope Mapping Method

- a. The percent slope of any particular piece of land shall be plotted on the map as described in Section 9.03.040C.2.
- b. In preparing a slope map, those portions of ravines, ridges, and terraces of less than one hundred and fifty (150) feet in width at their widest measurement, which are in an area generally sloping at twenty-five (25) percent slope or greater, shall be regarded as part of the bordering twenty-five (25) percent slope or greater band.

D. General Residential Requirements

The following table sets forth minimum site development standards for residential development projects in the specified residential districts. In addition, projects must comply with the special development standards enumerated in this Section, the performance standards included in Chapter 9.10 of this Code and any other applicable March Joint Powers Commission ordinances, policies and standards.

RESIDENTIAL SITE DEVELOPMENT STANDARDS
TABLE 9.03.040-6

REQUIREMENT	R1	R2	RA2	R3	R5
1. Threshold density (DU's* per net acre)					4
2. Maximum density (DU's per net acre)	1	2	2	3	5
3. Minimum lot size (sq ft net area)	40K**	20K	20K	10K	7,200
4. Minimum lot width, in feet	150	100	100	90	70
Cul-de-sac/knuckle lot frontage	35	35	35	35	35
5. Minimum lot depth, in feet	170	120	120	100	100

6. Minimum front yard setback	25	25	25	25	20
7. Minimum side yard setback, in feet***	See Note 3	See Note 3	See Note 3		See Note 4
a. Interior side yard	20	20	20	10	15
b. Street side yard				15	
8. Minimum rear yard setback, in feet***	40	35	35	30	15
9. Maximum lot coverage	25%	30%	30%	35%	40%
10. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.				
11. Minimum dwelling size (sq. ft.)	900	900	900	900	900
12. Minimum distance between buildings, in feet (including main DU's and accessory structures)	20	15	15	10	10

* The term "DU's" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions

RESIDENTIAL SITE DEVELOPMENT STANDARDS

TABLE 9.03.040-6 (Continued)

REQUIREMENT	RS10	R10	R15	R20
1. Threshold density (DU's* per net acre)	8	8	12	16
2. Maximum density (DU's per net acre)	10	10	15	20
3. Minimum lot size (sq ft net area)	4,500			
4. Minimum lot width, in feet	45	See E. 8.		
Cul-de-sac or knuckle lot frontage	35			
5. Minimum lot depth, in feet	85			
6. Minimum front yard setback in feet		20	25	30
Front-facing garages	20			
Buildings other than front-facing garages	10			
7. Minimum side yard setback, in feet	See Note 6			
a. Interior side yard**		10	10	10
b. Street side yard**		20	20	20
8. Minimum rear yard setback, in ft. **	15	15	20	25
9. Maximum lot coverage	40%	40%	45%	50%
10. Maximum building and structure height, in feet	35 50 feet			

11. Minimum dwelling size (square feet)	900	See Note 5.		
12. Minimum distance between buildings, in feet (including main DU's and accessory structures)	10	20	20	20

* The term "DU's" means dwelling units.

** See Section 9.08.030 regarding accessory structures and room additions.

Notes to Residential Site Development Standards Table:

- Width measurements for cul-de-sac or other odd (non-rectangular) shaped lots shall be determined on the basis of the average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.
- The minimum front yard setback from private streets within the R1, R2 and R3 Districts shall be 55 feet measured from the center line of said street. The minimum front yard setback from private streets within the R5 District shall be 50 feet measured from the center line of said street.
- Combined interior side yard setbacks of 20 feet shall be provided with a minimum of 5 feet on one side.
- Combined interior side yard setbacks of 15 feet shall be provided, with a minimum of 5 feet on one side.
- Minimum dwelling sizes in multiple family projects shall be as follows:

One bedroom	450 square feet
Two bedroom	800 square feet
Three bedroom	1000 square feet
- In the RS10 District the minimum street side setback shall be 10 feet. The interior side setback shall be 5 feet, except in the case of zero lot line developments with houses placed on an interior side lot line. When a house is placed on an interior side lot line, the other minimum side yard setback shall be 10 feet. Where applicable, an easement at least 5 feet in width shall be provided along the common lot line. Said easement shall guarantee the right to use and occupy the easement for a roof overhang(s), storm water drainage and for building maintenance and repair.

minimum setback of 50 feet from any single family use or district. Any single story building within the R10-R15 or R20 District, shall maintain a minimum setback of 20 feet from any single family district.

2. In any residential district, front yard setbacks in subdivision developments may be reduced by 20% provided the mean of all such setbacks in the development is not less than the minimum required for the district.
3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed 60 dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation shall be screened from surrounding properties and streets and shall not be located in the required front yard, or street side yard. All equipment shall be installed and operated in accordance with all other applicable March Joint Powers Commission ordinances.
4. In the R5, RS10, R10, R15 and R20 Districts, developments of five (5) or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials except for necessary walks, drives and fences.
5. In the R10, R15 and R20 Districts, a minimum of thirty-five percent (35%) of the site area, exclusive of private patio and yard areas, shall be landscaped and provided with an adequate underground irrigation system. Required setback areas and outdoor recreation areas may be counted toward this minimum. Landscaping shall consist predominantly of plant materials except for necessary walks, drives and fences.
6. Where a multiple family project abuts property in a single-family district, a decorative masonry wall at least six feet in height and screening landscaping at least five feet in depth shall be erected and maintained between such uses and the single-family district. Decorative walls composed of block, brick, stone, stucco-treated masonry or concrete panels are acceptable. Alternative materials may be approved by the March JPA Planning Director provided that the materials are decorative and comparable to masonry walls or concrete panels in durability and ability to attenuate light and sound.
7. Parking for each use shall comply with the requirements of Chapter 9.11.
8. Single-family developments within the R10, R15 and R20 Districts shall be subject to the lot size, lot width, lot depth and other applicable site development standards defined for the R5 District.
9. In the RS10 District, driveways and fire hydrants shall be designed and located to maximize on-street parking opportunities in front of each residence.
10. Within the RS10 District, small lot single family subdivisions on less than 15 gross acres shall provide landscaping and decorative walls along the street side of corner lots and at least two (2) of the following amenities throughout the project:
 - a. Front porches
 - b. Automatic garage door openers
 - c. Electronic security systems
 - d. Fire sprinklers

11. Within the RS10 District, small lot single family subdivisions on 15 gross acres or more shall include usable common open space encompassing a minimum of 10 percent of each development. Usable common open space does not include individually-owned lots, parking areas, nor vehicular rights-of-way. Usable common open space is open space and/or recreational amenities under joint (common) ownership, including, but not necessarily limited to, landscaped areas, trails, playgrounds, tennis courts, swimming pools and recreational buildings. A homeowners association shall be established to provide continual maintenance of the commonly-owned facilities.

Chapter 9.04**COMMERCIAL DISTRICTS****Sections:**

- 9.04.010 Purpose and Intent
- 9.04.020 Commercial Development Districts
- 9.04.030 Permitted Commercial Uses
- 9.04.040 Commercial Site Development Standards

Section 9.04.010 Purpose and Intent

It is the purpose of this Chapter to provide regulations which implement those goals, objectives and policies of the March JPA General Plan which are aimed toward the provision of commercial areas within the March JPA Planning Area. It is the further intent of this Chapter to serve the retail and service commercial needs of March JPA Planning Area residents and businesses through the establishment of a specific, well-defined pattern of commercial activity which is conveniently located, efficient, and attractive, with safe pedestrian and vehicular circulation.

In addition to the above, the commercial districts are included in the zoning regulations to achieve the following purposes:

1. To provide appropriately located areas for office uses, retail stores, service establishments, and commercial commodities and services required by residents of the March JPA Planning Area and the surrounding market area;
2. To encourage concentration of office and commercial uses for the convenience of the public and to secure a more mutually beneficial relationship to each other;
3. To provide adequate space, off-street parking and loading areas to meet the needs of modern commercial development;
4. To minimize traffic congestion from commercial development and to avoid the overloading of utilities by restricting the construction of buildings of excessive size in relation to the amount of land around them;
5. To promote compatibility between commercial properties and adjoining noncommercial uses; and
6. To promote high standards of site planning, architecture and landscape design for office and commercial developments within the March JPA Planning Area.

Section 9.04.020 Commercial Development Districts**A. Office District (O)**

The primary purpose of the Office (O) District is to provide areas for the establishment of park-like, office-based working environments for general business, corporate, professional and administrative offices. It is the further intent of this district to provide setbacks, landscaping and architectural treatments that ensure the location of such uses is relatively compatible with residential development in the vicinity.

B. Office Commercial District (OC)

The primary purpose of the Office Commercial District is to provide for the establishment of business, corporate and administrative office, as well as commercial services which are supportive to major business developments. Retail facilities which support the office developments are permitted, subject to limitations specified in this Section.

C. Tourist Recreational Commercial District (TRC)

The primary purpose of the Tourist Recreation Commercial (TRC) District is to provide those commercial support activities that are necessary or incidental to recreation uses within the March JPA Planning Area and which emphasize common recreation oriented retail services, while meeting the personal service needs of both tourists and March JPA Planning Area residents alike. Recreation-oriented residential development may also be permitted to the extent that it is incidental to and complements the overall recreational character of the district.

D. Neighborhood Commercial District (NC)

The primary purpose of the Neighborhood Commercial (NC) District is to satisfy the daily shopping needs of March JPA Planning Area residents by providing construction of conveniently located neighborhood centers which provide limited retail commercial services. These centers must be compatible with the surrounding residential communities.

E. Community Commercial District (CC)

The primary purpose of the Community Commercial (CC) District is to provide for the general shopping needs of area residents and workers with a variety of business, retail, personal and related or similar services.

Section 9.04.030 Permitted Commercial Uses

For the Commercial Districts, unless otherwise expressly provided in this Code, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this Code.

Section 9.04.040 Commercial Site Development Standards**A. General Requirements**

The following table sets forth minimum site development standards for all commercial and office zones. All sites shall conform to the dimensions set forth in this Section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.04.040 B, the performance standards included in Chapter 9.10 and any other applicable March JPA ordinances, policies, and programs.

COMMERCIAL SITE DEVELOPMENT MINIMUM STANDARDS
TABLE 9.04.040-7

<u>REQUIREMENT</u>	O	OC	TRC	NC	CC
1. Minimum site area.	10K ¹	10K	1AC ²	10K	1AC
2. Minimum site width, in feet.	100	100	200	100	200
3. Minimum site depth, in feet.	100	100	100	100	175
4. Front building setback, in feet ³	20	20	20	20	20
5. Side street building setback area, street sides, in feet ³	20	20	20	20	20
6. Lot coverage, maximum	60%	60%	-	-	-
7. Building height, in feet, maximum	See Special Requirements				

On legal lots of record existing immediately prior to the date of adoption of this Code, and which otherwise Project must also comply with all other provisions in this Code and with all land use regulations existing immediately prior to adoption of this Code, if any of said lots contain less than the minimum depths required by this Section they need not provide a front building setback or landscaping greater than 20% of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within a shopping

¹ The term "K" means 1,000.

² The term "AC" means acre or acres.

³ Measured from property line after dedications for public rights-of-way.

center, in which case no minimums are established. Parcels created within shopping centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and if appropriate easements for reciprocal access parking and maintenance are provided.

B. Special Requirements

1. Wherever a lot in any commercial district abuts a lot in any residential district, a minimum setback equal to the building height, but not less than 10 feet shall be required. A minimum of 10 feet nearest the district boundary line shall be landscaped.
2. Where off street parking areas in commercial districts are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall 3 feet in height shall be erected between the street and the parking area.
3. In all commercial districts, required front building setback areas shall be landscaped. Said landscaping shall consist predominantly of plant materials except for necessary walks and drives.
4. The street side building setback area in any commercial district shall be used only for landscaping, pedestrian walkways, driveways, or off-street parking. When off-street parking is located within building setback areas, a minimum landscaped area of 10 feet in depth shall be provided between the property line and the parking area, with an additional minimum landscaped area 10 feet in depth required between the parking area and the building.
5. Required rear and interior side building setback areas in any commercial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.
6. In the Office Commercial district, all non-office uses permitted shall be supportive of office-based development. (See Table 9.02.020-1)
7. In the Office Commercial district, all commercial and retail activities, other than offices, shall be limited to no more than 25% of the square footage of any building. In the case of a mixed use development, no more than 25% of the total square footage of all buildings shall be devoted to commercial/retail uses, with the remaining 75% to be utilized for office.
8. Parking for each use shall comply with the requirements of Chapter 9.11.
9. Except as otherwise specified in this Section, structures shall be constructed either on the property line or be set back at least three (3) feet from the rear or interior side property line.

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Permitted Uses Table4-3

Chapter 9.05**INDUSTRIAL DISTRICTS****Sections:**

9.05.010	Purpose and Intent
9.05.020	Industrial Districts
9.05.030	Permitted Uses for Industrial Districts
9.05.040	Industrial Site Development Standards

Section 9.05.010 **Purpose and Intent**

The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of March JPA Planning Area. It is the further intent of this Chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional, and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial and airport uses and protect these areas from inharmonious uses;
2. To protect residential, commercial and nuisance-free non-hazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectionable influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;
3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and
4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel.
5. To provide appropriate development standards for employment uses in Industrial and Aviation zoning districts.

Section 9.05.020 Industrial Districts**A. Business Park District (BP)**

The primary purpose of the Business Park (BP) District is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location.

B. Industrial District (I)

The primary purpose of the Industrial (I) District is to provide for manufacturing, research and development, warehousing and distribution, and multi-tenant industrial uses, as well as certain supporting administrative and professional offices and commercial activities on a limited basis. This district is intended as an area for light industrial and limited service commercial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

C. Business Park-Mixed Use (BPX)

It is the purpose of the Business Park-Mixed Use (BPX) District to provide regulations which implement those goals, objectives and policies of the March JPA General Plan which are aimed toward expanded accommodation for business, commercial and industrial uses beyond that permitted by the standard Business Park district. It is further the intent of this district to establish standards and compatible uses which will assist in meeting the goals of a jobs/housing balance while providing the opportunity to create mixed-use developments which will enhance the community image and create areas that provide an environment for work and shopping opportunities.

In addition to the above, the BPX district is designed to achieve the following purposes:

1. To provide appropriately located areas for mixed use developments which will provide access to services and jobs for the surrounding community;
2. To encourage the concentration of office, industrial, research and development facilities and retail uses for the convenience of the public and to secure a more mutually beneficial relationship to each other;
3. To ensure that an over concentration of any one particular type of land use will not negatively affect the overall economy of the March JPA Planning Area;
4. To minimize traffic congestion and to avoid the overloading of utilities by balancing the type of uses and the size of buildings in relation to the amount of land around them; and
5. To promote high standards of site planning, architecture and landscape design for the mixed use developments within the March JPA Planning Area.

D. AVIATION DISTRICT (A)

The primary purpose of the Aviation (A) district is to provide for the development of uses which are related to the operation of air cargo and passenger service aircraft such as: aircraft maintenance, aircraft hangars, air cargo distribution facilities, and other uses which are related to airport operations. This district is intended for uses that have direct relationships to airports. Uses that have special operational characteristics are allowed subject to approval of a conditional use permit.

Section 9.05.030 Permitted Uses For Industrial Districts

For the Industrial District, unless otherwise expressly provided in this Code, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this Code.

Section 9.05.040 Industrial Site Development Standards**A. General Requirements**

The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this Section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.05.040 B, the performance standards included in Chapter 9.10 and any other applicable March JPA ordinances, policies and programs.

INDUSTRIAL SITE DEVELOPMENT MINIMUM STANDARDS
TABLE 9.05.040-8

REQUIREMENT	BP	BPX	I	A
1. Minimum site area (in acres).	1	1	5	1
2. Minimum site width (in feet).	200	200	600	200
3. Minimum site depth (in feet).	200	200	600	200
4. Minimum front building setback area from a public street (in feet).	20	20	20	20
5. Minimum interior side building setback (in feet).		* See note below		
6. Minimum street side building setback area (in feet).	20	20	20	20
7. Minimum rear building setback area (in feet).		* See note below		
8. Maximum building height (in feet).	35	35	35**	45'***

* Structures shall be constructed on the property line or a minimum of 3 feet from the property line.

** Increased height up to 80 feet is permitted where all building setbacks meet or exceed the proposed building height, and subject to FAA Part 77 clearance.

*** Greater height allowed subject to use permit approval.

B. Special Site Development Standards

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of 20 feet shall be required from such residential district. Further, the 10 feet of said setback nearest the district boundary line shall be landscaped.
2. Where off-street parking areas in industrial districts are visible from any street, screening in the form of a landscaped earthen berm or decorative wall 3 feet in height shall be erected between the required landscape area and the parking area.
3. In all industrial districts, required front building setback areas shall be landscaped. Said landscaping shall consist predominantly of plant materials except for necessary walks and drives.
4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area 10 feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area 10 feet in depth required between the parking area and the building.
5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.
6. Parking for each use shall comply with the requirements of Chapter 9.11 and this Section.
7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.
8. In the BPX District, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehousing use may be conducted, provided that no more than 30% of the gross floor area of the space occupied by said use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered committed to the percentage of building area used for retail sales purposes.
9. In the BP and I Districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than 15% of the gross floor area of the space occupied by said use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.
10. In the A District, buildings shall meet the runway transitional surface as indicated by the 7:1 transitional surface requirement.

Chapter 9.06**OPEN SPACE AND AGRICULTURAL DISTRICTS****Sections:**

- 9.06.010 Purpose and Intent
- 9.06.020 Applicability
- 9.06.030 Open Space District (OS)
- 9.06.040 Agriculture District (Ag)

Section 9.06.010 Purpose and Intent

The primary purpose and intent of this Chapter is to provide standards for those Districts covered by this Chapter that require specific regulations to preserve certain life styles, significant geological or other unique features, or that require unique regulations to protect the public health, safety or welfare.

Section 9.06.020 Applicability

The standards established by this Chapter shall apply to activities within the Open Space (OS) and Agriculture Districts (Ag).

Section 9.06.030 Open Space District (OS)**A. Purpose and Intent**

The primary purposes of the Open Space District (OS) are to provide for low intensity, outdoor oriented recreational facilities, preserve unique natural and environmentally sensitive areas, and protect and preserve the public health, safety and welfare.

B. Permitted Uses

For the Open Space District (OS), permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1, Section 9.02.020 of this Code.

Section 9.06.040 Agriculture District (Ag)**A. Purpose and Intent**

The purpose of this Section is to provide certain protection for agricultural operations in existence in the March JPA Planning Area while also protecting the rights of property owners who may own, occupy, or use

land in the area of agricultural property.

B. Applicability

All agricultural uses shall comply with standards of this Section.

C. Lot Size

Lot size shall not be less than 20,000 square feet, with a minimum average lot width of 100 feet and a minimum average lot depth of 150 feet, unless larger minimum lot area and dimensions are specific for a particular area or use as established elsewhere in this Code.

D. Minimum Yard Requirements

Minimum yard requirements for parcels in the Agriculture District (Ag) are as follows:

1. 20 foot front yard;
2. 5 foot side yard; and
3. 10 foot rear yard.

E. Permitted Uses

For the Agriculture District (Ag), permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1, Section 9.02.020 of this Code.

Agriculture District	6-1-6-2
Open Space District	6-1-6-1
Permitted Uses Table	6-1, 6-2

Chapter 9.07**SPECIAL DISTRICTS****Sections:**

- Section 9.07.010 Planned Development District (PD)
- Section 9.07.020 Specific Plan District (SP)
- Section 9.07.030 Public District (P)
- Section 9.07.040 Air Installation Compatibility Use Overlay District (AICUZ)

Section 9.07.010 Planned Development District (PD)**A. Purpose and Intent**

The purpose and intent of the PD (Planned Development) District is to provide for the coordinated development of properties located within the PD District.

B. Applicability

Development of properties within the PD District shall be subject to the following conditions:

1. A Specific Plan must be adopted and must apply to each project proposed on property greater than 15 acres in size, whether on a separate parcel or on adjoining parcels;
2. Projects or developments on properties less than 15 acres shall have appropriate land use designations consistent with the March JPA General Plan. If the General Plan designation for a subject site is:
 - a. PR (Planned Residential) then the R-1 (Residential up to 1 dwelling units per acre) zoning designation shall be applied to the property upon proper application thereof;
 - b. PC (Planned Commercial), then the provisions of the NC (Neighborhood Commercial) zoning designation shall be applied to the property upon proper application thereof; and
 - c. PI (Planned Industrial), then the provisions of the BP (Business Park) zoning designation shall be applied to the property upon proper application thereof.

Section 9.07.020 Specific Plan District (SP)**A. Purpose and Intent**

Specific plans prepared pursuant to California Government Code Sections 65450, et. seq., are a significant tool to implement the March JPA General Plan, as well as an inducement to the development of desirable large-scale mixed use developments. It is the purpose of this Section to provide a method for the

zoning of lands for which customized development and use regulations can be approved by the March Joint Powers Commission. The creation of a Specific Plan (SP) zone is necessary to provide adequate development flexibility for innovation in residential building types, land use mixes, site design, and development concepts. (See Chapter 9.13.)

B. Applicability

1. The provisions of this Section may only be applied to properties for which a specific plan has been adopted by the City Council pursuant to Government Code Section 65450 et. seq and Section 9.02.030 B.
2. The provisions of Chapter 9.13 shall apply to all applications for Specific Plans from and after the effective date of this Development Code.

C. Zoning Map Designation

The Specific Plan District shall be designated on the March JPA Zoning Atlas by the symbol "SP" followed by a number to designate the specific plan (e.g. SP-1 for Specific Plan No. 1).

Section 9.07.030 Public District (P)**A. Purpose and Intent**

The primary purpose of the Public District is to provide for the conduct of public and institutional activities, including providing protected designated areas for public and institutional facilities.

B. Property Development Standards

The following regulations shall apply to all land and buildings and structures located within the Public District:

1. General Requirements

The following sets forth minimum site development standards for Public District development projects. In addition, projects shall comply with the special requirements enumerated in paragraph 2 below, the performance standards included in Chapter 9.10 and other applicable March JPA ordinances and policies.

PROPERTY DEVELOPMENT STANDARDS GENERAL REQUIREMENTS
TABLE 9.07.030-9

<u>REQUIREMENT</u>	<u>STANDARD</u>
a. Minimum site area	One acre
b. Minimum site width	160 feet
c. Minimum site depth	160 feet

d. Minimum front building setback	30 feet
e. Minimum side building setback	25 feet
f. Minimum street side building setback	30 feet
g. Minimum rear building setback	5 feet
h. Building height (maximum)	35 feet
I. Building coverage (maximum)	45 percent

2. Special Requirements

- a. Wherever a lot in any Public District abuts a lot in any residential district, a minimum building setback of 50 feet shall be required. A minimum of 20 feet of said setback area nearest the district boundary line shall be landscaped and the remaining area may be used for required off street parking.
- b. Where a public use abuts property in any residential district, no two-story building shall be constructed within 100 feet of said residential district without issuance of a Conditional Use Permit.
- c. Where off street parking areas are situated such that they are visible from any street, screening in the form of a decorative wall or landscaped earthen berm 3 feet in height shall be erected between the required landscape area and the parking area to adequately screen said parking areas.
- d. Required front setback areas shall be landscaped.
- e. Except as otherwise permitted, a street side building setback area shall be used only for landscaping, pedestrian walkways, driveways, or off-street parking.
- f. Except as otherwise permitted, required rear and interior side building setback areas shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.
- g. Where off-street parking is located within building setback areas, a minimum landscaped area 10 feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area 10 feet in depth required between the parking area and the building.

C. Permitted Public Use

For the Public District (P), unless otherwise provided in this Code, permitted uses are those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this Code.

Section 9.07.040 Air Installation Compatibility Use Overlay District (AICUZ)

A. Purpose and Intent

It is the intent and purpose of this Air Installation Compatibility Use Overlay (AICUZ Overlay) to limit public exposure to aircraft accidents and noise and to encourage future development that is compatible with the continued operation of March Air Reserve Base. It is also the intent of the AICUZ to recognize and

implement the purpose for the guidelines contained in the March Air Reserve Base Air Installation Compatible Use Zone Report.

B. Applicability

The AICUZ Overlay District shall apply within the Accident Potential Zone I and II as depicted on the Official Zoning Atlas. The provisions of the AICUZ Overlay shall apply in addition to the provisions of the underlying district. If there are inconsistencies between the underlying zone and the AICUZ Overlay, the AICUZ Overlay shall take precedence.

C. Development Standards

Setbacks and other site development standards shall be those of the underlying zoning district.

D. Use Regulations

1. Unless identified as a permitted use within the underlying district in accordance with Table 9.02.020-1, a use within the AICUZ Overlay shall be subject to approval of a Conditional Use Permit.
2. Notwithstanding the provisions of the Permitted Uses Table (Table 9.02.020-1), the following uses shall be prohibited in the AICUZ Overlay District:
 - a. Uses that involve high density public assembly which exceed the guidelines contained in the current March Air Force Base Air Installation Compatible Use Zone Report, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference, and any subsequent reports adopted by the March JPA as an amendment to this Code.
 - b. Single and multiple family dwellings, hotels, motels, rest/retirement homes and other residential uses.
 - c. Schools, hospitals and day-care facilities.
 - d. Landfills.
 - e. Hazardous waste facilities.
 - f. Supermarkets, department stores, swap meets, membership warehouse stores.
 - g. Gas stations (automobile service stations).
 - h. Manufacturing (General) as defined in this Code.
 - i. Resource Production and Extraction.

E. Evaluation Criteria

Development within the AICUZ Overlay District shall avoid uses which concentrate large numbers of people; are noise sensitive; create hazards to aircraft operations; pose special health and safety hazards in the event of an aircraft accident; or involve public facilities and utilities for which disruption would have an adverse impact on large numbers of people. The current March Air Force Base Air Installation Compatible

Use Zone Report, referenced in Subsection D.2.a of this Section and any amendments thereto which are adopted as amendments to this Code, shall be used as a guideline(s) in the evaluation of land uses within the AICUZ Overlay District. Appropriate conditions shall be applied to each project to mitigate flight and safety hazards, excessive noise levels and other public health, safety or welfare concerns.

Chapter 9.08**GENERAL DEVELOPMENT STANDARDS****Sections:**

9.08.010	Purpose and Intent
9.08.020	Applicability
9.08.030	Accessory Structures
9.08.040	Condominiums, Condominium Conversions, and Mobile Home Park Conversions
9.08.050	Conversion of Residential Structures to Nonresidential Use
9.08.060	Development Density
9.08.070	Fences and Walls
9.08.080	Grading
9.08.090	Hazardous Materials Management
9.08.100	Lighting
9.08.110	Manufactured Home Requirements
9.08.120	Permitted Outdoor Uses
9.08.130	Reservation of Lands for Public Facilities
9.08.140	Relocated Buildings
9.08.150	Screening Requirements
9.08.160	Seismic Hazards
9.08.170	Solar Energy Design
9.08.180	Storage
9.08.190	Street Lighting
9.08.200	Street Improvements for Residential Lots
9.08.210	Changes in Production Unit Sizes Within Single Family Residential Tracts
9.08.220	Improvement Security

- 9.08.230 Landscaping Requirements
- 9.08.240 Undergrounding of Utilities
- 9.08.250 Water Efficient Landscape Regulations

Section 9.08.010 Purpose and Intent

The purpose and intent of general development standards is to ensure that new uses and development will contribute to, and be harmonious with existing and potential development in the surrounding area, as well as further the goals, objectives, policies, and implementation programs of the March JPA General Plan.

Section 9.08.020 Applicability

Any activity or use, and any permit or approval which authorizes new construction or substantial reconstruction of an existing building or structure shall be subject to the requirements of the underlying district and any applicable standards contained in this Chapter.

Section 9.08.030 Accessory Structures**A. Accessory Structures Within Residential Districts****1. Accessory Structures Used for Living Purposes**

Subject to the provisions of this Section, an accessory structure which is used either wholly or in part for living purposes, shall meet all of the requirements for location of the main structure. Additions to existing dwellings which are nonconforming with respect to a required side yard setback may be built subject to the following exceptions and limitations:

- a. The distance between the addition and the property line shall be no less than 5 feet from the interior side property line and 10 feet from the street side property line; and
- b. With respect to an addition to an existing dwelling that is located on the interior side property line, the addition shall be constructed at said property line or a minimum of 5 feet from said property line.
- c. Granny Units and Second Units shall be subject to the setback requirements specified in Section 9.09.120 and Section 9.09.130 respectively.

2. Accessory Structures Not Used for Living Purposes

Accessory structures may be attached to or detached from the main structure. Accessory structures include but are not limited to patio covers, storage sheds, barns, garages and gazebos. Special provisions regarding ham radio antennas and satellite dishes are specified in Section 9.09.040. Accessory structures

shall meet the requirements of the main structure except that:

- a. Unless otherwise provided for within this Section, structures up to 15 feet in height shall be located no closer than 5 feet to the rear property line and 5 feet to the interior side property line and 10 feet to the street side property line.
- b. Where single family residential uses were legally established on parcels which became substandard upon adoption of this Code, one story open-sided structures such as patio covers and gazebos shall be no closer than 5 feet to the rear property line and 3 feet to the interior side property line.
- c. A garage that is attached to the main structure shall be subject to the setback requirements of the main structure.

3. Architectural Features

a. Projections Into Yards

Architectural features (such as steps, eaves, awnings, chimneys, balconies, stairways, wing walls and bay windows) may project not more than 4 feet into any required front or rear setback area. Such features may project up to 4 feet into any side yard area provided a minimum of 3 feet to the side property line is maintained.

b. Projections Above Height Limits

Architectural features, including flues, chimneys, elevators, spires, bell towers and mechanical equipment (such as air conditioners and associated screens) may exceed the height limit of the applicable district by not more than 10 feet.

4. Structure Separation

Separation between structures shall be subject to the requirements specified in Section 9.03.040 D. within the Residential Site Development Standards Table 9.03.040-6.

B. Accessory Structures within Nonresidential Districts

1. Unless otherwise provided for in paragraphs 3 through 8 below, in any nonresidential district, accessory structures shall meet all of the setback requirements for main buildings.
2. In any nonresidential district, accessory structures shall not be located in front of the main building.
3. Eaves, roof projections, awnings, and similar architectural features located at least 8 feet above grade may project into required building setback areas a maximum distance of 3 feet, provided that such feature shall be at least 5 feet from any property line.
4. Fireplaces, chimneys, bay windows, balconies, fire escapes, exterior stairs and landings, and similar features may project into the required setback a maximum distance of 2 feet, provided that such features shall not occupy more than 25 square feet of each required building setback area, and shall be at least 5 feet from a property line.

5. Flues, chimneys, antennas, elevators and other mechanical equipment, spires, bell towers, or similar architectural, utility, or mechanical features may exceed the height limit of the applicable district by not more than 15 feet, provided such feature shall not be used for habitable space and appropriate screening is provided.
6. Ground mounted equipment incidental to commercial development shall be appropriately screened with solid walls and/or landscaping. Equipment location shall be away from the front of the building, and screening shall be similar to adjacent architecture and materials.
7. Commercial and industrial loading and trash enclosures areas shall be screened from public view and adjacent residential developments, and shall be located a minimum of 35 feet from adjacent residential structures. (See Section 9.08.070 and 9.08.150).
8. Roof-mounted equipment shall be completely screened from public view.
 - a. All roof screens must be solid and continuous.
 - b. Roof screens shall be sheathed in a matching or complimentary material to the exterior building material and may include metal panels, aluminum, copper, or ceramic tile.
 - c. Picket fence screening shall not be permitted.
 - d. Mechanical plants and distribution networks shall be minimized and contained within efficient roof-top penthouses.
9. Accessory structures associated with residential uses shall be subject to the development standards for accessory structures within residential districts. Where said standards refer back to the requirements of the underlying district, the R5 District standards shall be used.

Section 9.08.040 **Condominiums, Condominium Conversions, and Mobile Home Park Conversions**

A. Purpose and Intent

The purpose of this Section is to establish development standards and special conditions for the protection of the community, purchasers and tenants with respect to condominiums, community apartments, stock cooperatives, and mobile home park residents, both when such developments are being developed, used and occupied, and when rental units are being converted into condominium projects, community apartment projects, or stock cooperative projects, and including mobile home parks.

B. Applicability

All new or converting residential condominiums, community apartment projects, stock cooperatives, cooperative apartments, and mobile home parks shall conform to the provisions of this Section in addition to any and all requirements for preparation, review, and approval of a subdivision map and any other applicable approvals.

C. Minimum Requirements

Except as otherwise provided by law, in approving or conditionally approving any condominium, stock cooperative or community apartment project, including conversions of apartment and mobile home park developments, the following shall be required:

1. Residential Parking

Off-street parking shall be provided in the amount and type pursuant to standards for new construction in Chapter 9.11.

2. Yard and Height Requirements

All new condominium, stock cooperative or community apartment projects, including conversions of apartment and mobile home park developments, shall comply with property development standards for the district in which the project is to be located; more restrictive requirements may be imposed which are consistent with or directed by and to implement specified March JPA General Plan policies and which serve to protect the public health, safety, or general welfare.

3. Covenants, Conditions, and Restrictions (CC & R's)

The Covenants, Conditions, and Restrictions (CC & R's) for a condominium or cooperative project shall include the following:

- a. Adequate provisions for maintenance, repair, and upkeep of common areas. The subdivider shall submit an estimate of and guarantee for the maintenance costs for a period of 12 months beginning at the close of escrow on the first unit sold, the subdivider to be responsible for all costs of normal maintenance in excess of the estimate.
- b. Provisions that in the event of destruction or abolishment, reconstruction shall be in accordance with codes in effect at the time of such reconstruction.
- c. Provisions for guaranteeing and maintaining continuing structural integrity and operation of common area facilities, including but not limited to, the roof, plumbing, heating, air-conditioning, and electrical systems for a period of one year from the date of the sale of the last individual unit.

D. Condominium and Mobile Home Park Conversions

No condominium, stock cooperative or community apartment project conversion, including mobile home park conversion shall be approved unless all of the following conditions are met:

1. Prospective tenants have been given written notification of intent to convert pursuant to the provisions of California Government Code Section 66452.51 (Subdivision Map Act) prior to filing of the conversion implementing project with the March Joint Powers Commission. Such notice shall be given by the applicant, and shall contain information as to tenant's rights as provided by law;
2. All other applicable provisions of the Subdivision Map Act of the State of California shall be complied with;
3. Tenants have been notified in writing of all public hearings in connection with an application for

conversion, and all tenants subsequent to the initial notice of intent have been notified in writing of the pending conversion prior to acceptance of any rent or deposit;

4. The structural, electrical, fire, and life safety systems are in safe and operable condition, or that necessary repairs, including such alterations or repairs as are required by the March JPA Executive Director, will be completed prior to sale of units;
5. Plumbing is in sound condition, all water heaters, and where feasible, pipes for circulated hot water are insulated, individual gas and electrical meters are provided, and adequate protected trash areas are provided;
6. All tenants have been given at least 180 days written notice of intention to convert prior to termination of tenancy; and
7. For residential conversions, the decision-making body must determine that:
 - a. The conversion is consistent with the March JPA General Plan; and,
 - b. In the case of condominium conversions, the vacancy factor of rental housing units located in the March JPA Planning Area exceeds five (5) percent of the total rental housing inventory. Existing rental units may be approved for conversion regardless of the vacancy factor if the March Joint Powers Commission determines that a new rental unit has or will be added to the March JPA Planning Area's housing inventory for each rental unit removed through conversion.

Section 9.08.050 Conversion of Residential Structures to Nonresidential Use

No structure originally designed as a residence (also including, but not limited to hotels and motels) or as an accessory structure or addition to such a residence, shall have its primary use converted to a commercial or office use unless the building and site are improved to meet all code requirements for change in occupancy. This includes, but is not limited to, building, fire, police and zoning requirements. The conversion of said residential structure to a nonresidential use shall be subject to major development review procedures.

Section 9.08.060 Development Density

The maximum allowable development density shall be as per regulations of the March JPA General Plan land use designation and zoning district within which a parcel is located. In determining the allowable number of dwelling units all remainders shall be rounded to the next lowest whole number. The transfer of unused allowable density within a certain General Plan designation or zoning district to a separate General Plan designation or zoning district is prohibited.

Section 9.08.070 Fences and Walls

A. Walls and Fences in Residential Districts

1. In Required Front Yards of Residential Districts

- a. A solid fence or wall located outside of vehicle lines-of-sight street intersections shall not exceed three feet in height and an open fence or wall shall not exceed five feet in height. Height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall. A fence or wall shall be considered open if at least 75% of that portion which is greater than 3 feet in height consists of openings that allow visibility and the passage of light and air.
- b. Any wall or fence within vehicle lines-of-sight at a street intersection shall not exceed 3 feet in height as measured from the road grade nearest the property line. A fence or wall is within a "vehicle line-of-sight" when located within the limited use area as described in the March JPA Landscape Development Guidelines and Specifications.

2. In Required Side and Rear Yards of Residential Districts

A wall or fence along any interior side yard, rear yard or street side yard shall not exceed six (6) feet in height as measured from the finished grade. The height of a wall or fence constructed on top of a retaining wall shall be measured from the finished grade on the side of the wall or fence that is higher in elevation, except that the height of such a wall or fence located along the rear of a double frontage lot or street side yard shall be measured from the finished grade on the street side of the wall or fence.

B. Walls and Fences: Commercial, Office and Industrial Districts

1. In any required front or street side building setback area, a wall or fence shall not exceed three feet in height as measured from the road grade nearest the property line.
2. Walls for the purpose of visual screening and sound attenuation shall be required between commercial or industrial activities and any adjacent residential use or residentially zoned property, or where more sensitive adjacent land uses exist. The height, placement and design of such walls shall be considered on a site-specific basis considering the need for sound attenuation or visual screening.
3. Unless otherwise required pursuant to B.2. above, walls and fences in any required rear or interior side setback area shall not exceed six feet in height.

Section 9.08.080 Grading

Whenever a development approval is given for a project which will require grading or other preparation of the soil, the March Joint Powers Commission may impose conditions on the approval of the development relating to grading. Such conditions shall be considered in issuance of any future grading permit and shall be complied with in addition to the other provisions of the March JPA Building and Construction Code. Such conditions may include, but shall not be limited to, the following:

1. A requirement that lots slope toward rather than away from the street;
2. A requirement for an erosion control plan, prepared by a registered civil engineer and submitted to and approved by the March Joint Powers Commission prior to grading plan approval. The plan shall address methods of control (such as desilting basins, check dams, sandbagging), and interim storm

drain construction, if necessary;

3. A requirement for dust control measures;
4. Requirements for slope landscaping and irrigation;
5. Requirements to design cut slopes to minimize scaring of the land by terracing, reducing slope gradients, adding topsoil, building retaining walls, special slope planting or other means.
6. Limitations on the quantity of soil import and export;
7. Designation of the streets over which trucks or equipment may travel;
8. A limitation on hours of operation; and
9. Such other conditions deemed necessary to protect the public health, safety or welfare while still providing for orderly development of the property in accordance with the provisions of the project approval.

Section 9.08.090 Hazardous Materials Management

A. Purpose and Intent

The purpose of this Section is to provide local regulations which are complementary to and not inconsistent with applicable federal, state and county regulations related to hazardous materials and waste. Such local regulations are necessary to protect life and property from the potential short-term and long-term deleterious effects of the necessary transportation, use, storage, treatment and disposal of hazardous materials and waste within the March JPA Planning Area.

B. Hazardous Materials Management Requirements

1. Commercial and industrial concerns which receive, utilize, store, transport, or dispose of hazardous waste and restricted use pesticides in quantities exceeding 500 lbs. at any one time, shall have access to sewer and freeways, and shall keep such materials at least 2,000 feet from the nearest area planned for residential use or as otherwise specified in the March JPA General Plan.
2. Commercial and industrial concerns which propose to locate within the March JPA Planning Area shall provide the Fire Department with a list of all hazardous materials to be used at the site, a description of where and how each is stored, and how each react in a fire.
3. Placards or other appropriate signage indicating hazardous materials or wastes are being stored shall be placed on all buildings which have hazardous materials or wastes stored.
4. The discharge of hazardous wastes into the air, land, or into water resources within March JPA Planning Area boundaries is prohibited.
5. Commercial and industrial concerns which create, utilize, store or treat hazardous materials or waste, shall prepare a hazardous materials and waste management plan which provides for the use of the

best available technology within the production process. The plan shall be subject to approval by the March JPA Planning Director, and review by the Police Department and shall outline source reduction, treatment, handling, transportation, disposal, emergency response and employee training methods.

6. Uses which create, utilize, store, or treat hazardous waste, shall implement the best available technology for on-site pre-treatment and reduction of hazardous wastes, whenever feasible.

Section 9.08.100 **Lighting**

1. All outdoor lighting associated with nonresidential uses shall be shielded and directed away from surrounding residential uses. Such lighting shall not exceed 0.5 foot-candles, minimum maintained of illumination beyond the property containing the nonresidential use, and shall not blink, flash, oscillate or be of unusually high intensity or brightness.
2. All parking areas of five or more spaces shall have a minimum maintained lighting of 1 foot-candle illumination per square foot of parking area for visibility and security during hours of darkness generally distributed over the entire parking surface. Wiring shall be underground unless existing overhead lines can serve the need without any additional overhead lines. Each parking area of five or more spaces existing prior to the effective date of this Section which is enlarged, constructed, altered, or changed from its previous configuration shall be subject to these illumination requirements.
3. Use of the following forms of outdoor lighting shall be prohibited between midnight and dawn:
 - a. The operation of searchlights for advertising purposes; and
 - b. The illumination of outdoor public recreational facilities, unless a specific recreational activity requiring the lighting is already in progress. Security lighting shall be provided.
4. Overhead roof lighting is prohibited.
5. Outdoor lighting within residential areas, except for street lighting, shall be on poles or other supports not exceeding 12 feet in height. Such lighting shall be designed to project downward and shall not create glare on adjacent properties.
6. All exterior commercial doors during the hours of darkness shall be illuminated with one (1) foot-candle, minimum maintained of light on the surface.
7. Aisles, passageways, and recesses related to and within a building complex, during the hours of darkness, shall be illuminated to fifty one hundredth (0.5) foot-candles, minimum maintained, on the surface.
8. All lighting shall be enclosed in vandal resistant fixtures.

Section 9.08.110 **Manufactured Home Requirements**

A. General Provisions

Individual manufactured homes may be permitted on individual lots in the HR, RR, R1, RA2, R2, R3 and R5 Districts, subject to the following requirements.

1. The structure is placed on a permanent foundation in compliance with all applicable building regulations.
2. The structure is certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 and was constructed not more than 10 years prior to request to install. Documentation indicating certification and construction date must be submitted to the Community and Economic Development Department in order to secure valid building permit(s).
3. The March JPA Planning Director shall determine if placement of the manufactured home is compatible with the immediate area and meets the development standards of the underlying district. Installations shall be subject to the minor development review process (Section 9.02.030 A) and the following design criteria:
 - a. The design of the structure shall be similar in character and appearance to other dwellings in the area with regard to unit size, roof overhangs, roof materials, roof pitch, and exterior materials;
 - b. All building setbacks, parking, coverage, height, width and sign requirements of the base district shall apply;
 - c. A roof constructed of asphalt composition, shingle, tile, crushed rock, or similar roofing material (except metal) which is compatible with surrounding development;
 - d. Exterior siding of brick, wood, stucco, plaster, concrete, or other material which is finished in a non-glossy and non-reflective manner and which is compatible with surrounding development;
 - e. A predominant shape and form that is compatible with the surrounding neighborhood; and
 - f. If an enclosed garage is required within the zoning district in which the dwelling unit is to be located, the design and materials of the garage shall be compatible with the main dwelling.

Section 9.08.120 Permitted Outdoor Uses

Subject to applicable March Joint Powers Commission approvals, the following uses, if identified as a permitted use in the district in which they are to be located, may be permitted as an accessory to a use within an enclosed building provided they are entirely on private property:

1. Drive-in and drive-through restaurants. (See Section 9.09.080)
2. Patio tables, chairs, umbrellas, and similar outdoor accessories used in connection with a restaurant business which do not impede pedestrian or vehicular circulation. (See Section 9.09.180)
3. Vending machines, including weighing scales, when accessory to a business conducted within a building.

4. Border materials, flower pots, trellises and the like, provided they are accessory to a retail plant nursery.
5. Automobile sales, leasing, and rental display and storage lots. (See Section 9.09.060)
6. Outdoor merchandise sales with a temporary use permit. (See Section 9.02.150)
7. Recycling facilities. (See Section 9.09.110)
8. Outdoor display of merchandise incidental to the business legally operated on-site may be allowed within areas designated and approved pursuant to the provisions of this Code. Said outdoor display areas shall be uncovered and unfenced. Said outdoor display shall be prohibited in the following locations: landscape areas, unimproved surfaces, minimum required pedestrian walkways, vehicular access ways, public rights-of-way, parking areas and loading areas.
9. Junk or scrap merchandise, used auto parts, or inoperative tools, appliances and vehicles shall be screened from public view.
10. Uses that are substantially similar in character and intensity as the uses listed in this Section as determined by the March JPA Planning Director.

Section 9.08.130 Reservation of Lands for Public Facilities

1. Pursuant to Government Code Sections 66479-66481, the March Joint Powers Commission may require that areas of real property within a subdivision be reserved for parks and recreation facilities, fire stations, libraries, or other public uses subject to the following:
 - a. The proposed use of the reserved land is in accordance with General Plan policies and standards, any adopted specific plan, and all other provisions of this Code;
 - b. The reserved area is of a size and shape that does not preclude orderly and efficient development of the remainder of the property; and
 - c. The reservation will not make development of the remaining land economically infeasible.
2. The provisions of this Section shall not apply to subdivision proposals which have been filed and accepted by the March Joint Powers Commission prior to or within 30 days after the effective date of this Code.
3. The March Joint Powers Commission shall, at the time of approval of the subdivision final map or parcel map, enter into a binding agreement to acquire such reserved area within two years after the completion and acceptance of all improvements, unless such period of time is extended by mutual agreement. The purchase price shall be the market value at the time of the filing of the subdivision request plus the taxes against such reserved area from the date of the reservation and any other costs incurred by the subdivider or developer in the maintenance of such reserved area, including interest costs incurred on any loan covering such reserved area. If the March Joint Powers Commission fails to enter such a binding agreement the requirement of reservation shall automatically terminate.

4. Reservation of lands for park and recreation purposes shall be in accordance with Section 9.14.100 Q.

Section 9.08.140 Relocated Buildings

Structures may be relocated pursuant to the following requirements:

1. Upon relocation of a structure, the parcel, including the relocated structure, shall comply with all regulations of this Code including all development standards, regulations, and restrictions for the use of the district in which the structure is to be relocated, including but not limited to, building height, setback, parcel coverage, and unit density requirements;
2. Construction on a structure to be relocated shall commence within 30 days and shall be completed within 365 days of the date the structure is moved onto the relocation site;
3. Prior to issuance of a building permit, a “Notice of Intent to Relocate”, approved as to form by the March JPA Executive Director, shall be posted for a period of at least one week on the property proposed to contain the relocated structure; and
4. Conditions and requirements of all other March JPA ordinances and regulations shall be complied with; the provisions of this Section are not intended to repeal any other ordinances relating to this subject; to the extent that the provisions of this Section are inconsistent with any existing ordinances, the provisions of this Section shall prevail unless otherwise required by state law.

Section 9.08.150 Screening Requirements**A. Screening of Commercial and Industrial Uses**

Wherever any building or structure is erected or enlarged on any property which is zoned for commercial or industrial purposes, and which abuts a residentially zoned parcel, appropriate screening shall be erected and maintained along the property line abutting the residential zone.

1. The screening between commercial or industrial areas and adjacent residential districts shall consist of a decorative masonry wall sufficient for sound attenuation with a minimum height of six feet as measured from the commercial or industrial side of the wall at the property. If the wall is greater or less than six feet in height on the residential side, the approval authority may require that landscaping be provided on the residential side of the wall as necessary. Decorative walls composed of block, brick, stone, stucco-treated masonry, or concrete panels are acceptable. Alternative materials may be approved by the March JPA Planning Director provided that the materials are decorative and comparable to masonry walls or concrete panels in durability and ability to attenuate light and sound.
2. In addition to the required wall, landscaping shall be provided on the commercial or industrial side of the wall to provide visual relief. The landscaping shall be designed so that, at maturity, intermittent visual obstruction is provided to a height of 20 feet, with no unobstructed openings greater than 5 feet in horizontal distance.

B. Screening of Storage Areas

Where permitted, all outdoor storage of materials, wares, crates, bottles, or similar items necessary to, or part of, a permitted use within an industrial, commercial, or special district shall be screened from view on at least three sides by a solid opaque impact-resistant wall not less than six (6) feet in height, and on the fourth side by a solid opaque impact-resistant gate not less than five (5) feet in height. Alternate materials or designs may be approved by the March JPA Planning Director.

C. Screening of Refuse Storage Areas

1. Outdoor trash receptacles for multiple-family and nonresidential uses shall be provided on the premises. The receptacles shall be of sufficient size to accommodate the trash generated by the uses. All outdoor storage of trash, garbage, refuse and other items or material intended for discarding or collection shall be screened from public view within a trash enclosure, except as provided under Section 9.08.150-C(2). The trash enclosure shall be constructed with solid decorative masonry walls not less than six (6) feet in height and a solid gate. The gate including its hinges shall be maintained in working order and remain closed except when in use. Alternative materials and designs may be approved by the March JPA Planning Director. See Figure 9.08.150-3 and Sections 9.08.030 B.7 and 9.08.070 for location requirements.
2. Trash enclosures may be phased for quasi-public uses containing assembly areas provided that the trash receptacles are screened from public view and the maximum occupancy of the assembly area(s) does not exceed 250 persons. Trash enclosure locations, however, shall be shown on the final site plans in accordance with March JPA standards.

TRASH ENCLOSURE STANDARDS**Figure 9.08.150-3**

ADA Compliant Trash Enclosures Adopted by Separate Resolution

Section 9.08.160 Seismic Hazards**A. Investigation Required**

In accordance with provisions of the Alquist-Priolo Special Studies Zone Act (Division 2, Chapter 7.5 of the Public Resource Code) and the Public Health and Safety Element of the March JPA General Plan, a geologic investigation shall be required for any development proposal involving structures for human occupancy within the special study zone for the San Jacinto Fault, as identified on the special studies zone maps prepared by the State of California Department of Conservation, or the Casa Loma Fault, as identified on the seismic zone map in the March JPA General Plan. A “structure for human occupancy” is any structure used or intended for supporting or sheltering any use or occupancy which is expected to have a human occupancy rate of more than 2,000 person-hours per year.

B. Exemptions

Exemptions from the provisions of this Section may be granted under the following circumstances:

1. The proposal involves single-family wood frame dwellings on parcels of land for which a geologic investigation has been previously prepared and approved.
2. The proposal involves a single-family wood frame dwelling not exceeding two stories when such dwelling is not part of a development of four or more dwellings. A mobile home whose body width exceeds eight feet shall be considered to be a single-family wood frame dwelling not exceeding two stories.
3. The proposal is limited to addition or alteration to a structure which does not exceed 50 percent of the value of the structure prior to the proposed addition or alteration.
4. A waiver is granted based upon a determination that there is no undue hazard of significant rupture. Waivers for proposals within the San Jacinto Fault Zone must be submitted to and approved by the State Geologist. Waivers for proposals within the Casa Loma Fault Zone must be approved by the March JPA Executive Director.

C. Requirements for Critical Facilities

Active faults may exist outside of identified hazard zones and, as such, geologic investigations shall be required in all instances for the following critical uses:

- a. Those uses which manufacture, handle, or store hazardous or explosive materials;

- b. Hospitals and other emergency medical facilities;
- c. Police, fire and communications systems;
- d. Emergency operations centers (EOC's);
- e. Ambulance services;
- f. Occupancy capacity for schools and other public assembly uses shall be the cumulative total of all buildings and facilities which are part of, or related to, the primary use, e.g. a school auditorium, cafeteria, classrooms, and the like which shall be added together to calculate occupancy capacity for a proposed school site;
- g. Power plants;
- h. Utility substations;
- i. Dams;
- j. Sewage treatment plants; and
- k. Water works.

D. Geologic Investigation**1. General**

Geologic investigations shall be prepared by a geologist registered in the State of California and shall be reviewed for acceptance by a geologist registered in the State of California who is either an employee or under contract to the March JPA. Copies of all geologic investigations shall be kept on file in the office of the March JPA. Further, all investigations involving proposals within the San Jacinto Fault Special Studies Zone shall be filed with the State Geologist within thirty days following acceptance.

2. Contents

Geologic investigations shall consider ground shaking as the greatest potential risk and include a thorough evaluation of potential hazards based upon soils types, slope stability, proximity to fault lines and expected magnitude. The following subjects should be addressed, or at least considered, in any geologic report on faults. Where appropriate, some of the investigative methods listed below should be carried out well beyond the site being investigated. However, it is not expected that all of the methods identified would be used in a single investigation.

3. The text of the geologic report shall include:

- a. Purpose and scope of investigation;
- b. Geologic setting;

- c. Site description and conditions. Include information on geologic units, graded and filled area, vegetation, existing structures, and other factors that may affect the choice of investigative methods and the interpretation of data.
- d. Methods of investigation
 - (1) Review of published and unpublished literature and records concerning geologic units, faults, groundwater barriers, and other factors.
 - (2) Stereoscopic interpretation of aerial photographs and other remotely sensed images to detect fault-related topography, vegetation and soil contrasts, and other lineaments of possible fault origin.
 - (3) Surface observation, including mapping of geologic and soil units and structures, geomorphic features, springs, deformation of manmade structures due to fault creep, both on and beyond the site.

4. Subsurface investigation.

Subsurface investigation shall include the following:

- a. Trenching and other extensive excavations to permit detailed and direct observation of continuously exposed geologic units and features that must be carefully logged;
- b. Borings and test pits to permit collection of data on geologic units and ground water at specific locations. Data points must be sufficient in number and adequately spaced to permit valid correlations and interpretations.

5. Geophysical investigations.

Geophysical investigations are indirect methods that require knowledge of specific geologic conditions for reliable interpretations. They should seldom, if ever, be employed alone without knowledge of the geology. Geophysical methods alone never prove the absence of a fault nor do they identify the recency of activity. The types of equipment and techniques used should be described, which include the following:

- a. Seismic refraction;
 - b. Magnetic intensity; and
 - c. Other (e.g. electrical resistivity, seismic reflection, ground-penetrating radar, gravity).
6. Other methods should be included when special conditions permit, or requirements for critical structures demand, a more intensive investigation. These methods may include, among possible others:
- a. Aerial reconnaissance overflights;
 - b. Geodetic and strain measurements, micro seismicity monitoring, or other monitoring techniques; and

- c. Radiometric analysis (^{14}C , K-Ar), stratigraphic correlation (fossils, mineralogy), soil profile development, paleomagnetism (magneto stratigraphy), or other age-dating techniques to identify the age of faulted or unfaulted units or surfaces.

7. Conclusions

The geologic report shall contain appropriate conclusions including, at a minimum, the following:

- a. Location and existence (or absence) of hazardous faults on or adjacent to the site;
- b. Type of faults and nature of anticipated offset, including sense and magnitude of displacement, if possible;
- c. Probability of or relative potential for future surface displacement. The likelihood of future ground rupture seldom can be stated mathematically, but may be stated in semiquantitative terms such as low, moderate, or high, or in terms of slip rates determined for specific fault segments; and
- d. Degree of confidence in and limitations of data and conclusions.

8. Recommendations relating to the following shall be included in the geologic report:

- a. Set-back distances from hazardous faults, if appropriate. State and local law may dictate minimum standards;
- b. Need for additional studies;
- c. Risk evaluation relative to the proposed development - opinions are acceptable. But remember that the ultimate decision as to whether the risk is acceptable lies with the governing body.

9. The geologic report shall include references, illustrations, appendix and authentication described as follows:

a. References shall include:

- (1) Literature and records cited or reviewed, citations should be complete;
- (2) Aerial photographs or images interpreted, list type, date, scale, source, and index numbers; and
- (3) Other sources of information, including well records, personal communications, and other data sources.

b. Illustrations - these are essential to the understanding of the report and to reduce the length of text. They shall include:

- (1) Location map - identify site locality, significant faults, geographic features, regional geology, seismic epicenters, and other pertinent data; 1:24,000 scale is recommended;

- (2) Site development map - show site boundaries, existing and proposed structures, graded areas, streets, exploratory trenches, borings, geophysical traverses, and other data; recommended scale is 1 inch equals 200 feet, or larger;
 - (3) Geologic map - shows distribution of geologic units (if more than one), faults and other structures, geomorphic features, aerial photo lineaments, and springs; on topographic map 1:24,000 scale or larger; can be combined with III (A) or III (B);
 - (4) Geologic cross-sections, if needed to provide 3-dimensional picture;
 - (5) Logs of exploratory trenches, and borings - show details of observed features and conditions; should not be generalized or diagrammatic. Trench logs should show topographic profile and geologic structure at a 1:1 horizontal to vertical scale; and
 - (6) Geophysical data and geologic interpretations.
- c. Appendix: This includes supporting data not included above (e.g., water well data).
 - d. Authentication shall include: Signature and registration number of investigating geologist.

Section 9.08.170 Solar Energy Design

A. Purpose and Intent

These provisions are intended to incorporate, to the extent feasible, passive heating and cooling opportunities into the design or modification of residential, commercial, and industrial developments. They are further designed to ensure that solar energy systems in residential, commercial, and industrial areas conform in appearance to the surrounding neighborhood.

B. Design Requirements

1. Active Solar Design

Notwithstanding any provisions included in this Code related to screening roof-mounted equipment, the following standards shall apply to the design of all solar energy systems:

- a. Roof-mounted solar collectors shall be placed in the location least visible from a public right-of-way without reducing the operating efficiency of the collectors. Wall-mounted and ground-mounted solar collectors shall be screened from public view;
- b. When feasible, collectors shall be integrated into the design of the building. Structural support for the collectors shall be screened in a manner that is compatible with the design of the building;
- c. Appurtenant equipment, including plumbing and related fixtures, shall be installed in an attic or basement, where feasible;
- d. Large accessory fixtures which must be exposed (e.g., storage tanks) shall be screened to the extent possible through architectural features that harmonize with other design elements of the

- structure;
- e. Storage tanks shall not be located in any required front or side yard nor shall they be visible from any public right-of-way;
 - f. Exterior surfaces shall have a matte finish, and shall be color-coordinated to harmonize with roof materials or other dominant colors of the structure, or as approved by March JPA Planning Director; and
 - g. Deviations from the above standards may be considered subject to approval by the March Joint Powers Commission.
2. Passive Solar Design in accordance with Section 66473.1 of the Subdivision Map Act.
- a. The design of a subdivision for which a tentative map is required pursuant to Section 66426 of the Subdivision Map Act, or other residential, commercial, or industrial development for which a subdivision is not involved, shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the development. Examples of passive or natural heating opportunities include, but are not limited to:
 - (1) Design of lot size and configuration to permit orientation of structures in an east-west alignment for southern exposure; and
 - (2) Design of lot size and configuration to permit orientation of a structure to take advantage of shade or prevailing breezes.
 - b. In providing for future passive or natural heating or cooling opportunities in the design of a development, consideration shall be given to local climate, contour, configuration of the parcel to be developed, and to other design and improvement requirements. However, such considerations shall not result in reducing allowable densities or the applicable planning and zoning in force at the time the development proposal is filed.
 - c. The requirements of this Section do not apply to condominium projects involving subdivision of airspace in an existing building when no new structures are added.

Section 9.08.180 Storage

The following outdoor storage regulations shall apply in addition to other standards and requirements of the various districts established by this Code:

- 1. No sales, rentals, long-term storage, repair work, dismantling, or servicing of any motor vehicle, trailer, airplane, boat, loose rubbish, garbage, junk, or building materials shall be permitted in any required front setback or street side yard of any property. Repair or servicing of any motor vehicle may occur provided that the work continues for a period not to exceed 48 hours. Long-term storage shall mean storage for a period of 48 or more consecutive hours;
- 2. In any residential district, no portion of any vacant or undeveloped parcel, or a parcel where no main building exists, shall be used for long-term storage of the items listed above;

3. Building materials for use on the same parcel or building site may be stored on the parcel or building site during the time that a valid building permit is in effect.

Section 9.08.190 **Street Lighting**

1. Unless otherwise waived by the March JPA Executive Director for developments within the OS, HR, RR, and R1 districts, the provision of street lights shall be a requirement of all development proposals.
2. Prior to acceptance and approval of a final map a developer shall construct or enter into an agreement to construct a street lighting system of either:
 - a. A utility-owned ornamental system consisting of standard ornamental electroliers customarily furnished by the utility or other design approved by the utility and the March JPA Executive Director; or
 - b. A municipally-owned ornamental system consisting of reinforced concrete or steel standards with underground wiring or other design approved by the March JPA Executive Director.
3. If a utility-owned ornamental system is installed, the developer shall be liable for and shall pay all charges attributable to such installation.
4. If a municipally owned underground ornamental system is installed, the developer shall be liable for and shall pay all costs incurred in installing the entire system.
5. Installation of street lighting shall comply with the provision of Chapter 9.14 for underground utility installation and shall be in accordance with the specifications of and plans approved by the utility owned system and the March JPA Executive Director.

Section 9.08.200 **Street Improvements for Residential Lots**

1. Street Improvements

Any owner, lessee, or agent constructing, altering, or enlarging a building or dwelling or arranging for such construction, alteration, or enlargement, in association with any lawful residential land use shall provide for the street dedication and the improvements along all of the streets adjoining the parcel of land on which the building or dwelling is to be constructed, altered, or enlarged. Such improvements include, but are not limited to sidewalk, curb, gutter, street paving, street lights, parkway trees and appurtenances or appurtenant work, including relocations and reconstructions necessary to construct or install such improvements, unless existing improvements have previously been constructed and/or paid for by a property owner.

2. Deferral of Improvements

In any case where the improvements which would otherwise be required by this Section would not be contiguous with existing street improvements, the March JPA Executive Director may defer construction

of such improvements. However, in such a situation, an estimated cost for the street improvements shall be determined and a cash payment in such an amount, or other security (with any related necessary agreements) approved by the March JPA Executive Director and the March JPA Legal Counsel, shall be deposited with the March JPA. Monies so deposited shall be held in trust by the March JPA until such improvements are constructed, at which time the proceeds of the monies may be expended by the March JPA to construct such improvements for streets to which these monies or other monies required by this Code relate.

3. Exceptions:

- a. Such improvements shall not be required for any new accessory building(s) which does not exceed 1,000 square feet of floor area; nor for any alteration, enlargement, or addition which does not exceed 1,000 square feet of floor area.
- b. In areas not subdivided or parceled into one-half (2) acre or smaller lots, such improvements need not be installed for a greater distance than the minimum lot width required by the zoning regulations for the zone in which such area is located or the street frontage coinciding with the residential land use, or coinciding with the buildings, dwellings, accessory land uses, and the required yards, whichever is the greater.
- c. Such improvements shall not be required with or for the installation or construction of walls, fences, signs, or billboards.

4. Reimbursement Agreement Fee:

If a frontage improvement was constructed under or pursuant to a reimbursement agreement between the March JPA and another person along a street adjoining a lot or parcel of land on which a building, or other structure requiring a building permit is to be constructed, altered or enlarged, then:

- a. The applicant for the building permit shall pay to the March JPA, at the time the application is submitted, all sums necessary to pay the reimbursement agreement; and
- b. No building permit shall be issued until the sums required to be paid by this Section are paid.

Section 9.08.210 **Changes in Production Unit Sizes within Single Family Residential Tracts**

The following specific procedures and standards shall be applied to proposed changes in product sizes within single family residential tracts in which a previously approved product was constructed. If a product was approved and not built, this Section of the Code shall not apply. Evaluation of the proposed changes shall be by the March JPA Planning Director's review based upon the standards, criteria and findings for reviewing plot plans in accordance with the Minor Development Review process, except in the event that changes in product size 25% or greater increase or decrease, based on a weighted average, are proposed. If the change is 25% or greater, evaluation shall be by the March Joint Powers Commission based upon the standards, criteria and findings for reviewing plot plans in accordance with the Major Development Review process.

A. Compatibility

Proposed product changes shall incorporate the following criteria to provide continuity and integrity within the neighborhood:

1. All proposed homes shall have compatible architecture, materials, colors, roof lines, and frontage widths with built homes in the tract.
2. All proposed walls and fencing shall be compatible with existing fencing.

B. Transition Area

If a transition area is required, it shall consist of three (3) to five (5) homes and shall be established side to side and across the street from any built homes. This transition area may be adjusted to meet any immediate physical barrier such as a street, flood control channel, or open space area and shall address the following:

1. Proposed homes closest in design and size to the built homes shall be placed in the transition area.
2. Two-story homes shall be located side to side or across the street from existing two-story homes.
3. One-story homes shall be located side to side or across the street from existing one story homes.

C. Degree of Change of Product Size

The degree of change shall be determined from the percent difference between the weighted average square footage of the units built (total square footage of all built units divided by the number of units) and the weighted average square footage of the proposed units (total square footage of all proposed units divided by the number of units).

1. Product change 15% or less:
 - a. Must provide compatibility per Section A above.
 - b. Requires no notice to adjacent property owners.
2. Product change between 15% and 25%:
 - a. Must provide compatibility per Section A above.
 - b. Must provide a transition area per Section B above.
 - c. Notice of the proposed change and a ten day comment period from the date of mailing of the notices shall be sent to the property owners within the subject tract (or sub-tract, if applicable) and to any other property owners within 300 feet of any of the proposed homes.
3. Product change is 25% or greater.
 - a. Must provide compatibility per Section A above.
 - b. Must provide a transition area per Section B above.

- c. The proposal shall be subject to approval by the March Joint Powers Commission after a duly noticed public hearing.
- d. Notice of public hearing to review the proposed change shall be mailed to the property owners within the within the subject tract (or sub-tract, if applicable) and to any other property owners within 300 feet of any of the proposed homes.

Section 9.08.220 Improvement Security

Except as otherwise specified herein, when improvements are required as conditions of development, security arrangements shall be made in accordance with the provisions of Chapter 14. With respect to development projects that are not land divisions, when securing street or other improvements by a lien, letter of credit, passbook, certificate of deposit, or cash, the total amount of security shall be based on the total amount of the required improvements (generally considered the Faithful Performance Amount). In the case of a project developed in phases, the March JPA Executive Director is permitted to accept separate security arrangements for each phase of the project as approved by the decision-making body.

Section 9.08.230 Landscaping Requirements

Landscaping shall comply with the requirements as specified in Chapter 9.17 of this Code. Except where required for erosion control, buffering and/or screening from adjoining uses, landscaping for quasi-public uses may be deferred for a period of time not to exceed three (3) years, provided that security approved by the March JPA Executive Director is deposited with the March JPA. Such areas shall be maintained in a manner that provides for the control of weeds, erosion, and dust, until they are landscaped.

Section 9.08.240 Undergrounding of Utilities

Electrical and communication distribution utilities shall be placed underground as specified in Section 9.14.130.

Section 9.08.250 Water Efficient Landscape Regulations**A. Purpose and Intent**

The purpose and intent of this Section is to:

1. Establish provisions for water management practices and water waste prevention;
2. Establish a structure for planning, designing, installing, maintaining , and managing water efficient landscapes in new and rehabilitated projects;
3. To reduce the water demands from landscapes without a decline in landscape quality and quantity;
4. To retain flexibility and encourage creativity through appropriate design;

5. To assure the attainment of water efficient landscape goals by requiring that landscapes serviced by potable water not exceed a maximum water demand of fifty percent (50%) or 0.50 of its reference evapotranspiration (ET_o);
6. To assure the attainment of water efficient landscape goals by requiring that landscapes serviced entirely by recycled water not exceed a maximum water demand of seventy percent (70%) or 0.70 of its reference evapotranspiration (ET_o);
7. To eliminate water waste from overspray and/or runoff;
8. To achieve water conservation by raising public awareness of the need to conserve water through education and motivation to embrace an effective water demand management program;
9. To implement the requirements of the California Water Conservation in Landscaping Act 2006 and the California Code of Regulations Title 23, Division 2, Chapter 2.7;
10. To promote water conservation within new residential subdivision landscapes by prohibiting the use of natural turfgrass lawns within the front yards of new homes and promoting low water use plants and inert materials for a sustainable and marketable landscape design; and
11. To prohibit the new installation of natural turfgrass within medians and parkways within and along March JPA Public Right-of-Way.

B. Definitions

The terms used in this Section shall have the meaning set forth below:

“Backfilling” means to refill an excavation, usually with excavated material.

“Backflow Prevention Device” means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.

“Check Valve” or “Anti-Drain Valve” means a valve located under a sprinkler head or other location in the irrigation system to hold water in the system to prevent drainage from the sprinkler heads or other irrigation device when the system is off.

“Distribution Uniformity” or “DU” means the measure of the uniformity of irrigation water distributed over an area, typically expressed in a percentage and converted to decimal form for water use calculations.

“Emitter Tubing” or “Sub-Surface Emitter Dripline” means the application of irrigation water with a matched precipitation rate at low pressure through a system of tubing or lateral lines containing factory installed low volume drip emitters equally spaced to apply small volumes of water when installed per manufacturers’ recommendations at or near the root zone of plants. The DU of this

type of irrigation generally does not exceed eighty percent (80%) when plant spacing is random as each emitter is not dedicated to an individual plant but installed in a grid fashion. The DU of this type of irrigation generally does not exceed eighty-five percent (85%) when plant spacing is densely grouped in a triangular or rectangular spacing as each emitter is not dedicated to an individual plant but installed in a grid fashion.

“Established Landscape” means the point at which plants in the landscape have developed a significant root growth into the site. Typically, most plants are established after one (1) or two (2) years of growth.

“Estimated Annual Water Use” or “EAWU” means the estimated total water use per year as calculated by the formula contained in subsection D.2.m.(2).

“Functional Turf” means the turf areas to be publicly and privately accessible and dedicated as active play and recreation areas such as parks, sports fields, and golf courses; where turf provides a playing field or where turf is needed for high foot traffic activities.

“Hydrozone” means a portion of the landscaped area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.

“Invasive Species” are non-indigenous species (e.g., non-native plants or animals) that adversely affect the habitats they invade economically, environmentally, or ecologically. Lists of invasive species are included within the Western Riverside County Multiple Species Habitat Conservation Plan. Said lists are hereby incorporated by reference.

“Landscape Architect” means a person who holds a license or is registered to practice landscape architecture in the State of California.

“Landscaped Area” or “LA” means all of the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings, structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or impervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open space and existing native vegetation).

“Local Water Purveyor” means any entity, including a public agency or private water company that provides retail water service to customers within March JPA.

“Maximum Applied Water Allowance” or “MAWA” means the upper limit of annual applied water allowed for the established landscaped area as calculated by the formula contained in subsection D.2.m.(1).

“Mulch” means a layer of material applied to the surface of an area of soil on the ground to prevent excessive evaporation or erosion, to enrich the soil, inhibit/discourage weed growth, increase the rate of saturation, and reduce fluctuation in soil temperature. Mulch may be organic (e.g., bark, mulch, or wood chips) or inert (e.g., decomposed granite or gravel).

“Overhead Sprinkler Irrigation Systems” means systems that deliver water through the air (e.g., impulse sprinklers, spray heads, or rotors).

“Point Source Drip” or “Point to Point Drip” means the application type of irrigation water with a matched precipitation rate at low pressure through a system of tubing or lateral lines with a dedicated field-installed low volume emitter or emitters at each specific plant. The DU of this type of irrigation generally does not exceed ninety percent (90%).

“Potable Water” means water that must meet Federal and State safe drinking water standards and is safe for human consumption and contact.

“Reference Evapotranspiration” or “ET_o” means a standard measurement of environmental parameters which affect the water use of plants. ET_o is given in inches per day, month, or year. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowances so that regional differences in climate can be accommodated. Reference evapotranspiration numbers shall be taken from the most current Evapotranspiration Zones Map developed by the California Department of Water Resources. For geographic areas not covered by the Evapotranspiration Zones Map, data from nearby areas shall be used.

“Rehabilitated Landscapes” means any re-landscaping of a project that requires a discretionary permit.

“Special Landscape Area” means an area of the landscape dedicated to edible plants, and areas dedicated to active play such as parks, sports fields, golf courses, where turf provides a playing field or where turf is needed for high traffic activities. Cemeteries shall also be considered as special landscape areas. These areas shall be allowed 1.0 ET_o.

“Temporarily Irrigated” means irrigation for the purposes of establishing plants, or irrigation which will not continue after plant establishment. Temporary irrigation is for a period of six (6) months or less.

“Turf” or “Turfgrass” or “Lawn” means species of warm or cool season grasses that form a dense thick mat of roots. Mowing creates a dense even surface and increases the need for water regardless of season. Turf or turfgrass or lawn does not include artificial turf.

“Water-Intensive Landscaping” means a landscape with a WUCOLS IV plant factor of 0.61 or greater, and categorized as high or between high and moderate.

“WUCOLS” means the publication entitled “Water Use Classification of Landscape Species IV” by the California Department of Water Resources (DWR) Water Use Efficiency Program, California Center for Urban Horticulture (CCUH), University of California Davis, and University of California Cooperative Extension (2014 or most current WUCOLS version).

C. Applicability

1. The water-efficient landscape requirements contained in this Section shall be applicable to all rehabilitated landscapes associated with residential uses (including single family and multi-family projects) with a total landscape area equal to or greater than 2,500 square feet which require a discretionary permit and/or approval; and all new and rehabilitated landscapes associated with commercial or industrial uses which require a discretionary permit and/or approval.
2. In the event Covenants, Conditions, and Restrictions are required for any permit subject to this Section, a condition shall be incorporated into any project approval prohibiting the use of water-intensive landscaping and requiring the use of low water use landscaping pursuant to the provisions of this Section in connection with common area/open space landscaping. Additionally, such a condition shall require Covenants, Conditions, and Restrictions to incorporate provisions concerning landscape irrigation system management and maintenance. This Section shall not be construed as requiring landscaping of common areas or open space that is intended to remain natural. Covenants, Conditions, and Restrictions shall not prohibit use of low-water use plants or the replacement of turf with less water intensive plant species.
3. Recognizing the special landscape needs of cemeteries, new and rehabilitated landscapes within a cemetery are subject only to the provisions set forth in subsections E.1. and E.2. of this Section.
4. The following uses and/or projects are exempt from the provisions of this Section:
 - a. Registered local, state, or federal historical sites;
 - b. Ecological restoration projects that do not require a permanent irrigation system and have an establishment period of less than five (5) years;
 - c. Mined land reclamation projects that do not require a permanent irrigation system; and
 - d. Botanical gardens and arboretums open to the public.
5. If the local water purveyor has stricter requirements than called for in this Section, the project applicant is responsible for contacting the water purveyor to determine what the requirements are and for designing the plans to those requirements. The March JPA will work with the project applicant to implement the water purveyor requirements.

D. Landscape Documentation Requirements

An applicant proposing any new or rehabilitated landscape for a project subject to the requirements of subsection C of this Section shall prepare and submit a Construction Document Package to the Planning Director or his designee including the following: (A) all project information; (B) a planting plan; (C) an irrigation design plan; (D) a soil management plan; and (E) a grading design plan.

The “Attachment A: County of Riverside Guide to California Friendly Landscaping” (Landscaping Guide) as may be periodically amended by the Planning Director of Riverside County is hereby incorporated by reference to assist in designing, constructing, and maintaining a water efficient landscape and efficient irrigation system. A copy of the Landscaping Guide can be obtained at the Riverside County Planning Department’s website.

It is recommended that an applicant proposing any new or rehabilitated landscape that is designated for recycled water use consult with the appropriate local water purveyor early in the development review process to ensure that future recycled water facilities meet the projected demand and that the aforementioned plans when submitted comply with the applicable standards, approvals, and implementation requirements of this Section, the local water purveyor, and applicable maintenance entity.

Water systems for common open space areas shall use non-potable water if approved facilities are made available by the local water purveyor. Provisions for a non-potable water system shall be provided within the irrigation design plan. Water systems designed to utilize non-potable water shall be designed to meet all applicable standards of the appropriate Regional Water Quality Control Board and the Riverside County Health Department.

1. Project Information Located on Cover Sheet:

- a. Date;
- b. Name of applicant and contact information;
- c. Name of project owner and contact information;
- d. Project address including parcel and lot numbers;
- e. Total landscape area in square feet;
- f. Project type (e.g., new or rehabilitated; residential, commercial, or industrial);
- g. Water Supply (e.g., potable, well, or recycled (use of recycled water is encouraged));
- h. Applicant’s signature and date with statement, “I agree to comply with the requirements of Ordinance #JPA 09-05 and submit a complete Landscape Documentation Package.”
- i. Landscape Architect’s information, stamp, and signature; and
- j. Status of plans (e.g., plan check set, bid set, or construction set).

2. Planting Plan Requirements:

- a. New natural turfgrass lawns are effectively prohibited within the front yard for any new residential subdivisions. New natural turfgrass within medians and parkways within and along March JPA public right-of-way are effectively prohibited.
- b. Plant types shall be grouped together in regards to their water, soil, sun, and shade requirements and in relationship to the buildings. Plants with different water needs shall be irrigated separately. Plants with the following classifications shall be grouped accordingly: high and moderate, moderate and low, low and very low. Deviation from these groupings shall not be permitted.
- c. Trees for shade shall be provided for residential, commercial, and industrial buildings, parking lots, and open space areas. These trees can be deciduous or evergreen and are to be incorporated to provide natural cooling opportunities for the purpose of energy and water conservation.
- d. Plants shall be placed in a manner considerate of solar orientation to maximize summer shade and winter solar gain.
- e. Plant selection for projects in high fire hazard areas shall address fire safety and prevention. A defensible space or zone around a building or structure is required pursuant to Public Resources Code section 4291. Fire-prone plant materials and highly flammable mulches shall be avoided.
- f. Invasive species of plants shall be avoided especially near parks, buffers, greenbelts, water bodies, conservation areas/reserves and other open space areas because of their potential to cause harm to environmentally sensitive areas.
- g. All exposed surfaces of non-turf areas within the developed landscape area shall be mulched with a minimum three inch (3") layer of material, except in areas with groundcover planted from flats where mulch depth shall be one and one half inches (1 ½").
- h. Mulching products used on slopes shall aid in slope stability.
- i. Turf areas shall be used in response to functional needs as defined and in compliance with the water budget.
- j. Decorative water features shall use re-circulating water systems.
- k. Where available, recycled water shall be used as the source for irrigation and decorative water features.
- l. Planting plans shall identify and site the following:
 - (1) New and existing trees, shrubs, ground covers, and turf areas within the proposed landscaped area;

- (2) A planting legend indicating all plant species by botanical name and common name, spacing, and quantities of each type of plant by container size;
 - (3) Designation of hydrozones;
 - (4) Area, in square feet, devoted to landscaping and a breakdown of the total area by landscape hydrozones;
 - (5) Property lines, streets, and street names;
 - (6) Building locations, driveways, sidewalks, retaining walls, and other hardscape features;
 - (7) Appropriate scale and north arrow;
 - (8) Any special landscape areas;
 - (9) Type of mulch and application depth;
 - (10) Type and surface area of water features;
 - (11) Type and installation details of any applicable stormwater best management practices; and
 - (12) Planting specifications and details, including the recommendations from the soil analysis, if applicable.
- m. Planting plans shall be prepared and have accurate and complete water budget calculations using one MAWA for the entire project and one EAWU formula for each hydrozone:

- (1) Maximum Applied Water Allowance (MAWA):

Planting Plans shall be prepared using the following Water Budget: Formula for projects serviced by potable water sources and required not to exceed 50% or 0.50 ETo:

$$\text{MAWA (in gallons)} = (\text{ETo})(0.62)[0.5 \times \text{LA} + 0.5 \times \text{SLA}]$$

Formula for projects serviced entirely by recycled water sources and required not to exceed 70% or 0.70 ETo:

$$\text{MAWA (in gallons)} = (\text{ETo})(0.62)[0.7 \times \text{LA} + 0.3 \times \text{SLA}]$$

Where:

ETo is reference evapotranspiration, local to the project

SLA is the amount of special landscape area in square feet

LA is total landscape area (including the SLA) in square feet; and

For the purposes of determining the MAWA, average irrigation efficiency is assumed to be 0.71. Irrigation systems shall be designed, maintained, and managed to meet or exceed an average irrigation efficiency of 0.71.

(2) Estimated Annual Water Use (EAWU):

EAWU for a given hydrozone is calculated as follows:

$$\text{EAWU (in gallons)} = (\text{ETo})(0.62)[((\text{PF} \times \text{HA})/\text{IE}) + \text{SLA}]$$

Where:

ETo is reference evapotranspiration

PF is Plant Factor

HA is hydrozone area in square feet

IE is irrigation efficiency (minimum 0.71)

SLA is the amount of special landscape area in square feet;

- (3) Landscaping plans shall provide EAWU (in the same units as the MAWA) for the sum of all valve circuits in the irrigation hydrozone. The sum of all EAWU hydrozone calculations shall not exceed the MAWA for the project.
 - (4) The plant factor used shall be from WUCOLS. The plant factor for low water use plants range from 0.4 to 0.6 0- 0.39 for low water use plants and 0.4 to 0.6 for moderate water use plants, and for high water use plants range from 0.61 to 1.0.
 - (5) The plant factor calculation is based on the proportions of the respective plant water uses and their plant factor, or the factor of the higher water using plant used.
 - (6) The surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculation and temporarily irrigated areas in the low water use hydrozone.
 - (7) Landscape Concept Plans not for construction shall be required to provide a complete and accurate MAWA calculation only.
- n. Planting Plans and Irrigation Design Plans (subsection D.3.) shall be drawn at the same size and scale.
 - o. The Planting Plan and Irrigation Design Plans (subsection D.3.) including Landscape Concept Plans shall be prepared by a Landscape Architect Licensed or Registered by the State.

3. Irrigation Design Plan Requirements:

- a. New natural turfgrass lawns are effectively prohibited within the front yard for any new residential subdivisions. New natural turfgrass within medians and parkways within and along March JPA public right-of-way is effectively prohibited.
- b. Irrigation Systems shall be designed, maintained, and managed to meet or exceed an average irrigation efficiency of 0.71.
- c. All irrigation systems shall be designed to prevent runoff, over-spray, low head drainage, and other similar conditions where water flows off-site on to adjacent property, non-irrigated areas, walks, roadways, or structures. Irrigation systems shall be designed, constructed, managed, and maintained to achieve as high an overall efficiency as possible. The irrigation system shall be designed to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.
- d. Landscaped areas shall be provided with a smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to real time weather conditions unless the use of the property would otherwise prohibit use of a timer. The planting areas shall be grouped in relation to moisture control zones based on similarity of water requirements (e.g., turf separate from shrub and groundcover, full sun exposure areas separate from shade areas, from top of slope). Additional water conservation technology may be required, where necessary, at the discretion of the Planning Director or his/her designee.
- e. Water systems for common open space areas shall use non-potable water, if approved facilities are made available by the water purveyor. Provisions for the conversion to a non-potable water system shall be provided within the landscape plan. Water systems designed to utilize non-potable water shall be designed to meet all applicable standards of the California Regional Water Quality Control Board and the Riverside County Health Department.
- f. Separate valves shall be provided for separate water use planting areas, so that plants with similar water needs are irrigated by the same irrigation valve. Trees should be placed on separate irrigation valves from other plants (hydrozoned) with either bubblers or drip emitters. All installations shall rely on highly efficient state of the art irrigation systems to eliminate runoff and maximize irrigation efficiency as required by the Landscaping Guide.
- g. Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at the installation.
- h. The capacity of the irrigation system shall not exceed:

- (1) The capacity required for peak water demand based on water budget calculations within the required water window;
 - (2) Meter capacity;
 - (3) Backflow preventer type and device capacity; or
 - (4) A velocity of five (5) feet per second for polyvinyl chloride (PVC) materials and seven (7) feet per second for copper and brass materials.
- i. Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer.
- j. Within inert mulched planting areas, the use of point source drip irrigation is required to maximize water infiltration into the root zone. In three inch (3") organic mulched planting areas where slopes are less steep than 4:1, the use of Emitter Tubing irrigation or point source drip irrigation is required to maximize water infiltration into the root zone. Low water use plants that require overhead spray may be exempted from this requirement but shall be grouped, spaced, and hydrozoned independently on overhead spray. In three inch (3") organic mulched planting areas where slopes are steeper than 4:1, the use of low volume irrigation or point source drip irrigation is required to maximize water infiltration into the root zone. Drip irrigation shall be installed under the mulch. If grading conditions require increased stability not obtainable through low volume drip methods then overhead irrigation will be permitted with proper justification at the discretion of the Planning Director.
- k. Slopes greater than or equal to 4:1 shall not be irrigated with an irrigation system with a precipitation rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the landscape documentation required to be submitted pursuant to this Section, and if there is a clear demonstration that no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.
- l. Long-narrow, or irregularly shaped landscaped areas including functional turf areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or low-volume irrigation technology.
- m. Overhead irrigation shall not be permitted within twenty-four (24) inches of any non-permeable surface including DG walking trails or paths. There are no restrictions on the irrigation system type if the landscape area is adjacent to permeable surfacing or if no overspray and runoff occurs.
- n. For the purpose of design, overhead irrigation shall be limited to the hours of 9:00 p.m. to 6:00 a.m. (9 hour water window) and no more than six (6) days a week.
- o. All irrigation systems shall be equipped with the following:

- (1) A smart irrigation controller as defined in subsection D.3.d. of this Section;
 - (2) A rain sensing device to prevent irrigation during rainy weather;
 - (3) Anti-drain check valves installed at strategic points to minimize or prevent low-head drainage;
 - (4) A manual shut-off valve shall be required as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency or routine repair;
 - (5) A mainline pressure regulator when the static water pressure is fifteen percent (15%) above the recommended operating pressure of the irrigation system;
 - (6) Pressure regulation within each valve circuit to establish optimal operating pressure per manufacturers' recommendations;
 - (7) Backflow prevention devices within lockable cage or enclosure or other anchoring device to prevent theft; and
 - (8) Risers shall not be used in high traffic areas.
- p. Dedicated landscape meters shall be required for all projects greater than two thousand five hundred (2,500) square feet except single-family residences.
- q. Irrigation design plans shall identify and site the following:
- (1) Hydrozones;
 - (i) Each hydrozone shall be designated by number, letter or other designation;
 - (ii) A hydrozone information table shall be prepared for each hydrozone;
 - (iii) Each hydrozone shall be identified by a low, medium, or high priority designation in the event of a drought or water budgeting event as determined by the local water purveyor.
 - (2) The areas irrigated by each valve;
 - (3) Irrigation point of connection (POC) to the water system;
 - (4) Static water pressure at POC;
 - (5) Location and size of water meter(s), service laterals, and backflow preventers;
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- (6) Location, size, and type of all components of the irrigation system, including automatic controllers, main and lateral lines, valves, sprinkler heads and nozzles, pressure regulator, drip and low volume irrigation equipment;
 - (7) Total flow rate (gallons per minute), and design operating pressure (psi) for each overhead spray and bubbler circuit, and total flow rate (gallons per hour) and psi for each drip and low volume irrigation circuit;
 - (8) Precipitation rate (inches per hours) for each irrigation circuit;
 - (9) Irrigation legend with the manufacturer name, model number, general description for all specified equipment, separate symbols for all irrigation equipment with different spray patterns, spray radius, and precipitation rate;
 - (10) Irrigation system details and specifications for assembly and installation; and
 - (11) Recommended irrigation schedule for each month, including number of irrigation days per week, number of start times (cycles) per day, minutes of run time per cycle, and estimated amount of applied irrigation water, expressed in gallons per month and gallons per year, for the established landscape.
- r. For each valve, two irrigation schedules shall be prepared, one for the initial establishment period of six (6) months and one for the established landscape, which incorporate the specific water needs of the plants and functional turf throughout the calendar year.
 - s. The Planting Plans (subsection D.2.) and Irrigation Design Plans shall be drawn at the same size and scale.
 - t. The Planting Plans (subsection D.2.) and Irrigation Design Plans including Landscape Concept Plans shall be prepared by a Landscape Architect Licensed or Registered by the State.
4. Soil Management Plan Requirements:
- a. After mass grading, the project applicant shall:
 - (1) Perform a preliminary site inspection;
 - (2) Determine the appropriate level of soil sampling and sampling method needed to obtain representative soil sample(s), typically one (1) test per every twenty-five thousand (25,000) square feet of landscaped area;
 - (3) Conduct a soil probe test to determine if the soil in the landscape area has sufficient depth to support the intended plants; and

- (4) Obtain appropriate soil sample(s).
 - b. The project applicant shall submit soil sample(s) to a laboratory for analysis and recommendation. The soil analysis and recommendation may include:
 - (1) Soil texture;
 - (2) Infiltration rate determined by laboratory test or soil texture infiltration rate tables;
 - (3) pH;
 - (4) Total soluble salts;
 - (5) Sodium; and
 - (6) Soil analysis recommendations.
 - c. The project applicant shall prepare documentation describing the following:
 - (1) Soil type;
 - (2) Identification of limiting soil characteristics;
 - (3) Identification of planned soil management actions to remediate limiting soil characteristics; and
 - (4) Submit the soil analysis report and documentation verifying implementation of soil analysis report recommendations to the Planning Director or his/her designee pursuant to the requirements of subsection F.3.
5. Grading Design Plan Requirements:
- a. The landscape documentation submitted shall include rough/precise grade elevations prepared for the project by a licensed civil engineer.

E. Landscape Irrigation and Maintenance

This subsection shall apply to all projects subject to the provisions of this Section as set forth in subsection C.

- 1. Two irrigation schedules shall be prepared, one for the initial establishment period of six (6) months and one for the established landscape, which incorporate the specific water needs of the plants and turf throughout the calendar year. The irrigation schedule shall take into account the particular characteristics of the soil; shall be continuously available on site to those responsible for the landscape maintenance; and shall contain specifics as to optimum

run time and frequency of watering, and irrigation hours per day. The schedule currently in effect shall be posted at the controller.

2. A regular maintenance schedule and Certificate of Completion shall be submitted to the Planning Director or his/her designee, property owner, and water purveyor. A regular maintenance schedule shall include, but not be limited to, routine inspection, adjustments, and repair of irrigation system and its components; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; weeding in all landscape areas and removing any obstruction to irrigation devices. Repair of all irrigation equipment shall be done with the original equipment manufacturers installed components or equivalent/improved quality components.
3. All model homes that are landscaped shall use signs and written information to demonstrate the principles of water efficient landscapes described in this Section.
4. Information shall be provided to owners of new, single family residential homes regarding the design, installation, management, and maintenance of water efficient landscapes.

F. Compliance/Plan Submittal Process

Prior to issuance of a building permit for the project, the project applicant shall:

1. Submit all landscape documents for review and approval by the Planning Director or his/her designee. The Planting Plan, Irrigation Design Plan, Soil Management Plan, and Grading Design Plan shall be reviewed by a Licensed or Registered Landscape Architect to ensure that all components of the plans adhere to requirements of this Section. The Licensed and Registered Landscape Architect shall sign the plans verifying that the plans comply with this Section. Any plans submitted without the signature of a Licensed or Registered Landscape Architect shall not be accepted for review.
2. Prior to issuance of a certificate of occupancy or final inspection for the project, a regular maintenance schedule and a Certificate of Completion shall be submitted to the Planning Director or his/her designee certifying that the landscaping has been completed in accordance with the approved planting, irrigation design, soil management, and grading design plans for the project. The Certificate of Completion shall be signed by a Licensed or Registered Landscape Architect and shall indicate:
 - a. Date;
 - b. Project information: project name; project applicant name, telephone and mailing address; project address and location; and mailing address; and property owner name and mailing address;
 - c. Prior to backfilling, evidence that the party responsible for irrigation installation conducted a preliminary field inspection of the irrigation system (evidence of field inspection shall be attached);

- d. The landscaping has been installed in conformance with the approved planting and irrigation design plans;
 - e. Irrigation audit report performed by a certified irrigation auditor after project installation (audit report shall be attached);
 - f. The smart irrigation controller has been programmed appropriately according to the parameters of each valve circuit;
 - g. The irrigation system has been adjusted to maximize irrigation efficiency and eliminate overspray and runoff;
 - h. A copy of the approved landscape documentation (subsection D), the irrigation schedule (subsection E.1.), and the maintenance schedule (subsection E.2.) has been given to the property owner and local water purveyor; and
 - i. Verification that the maintenance schedule has been provided to the Planning Director or his/her designee.
- 3. At a minimum, all landscape irrigation audits shall comply with the “Irrigation Association Certified Landscape Irrigation Auditor (CLIA) Training Manual” (3rd Edition, 2013 or most current) and shall be conducted by a certified Landscape Irrigation Auditor. Any Landscape Irrigation Auditor performing audits shall maintain a current certification as a CLIA from the Irrigation Association.
 - 4. The Planning Director or his/her designee shall have the right to enter upon the project site at any time before, during, and after installation of the landscaping, to conduct inspections for the purpose of enforcing this Section.
 - 5. The Planning Director or his/her designee shall have the discretion to interpret and determine suitable compliance based upon the intent of this Section.”

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Section 9.09.010 Purpose and Intent

Certain activities and uses, due to their nature, may have the opportunity to create more significant impacts upon the community than others. As a result, specific regulation of these activities and uses is warranted. The purpose of this Chapter is to identify and regulate such uses in districts permitting those uses, in order to ensure the maintenance of the public health, safety and welfare in accordance with the goals, objectives, policies and implementation programs of the March JPA General Plan.

Section 9.09.020 Applicability

In addition to the standards contained in the various districts established by this Title, as well as the provisions of Chapters 9.08 and 9.10, the activities and uses covered or described in this Chapter where otherwise permitted within the district in which they are to be located whether by right or by permit or approval, shall also comply with the provisions contained herein, unless a determination is made by the decision-making body that the purposes intended thereby can be served by an alternative that adequately protects the public health safety and welfare.

Section 9.09.030 Adult Entertainment Businesses**A. Intent and Purpose**

The purpose and intent of this Section is to establish standards for the development of Adult Entertainment Business which will promote a positive image while permitting adult uses in a manner which will be compatible with surrounding land uses and will not adversely affect the family environment of the March JPA Planning Area, and to ensure that such businesses will not be detrimental to or incompatible with commercial areas, schools, child care, churches, residential neighborhoods, parks and other public facilities.

B. Applicability

Adult entertainment businesses shall be subject to a Conditional Use Permit and the requirements of the underlying district in which it is located and the development standards identified in this Section.

C. Businesses and Activities Included as Adult Entertainment Businesses

Adult entertainment businesses shall refer to the following businesses and activities as defined in this Title and in Chapter 9.15 (DEFINITIONS).

- 1) Adult Arcade
- 2) Adult Bookstore
- 3) Adult Cabaret
- 4) Adult Model Studio
- 5) Adult Motel or Hotel
- 6) Adult Motion Picture Theater
- 7) Adult Theater
- 8) Adult Newsstand

9) Other Adult Entertainment Businesses

D. Permitted Districts

Adult entertainment businesses shall be permitted within the zones identified in Section .020 of Chapter 9.02 and shall be subject to all the requirements of said zones and all additional requirements set forth in this Section.

E. Development Standards

1. Distance Requirements

The distances provided in this Section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the parcel of property upon which the proposed use is to be located, to the nearest point of the parcel of property or the land use district boundary line from which the proposed land use is to be separated. With respect to the uses within the military installation at March Air Force Base, the distance shall be measured from the nearest point of the parcel of property upon which the proposed use is to be located, to the land use from which the proposed land use is to be separated.

No adult entertainment businesses shall be established or conducted within 300 feet of any other adult entertainment business nor within 1,000 feet of: a public or private school for minors; a licensed day care facility for minors; a church, synagogue or other place of worship; a park, library, or nonmilitary public facility; residential properties and zones; and any hotel, motel, or any other transient lodging of a non-adult entertainment nature.

2. Exterior Display

No adult entertainment business shall be operated in such a way so as to permit the observation of material depicting or describing "Specified Anatomical Areas" or "Specified Sexual Activities" from any location outside of the building in which an adult entertainment business is operating.

All building openings, doors, windows, and the like, shall be screened in such a way so as to prevent a view into that portion of the interior of an adult entertainment business, wherein any activities or displays relating to "Specified Anatomical Areas" or "Specified Sexual Activities" are occurring or portrayed, from outside of the building.

3. Signs

No exterior signs or architectural graphics shall be permitted which display or represent "Specified Anatomical Areas" or "Specified Sexual Activities".

An interior sign, with a minimum surface area of four (4) square feet, shall be posted in a prominent location inside the adult entertainment business, stating, in English and Spanish:

Penal Code Section 314 (Indecent exposures: Exhibitions: Penalty.) Every person who willfully and lewdly, either:

1. Exposes his person, or the private parts thereof, in any public place, or in any place where

there are present other persons to be offended or annoyed thereby; or,

2. Procures, counsels, or assists any person so to expose himself or take part in any model artist exhibition, or to make any other exhibition of himself to public view, or the view of any number of persons, such as is offensive to decency, or is adapted to excite to vicious or lewd thoughts or acts, is guilty of a misdemeanor.
4. Operational Requirements

All activities pertaining to the operation of an adult entertainment business shall be conducted inside the walls of the proposed building, out of sight and sound from any location outside the building. This shall not apply to approved outdoor signage, for the purpose of notifying potential customers of the business.

5. Exterior Display

No adult entertainment business shall be operated in such a way so as to permit the observation of material depicting or describing "Specified Anatomical Areas" or "Specified Sexual Activities" from any location outside of the building in which an adult entertainment business is operating.

Within the adult entertainment business, all image-producing devices shall be located so that the machines are open to view from any side and are without obstructions or separations that would block from open sight, any patrons using said machines.

A responsible adult shall be present on the premises at all times and shall observe and supervise the use of all image-producing devices and all areas of the business available to public access. Adult entertainment businesses containing over 40 image-producing machines shall require the presence of two (2) responsible adults to observe and supervise all areas of the business available to public access.

6. Facility Design Requirements

All adult entertainment businesses, other than such businesses that are established as a tenant within a commercial center containing multiple tenants, shall be designed and constructed to blend into, and appear as an integral part of, the built environment that characterizes the surrounding area. Vehicle parking and principle points of entry into the business shall be located along the street which provides the main points of vehicular ingress and egress to the business.

7. Exclusion of Minors

Access to any adult entertainment business by a minor shall be prohibited. A sign, to be approved by the March JPA Planning Director shall be posted on all entrances restricting inclusion or entrance of minors. No minors shall be employed by any adult entertainment business nor permitted entrance into the premises.

8. Minimum Lighting

No person shall operate an adult entertainment business, excluding Adult Theaters or Adult Motion Picture Theaters, unless a light level of not less than two (2) foot candles at floor level is maintained

in every portion of said establishment to which the public is admitted.

9. Maximum Occupancy Load

No person shall operate an adult entertainment business in which the number of persons in any room or partitioned portion of a room where an image-producing device is located exceeds one (1) person per thirty (30) square feet. The maximum occupancy permitted in any room or partitioned portion of a room in which an image-producing device is located shall be conspicuously posted by the operator, and shall remain posted, at the entrance of said room.

10. Maximum Number of Devices

No person shall operate an adult entertainment business in which the number of image-producing devices exceeds the maximum occupancy load permitted in any room or partitioned portion of a room in which an image-producing device is located.

11. Free Access to Law Enforcement, Fire, Health and Safety Personnel

No person shall deny access to an adult entertainment business for the purpose of a reasonable inspection to enforce compliance with building, fire, electrical, health or plumbing regulations or California State Law.

12. Other Remedies

The provisions of paragraph 10 are to be construed as added remedies and not in conflict with or derogation of any other actions or proceedings or remedies otherwise provided by law.

F. Nonconforming Establishments

Any non-conforming adult entertainment use shall not be enlarged or changed by any of the following means, unless such a change will bring the business into full compliance with the requirements of this Section:

1. Increase in the size of the floor area or use area of a building or portion of a building in which the business is located;
2. Use of an adjacent building in whole or part, whether on the same lot or an adjacent lot;
3. The conversion of an existing adult entertainment business to any other adult entertainment business; and
4. The addition of another adult entertainment business to an existing adult entertainment business.

After an adult entertainment business has been legally established and is in conformance with the provisions of this Section, in the event a school for minors, a licensed day care facility for minors, a church, synagogue or other place of worship, a park, library or public facility, residential properties and zones, other adult entertainment businesses, or any hotel or motel or other transient lodging is thereafter constructed within the indicated distances set forth in this Section, the newly established location of any said improvements shall not, in and of itself, require the removal of said legally existing adult entertainment business, provided said

adult entertainment business is complying with all other provisions of this Section and other applicable ordinances.

G. Adult Newsstands

Materials offered for sale from newsstands as defined in this Section, shall not be displayed in such a manner which exposes to public view photographs, illustrations, or representations of "Specified Anatomical Areas" or "Specified Sexual Activities". Outdoor newsstands shall be required to comply with the zoning and distance requirements of this ordinance.

H. Impounding of Adult Newsstands

The provisions of this Section dealing with non-conforming uses shall not be applicable to adult newsstands. As of July 9, 1987, all adult newsstands shall be required to comply with the provisions of this Section.

An adult newsstand found in violation of this Section may be impounded by any Riverside County Sherriff's Officer after the following actions have occurred:

1. A notice of violation has been affixed to the adult newsstands stating the Section of this article which has been violated and stating that the adult newsstands will be impounded if the violation is not abated within ten (10) working days;
2. The violation has not been abated within ten (10) working days of the posting of the notice of violation;
3. The Police Department has presented to any magistrate affidavits or other evidence sufficient to show a prima facie violation of this article;
4. A magistrate has issued a written order permitting the impounding of the adult newsstands pursuant to this Section.

Whenever an adult newsstand is impounded, a complaint for violation for the Section of this Chapter for which the adult newsstand was impounded must be filed within fourteen (14) days of the impounding. If such action is not commenced within fourteen (14) days, or if a final appealable decision in such action is rendered more than sixty (60) days from the filing of the action, the adult newsstand, together with its contents and all monies, if any, shall be released to any person who provides sufficient proof of ownership of such adult newsstands, without requiring the payment of any impound fees; provided, however, that no adult newsstands shall be released because a final appealable decision was not rendered within sixty (60) days of the filing of the action if the claimant of the adult newsstands is responsible for extending the judicial determination beyond the allowable time limit.

The person who provides sufficient proof of ownership of such adult newsstands may have such adult newsstands, together with its contents and all monies, if any, returned upon paying an impound fee of twenty-five dollars (\$25.00), or upon order of the magistrate, if any, who authorized the seizure of the newsstands, or pursuant to the terms of the preceding paragraph above. Should there be a dismissal of the action charging a violation of this article, or an acquittal of such charges, the court ordering such dismissal or entering such acquittal may provide for the release of any newsstand and its contents, if any impounded, or the return of any impound fee paid for the release of an adult newsstand impounded pursuant to such charges.

I. Severance Clause

If any subsection, subpart, or provision of this Section or the application thereof to any person, property or circumstance is held invalid, the remainder of this Section and the application of such to other persons, properties or circumstances shall not be affected thereby.

J. Regulations Non-Exclusive

Nothing in this Section is intended to authorize, legalize or permit the establishment, operation or maintenance of any business, building or use which violates any March JPA ordinance or Statute of the State of California regarding public nuisances, sexual conduct, lewdness or obscene or harmful matter or the exhibition or public display thereof.

The regulations set forth in this Section are not intended to be exclusive and compliance therewith shall not excuse noncompliance with any other regulations pertaining to the operation of adult entertainment establishments set forth elsewhere in applicable ordinances.

Section 9.09.040 Communication Facilities, Antennas and Satellite Dishes**A. Purpose and Intent**

The purpose of this Section is to mitigate the potential safety, aesthetic, and viewshed impacts of antennas, commercial antennas, satellite dishes, and communication facilities.

B. Applicability

This Section applies to all communication facilities, commercial antennas, satellite antennas and antennas installed or modified on or after the effective date of this Code.

C. Amortization Schedule

Each antenna, satellite dish and all related equipment installed prior to the effective date of this Title, which were permitted by the provisions of the March JPA zoning ordinances existing prior to said date, shall be brought into conformance within 36 months of the effective date of this Title.

D. Satellite Dishes and Antennas in Residential Districts

Satellite dishes and antennas shall be installed, modified, and maintained in accordance with the following standards:

1. Only one per parcel is permitted except that a second satellite dish or antenna may be permitted subject to approval of a Conditional Use Permit approved by the March JPA Planning Director.
2. The diameter of the dish shall not exceed 15 feet.

3. The dish or antenna shall not be located in any front yard or between the street and the front of a residence.
4. The dish or antenna shall comply with all height and setback requirements specified within the applicable district for accessory structures.
5. The dish or antenna shall be ground-mounted or located on the rear half of the structure.
6. The dish or antenna shall be finished in a neutral color to blend with the immediate surroundings.
7. The dish shall be screened along all sides except that of the reception window.
8. Where locating a dish, consideration should be given to the possibility of the obstruction of the dish's reception window by potential development on adjacent parcels.
9. The display of signs or any other graphics on a satellite dish or antenna is prohibited.

E. Commercial Antennas and Communication Facilities

Commercial antennas and communication facilities shall be subject to the following requirements:

1. The March JPA Planning Director may approve any communication facility or commercial antenna for commercial purposes which complies with the following criteria subject to the Minor Development Review process:
 - a. Building or roof mounted commercial antennas and satellite dishes not exceeding 15 feet in height and screened from view with height measured from base of antenna in non-residential zones only.
 - b. Ground mounted commercial antennas shall be subject to all height and setback requirements specified for accessory structures in non-residential zones.
 - c. Antennas which are architecturally integrated with a building or structure so as to not be recognized as an antenna are allowed within a commercial or industrial designation. Examples include antennas which are an integral part of a permitted church steeple, or cupola, or incorporated within the architectural design of a commercial structure. Antennas which are architecturally integrated with a building or structure may also be approved in a residential designation subject to an Administrative Plot Plan with a Notice, provided that the building or structure will not be for residential use. Such antennas shall comply with the height requirements of the underlying zone.
 - d. Up to two additional whip antenna (15 feet maximum height), the reconfiguration or alteration of an existing antenna on a single support structure, or additional dishes under 4' in diameter to an existing monopole can be permitted.
 - e. Support equipment must be located within a completely enclosed building (equipment structure) or otherwise screened from view.
2. Communication facilities, and commercial antennas will require a Conditional Use Permit to be

approved by the March JPA Planning Director pursuant to Section 9.02.060-B which meet one of the following provisions:

- a. Communication facilities which are 75 feet or less in a commercial/industrial zone.
 - b. Commercial antennas mounted on other existing structures or similar replacement structures, including, but not limited to, water tanks, pump stations, utility poles, or ball field light standards. Such antennas may exceed the maximum structure height of the underlying zone as determined by the CUP.
 - c. Commercial antennas not attached to a communication facility shall be no more than 35 feet, or no more than 75 feet in height above the base of a building or structure in a commercial/industrial zone, and shall not exceed maximum structure height in any other non-residential zone.
 - d. The addition of any commercial antenna dishes up to 4' in diameter, or increasing the height of an existing approved communication facility.
 - e. Co-location of equipment to an existing approved communication facility. The additional antenna may exceed the height of the existing communication facility by up to 20 feet in height.
 - f. Above-ground support equipment, irrespective of its location, may require landscaping or other measures to effectively mitigate visual and safety impacts. Underground vaults may be required in order to mitigate physical, aesthetic, or safety siting issues which cannot be mitigated otherwise. Above ground support equipment in residential areas shall be discouraged. Support radio equipment may be allowed in the right-of-way where appropriate as determined by the March JPA Planning Director and subject to the granting of an encroachment permit by the March Joint Powers Commission.
3. Communication facilities will require a Conditional Use Permit subject to review by the March Joint Powers Commission if the structure is over 75 feet in a commercial, industrial, or other non-residential district, or if the communication facility is located in a residential district. A communication facility may not exceed 75 feet in a residential district.
 4. All communication facilities shall comply with the following locational criteria and development and design standards:
 - a. Locational Criteria
 - 1) Facilities shall be sited to minimize views from the public right of way.
 - 2) A communication facility may be required to be adequately designed for co-location of other equipment. If required, the applicant shall provide documentation subject to review and approval of the March JPA Planning Director and March JPA Legal Counsel which provides that the pole shall be made available for co-location of facilities for the same or other companies in accordance with March JPA regulations.
 - b. Development and Design Standards - The following Development and Design Standards shall be considered in the design and location of all communication facilities.
-

- 1) Communication facilities should be located as to be screened from view by siting them near taller buildings, within other structures, or placed near existing tall trees, where possible.
- 2) The height of the communication facilities must be the minimum necessary to provide the required coverage.
- 3) Safety lighting may be required for communication facilities. A blinking light is acceptable. Strobe lights are prohibited.
- 4) Communication facilities (e.g. monopoles) shall either be galvanized steel or painted an unobtrusive color.
- 5) The display of any sign or any other graphics on a communication facility or on related buildings or equipment is prohibited, except for public safety warnings.
- 6) Where an equipment structure accompanies the communication facility, it shall be designed to match adjacent architecture or screened from view.
- 7) Landscaping may be required to screen the building or support structures from the public right of way.
- 8) Decorative materials may be required for surrounding fences.
- 9) If the communication facility is abandoned or if the conditional use permit becomes void as set forth herein then the monopole or support structure shall be removed.
- 10) Communication facilities shall be designed to prevent unauthorized persons from climbing them.

F. Variance

An administrative variance from any standard applicable to non-commercial antennas or satellite dishes as required in this Section may be granted pursuant to Section 9.02.090, if the necessary findings can be made, in the following instances:

1. Locating a non-commercial antenna, or satellite dish in accordance with herein stated requirements would obstruct the antenna's reception, the dish's reception window, or otherwise excessively interfere with reception, and such interference or obstruction is beyond the applicant's control;
2. The cost incurred by the applicant in complying with the standards of this Section would be excessive in relationship to the cost of the antenna or dish;
3. The variance application includes a certification that the proposed installation of the dish, or non-commercial antenna is in conformance with applicable Building Code regulations, if a building permit is required. The application must contain written documentation of such conformance, including load distributions within the building's support structure and be certified by a registered engineer.

Section 9.09.050 Arcades and Video Machines**A. Purpose and Intent**

The purpose of this Section is to mitigate the adverse impacts on surrounding properties and on the community which are commonly associated with arcades and video machines, and to increase compatibility with adjacent land uses by utilizing specific location limitations and development standards.

B. Applicability

Arcades shall be permitted as specified in Section 9.02.020 of this Title.

C. Minimum Development and Performance Standards**1. Number of Machines**

Four or fewer electronic, coin operated or video games shall be permitted in any commercial business except that convenience stores shall be restricted to two such games.

More than four games per commercial business constitutes an arcade which shall be subject to the standards and provisions of this Section except that Minor Development Review shall be required for more than four games for incidental use in a restaurant use.

2. Noise

No sound created by any arcade, or its patrons, shall be detectable from the exterior of the arcade or from adjacent uses.

3. Maximum Number of Games

The number of games shall not exceed one game per each 30 square feet of floor area.

4. Lighting

Each arcade shall be fully and adequately lighted for easy observation of all areas of the premises.

5. Bicycle Racks

Bicycle storage racks shall be maintained off of the public sidewalk as specified in Section 9.11.060.

6. Telephones

At least one public telephone shall be provided at each arcade.

7. Hours of Operation

The hours of operation of arcades and of games shall be limited to between 8:00 A.M. and 10:00 P.M., every day of the week.

8. Adult Supervision

An adult supervisor shall be located on a raised dais so positioned as to be able to readily observe all games and all areas of business in the arcade. The adult supervisor shall be present at all times during hours of operation, and, if the number of games exceeds 40, there shall be two adult supervisors present at all times during hours of operation.

9. Smoking and Drinking

No alcoholic beverages or cigarettes shall be sold or consumed on the premises of any arcade except for restaurants. Appropriate notification shall be displayed within the premises.

10. Litter

The premises shall be continuously maintained in a safe, clean, and orderly condition with trash receptacles provided.

11. On-Site Security

At the discretion of the Riverside County Sheriff's officials, on-site security may be required based upon but not limited to the Sheriff's consideration of the following criteria:

- a. Square footage of the business;
- b. Expected customer attendance;
- c. Design of the interior and exterior of the business;
- d. Nature and character of the neighborhood and surrounding area;
- e. Location of the business within a commercial center and effect thereof;
- f. Building occupancy limit; and
- g. Nature and character of uses adjacent to or in the area of the arcade business.

Section 9.09.060 Automobile Dealerships, Automobile Rental and the Display of Vehicles, Vessels and Other Personal Property**A. Purpose and Intent**

This Section ensures that automobile dealerships, rental agencies and the display of vehicles, vessels and other personal property do not create an adverse impact on adjacent properties and surrounding neighborhoods by reason of insufficient on-site customer and employee parking, traffic generation, visual blight, bright lights, noise, fumes, or drainage run-off. The following special standards shall apply to automobile dealerships.

B. Applicability

The parking or placement of more than one vehicle, vessel or other personal property, upon a public or private street, parking lot or any public or private property for the purpose of displaying such vehicle, vessel or other personal property for sale, hire or rental constitutes a dealership or agency and shall not be permitted except as provided for below.

All dealerships and rental agencies (which include for purposes of this Section, agencies or businesses primarily engaged in the sale or rental of automobiles and other or similar vehicles) shall comply with the development requirements of the underlying District and with the provisions of this Section.

C. Standards for Dealerships and Rental Agencies

The following standards shall apply to all Automobile Dealerships and Rental Agencies.

1. Minimum Lot Size

The minimum lot size shall be 2.5 acres for new lots created by subdivision or combination after the adoption of this Title for dealerships, and 20,000 square feet for rental agencies.

2. Parking

Areas designated for employee and customer parking shall not be used for vehicle storage or display.

3. Landscaping

A landscape area shall be provided along the street frontage perimeter of all vehicle display areas. Applicable setback requirements shall be expanded to require an additional 10 foot landscaped area if the project site is adjacent to, or abutting any residential district.

Final design treatment shall be subject to review and approval by the March JPA Planning Director. All parking areas not used for vehicle display shall be subject to screening requirements contained in this Title.

4. Lighting

All lighting shall comply with the provisions of Section 9.08.100.

5. Washing of Vehicles

All hand washing, rinsing, or hosing down of dealership or agency vehicles shall be permitted as an incidental use. An automated car wash, for maintenance of dealership or agency automobiles only, may be permitted subject to a Conditional Use Permit.

6. Loading and Unloading of Vehicles

Loading and unloading of vehicles is permitted only within the following constraints. The dealership operator is deemed to be responsible and liable for any activities of a common carrier, operator, or other person controlling such loading or unloading activities, to the extent any such

activities violate the provisions of this subsection.

- a. Loading and unloading of vehicles is limited to the hours of 8:00 A.M to 6:00 .P.M. Monday through Friday, excluding legal holidays.
- b. Off-loading of vehicles shall be on-site, or off-site subject to the approval of the March JPA Planning Director. Loading and unloading shall not block the ingress or egress of any adjacent property.

7. Repair of Vehicles

The repair and service facility portion of any automobile dealership shall comply with the provisions of Section 9.09.070, Vehicle Repair Facilities.

8. Queuing of Vehicles

An adequate on-site queuing area for service customers shall be provided. The queuing area or lanes shall be large enough to hold at least one and a half vehicles for each service bay in the facility. On-site driveways may be used for queuing, but may not interfere with access to required parking spaces. Regular parking spaces may not double as queuing spaces.

9. Test Driving

Test driving shall not be permitted on residential streets or alleys. For the purposes of this subsection, streets which are designated by the March JPA as major collector streets shall be permissible areas for test driving. Each dealership operator shall have an affirmative obligation to inform all its personnel of this requirement, and to ensure compliance with it. Existing dealerships and rental agencies shall, within two months of the adoption of this ordinance, submit a plan for test driving routes to the March JPA Planning Director for approval. All new dealerships and rental agencies shall be required to obtain March JPA Planning Director approval of test driving routes prior to the issuance of a certificate of occupancy.

10. Noise Control

- a. Outdoor loudspeakers shall produce no more than 45 dBA at a boundary abutting a residential or a maximum of 65 dBA abutting non-residential districts.
- b. All noise generating equipment exposed to the exterior shall be muffled with sound absorbing materials to minimize noise impacts on adjacent properties, and shall not be operated before 7:00 A.M. or after 6:00 P.M..
- c. Rooftop storage areas shall be screened with noise absorbing materials to minimize noise impacts on adjacent properties.

11. Toxic Waste and Storage and Disposal

Gasoline storage tanks shall meet all applicable State and local health regulations, and shall be constructed and maintained under the same conditions and standards as apply for service stations.

12. Air Quality

- a. All mechanical ventilating equipment shall be directed to top story exhaust vents which face away from adjacent residential properties.
- b. Required exhaust systems shall be equipped with appropriate and reasonably available control technology to minimize or eliminate noxious pollutants which would otherwise be emitted.

13. Storage of Vehicles

No vehicles to be displayed, sold, rented, or repaired shall be parked or stored on any street or alley. In addition, no rental cars shall be stored or parked within parking areas intended to meet the provisions of Chapter 9.11 of this Title.

14. The Conditional Use Permit may adjust, or add to, any of the standards set forth in this Section when it is found that the public health, safety or general welfare is served thereby.

Section 9.09.070 Vehicle Repair Facilities

A. Purpose and Intent

The purpose of this Section is to provide for the mitigation of potential noise, fumes, litter, and parking problems associated with motor vehicle repair shops. The special conditions contained in this Section are intended to ensure that vehicle repair facilities operate harmoniously and are compatible with adjacent and surrounding uses. In the interest of protecting the health, safety, and general welfare of the March JPA Planning Area and its residents, special standards shall be imposed on repair and equipment installation facilities, consistent with the goals, objectives, and policies of the March JPA General Plan.

B. Applicability

Vehicle repair facilities may be permitted in the applicable commercial and industrial districts identified in Section 9.02.020. Each vehicular repair facility, including one which is part of and incorporated within a vehicle dealership, or rental agency, shall conform to the development standards of the district in which it is to be located, with the development standards for Automobile Dealerships and Automobile Rental Agencies set forth in this Title when applicable and with the additional development standards in Section 9.09.070 C.

C. Minimum Development Standards

The following minimum development standards, in addition to such other standards and conditions imposed as part of project approval shall apply to all vehicle repair facilities:

1. Paving

The site shall be entirely paved, except for buildings and landscaping. Existing uses that are currently not paved shall conform with this requirement within three years from the adoption of this Title.

2. Structures

Entrances to individual service bays shall not face public rights-of-way or abutting residential parcels.

3. Repair Activities

All repair activities and operations shall be conducted entirely within an enclosed building. Outdoor hoists are prohibited.

4. Enclosure

Repair facilities performing body and fender work or similar noise-generating activities shall be conducted in fully-enclosed structures with walls of concrete block or similar materials. All painting shall occur within an approved fully enclosed booth.

5. Litter

The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment or permanently disabled, junked or wrecked vehicles may be stored outside the main building.

6. Storage

Exterior parking area shall be used for employee and customer parking only, and not for the repair or finishing work or long term (over one week) storage of vehicles. No vehicles to be repaired shall be parked or stored on any street or in any alley.

7. Hazardous Material

Any handling, treatment, storage or use of hazardous material shall be subject to the requirements of Chapter 9.08.090.

Section 9.09.080 Drive-In, Drive-Through, Fast Food, and Take-Out Restaurants

A. Purpose and Intent

The purpose of this Section is to ensure that drive-in, drive-through, fast food, and take-out restaurants do not result in adverse impacts on surrounding neighborhoods by reason of customer and employee parking demand, traffic generation, noise, light, litter, or cumulative impact of such demands in one area, consistent with the goals, objectives, and policies of the March JPA General Plan.

B. Applicability

Drive-in, drive-through, fast food, or take-out restaurants may be permitted subject to the standards of the underlying district and special conditions listed below. The provisions of this Section shall apply to all drive-in, drive-through, fast food, and take-out restaurants constructed or the use of which commenced after the effective date of this Title and to any expansion of more than 20% of the gross floor area or increase of

more than 25% of the number of seats in any such restaurant in use prior to the effective date of this Title. Floor area added for the purpose of compliance with state or local health laws or access requirements of the disabled shall not be included in floor area calculations for purposes of determining applicability of this Section.

C. Minimum Development Standards

The following minimum development standards shall apply to all drive-in, drive-thru, fast food and take-out restaurants.

1. Hours of Operation

When located on a site adjacent to, or separated by an alley from any residentially zoned property, a drive-in, drive-through, fast food, or take-out restaurant shall not open prior to 6:00 A.M., nor remain open after 10:00 P.M.. Where a Conditional Use Permit is required, hours of operation may be restricted for a drive-in, drive-through, fast food or take-out restaurant located adjacent to, or separated by an alley from any districts other than residential.

2. Driveways

Drive-in and drive-through restaurants sites shall have two points of ingress and/or egress.

3. Queuing

Drive-up and drive-through restaurants shall have a capacity for queuing a minimum of eight vehicles awaiting service. Queuing area shall not interfere with on or off site circulation patterns and shall be reviewed and approved by the March JPA Executive Director prior to issuance of a building permit.

4. Parking

A parking and vehicular circulation plan encompassing adjoining streets and alleys shall be submitted for review and approval by the March JPA Executive Director prior to approval of a Conditional Use Permit.

5. Trash Receptacle

A minimum of one outdoor trash receptacle shall be provided on-site. At least one additional on-site outdoor trash receptacle shall be provided for every ten (10) required parking spaces.

6. Noise

Any drive-up or drive-through speaker system shall not be detectable above daytime ambient noise levels beyond the property boundaries. The system shall be designed to compensate for ambient noise levels in the immediate area, and shall not be located within 100 feet of any residential district or any property used for residential uses.

Section 9.09.090 Agricultural and Animal Uses**A. Purpose and Intent**

The purpose of this Section is to ensure that the raising and maintenance of agriculture and animal uses does not create an adverse impact on adjacent properties by reason of dust, noise, visual blight, odor, fumes, bright lights or insect infestation.

B. Applicability

All agricultural and animal uses shall comply with the standards of this Section and the standards of the underlying district permitting these uses.

C. Pre-existing Uses

Any legally established non-commercial and nonconforming animal keeping use which became nonconforming upon adoption of this Title, shall be permitted to continue.

D. Permitted Uses

Animal keeping and agriculture uses permitted under the Permitted Uses Table 9.02.020-1 in Section 9.02.020, shall comply with the animal regulations Table 9.09.090-11 in this Section and with all other standards and requirements of this Section and with all other applicable ordinances and regulations. Where permitted in a District, the following uses shall be subject to the following limitations:

1. Farms for orchards, trees, field crops, truck gardening, flower gardening, greenhouses used only for purposes of propagation and culture and other similar enterprises carried on in the general field of agriculture will be allowed to sell products grown on the premises, but only from a temporary stand, not exceeding 200 square feet in area, used exclusively for that purpose.
2. Wholesale distribution and processing of nursery plant stock is permitted on a site not less than 5 acres in size. Incidental retail sales may be permitted thereon, provided such sales occur contiguous to propagation of nursery stock. Outdoor storage and display are prohibited thereon except for nursery plant stock.

E. District Standards

1. The following standards shall apply to all animal keeping uses, excluding dogs, cats and household pets, where permitted within the residential districts:
 - a. Setback for grazing, arena or area where animal is housed.¹

Front

District Requirement²

¹ Setback standards apply to typical corral and fence construction. Barns, sheds and similar accessory structures shall be subject to the standards and setback requirements of Section 9.08.030. The area housing pigs and hogs shall maintain a minimum setback of 35 feet from any property line where adjacent parcels are less than 40,000 square feet.

- | | |
|-------------------------------------|---|
| Side and Rear | Minimum 0 feet |
| Setback from any habitable dwelling | Minimum 35 feet |
| Corral size | Minimum 288 Sq Ft per animal (12 x 24)
Minimum 10 foot interior dimension. |
| Fence Height | Minimum 5 feet |
- b. Apiary, for the noncommercial use of the occupants of the premises only, provided that all hives or boxes housing bees shall be placed at least 400 feet from any street, road or highway, and a minimum of 500 feet from any public school, park, property boundary or from any structure used as a dwelling or as a place of business. Additionally, a water source shall be provided on site.
 - c. Offspring born to a permitted animal kept on the site may be kept until such animals are weaned (cats and dogs - 4 months; large animals - 6 months; horses - 24 months).
 - d. Rabbits must be kept in an area with a wire mesh floor.
 - e. The keeping of animals shall be subject to waste removal requirements and any other applicable laws and ordinances.

² Where the main habitable structure maintains a minimum setback of 75 feet from the front property line, the front yard may be used for the housing and/or grazing of animals.

ANIMAL KEEPING REQUIREMENTS TABLE 9.09.090-11

TYPE OF ANIMAL	MINIMUM LOT SIZE	NUMBER OF ANIMALS	PERMITTED DISTRICTS
Large	20,000 sq ft	2/20,000 sq ft plus 1 per each additional 10,000 sq ft over 20,000 ³	RR, HR, R-1, RA-2, AG
Medium	20,000 sq ft	1 per 5,000 sq ft	RR, HR, R-1, RA-2, AG
Small	5,000 sq ft	6/5,000 sq ft up to 1 acre. 1 acre or larger, maximum 100	All
Poultry, Fowl ⁴	20,000 sq ft	15/20,000 sq ft	RR, HR, R-1, RA-2, AG
Pigs or Hogs	40,000 sq ft	2/40,000 sq ft, maximum 2/parcel	RR, HR, R-1, RA-2, AG
Cats or Dogs	None	Maximum 4 ⁵	All
Household Pets	None	No Maximum	All
Aviary	5,000 sq ft	25/5,000 sq ft	All
Exotic or Wild Animals	40,000 sq ft	Subject to a CUP	All

³ One (1) additional foal, up to 24 months of age, may be kept for each 20,000 square feet of property.

⁴ No roosters, guinea fowl, or peafowl.

⁵ Residential Districts of R-10, R-15, R-20 and multiple family projects such as 2 family dwellings, multiple family dwellings, bungalow courts, mobile home parks and apartment houses or similar structures shall be subject to the following criteria:

- a. Dwelling units of 1,000 sq ft or less shall be limited to a total of two (2) such animals.
- b. Dwelling units greater than 1,000 sq ft shall be limited to a maximum of two (2) dogs and two (2) cats.

2. A Conditional Use Permit is required for the following uses (except as provided in this Subsection and Section 9.02.060) on parcels of not less than one acre in size in any district:
 - a. Commercial and noncommercial dog kennels and catteries, dog training schools, small animal shelters and dog and cat breeding establishments with outside runs. All commercial and noncommercial dog kennels and catteries shall be subject to the following standards:
 - (1) All animal runs shall be of adequate size for animals held therein.
 - (2) All animal runs shall be constructed or coated with non-porous material to discourage the breeding of ticks and other similar pests.
 - (3) All animal runs and animal holding areas shall have concrete or other durable flooring sloped for proper drainage.
 - (4) All animal runs shall have adequate enclosures to provide protection from inclement weather.
 - (5) All animal runs shall be provided with sufficient drains to control drainage and daily washing of the runs.
 - (6) All kennels and catteries shall be serviced by sewer and all excrement produced by the animals shall be properly disposed of on a regular basis so as to control flies and odor, or stored in an enclosed container and dispersed on a regular basis.
 - (7) The kennel/cattery area shall be sound attenuated so that the noise level measured at the property line does not exceed standards set for the adjacent uses.
 - (8) No animal runs, exercise areas, or keeping of the kenneled animals for commercial or noncommercial purposes shall be located within a required setback area.
 - (9) All facilities for dog kennels and catteries; dog training schools, small animal shelters and dog and cat breeding establishments shall be subject to the setback standards for the underlying district.
 - b. The commercial raising of chinchilla, nutria, hamsters, guinea pigs, cavy and similar small animals.
 - c. Frog farms.
 - d. Worm farms.
 - e. Wild or exotic animals.
3. Notwithstanding the provisions of Paragraph 2 of this Subsection and Section 10.02.040 of Title 10 of the Municipal Code, a kennel may be established with approval of an Administrative Plot Plan, subject to the following limitations:

- a. The proposed kennel shall be located within the Planned Development District within an underlying Planned Industrial General Plan Designation; and
- b. The animals shall be confined within areas that are a minimum of 150 feet from any other parcel that is used or zoned for residential purposes. This applies to indoor enclosures as well as outdoor enclosures; and
- c. The kennel operator shall obtain and maintain a valid kennel license in accordance with Chapter 10.02 of the Municipal Code; and
- d. The animals shall be confined inside a sound-insulated house-type enclosure, after 10:00 p.m. and before 6 a.m.; and
- e. Notice of an administrative plot plan application for a kennel shall be provided as specified in Subsection 9.02.200-C. The notice shall state that written comments are requested and that a decision will be made on a date not less than 10 days from the date of mailing of the notice. Notice of the decision shall be mailed or delivered to the applicant and to all owners of real property required to receive notice by mail or delivery in accordance with Subsection 9.02.200-C.
- f. Installation of improvements, including but not necessarily limited to streets, curbs, gutters and sidewalks may be waived or deferred with appropriate security provided, if the March JPA Executive Director determines that they are not necessary to protect the public health, safety or welfare and it would not be materially injurious to properties or improvements in the vicinity.
- g. The kennel shall be approved for a period of five years subject to periodic review every three years thereafter by the March JPA Planning Director. Failure of the applicant, assignee or operator to comply with any of the conditions of approval may result in revocation of the approval granted for use of the property as a kennel in accordance with Section 9.02.260.

F. Special Standards for Agricultural and Animal Uses

1. Farm Project Animals

Farm project animals are permitted in all districts. For good cause shown and after consultation with the student's teacher or project director, and provided that the quiet enjoyment of surrounding properties is not thereby unreasonably disturbed, the March JPA Planning Director may approve Farm Projects. Farm Projects shall be subject to Minor Development Review with no fee required and the following Standards:

- a. A student registered in school or with a recognized farm education organization for a Farm Project, and who resides on a lot in a zone where the keeping of animals is not otherwise permitted, but upon which lot animals for Farm Projects are permitted by this Section, may be permitted to keep and raise such animals provided the following conditions are satisfied.
 - (1) A class or program registration slip and a note signed by the teacher or program director of such student shall be provided verifying the student's participation in such program and the duration of such participation.

- (2) The address and parcel size where the animal(s) will be located including the type(s), and number of such animal(s) shall be set forth in the signed note.
 - (3) A letter, identifying the information required in item 2 above, shall be provided to the March JPA Planning Director with the signatures of the property owners of all adjacent parcels. Where such signatures are unobtainable, a copy of the letter shall be sent to such property owners as certified mail advising that they contact the March JPA Planning Director regarding any concerns that they may have. A copy of such letters and their mailing certification shall be provided to the March JPA Planning Director.
 - (4) Upon review and verification of the accuracy of the information, an approval letter may be issued by the March JPA Planning Director to the applicant. The approval letter shall specify the name of the participating student, the school or program, the project, the duration of the project permitted, the type and number of animals permitted, and the location authorized.
 - (5) Upon the expiration of the project duration specified in the approval letter, each animal not otherwise permitted to remain thereon shall be removed from the property for which the Farm Project approval has been granted.
- b. General Provisions relating to Farm Projects

The following minimum standards shall apply to all Farm Projects:

- (1) Not more than two cattle, horses, sheep, goats or similar farm animals shall be permitted on parcels not less than 20,000 feet in size, and other small animals as permitted by this Section being fattened or trained in connection with the education of a person as a member of a recognized farm education organization, unless, the district where the animal(s) is being housed permits a greater number than herein specified. In such cases the maximum number of permitted animals for the district shall not be exceeded. The March JPA Planning Director may allow for additional animals, provided the sponsoring or recognized organization recommends such and adverse impacts on surrounding properties are not present.
- (2) Roosters and pigs shall be allowed only in agricultural zones.
- (3) Farm projects are not permitted on lots less than 7,200 square feet in size.
- (4) The number of animals permitted for farm projects on lots less than 20,000 square feet shall be as follows:
 - (a) On residential lots 7,200 square feet up to 14,999 square feet in area, no more than 15 small animals or 10 poultry, plus 15 birds shall be permitted;
 - (b) On residential lots 15,000 square feet up to 19,999 square feet, no more than 25 birds, 25 small animals, and 15 poultry shall be permitted.
- (5) Caged animals for Farm Projects shall be located no closer than 10 feet to any residential

structure for human habitation or to any property line.

Section 9.09.100 Outdoor Recreational Facilities**A. Purpose and Intent**

The purpose and intent of this Section is to ensure the orderly development of outdoor recreational facilities in a manner that does not adversely impact other property and uses.

B. Applicability

The provisions of this section shall apply in addition to the provisions of the underlying district. This section shall not be applicable to recreational facilities which are accessory to residential uses for the exclusive use of the residents of that property and their guests (see Section 9.09.190) or to public recreational facilities operated by governmental agencies.

C. Conditional Use Permit

An outdoor recreational facility shall be subject to approval of a conditional use permit as specified in Table 9.02.020-1, except as permitted below under Subsection D.

D. Administrative Plot Plan

An outdoor recreational facility shall be permitted in any District subject to approval of an administrative plot plan and subject to all of the following, additional criteria:

1. The operator is a California nonprofit entity; and
2. The facility provides for outdoor recreational uses similar to those normally enjoyed in public parks operated by the March JPA; and
3. The use is conducted after 7 a.m. and before 10 p.m.; and
4. Alcohol is not offered for sale on the premises; and
5. Incidental structures may be permitted in association with an outdoor recreational use; and
6. Installation of improvements, including but not necessarily limited to streets, curbs, gutters, sidewalks may be waived, if the March JPA Executive Director determines that they are not necessary to protect public health, safety or welfare and it would not be materially injurious to properties or improvements in the vicinity.
7. Notice of an administrative plot plan application for an outdoor recreation facility shall be provided as specified in Subsection 9.02.200-C. The notice shall describe the nature of the request and the location of the project. The notice shall also state that written comments are requested and that a decision will be made on a date not less than 10 days from the date of mailing of the notice. Notice of the decision shall be mailed or delivered to the applicant and to all owners of real property

required to receive notice by mail or delivery in accordance with Subsection 9.02.200-C.

Section 9.09.110 Recycling Facilities**A. Purpose and Intent**

The purpose of this Section is to serve the need of the public for convenient recycling redemption and processing facilities, while guaranteeing the adequacy of the site for the use and for the protection of the surrounding properties through review and consideration of physical treatment and compatibility with surrounding properties.

B. Applicability

Recycling Facilities shall be permitted within the zones identified in Chapter 9.02.020 and shall be subject to the requirements of said zones and all additional requirements as set for in this Section.

C. Reverse Vending Machines

Reverse Vending Machines shall be in compliance with the following standards:

1. They shall be established in conjunction with a commercial use or community service facility which is in compliance with this Title and the March JPA Building and Construction Code;
2. They shall be located within 30 feet of the entrance to the commercial structure and shall not obstruct pedestrian or vehicular circulation;
3. They shall not occupy parking spaces required by the primary use;
4. They shall occupy no more than 75 square feet of floor space per installation, including any protective enclosure, and shall be no more than twelve (12) feet in height;
5. They shall be constructed and maintained with durable, waterproof and rustproof material;
6. They shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and phone number of the operator or responsible person to call if the machine is inoperative;
7. They shall have a sign area of a maximum of four (4) square feet per machine, exclusive of operating instructions;
8. They shall be maintained in a clean, litter-free condition on a daily basis;
9. They shall have at a minimum, the operating hours of the host use;
10. They shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn;
11. They shall be approved pursuant to provision of Section 9.02.030A, Minor Development Review;

and

12. All machines shall be clean and not dented, bent or otherwise disfigured.

D. Small Collection Facilities

Small Collection Facilities may be approved subject to Minor Development Review provided the facilities are in compliance with the following standards:

1. They shall be established in conjunction with an existing commercial use or community service facility which is in compliance with this Title and the March JPA Building and Construction Code;
2. They shall be no larger than 500 square feet and occupy no more than five (5) parking spaces not including space that will be periodically needed for removal of materials or exchange of containers;
3. They shall be set back at least ten (10) feet from any property line and shall not obstruct pedestrian or vehicular circulation;
4. They shall accept only glass, metals, plastic containers, paper and reusable items;
5. They shall use no power-driven processing equipment except for Reverse Vending Machines;
6. They shall use containers that are: constructed and maintained with durable waterproof and rustproof material; covered when site is not attended; secured from unauthorized entry or removal of material and of a capacity sufficient to accommodate materials collected and collection schedule;
7. They shall store all recyclable material in containers or in the mobile unit vehicle, and shall not leave materials outside of containers when attendant is not present;
8. They shall be maintained free of litter and any other undesirable materials; mobile facilities, at which truck or containers are removed at the end of each collection day, shall be swept at the end of each collection day;
9. They shall not exceed noise levels of 60 dBA as measured at the property line of residentially zoned or occupied property, otherwise shall not exceed 70 dBA;
10. Small collection facilities located within 100 feet of a property zoned or occupied for residential use shall operate only during the hours between 9:00 a.m. and 7:00 p.m.;
11. Containers for the 24-hour donation of materials shall be at least 100 feet from any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between the containers and the residential use; all containers to be painted and not dented, bent or otherwise disfigured;
12. Containers shall be clearly marked to identify the type of material which may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, display a notice stating that no material shall be left outside the recycling enclosure or containers;

13. Signs may be provided as follows:

- a. Recycling facilities may have identification signs with a maximum of 20 percent per side of the facility or 16 square feet, whichever is larger, however in the case of a wheeled facility, the side will be measured from the pavement to the top of the container;
- b. Signs must be consistent with the character of the location;
- c. Directional signs, bearing no advertising message, may be installed with the approval of the March JPA Planning Director if necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way; and
- d. The March JPA Planning Director may authorize increases in the number and size of signs upon findings that it is compatible with adjacent businesses pursuant to standards or criteria therefore established through the minor development approval.

14. The facility shall not impair the landscaping required by this Title for any concurrent use or under any permit or approval issued therefore;

15. No additional parking spaces will be required for customers of a Small Collection Facility located at the established parking lot of a host use; one space will be provided for the attendant, if needed;

16. Mobile Recycling Units shall have an area clearly marked to prohibit other vehicular parking during hours when the Mobile Unit is scheduled to be present or operating;

17. They shall be adequately screened, and the design, height, materials and location of screening shall be approved by the March JPA Planning Director;

18. Occupation of parking spaces by the facility and by the attendant may not reduce available parking spaces below the minimum number required for the primary host use unless all of the following conditions exist:

- a. The facility is located in a convenience zone or a potential convenience zone as designated by the California Department of Conservation;
- b. A parking study shows that existing parking capacity is not already fully utilized during the time the recycling facility will be on the site;
- c. The approval will be reconsidered at the end of 18 months;
- d. A reduction in available parking spaces in an established parking facility may then be allowed as follows:

For a commercial host use:

Number of Available
Parking Spaces

Maximum Reduction

0 - 25

0

26 - 35	2
36 - 49	3
50 - 99	4
100 +	5

For a community facility host use;

A maximum five (5) space reduction will be allowed when not in conflict with parking needs of the host use; and

19. If the Minor Development Review approval expires without renewal, the collection facility shall be removed from the site on the day following permit expiration.

E. Large Collection Facilities

The following standards shall apply to all Large Collection Facilities:

1. Facility shall not abut a property zoned or planned for residential use;
2. Facility shall be screened from the public right-of-way by operating in an enclosed building, or:
 - a. Within an area enclosed by an opaque fence at least six (6) feet in height with landscaping;
 - b. At least 150 feet from property zoned or planned for residential use; and
 - c. Meet all applicable noise standards in this ordinance;
3. Setbacks and landscape requirements shall be those provided for the zoning district in which the facility is located;
4. All exterior storage of material shall be in sturdy containers which are covered, secured, and maintained in good condition: storage containers for flammable material shall be constructed of non-flammable material; no storage excluding truck trailers and overseas containers, shall be visible above the height of the fencing;
5. The site shall be maintained free of litter and any other undesirable materials, and shall be cleaned of loose debris on a daily basis;
6. Space shall be provided on site for six (6) vehicles or the anticipated peak customer load, whichever is higher, to circulate and deposit recyclable materials, except where it is determined at the time of the development review or where conditions or criteria are established by which the March JPA Planning Director determines that allowing overflow parking for less than six (6) vehicles is compatible with surrounding businesses and public safety;
7. One (1) parking space will be provided for each commercial vehicle operated by the recycling facility; parking requirements shall be as provided for in the zone, except that parking requirements for employees may be reduced when it can be shown that parking spaces are not necessary such as when employees are transported in a company vehicle to a work facility;

8. Noise levels shall not exceed 55 dBA as measured at the property line of residentially zoned property, or otherwise shall not exceed 70 dBA;
9. If the facility is located within 500 feet of property zoned, planned or occupied for residential use, it shall not be in operation between 7:00 p.m. and 7:00 a.m.;
10. Any containers provided for after-hours donation of recyclable materials will be at least 50 feet from any property zoned or occupied for residential use, shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials; containers shall be located at least ten (10) feet from any building;
11. Donation areas shall be kept free of litter and any other undesirable material and the containers shall be clearly marked to identify the type of material that may be deposited, and the facility shall display a notice stating that no materials shall be left outside the recycling containers;
12. The facility will be clearly marked with the name and phone number of the facility operator and the hours of operation; identification and informational signs will meet the standards of the zone; and directional signs, bearing no advertising message, may be installed with the approval of the March JPA Planning Director, if necessary, to facilitate traffic circulation or if the facility is not visible from the public right-of-way;
13. Power-driven processing, including aluminum foil and can compacting, baling, plastic shredding, or other light processing activities necessary for efficient temporary storage and shipment of material, may be approved through the development review process.

F. Processing Facilities

The following standards shall apply to all Processing Facilities:

1. The facility shall not abut a property zoned or planned for residential use;
2. In a commercial or light industrial zone, processors shall operate in a wholly enclosed building except for incidental storage, or:
 - a. Within an area enclosed on all sides by an opaque fence or wall not less than eight (8) feet in height and landscaped on all street frontages; and
 - b. Shall be located at least 150 feet from property zoned or planned for residential use.
3. Power-driven processing shall be permitted, provided all noise level requirements are met; light processing facilities shall be limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials;
4. A light processing facility shall be no larger than 45,000 square feet and shall have no more than an average of two (2) outbound truck shipments of material per day and may not shred, compact or bale ferrous metals other than food and beverage containers;
5. Setbacks and landscaping requirements shall be those provided for the zoning district in which the

facility is located;

6. All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition; storage containers for flammable material shall be constructed of non-flammable material; no storage excluding truck trailers and overseas containers shall be visible above the height of the fencing;
7. The site shall be maintained free of litter and any other undesirable materials, and shall be cleaned of loose debris on a daily basis and shall be secured from unauthorized entry and removal of materials when attendants are not present;
8. Space shall be provided on site for the anticipated peak load of customers to circulate, park and deposit recyclable materials; if the facility is open to the public, space shall be provided for a minimum of ten (10) customers. Where it is determined through the development approval or where conditions or criteria are established, the March JPA Planning Director may determine that allowing a reduction to provide for a minimum of parking for six (6) vehicles is compatible with surrounding businesses and public safety;
9. One (1) parking space will be provided for each commercial vehicle operated by the processing center; parking requirements will otherwise be as mandated by the District in which the facility is located;
10. Noise levels shall not exceed 60 dBA as measured at the property line of residentially zoned or occupied property, or otherwise shall not exceed 70 dBA;
11. If the facility is located within 500 feet of property zoned or planned for residential use, it shall not be in operation between 7:00 p.m. and 7:00 a.m.; the facility will be administered by on-site personnel during the hours the facility is open;
12. Any containers provided for after-hours donation of recyclable materials will be at least 50 feet from any property zoned or occupied for residential use; shall be of sturdy, rustproof construction; shall have sufficient capacity to accommodate materials collected; and shall be secure from unauthorized entry or removal of materials;
13. Donation areas shall be kept free of litter and any other undesirable material; the containers shall be clearly marked to identify the type of material that may be deposited; the facility shall display a notice stating that no material shall be left outside the recycling containers;
14. Sign requirements shall be those provided for the zoning district in which the facility is located; in addition, the facility will be clearly marked with the name and phone number of the facility operator and the hours of operation;
15. There shall be no dust, fumes, smoke, vibration, odor or noise above ambient level detectable on neighboring properties.

Section 9.09.120 Granny Housing

A. Purpose and Intent

The purpose of this Section is to establish standards and procedures for the creation of "granny" units and to ensure the orderly development of these units in appropriate areas of the March JPA Planning Area.

B. Applicability

All "Granny" housing shall comply with the development standards for the district in which it is located, the provisions of this Section and shall be subject to approval of an administrative plot plan.

C. Development and Performance Standards

The following standards shall apply to all granny housing:

1. No more than one granny unit or other type of accessory dwelling unit shall be permitted per lot; and
2. The lot must contain one, but not more than one, existing single-family dwelling; and
3. The unit can be attached or detached to the existing dwelling; and
4. The granny unit shall be subject to the same minimum development standards as the primary dwelling unit; and
5. The granny unit shall be architecturally compatible with the main dwelling unit and the surrounding neighborhood or screened from view to preclude it from being visible from the surrounding neighborhood; and
6. The gross floor area of a granny unit shall not exceed 1,250 square feet on parcels less than 40,000 square feet in area; 1,375 square feet on parcels of at least 40,000 square feet, but less than two acres; and 1,500 square feet on parcels of 2 acres or larger; and
7. The unit shall have kitchen and bath facilities; and
8. The unit is not intended for sale, but may be rented and is for the sole occupancy of one or two adult persons age 62 or above; and
9. One additional on-site, paved parking space shall be provided; and
10. The applicant shall be owner-occupant of the property and the owner of the parcel shall reside in either the primary dwelling or the granny unit; and
11. The property owner(s) shall enter into a written agreement with the March JPA, in which said owner(s) agree to use the premises for a period of 30 years in compliance with the requirements of this Section, any applicable enactments of the March Joint Powers Commission, and in a form acceptable to the March JPA Legal Counsel and the March JPA Planning Director. Recordation of said agreement in the files of the County Recorder shall be completed prior to issuance of a building permit for the granny unit; and
12. The unit shall have adequate water supply and sewage disposal capability.

D. Notice

Notice of an application for a granny unit shall be mailed or delivered to the owners of real property within 300 feet of the parcel containing the proposed granny unit. The notice shall describe the nature of the request and the location of the project. The notice shall also state that written comments are requested and that a decision will be made on a date not less than 10 days from the date of mailing of the notice. Notice of the decision shall be mailed or delivered to the applicant and to the property owners within 300 feet of the parcel containing the proposed granny unit.

Section 9.09.130 Second Dwelling Units**A. Purpose and Intent**

The purpose of these standards is to ensure that accessory living quarters located in residential districts do not adversely impact either adjacent residential parcels or the surrounding neighborhood, and are developed in a manner which protects the integrity of the residential district, while providing for needed housing opportunities for owners of eligible parcels.

B. Applicability

The second dwelling unit shall comply with the development standards for the district in which it is located, the provisions of this Section, and shall require approval of an administrative plot plan.

C. Property Development Standards

The following standards shall apply to all second dwelling units:

1. No more than one second unit or other type of accessory dwelling unit shall be permitted per lot; and
2. The lot must contain one, but no more than one, existing dwelling unit; and
3. The minimum lot size for a parcel to be eligible for a second dwelling unit shall be 40,000 square feet; and
4. The unit shall be subject to the same minimum development standards as the main building on the parcel; and
5. The second unit shall be architecturally compatible with the main dwelling unit and the surrounding neighborhood or screened from view to preclude it from being visible from the surrounding neighborhood; and
6. The second dwelling unit shall provide two parking spaces within a carport or garage in addition to the parking required for the main dwelling pursuant to Chapter 9.11;
7. The unit may be rented and shall not be sold separately from the main unit unless the land containing the second unit is first divided from the property containing the main unit in accordance with the March JPA's subdivision regulations; and

8. The unit shall have adequate water supply and sewage disposal capability; and
9. The applicant shall be the owner-occupant of the property; and
10. The entrance to an attached second unit shall be separate from the entrance to the first unit and shall be installed in a manner as to eliminate an obvious indication of two (2) units in the same structure; and
11. Second units shall be subject to all new development fees including, but not limited to, Development Impact Fees, Park Fees and Assessment District assessment allocations, where so permitted; and
12. The unit shall have kitchen and bath facilities.

D. Notice

Notice of an application for a second unit shall be mailed or delivered to the owners of real property within 300 feet of the parcel containing the proposed unit. The notice shall describe the nature of the request and the location of the project. The notice shall also state that written comments are requested and that a decision will be made on a date not less than 10 days from the date of mailing of the notice. Notice of the decision shall be mailed or delivered to the property owners within 300 feet of the parcel containing the proposed second unit.

Section 9.09.140 Self Storage Warehouses**A. Purpose and Intent**

The purpose of this Section is to ensure that self-storage warehouse operations, commonly known as "mini-warehouses", do not result in an adverse impact on adjacent properties by reason of parking demand, traffic generation, fire, or safety hazard, visual blight, or use indirectly supportive of illegal or criminal activity. It is further the intent of this Section to ensure protection to surrounding properties and their values through consideration of physical treatment, aesthetics and compatibility with the surrounding properties.

B. Applicability

Each self-storage warehouse shall be subject to the property development requirements for the District in which it is to be located, and with the special standards listed below. The provisions of this Section shall apply to all new self-storage warehouse uses and to all self-storage warehouses existing on the effective date of this ordinance at such a time as the business files for any building or discretionary permit for expanding or enlarging the use.

C. Minimum Development Standards

1. No business activity shall be conducted other than the rental of storage spaces for inactive storage use.
2. All storage, except vehicle storage, shall be fully enclosed within a building or-buildings.

3. No flammable or otherwise hazardous materials shall be stored on-site.
4. A decorative masonry wall at least 6 feet high, shall be required adjacent to any residential district. The height, placement and design of such wall shall be considered on a site-specific basis considering the need for security and screening.
5. Notwithstanding the setback requirements of the district in which the facility is located, one-story structures associated with self-storage warehouse facilities may be constructed on the interior side or rear property line.

Section 9.09.150 Senior and Handicapped Housing

A. Purpose and Intent

The purpose of these standards are to ensure that senior and handicapped housing developments do not adversely impact either the adjacent residential parcels or the surrounding neighborhood, and shall be developed in a manner which protects the health, safety, and general welfare of the nearby residents, while providing for the housing needs of an important segment of the community.

B. Applicability

Senior and Handicapped Housing shall be subject to the property development requirements of the underlying District and subject to all applicable local, state and federal laws, including the requirements of this Section.

C. Property Development Standards

The senior housing and handicapped housing shall be subject to the following standards:

1. Each dwelling unit shall consist of individual rooms that contain a full bathroom and may contain small, efficiency kitchens. Any common kitchen, dining and living space, and recreational facilities must be adequate to serve all residents;
2. Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and public right-of-way, and compatible with the residential neighborhood;
3. The development shall provide laundry facilities adequate for the number of residents;
4. A senior housing development may allow one or more of the following specific common facilities for the exclusive use of the resident senior citizens:
 - a. Beauty salon and barber shop;
 - b. Small scale pharmacy;

- c. Transportation, maintained and operated by the facility; and
 - d. Recreational center;
 - e. Other facilities for the sole enjoyment of residents;
- 5. Parking facilities shall be designed to provide security for residents, guests, employees, and shall be integrated into the architecture of the facility;
 - 6. On-site landscaping shall be installed and maintained consistent with the underlying district;
 - 7. Residential occupancy for senior housing shall be limited to single persons at least 62 years old, or to cohabiting couples of which one is at least 62 years old for projects of less than 150 units. For projects of 150 or more units, said minimum occupant age shall be 55 years. Any differing age criteria set by State or Federal law shall prevail over any inconsistencies within this Section;
 - 8. The units provided shall not be less than 415 square feet in floor area for efficiency units, and 540 square feet for one bedroom units, or as otherwise approved by the March Joint Powers Commission;
 - 9. The number of dwelling units may exceed that which is permitted in the underlying district by up to 100 percent, or as otherwise approved by the March Joint Powers Commission, provided the Conditions of Approval include the following requirements:
 - a. Commitment to the on-going use of the facility as senior or handicapped housing;
 - b. Identification of amenities and assurances of their ongoing availability;
 - c. Identification of facility operator; and
 - d. Other requirements as deemed necessary to protect and preserve the health, safety and welfare of the occupants and the community;
 - 10. Senior Housing and Handicapped Housing projects in the Office and Office Commercial Districts shall be subject to the R-15 development standards.

Section 9.09.160 Residential Care Facilities

A. Purpose and Intent

The purpose of this Section is to ensure that Residential Care Facilities caring for more than 6 (six) residents, do not result in an adverse impact on adjacent residential uses or the surrounding neighborhood.

B. Applicability

Residential Care Facilities for more than 6 (six) residents, shall be permitted in any residential

district subject to a conditional use permit, the property development standards of the underlying district, and all applicable local, state and federal laws, including the standards in this Section 9.09.160C.

C. Property Development Standards

The following standards shall apply to Residential Care Facilities for more than six (6) residents:

1. Density shall be in accordance with requirements of the district within which the facility is located;
2. Where justified by the nature and use of the facility, additional parking or parking requirements may be imposed, in excess of those required by Chapter 9.11 of this Title;
3. Fences or walls may be required to ensure privacy and neighborhood compatibility;
4. Such other conditions and standards necessary to preserve and safeguard the public health, safety or welfare of the occupants and the community may be imposed.

Section 9.09.170 Service Stations

A. Purpose and Intent

This Section shall apply to service stations, mini-markets and any combination of uses which dispense fuel for retail sales. The purpose of these standards is to ensure that service stations do not result in an adverse impact on adjacent land uses, especially residential uses. While service stations are needed by residents, visitors and employees in the March JPA Planning Area, the traffic, glare and uses associated with service stations, particularly those open during late night hours or 24 hours per day, may be incompatible with nearby uses, particularly residential uses. Mini-markets in service stations may cause greater impacts because they are more likely to serve people passing through the March JPA Planning Area from other communities than nearby residents, and they tend to attract a higher incidence of crime. Therefore, in the interest of protecting the health, safety and general welfare of the March JPA and its residents, special regulations are imposed on service stations, consistent with and to implement the goals, objectives and policies of the March JPA General Plan.

B. Applicability

All service stations shall comply with the property development requirements for the districts in which they are located, and with the standards and provisions in this Section. The provisions of this Section shall apply:

1. To all new service stations; and
2. To all service stations existing on the effective date of this ordinance and for which any building or discretionary permit for expanding or enlarging the use is granted.

C. Minimum Development Standards

1. Each parcel shall have a minimum street frontage of 150 feet on each abutting street.
2. No building or structure shall be located within 20 feet from any public right-of-way, or within 5 feet of any interior parcel line.
3. Service stations, convenience stores which provide fuel pumping services and any other facilities which provide fuel pumping services to the general public shall orient all fuel pump islands to be parallel to each other and shall be designed to minimize traffic conflicts. Non-parallel, or "L" shaped fuel pump island configurations are not permitted.
4. If a reverse orientation for the building is selected, rear building elevations shall have architectural details consistent with the overall design theme.
5. In all cases, service bays shall be accessed from the interior of the site.
6. Gasoline pumps shall be at least 20 feet from any property line.
7. Canopies shall be at least 10 feet from any property line and shall be attached to and architecturally integrated with, the main structure.
8. Service stations shall be integrated with adjacent commercial properties through the use of compatible materials, textures, colors, landscaping treatment and access.
9. Service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than 6 feet in height. Materials, textures, colors, and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this Section shall be constructed within 5 feet of a driveway entrance or vehicle access way opening onto a street or alley which would obstruct a cross view of pedestrians on the sidewalk, alley, or elsewhere by motorists entering or exiting the parcel.
10.
 - a. A minimum of 20% of the site shall be landscaped including a planting strip at least five feet wide along all interior parcel lines except driveways, and adjacent to buildings. Parcels abutting residential districts are subject to Section 9.04.040, B.1. Planters shall be surrounded by masonry or concrete curbs and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways. Planter strip width shall be exclusive of curb widths. Permanent opaque landscaping or berming shall be provided and maintained in the planters at a height of not less than 3 feet above the average adjacent grade.
 - b. A minimum of 150 square foot landscaped area shall be provided at the intersection of two property lines at a street corner.
 - c. All landscaped areas shall be properly maintained in a neat, orderly, and safe manner. Such landscaping and maintenance shall include, but not be limited to, the installation and use of an automatic irrigation system, permanently and completely installed, which delivers water directly to all landscaped areas.
11. Not more than one driveway with a maximum width of 35 feet shall be permitted on any one street frontage and shall be located as follows:

- a. Driveways shall not be located closer than 100 feet from the beginning of curb return of a street intersection, 25 feet from a residential property line or alley, nor as to otherwise interfere with the movement and safety of vehicular and pedestrian traffic. Any deviation from the above standard requires the approval of the March JPA Planning Director; and
 - b. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within 50 feet of a residentially zoned property, and shall be oriented away from public rights-of-way.
- 12. Each service station shall provide air and water to customers without charge and at a convenient location during hours when gasoline is dispensed.
- 13. Each service station shall provide a men's and a women's public restroom which are accessible, from the interior of the business only, to the general public and physically disabled during all hours the service station is open to the public. Entrances or signage shall be clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.
- 14. At least one public telephone shall be provided at each service station in a location that is easily visible by the employees of the business.
- 15. Coin-operated vending machines may be permitted within a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.
- 16. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:
 - a. The dispensing of petroleum products, water and air; and
 - b. Replacement service activities such as wiper blades, fuses, radiator caps and lamps.
- 17. Trash areas shall be provided and screened on at least three sides from public view by a solid decorative wall not less than 5 feet in height.
 - a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed except when in use.
 - b. Refuse bins shall be provided and placed in a location convenient for customers.
 - c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or permanently disabled, junked, or wrecked vehicles may be stored outside of the main building.
- 18. Rental of equipment such as trailers and trucks shall be permitted subject to the following restrictions:
 - a. The rental equipment does not occupy or interfere with the required parking for the automobile service station;

- b. The rental of the equipment is clearly incidental and secondary to the main activity on the site;
 - c. Rental equipment shall not obstruct vehicle or pedestrian access or line-of-sight.
19. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:
- a. Damage or nuisance from noise, smoke, odor, dust, or vibration;
 - b. Hazard from explosion, contamination, or fire; or
 - c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.
20. Service stations/mini-markets selling alcoholic beverages shall conspicuously post the premises with signs prohibiting the consumption of alcoholic beverages on-site.
21. Pump first, pay after type operations for obtaining gasoline shall not be permitted, unless employees personally wait on the customers at the pump island(s).
22. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to adequately protect adjacent uses in cases where extraordinary site conditions exist.

D. Accessory Uses

Accessory uses may include the following:

- 1. Vehicle washing and lubricating services;
- 2. The sale and servicing of tires, batteries, replacement items and other automotive accessories;
- 3. Minor automotive repair; and
- 4. Towing service limited to two (2) trucks.
- 5. Other uses as determined by the March JPA Planning Director to be similar to or not more detrimental than those listed above.

Major automotive and light truck repair is not considered an accessory use.

E. Abandoned or Converted Service Stations

Where service stations become vacant or cease operation beyond one-hundred and eighty (180) days, the Conditional Use Permit shall be deemed null and void and the owner shall be required to remove: all underground storage tanks; all gasoline pumps and pump islands; and shall remove free-standing canopies.

F. Converted Service Stations

The conversion of buildings and structures which were originally designed as a gasoline service station and which are proposed to be used for another use shall be subject to a conditional use permit. The conversion of the facilities to another use may require upgrading and remodeling for such things as, but not limited to, removal of all gasoline appurtenances, removal of canopies, removal of pump islands, removal of overhead doors, additional landscaping, dedicating and installing necessary street improvements or modification of existing improvements to conform to applicable standards.

Section 9.09.180 Sidewalk Cafes**A. Purpose and Intent**

The purpose of this Section is to permit sidewalk cafes that enhance the pedestrian ambiance of the March JPA Planning Area and to ensure that they do not adversely impact adjacent properties and surrounding neighborhoods consistent with the goals, objectives and policies of the March JPA General Plan.

B. Applicability

Sidewalk cafes may be permitted in all districts which permit eating and drinking establishments. Each sidewalk cafe shall comply with the property development standards and approvals required for the district in which it is to be located and with the minimum development standards set forth below.

C. Minimum Development Requirements

The following minimum development standards shall apply to sidewalk cafes.

1. The sidewalk cafe may be conducted as an independent restaurant or as an accessory use to a legally established or permitted restaurant or other eating and drinking establishment.
2. Awnings, umbrellas or trellis structures may be used in conjunction with a sidewalk cafe.
3. When conducted as an accessory use the hours of operation of the sidewalk cafe shall be limited to the hours of operation of the associated restaurant or other eating and drinking establishment.
4. Sidewalk cafes are required to insure that the area is kept neat and clean and that all trash and debris are properly disposed of and not allowed to accumulate or be dispersed onto surrounding properties or rights-of-way.

Section 9.09.190 Swimming Pools, Spas and Recreational Courts**A. Purpose and Intent**

The purpose of this Section is to permit design flexibility for the construction of swimming pools, spas and recreational courts within residential, hillside and open space districts while being sensitive to and consistent with the predominant character of the area.

B. Applicability

Swimming pools, spas and recreational courts shall be subject to Minor Development Review, the property development standards of the underlying district and the standards in this Section.

C. Swimming Pools and Spas

The following standards shall apply to Swimming Pools and Spas.

1. Swimming pools and spas shall maintain a minimum 5 foot setback from property line to the water line. Pool appurtenances greater than five feet in height shall be subject to the setback requirements of the underlying district.
2. Swimming pool equipment and self-contained or portable spas which incorporate the pump or blower assembly shall maintain a minimum setback of 5 feet from any property line.

D. Recreational Courts

The following standards shall apply to Recreational Courts.

1. Recreational courts and recreational court fencing which exceeds (6) six feet in height shall be set back a minimum of ten feet from side and rear property lines.
2. The maximum height of fences enclosing recreational courts shall be ten (10) feet.
3. A maximum of eight (8) lights may be permitted, and may not exceed a height of 22 feet.
4. All lighting shall be certified by a qualified professional engineer to be designed, constructed, mounted, and maintained so that the light source is shielded when viewed from any point outside of the parcel at the lot line.
5. All lighting shall be used only between the hours of 7:00 a.m. and 10:00 p.m.
6. The surface of any recreational court shall be designed, and painted, colored, or treated to reduce reflection from any lighting thereon.
7. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to protect adjacent uses in cases where extraordinary site conditions exist.

Section 9.09.200 Mobile Home Parks**A. Intent and Purpose**

The intent and purpose of this Section is to establish standards for the development of mobile home parks in a manner that will be compatible with the March JPA General Plan and surrounding uses.

B. Applicability

Mobile home parks shall be permitted as noted in Section 9.02.020. Mobile home parks shall be subject to the requirements of the underlying district in which it is located and the development standards identified in this Section.

C. Development Standards

1. A mobile home park must conform to standards and maintain a valid permit in accordance with state laws and regulations, including provisions of the Mobile Home Parks Act, California Health and Safety Code, Division 13, Part 2.1 and the applicable regulations adopted pursuant thereto by the State Department of Housing and Community Development.
2. Recreational vehicles, campers and trailers shall not be used as dwelling units within a mobile home park.
3. A mobile home park shall encompass an area of at least 5 acres.
4. The density (dwelling units/acre) of a mobile home park shall be subject to the density standards designated in the March JPA General Plan.
5. A mobile home park shall provide recreational facilities for the benefit of the residents of the mobile home park.

Section 9.09.210 Cannabis Dispensaries, Cannabis Manufacturers, Cannabis Cultivation, Delivery of Cannabis, Personal Cultivation and Consumption of Cannabis**A. Purpose**

Except for personal use of cannabis otherwise allowed under the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Senate Bill 92 (2017) (“MAUCRSA”), the purpose of this Section is to enact and enforce a ban on all cannabis dispensaries, cannabis manufacturers, commercial cannabis cultivation and delivery of cannabis located within the jurisdiction. Nothing in this Article shall preempt or make inapplicable any provision of state or federal law.

B. Definitions

For purposes of this Section, the following definitions shall apply:

1. “Adult-use cannabis” means the consumption, ingestion or smoking of cannabis or any cannabis products by adults 21 years of age or older as permitted under MAUCRSA and other applicable state regulations.
2. “Cannabis” means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. “Cannabis” also means the separated resin, whether crude or purified, obtained from marijuana. “Cannabis” does not include the mature stalks of the

plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this division, “cannabis” does not mean “industrial hemp” as defined by Section 11018.5 of the Health and Safety Code.

3. “Cannabis dispensary” means a facility where cannabis, cannabis products, or devices for the use of cannabis or cannabis products are offered, either individually or in any combination, for retail sale, including an establishment that delivers cannabis and cannabis products as part of a retail sale.
4. “Cannabis manufacturer” shall be defined in accordance with the MAUCRSA, Business and Professions Code section 26001 and other applicable state laws. “Cannabis manufacturer” also means a person that conducts the production, preparation, propagation, or compounding of manufactured cannabis, or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages medical cannabis or cannabis products or labels or relabels its container.
5. “Child Care Center” means any licensed child care center, daycare center, child care home, or any preschool.
6. “Church” means a structure or leased portion or a structure, which is used primarily for religious worship and related religious activities.
7. “Community Center” means any facility open to the public at which classes, social activities, recreational activities, educational activities, support and public information are offered for all residents of the community.
8. “Cultivation” shall be defined in accordance with the MAUCRSA, Business and Professions Code section 26001, and other applicable State laws.
9. “Delivery” shall be defined in accordance with the MAUCRSA, Business and Professions Code section 26001 and other applicable state laws. “Delivery” also means the commercial transfer of cannabis or cannabis products and includes origination or termination within the jurisdiction as well as a delivery business.
10. “Enforcement Officer” means the Sheriff, the Transportation and Land Management Agency Director, Building Official, Code Enforcement Official, County Counsel, Environmental Health Department Director, Public Health Officer, Agricultural Commissioner, Fire Chief, Clerk of the Board of Supervisors, and their designees.
11. “Family” means one or more non-transient, related or unrelated persons living together as a single, nonprofit housekeeping unit
12. “MAUCRSA” means the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). (Bus. & Prof. Code, section 26000 et seq.)
13. “Medicinal cannabis” or “medicinal cannabis product” means cannabis or a cannabis product, respectively, intended to be sold for use pursuant to the Compassionate Use Act of 1996

(Proposition 215), found at Section 11362.5 of the Health and Safety Code and other applicable State laws, by a medicinal cannabis patient in California who possesses a physician's recommendation. For purposes of this definition, "medical cannabis" also means "medical marijuana."

14. "Minor" means a person under eighteen (18) years of age.
15. "Multiple-Family Dwelling" means a building or portion thereof used to house two or more families, including domestic employees of each such family, living independently or each other, and each having their own kitchen.
16. "Nursery" means an adult-use and/or medical cannabis cultivation operation that produces only clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of medical cannabis, including research and development related thereto.
17. "One-Family Dwelling" means a building or detached structure, including a mobilehome or manufactured home, containing one kitchen and used to house not more than one family, including domestic employees.
18. "Park" means a public playground, public recreation center or area, and other public areas, created, established, designated, maintained, provided or set aside by the County, any city, or any other public entity or agency, for the purposes of public rest, play, recreation, enjoyment or assembly, and all buildings and structures located thereon or therein.
19. "Personal Cannabis Cultivation" means the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis, done or performed by a person 21 years of age or older for personal, non-commercial purposes pursuant to Health and Safety Code sections 11362.1 and 11362.2 and other applicable state regulations.
20. "Premises" means a single parcel of property. Where contiguous parcels are under common ownership or control, such contiguous parcels shall be counted as a single "premises" for purposes of this ordinance.
21. "Primary Caregiver" shall have the meaning set forth in Health and Safety Code sections 11362.5 and 11362.7 et seq.
22. "Qualified Patient" shall have the meaning set forth in Health and Safety Code sections 11362.5 and 11362.7 et seq.
23. "Responsible Party" means: (1) Each person committing the violation or causing a condition on a premises located within the jurisdiction of the County of Riverside which violates this ordinance; (2) each person who has an ownership interest in that premises; or (3) each person who, although not an owner, nevertheless occupies or has a legal right or a legal obligation to exercise possession or control over that premises. In the event the person who commits the violation or causes the violating condition is a minor, then the minor's parents or legal guardian shall be deemed the responsible party. In the event the violation or violating condition is most reasonably attributable to a business, then that business, to the extent it is a legal entity such that it can sue and be sued in its own name, and each person who is an owner of that business shall be deemed responsible parties.

24. “School” means an institution of learning for minors, whether public or private, offering a regular course of instruction required by the California Education Code. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a home school, vocational or professional institution of high education, including a community or junior college, college, or university.
25. “Smoke” means to inhale, exhale, burn, or carry any lighted or heated device or pipe, or any other lighted or heated cannabis or cannabis product intended for inhalation, whether natural or synthetic, in any manner or in any form. “Smoke” includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in a place.
26. “Youth-oriented Facility” means any facility that caters to or provides services primarily intended for minors, or the individuals who regularly patronize, congregate or assemble at the establishment are predominantly minors.

C. Scope

This section shall govern adult-use and medical cannabis uses within the jurisdiction of the March JPA. No specific plan, including but not limited to the March Business Center Specific Plan (SP-1), Meridian Specific Plan (SP-5) and the March LifeCare Campus Specific Plan (SP-7), deal with adult-use and medical cannabis, and thus this ordinance shall govern all adult-use and medical cannabis uses under the authority of the March JPA.

D. Prohibited Use

1. Cannabis dispensaries, cultivation, cannabis manufacturers, and delivery of cannabis, as defined herein, shall be considered prohibited uses in all zoning districts of the jurisdiction. No use permit, variance, building permit, or any other entitlement or permit, whether administrative or discretionary, shall be approved or issued for the establishment or operation of cannabis dispensaries, cannabis cultivation, cannabis manufacturers, and delivery of cannabis as defined herein in any zoning district, and no person shall otherwise establish such businesses or operations in any zoning district.
2. The March JPA is committed to making efficient and rational use of its limited investigative and prosecutorial resources. There shall be a limited exemption from enforcement for violations of this Section by primary caregivers and qualified patients, as defined by Health and Safety Code Section 11362.7, for small amounts of cannabis cultivation for their own medical use or the medical use of their qualified patients in residential zones when all of the following conditions and standards are complied with:
 - a. The premises shall contain a legally permitted one-family dwelling;
 - b. Cultivation of no more than twelve (12) cannabis plants per qualified patient. In the event the qualified patient has a primary caregiver cultivating cannabis plants for the qualified patient, only one primary caregiver may cultivate no more than twelve (12) cannabis plants for that qualified patient at any one time. In no circumstances shall a qualified patient have multiple primary caregivers cultivating cannabis plants for the qualified patient at the same time;

- c. Primary caregivers are limited to cultivating for a maximum of two (2) qualified patients at any one time, for a maximum total of twenty-four (24) cannabis plants per premises;
- d. At least one qualified patient or one primary caregiver must live on the premises, and no amount of qualified patients or primary caregivers residing on the same premises shall alter the maximum total of twenty-four (24) cannabis plants per premises;
- e. All cannabis plants must be reasonably secured to prevent access by minors or theft, to a standard satisfactory to the enforcement officer.
- f. All cannabis cultivation outside of any building must be fully enclosed by an opaque fence at least six feet in height. The fence must be adequately secure to prevent unauthorized entry. Bushes, hedgerows, plastic sheeting, tarps, or cloth material shall not constitute an adequate fence under this subsection. Premises larger than five (5) acres are exempt from this fencing provision so long as all other standards and conditions of subsection b) of this section are complied with and any barriers used are otherwise consistent with County of Riverside standards.
- g. Each building or outdoor area in which the cannabis plants are cultivated shall be set back at least ten (10) feet from all boundaries of the premises. Such setback distance shall be measured in a straight line from the building in which the cannabis plants are cultivated, or, if the cannabis plants are cultivated in an outdoor area, from the fence required by subsection f) to the boundary line of the premises.
- h. The designated cannabis cultivation area must not be visible from any public right-of-way.
- i. If the person cultivating cannabis plants on any premises is not the owner of the premises, such person shall submit a letter from the owner(s) consenting to the cannabis cultivation on the parcel. This letter shall be examined by the enforcement officer and shall then be returned to the submitter. The County shall prescribe forms for such letters.
- j. Parolees or probationers shall not live on the premises unless the parolees or probationers have received confirmation from the court that he is allowed to use medical cannabis while on parole or probation pursuant to Health & Safety Code section 11362.795 which shall be subject to verification by the enforcement officer.
- k. Qualified patients for whom the cannabis plants are being cultivated shall have valid Medical Marijuana Identification Cards issued by the Riverside County Department of Public Health. Any primary caregiver cultivating cannabis plants for a qualified patient shall have a copy of the qualified patient's valid Medical Marijuana Identification Card issued by the Riverside County Department of Public Health which shall be kept on the premises.
- l. The address for the premises must be posted and plainly visible from the public right-of-way.
- m. The cannabis cultivation shall not be within a multi-dwelling building.
- n. The cannabis cultivation shall not be upon any premises located within one thousand (1,000) feet of any school, community center, or park.
- o. The cannabis cultivation shall not be upon any premises containing a child care center, church, or

youth-oriented facility.

3) Personal Cannabis Cultivation.

The prohibition in this Section shall not prohibit a person 21 years of age or older from engaging in the indoor cannabis cultivation of six or fewer living cannabis plants within a single private residence or inside a detached accessory structure located upon the grounds of a private residence or inside a detached accessory structure located upon the grounds of a private residence that is fully enclosed and secured, to the extent such cultivation is authorized by Health and Safety Code sections 11362.1 and 11362.2. In no event shall more than six living cannabis plants be allowed per private residence under this subsection. For the purposes of this subsection, private residence means one family dwelling, an apartment unit, a mobile home or other similar dwelling.

E. Penalty for Violation

No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this Section. Every act prohibited or declared unlawful, and every failure to perform an act made mandatory by this Section, shall be a public nuisance pursuant to Section 9.01.040.

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CHAPTER 9.10**PERFORMANCE STANDARDS****Sections:**

9.10.010	Purpose and Intent
9.10.020	Applicability
9.10.030	Exemptions
9.10.040	Administration
9.10.050	Air Quality
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9.10.140	Noise and Sound
9.10.150	Odors
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9.10.170	Vibration

Section 9.10.010 **Purpose and Intent**

The purpose and intent of this Chapter is to explicitly describe the location, configuration, design, amenities, operation, and other standards for proposed development projects that may impact the surrounding neighborhood. The performance standards set maximum tolerance limits on certain adverse effects created by any use or development of land.

Section 9.10.020 **Applicability****Applicability**

These performance standards shall apply to all land uses, in all districts, unless specifically stated otherwise in this Title. All uses shall be subject to these performance standards, the General Development Standards of Chapter 9.08, the Specific Use Development Standards of Chapter 9.09, the requirements of the underlying district, and all other requirements of this Title.

Section 9.10.030 **Exemptions****Exemptions**

The following uses or activities are exempt from the provisions of this Chapter.

1. Emergency equipment, vehicles, devices, and activities.
2. Temporary construction, maintenance, or demolition activities between the hours of 7:00 a.m. and 7:00 p.m.

Section 9.10.040 **Administration**

The standards of this Chapter shall be enforced by the department or agency having enforcement authority over the subject matter. Upon discovery of any potential violation of these standards, the appropriate department or agency shall investigate and initiate corrective action as deemed necessary.

Section 9.10.050 **Air Quality**

No operation or activity otherwise permitted under this Title shall cause the emission of any smoke, fly ash, dust, fumes, vapors, gases or other forms of air pollution which exceeds the requirements of the South Coast Air Quality Management District or the requirements of any Air Quality Plan or General Plan Air Quality Element adopted by the March JPA.

Section 9.10.060 **Electrical or Electronic Interference**

No operation or activity otherwise permitted under this Title shall cause any source of electrical or electronic disturbance that adversely affects persons or the operation of equipment on other property and is not in conformance with the regulations of the Federal Communication Commission.

Section 9.10.070 **Fire and Explosive Hazards**

An operation or activity otherwise permitted under this Title involving the storage of flammable or explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate fire-fighting and fire suppression equipment and devices in accordance with the requirements of the Uniform Fire Code. Open fire burning of waste material is prohibited. Closed system incineration of waste material, where such activity is otherwise permitted under this Title and is required for research, medical or similar uses, may be permitted subject to the requirements of the California Department of Health and South Coast Air Quality Management District or other requirements of any Air Quality Plan or General Plan Air Quality Element adopted by the March JPA.

Section 9.10.080 Liquid and Solid Wastes

No operation or action otherwise permitted under this Title shall discharge at any point into any public street, public sewer, private sewage disposal system, stream, body of water or into the ground, any materials which can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, except in accordance with standards approved by the California Department of Public Health or other governmental agency having jurisdiction over liquid and solid waste.

Section 9.10.090 Radioactive Wastes

No operation or activities otherwise permitted under this Title shall be permitted which result at any time in the release or emission of any fissionable or radioactive materials into the atmosphere, the ground, groundwater or sewage systems except as provided by and in accordance with State law. Any such operation or activity which handles, tests, transports, stores or in any way uses fissionable or radioactive material shall prepare a study addressing the probability of the release of such material and implement all recommendations identified by the study.

Section 9.10.100 Heat and Cold

No operation or activity otherwise permitted under this Title shall emit heat or cold which would cause a temperature increase or decrease on any adjacent property in excess of 10 degrees Fahrenheit, whether the change is in the air, on the ground, or in any structure, or in any body of water.

Section 9.10.110 Light and Glare

No operation, activity, sign, or lighting fixture shall create illumination which exceeds 0.5 foot-candles minimum maintained on any adjacent property, whether the illumination is direct or indirect light from the source. All lighting shall be designed to project downward and shall not create glare on adjacent properties.

Section 9.10.120 Maintenance of Open Areas

Except as otherwise provided in this Title, all open areas shall be landscaped, surfaced, or treated and maintained permanently in a dust-free, weed-free condition.

Section 9.10.130 **Mechanical and Electrical Equipment**

All mechanical and electrical equipment, including air conditioners, antennas, pumps, transformers, and heating and ventilating equipment shall be located, operated and screened in a manner that does not disturb adjacent uses and activities. In addition, all central building electrical controlling equipment and switching facilities shall be located within the building for all commercial, industrial and business facilities.

Section 9.10.140 **Noise and Sound**

Unless otherwise specified in Chapter 9.08, General Development Standards, or Chapter 9.09, Specific Use Development Standards, all commercial and industrial uses shall be operated so that noise created by any loudspeaker, bells, gongs, buzzers, or other noise attention or attracting devices shall not exceed 55 dBA at any one time beyond the boundaries of the property. Sounds emitting from any of the aforementioned devices, including live or recorded music, shall cease between the hours of 10:00 p.m. and 7:00 a.m. if the sound therefrom creates a noise disturbance across the property line of a residential use.

Additionally, outdoor construction and grading activities, including the operation of any tools or equipment associated with construction, drilling, repair, alteration, grading/grubbing or demolition work within 500 feet of the property line of a residential use, shall be prohibited between the hours of 7:00 p.m. and 7:00 a.m. Monday through Friday, between 5:00 p.m. and 8:00 a.m. on Saturdays, and at any time on Sunday or a Federal Holiday.

The following activities are exempt from the provisions of this Section:

1. Emergency Work. This Section does not apply to the emission of sound for the purpose of alerting persons to the existence of an emergency or in the performance of emergency work if the work is necessary to address immediate public health and safety related issues as deemed necessary by the March JPA Building Official or Engineer.
2. Federal or State Highway/Freeway Projects or preempted activities. This Section does not apply to roadwork on federal or state highways or any other activity the noise level of which is regulated by state or federal law.
3. Right-of-way construction. This Section does not prohibit work performed within the rights-of-way when it is deemed by the March JPA Engineer that such work will create traffic congestion and/or hazardous or unsafe conditions.
4. Public health, welfare and safety activities. This Section does not apply to construction maintenance and repair operations conducted by public agencies and/or utility companies or their contractors which are deemed necessary to serve the best interests of the public and to protect the public health, welfare and safety, including but not limited to, trash collection, street sweeping, debris and limb removal, removal of downed wires, restoring electrical service, repairing traffic signals, unplugging sewers or storm drains, vacuuming catch basins, repairing of damaged poles, removal of abandoned vehicles, repairing of water hydrants and mains, gas lines, oil lines, sewers, storm drains, roads, sidewalks, etc.”

Section 9.10.150 **Odors**

No operation or activity shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, injurious, noxious, or otherwise objectionable to a level that is detectable with or without the aid of instruments at or beyond the lot line of the property containing said operation or activity.

Section 9.10.160 **Outdoor Storage, Trash Areas, and Service Areas**

All storage areas for storage of maintenance equipment or vehicles or refuse, and all collection areas and service areas, shall be enclosed or effectively screened from public view with a fence, wall, landscaping, berming or a combination thereof. Doors to trash enclosures shall be closed at all times except when the enclosure is being accessed for refuse disposal or pick-up. The screening requirements of Section 9.08.150 are also referenced and not intended to be superseded hereby.

Section 9.10.170 **Vibration**

No vibration shall be permitted which can be felt at or beyond the property line.

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Electrical or Electronic Interference	10-1, 10-3
Fire and Explosive Hazards	10-1, 10-3
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CHAPTER 9.11**PARKING AND LOADING REQUIREMENTS****Sections:**

9.11.010	Purpose and Intent
9.11.020	Applicability
9.11.030	General Regulations
9.11.040	Off-Street Parking Requirements
9.11.050	Schedule of Off-Street Loading Requirements
9.11.060	Schedule of Off-Street Bicycle Parking Requirements
9.11.070	Adjustments to Off-Street Parking Requirements
9.11.080	Design Standards
9.11.090	Subterranean, Semi-subterranean and Above-Ground Parking Structures

Section 9.11.010 **Purpose and Intent**

The purpose of this Chapter is to ensure the adequate provision of parking, loading, and bicycle facilities proportionate to the needs created by the various land uses within the March JPA Planning Area. In providing adequate parking, loading, and bicycle facilities, it is the intent of this chapter to:

1. Progressively alleviate or prevent on-site and off-site traffic congestion and hazards;
2. Ensure the maneuverability of emergency and service vehicles;
3. Provide safe, accessible, convenient, attractive and well-maintained off-street parking areas;
4. Protect residential neighborhoods from the adverse effects of vehicular noise and traffic by uses in adjacent non-residential districts; and
5. Implement March JPA General Plan circulation and energy conservation policies.

Section 9.11.020 **Applicability**

Proposed off-street surface parking facilities shall be subject to the provisions of Section 9.02.020 A, Minor Development Review, the requirements of the underlying district and the following standards. Parking structures shall be subject to the requirements of Section 9.11.080.

1. Any new building constructed, any new use established, any addition or enlargement of an existing structure or use, and any change in the occupancy of an existing building or the manner in which a use is conducted that would result in additional parking spaces being required shall comply with the provisions of this Chapter.
2. In the case of additions or enlargements of an existing building or use, or a change of occupancy or manner of operation that would result in additional parking spaces being required, the building, use, occupancy or operating, as revised, shall comply with the provisions of this Chapter.

Section 9.11.030 **General Regulations**

The following general regulations shall be applicable to all districts.

A. Status of Existing Development and Approvals

No building or use of land which lawfully existed on or is lawfully constructed under a Conditional Use Permit or a Plot Plan approved prior to the effective date of this Title shall be considered nonconforming solely because of the lack of the additional off-street parking and loading facilities required by this Chapter. However, no expansion of use or facilities or change of use shall be permitted which will require additional off-street parking unless the parking and facility is brought into conformance with this Chapter.

B. Calculation of Floor Areas

1. For purposes of calculating off-street parking requirements for dwelling units, dens, studios, bonus rooms, studies and similar rooms as well as rooms ordinarily used for sleeping, shall be considered as "bedrooms".
2. Gross floor area shall be used to determine the number of non-residential spaces required by this Chapter for the provision of off-street parking and loading spaces and bicycle facilities.
3. All outdoor patio, deck, balcony, terrace, and other area that will accommodate a permanent activity that can contribute toward the need for parking facilities in addition to that which is provided for principal activities and uses within the building or structure shall be included in calculating the gross floor area.

C. Fractions

If calculation of the parking spaces and bicycle facilities results in a fractional space, then the fraction shall be rounded to the next higher whole number.

D. Parking Study

1. The number of spaces required by this Chapter for provision of off-street parking and loading spaces and bicycle facilities may be adjusted by the March Joint Powers Commission if it is demonstrated by an approved parking study that the proposed use would have a parking or loading space demand other than the requirements of this Chapter.

2. A parking study shall be required when, in the opinion of the March JPA Planning Director, an increase in the number of parking or loading spaces may be warranted. Form and content of said parking study shall be as prescribed by the March JPA Planning Director. Said parking study shall be subject to review and approval by the March JPA Planning Director.

E. Multiple Uses

In situations where a combination of uses are developed on a site, including multiple uses under single ownership, the number of spaces required shall be equal to the sum of the requirements for each of the uses, unless a reduction is granted pursuant to the shared parking provisions of Section 9.11.070.

F. Operation and Maintenance

1. All parking, loading and bicycle facilities required by this Chapter shall be maintained for the duration of the use requiring such facilities.
 - a. Required parking, loading and bicycle facilities shall not be used for the storage or display of merchandise, or for the storage or repair of vehicles or equipment.
 - b. Required parking, loading and bicycle facilities shall not be used for the sale of merchandise, except on a temporary basis subject to the issuance of a temporary use permit pursuant to the provisions of Section 9.02.150.
2. It shall be the responsibility of the owner or operator of a specific use to ensure that required parking facilities are maintained in good operating condition, and to ensure that the parking facilities are periodically swept and cleaned, and are properly striped.

G. Uses Not Specified

Where the parking requirement for a use is not specifically set forth herein, the parking requirements for such use shall be determined by the March JPA Planning Director as set forth in Section 9.01.060. The applicant shall submit a parking study to be reviewed and approved by the March JPA Planning Director as a basis for the March JPA Planning Director's action.

H. Tandem Parking

Tandem parking shall not be used to meet the required number of parking spaces, unless specifically permitted in this Chapter.

I. Compact Parking

A maximum of 20% of all on-site parking may be permitted as compact spaces.

J. Rear Parking

Parking in the rear of buildings and service area shall be limited to 5% of the total required off-street parking; however, in no case shall such parking exceed 10 parking spaces.

K. Compliance

The property owner shall be held accountable and responsible for compliance with the requirements of all on-site parking as required by this Chapter. Further, it is the property owner's responsibility to ensure that the demand for parking by uses on any site will not exceed the provided available parking.

Section 9.11.040 Off-Street Parking Requirements

A. Automobile Parking Requirements

Off-street automobile parking shall be provided in accordance with the requirements of this Chapter. The following Tables set forth the minimum off-street parking requirements and certain notations for various residential, commercial, industrial, public and quasi-public uses:

OFF-STREET PARKING REQUIREMENTS		
USE	MINIMUM REQUIREMENT	NOTES
Residential Uses TABLE 9.11.040A-12		
Single-Family	2/unit	Within an enclosed garage
Second Units	2/unit	Carport or garage
Duplex	2/unit	Within an enclosed garage
3 or More Units		
Studio	1.5/unit	1 covered/unit
1 Bedroom	1.5/unit	1 covered/unit
2+ Bedrooms	2.5/unit	2 covered/unit
Residential Uses TABLE 9.11.040A-12 (CON=T)		
Senior Housing		
Studio	1.0/unit	1 covered/unit
1 Bedroom	1.25/unit	1 covered/unit
2+ Bedrooms	1.5/unit	1 covered/unit
		Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.030(D).
Mobile home Parks	2.5/unit	Tandem spaces may be used to meet resident parking requirements.
Model Home Complexes	3/model home	

OFF-STREET PARKING REQUIREMENTS		
USE	MINIMUM REQUIREMENT	NOTES
Residential Care Homes		Parking requirements shall be determined by the March JPA Planning Director subject to an approved parking study.

Commercial Uses <u>TABLE 9.11.040B-12</u>		
General Retail (unless specified elsewhere)	1/225 sq ft of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq ft of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public. 2. No required off-street parking spaces shall be used for display, sales, service, or repair of vehicles.
Automobile service stations, repair and service facilities	2 spaces + 4/service bay	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like)
Automobile washing and waxing establishments: Self-serve	2 spaces + 2 per washing stall	[Amended by Ord. 405, eff. 8/12/93]
Automated	10 + 1 per 2 employees	
Medical and Dental Offices and Clinics, Emergency Medical Facilities		
Commercial Uses <u>TABLE 9.11.040B-12 CON=T</u>		
Barber Shop, Beauty Parlor	3/barber chair or beautician station	
Banks, savings and loans, business, professional and medical offices	1/250 sq ft of net floor area	10% of spaces must be designated for employee car pools
Day Care Center	1/employee + 1/500 sq ft of gross floor area	
Eating and Drinking Establishments: Drive-in or Take-out Facilities	1/75 sq ft of gross floor area	A minimum of 10 spaces required per use.

OFF-STREET PARKING REQUIREMENTS		
USE	MINIMUM REQUIREMENT	NOTES
All Others	1/75 sq ft of gross floor area up to 6,000 sq ft + 1/55 sq ft of gross floor area over 6,000 sq ft	
Hotel, Motel	1.25/guest room	For facilities with (100+) parking spaces, 2-12 x 36 through stalls for RV parking are required. These spaces may be counted as 4 auto parking stalls.
Kennels	2 spaces per 1,000 sq ft	2 spaces per 1,000 sq. ft. of indoor animal enclosure
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
School, Private Business and Trade	10 spaces + 24/classroom	Special design requirements shall apply for bus loading and parent drop-off points
College	10 spaces + 30/classroom	
Elementary/Junior High	10 spaces + 2/classroom	
Senior High	10 spaces + 10/classroom	
Commercial Uses TABLE 9.11.040B-12 (CON'T)		
Storage lots and mini-warehouses	1 /100 storage spaces and 2 per caretaker residence	(2 spaces minimum)
Medical and Health Services: Convalescent and Nursing Homes	1/3 beds	A minimum of 1 space per each 4 beds.
Homeless Shelter	1/4 beds	
Hospitals	1/bed	
Residential Care Facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	

OFF-STREET PARKING REQUIREMENTS		
USE	MINIMUM REQUIREMENT	NOTES
Veterinary Hospital and Clinic	1/200 sq ft of gross floor area	
Recreation:		
Arcades	1/75 sq ft of gross floor area	
Bowling and Billiards	5/alley + 2/billiard table	
Commercial Stables	1/5 horse capacity for boarding on-site	
Golf Course	6/hole	
Golf Driving Range	1/tee	
Golf, Miniature	3/hole	
Health Club	1/100 sq ft of gross floor area	
Parks-Public and Private	To be determined by the approval authority based upon an approved parking study	
Commercial Uses TABLE 9.11.040B-12 (CON'T)		
Skating Rink	1/100 sq ft of gross floor area	
Tennis, Handball and Racquetball Facilities	3/court	
Theaters	5 spaces + 1/3 fixed seats	

Industrial Uses TABLE 9.11.040C-12		
Manufacturing	1/500 sq ft of gross floor area devoted to manufacturing	10% of the space provided must be designed for use by employee car pools. See Section 9.11.080(E) for car pool space requirements.
Research and Development	1/350 sq ft of gross	10% of the spaces provided must be designed for

OFF-STREET PARKING REQUIREMENTS		
USE	MINIMUM REQUIREMENT	NOTES
	floor area	use by car pools. See Section 9.11.080(E) for employee car pool space requirements.
Warehouse and Distribution <u>0 – 50,000 sq. ft.</u> <u>50,000 – 200,000 sq. ft.</u> <u>200,000 sq. ft. or greater</u>	1/1,000 sq ft of gross floor area <u>50 spaces + (0.33 per ksf > 50,000 sq. ft.)</u> <u>100 spaces + (0.20 per ksf > 200,000 sq. ft.)</u>	

Public and Quasi-Public Uses <u>TABLE 9.11.040D-12</u>		
Libraries, Museums and Galleries	1/300 sq ft of gross floor area	
Public Utility Facilities Without an Office On-site	2/employee on the largest shift + 1/company vehicle	A minimum of 2 spaces shall be required.
Auditorium, Places of Public Assembly and Places of Worship	1/3 fixed seats or 1/35 sq ft of gross floor area of the assembly area or 1 space for every 4.5 lineal feet of benches/pews, whichever is greater	
Government Offices	To be determined by a parking study approved by the March JPA Planning Director	

B. Schedule of Accessible Parking Requirements

The following requirements for accessible parking are intended to be consistent with the State requirements. Any conflicting provisions or future changes in State or Federal requirements shall pre-empt the standards for provision of accessible parking spaces contained in this Title.

1. Accessible parking for residential uses shall be provided at a rate of 1 space for each dwelling unit that is designed for accessibility and occupancy by the handicapped, unless an adjustment is allowed, based on a parking study approved by the March JPA Planning Director.
2. Accessible parking for outpatient units and facilities providing medical care and other services for persons with mobility impairments shall be provided at a rate of 10% of the total number of parking spaces provided serving such outpatient unit or facility. Accessible parking for units and facilities

that specialize in treatment or services for persons with mobility impairments shall be provided at a rate of 20% of the total number of parking spaces provided serving each such unit or facility.

3. Accessible parking spaces for other uses shall be provided at the following rates:

Number of Automobile Spaces Provided	Number of Accessible Spaces Provided
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1000	2% of total spaces
1001 and over	20 plus 1 for each 100 spaces or fraction thereof over 1001

4. Each accessible parking space shall be 14 feet wide, striped to provide a 9-foot wide parking area and a 5-foot wide loading area (access aisle) and shall be a minimum 18 feet in length. If 2 accessible spaces are located adjacent to each other, they may share the 5-foot wide loading area, resulting in a width of 23 feet for the 2 spaces. One in every 8 handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than 8 feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common 8-foot wide loading area.
5. When less than 5 parking spaces are provided, at least one shall be 14 feet wide, striped to provide a 9 foot parking area and a 5 foot loading area. Said space shall not be required to be reserved or identified exclusively for use by persons with disabilities.
6. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.
7. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the Building Official

determines that compliance with any regulation of this paragraph would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

8. The slope of an accessible parking stall shall be the minimum possible and shall not exceed 1/4 inch per foot (2.083% gradient) in any direction.
9. Notwithstanding the off-street parking requirements of Subsection 9.11.040-A, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this Subsection.
10. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least 5 feet wide and 20 feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding 1 vertical in 50 horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone as described herein.

C. Schedule for Recreational Vehicle Parking Spaces

In addition to automobile parking, recreational vehicle spaces containing not less than 400 square feet per space shall be provided within multiple family residential developments as follows:

<u>Dwelling Units</u>	<u>Recreational Vehicle Spaces</u>
1-20	No requirement
21-100	1 space/20 units
101+	1 space/20 units for the first 100 units plus 1 additional space or each 25 units over 100

Section 9.11.050 Schedule of Off-Street Loading Requirements

Minimum off-street loading space requirements for all industrial, office-commercial and commercial uses, project or complex, within the March JPA Planning Area shall comply with the following:

<u>Gross Square Footage</u>	<u>Off-Street Loading Requirement</u>
0 - 29,999	1
30,000 - 69,999	2
70,000 - 120,000	3
Each additional	1

50,000 sq. ft.
over 120,000 sq. ft.

Section 9.11.060 **Schedule of Off-Street Bicycle Parking Requirements**

Minimum off-street bicycle parking requirements for uses within the March JPA Planning Area are presented in the following table. A higher class of facility may be substituted for a Class 2 or Class 3 facility. Any use that calculates the number of off-street bicycle parking spaces as a percentage of required auto parking shall install a minimum of four (4) spaces.

Table 9.11.060-13 Off-Street Bicycle Parking Space Requirements			
	<u>Use</u>	<u>Requirement</u>	<u>Class</u>
RESIDENTIAL USES			
1	Single Family Detached	None	
2	Multiple Family	1 space/ 5 units	2
3	Senior Housing	None	
4	Mobile Home Parks and Subdivisions	None	
5	Model Home Complexes	None	
COMMERCIAL USES			
6	Uses Located in Regional Commercial Shopping Centers (more than 750,000 square feet of gross leasable area)	3% of auto parking requirement	2
7	Uses Located in Neighborhood, Community, and Convenience Shopping Centers Freestanding Commercial and Service Uses	5% of auto parking requirement	2
8	Automobile Repair	None	
9	Automobile Sales	None	
10	Automobile Service Station	None	
11	Automobile Washing	2 spaces	2
12	Barber Shop, Beauty Parlor	5% of auto parking requirement	2
13	Bank, Savings & Loan	5% of auto parking requirement	2
14	Business and Personal Services, General	5% of auto parking	

Table 9.11.060-13
Off-Street Bicycle Parking Space Requirements

	<u>Use</u>	<u>Requirement</u>	<u>Class</u>
		requirement	2
15	Eating and Drinking Establishments with Drive-in or Take-out Facilities	1 space/350 gross square feet	2
	All Others	5% of auto parking requirement	2
16	Hotel, Motel	2 spaces	2
17	Lumberyard, Nursery	None	
18	Mortuaries	None	
COMMERCIAL USES (CON=T)			
19	Offices: Administrative, Business, Professional, Government	7.5% of auto parking requirement	2
20	Retail, General (i.e., Departments, Markets, Specialty, and the like)	5% of auto parking requirement	2
21	Retail, Furniture, Major Appliances	None	
22	Business and Trade Schools	5% of auto parking requirement	2
23	Colleges	3% of auto parking requirement	2
24	Elementary, Junior High Schools	1 space/ 3-student capacity	1- enclosed
25	Senior High Schools	1 space/ 3-student capacity	2
MEDICAL AND HEALTH SERVICES			
26	Convalescent and Nursing Homes	2 spaces	2
27	Homeless Shelters	2 spaces	2
28	Hospitals, Medical and Dental Offices and Clinics	3% of auto parking requirement	2
29	Veterinary Hospitals and Clinics	2 spaces	2
INDUSTRIAL USES			
30	Manufacturing	5% of auto parking requirement	2

Table 9.11.060-13
Off-Street Bicycle Parking Space Requirements

	<u>Use</u>	<u>Requirement</u>	<u>Class</u>
31	Research and Development	5% of auto parking requirement	2
32	Warehouse and Distribution	5% of auto parking requirement	2
ENTERTAINMENT AND RECREATION USES			
33	Arcades, Games	1 space/2 games up to 20 games plus 1 space/ 5 games for over 20 games	2
34	Auditoriums, Places of Public Assembly	3% of auto parking requirement	2
35	Bowling Alleys, Billiard Halls	5% of auto parking requirement	2
36	Commercial Stables	5% of auto parking requirement	2
37	Golf Driving Range	None	
38	Golf Course (Executive and Regulation)	None	
39	Golf, Miniature	10% of auto parking requirement	2
40	Health Club	10% of auto parking requirement	2
41	Parks, Private	20% of auto parking requirement	2
42	Skating Rinks	10% of auto parking requirement	2
43	Tennis, Handball, Racquetball Facilities	10% of auto parking requirement	2
44	Theaters, Movie	10% of auto parking requirement	2
PUBLIC AND QUASI-PUBLIC USES			
45	Day Care, Preschools, Nursery Schools, Family Day Care, Residential Care Homes	2 spaces	2
46	Libraries	10% of auto parking	2

Table 9.11.060-13
Off-Street Bicycle Parking Space Requirements

	<u>Use</u>	<u>Requirement</u>	<u>Class</u>
		requirement	
47	Places of Worship	10% of auto parking requirement	2

Section 9.11.070 **Adjustments to Off-Street Parking Requirements**

1. Shared Parking

- a. A reduction in minimum parking requirements for individual uses may be granted by the approval authority where joint use of parking facilities or other factors will mitigate peak parking demand.
- b. Requests for parking reductions resulting from joint usage shall be supported by information prepared by a registered traffic engineer. The investigation used to generate the required information shall generally follow the format described below.

Shared parking requests shall be analyzed as follows:

- (1) Initial Project Review involves documentation and quantification of proposed land uses and anticipated functional relationships between the parking needs of different land uses. The initial review will also consist of data gathering regarding proximity to transit facilities, general location of parking facilities, surrounding land uses and mix, predicted pedestrian patterns, and similar variables which affect parking needs;
 - (2) Adjustments for Peak Parking Factor includes calculating the number of off-street parking spaces required for each land use within the area proposed for joint parking use based upon the requirements of Section 9.11.040. Other elements to be considered include seasonal adjustment for parking demand and a determination of the mode of transit used in reaching or departing the area being considered;
 - (3) Analysis of Hourly Accumulation involves an estimation of hourly parking accumulations for each land use during a typical week day or weekend day; and
 - (4) Estimate of Shared Parking merges the hourly parking demand estimate to calculate the overall parking required to be provided within the area being considered for shared parking facilities.
- c. Up to fifty percent of the parking facilities required by this Chapter may be utilized as shared parking facilities subject to the requirements of Section 9.11.070. Except that, a church or an auditorium which is part of a public or private school may adjust the required parking by up to

one hundred percent of the parking facilities required by this Chapter.

- d. In granting parking reductions for shared use of parking facilities, the approval authority shall make one or more of the following findings:
 - (1) The traffic engineering report justifies the requested parking reduction based upon the presence of two or more adjacent land uses which, because of their substantially different operating hours or different peak parking characteristics, will allow joint use of the same - parking facilities;
 - (2) The traffic engineering report indicates that there are public transportation facilities and/or pedestrian circulation opportunities which justify the requested reduction of parking facilities;
 - (3) The traffic engineering report finds that the clustering of different land uses is such that a reduced number of parking spaces can serve multiple trip purposes to the area in question.
- e. As a condition of approval to the granting of a reduction in required parking, the March JPA may require the granting of reciprocal access and parking agreements with surrounding properties.

2. Transportation Management Plans

- a. The number of required parking spaces may be decreased by up to twenty (20) percent of the required employee parking subject to the approval of a transportation management plan supplied by the applicant. Such a plan may include, but is not limited to car pooling, van pools, and staggered work hours.
- b. In evaluating the request, the approval authority shall consider, among other factors:
 - (1) Projected effectiveness of car pool, van pool, staggered work hours, or similar transportation management programs;
 - (2) Proximity to public transportation facilities which could be reasonably expected to serve a significant portion of employees or customers;
 - (3) Evidence of the likelihood that employees or customers will utilize regular transportation alternatives to individual use of automobiles, including transportation management plans prepared pursuant to South Coast Air Quality Management District Rule XV.

3. Off-Site Parking Facilities

Required parking for a development may be provided off the site in certain instances. Requests for off-site parking facilities shall meet the following requirements:

- a. The off-site parking shall be located so that it will adequately serve the use for which it is intended. In making this determination, the approval authority shall consider the following:
 - (1) Proximity of the off-site parking facilities;

- (2) Ease of pedestrian access to the off-site parking facility;
 - (3) The type of use which the off-site parking is intended to serve, recognizing that such facilities are generally not appropriate for high-turnover uses; and
 - (4) The need for locating parking facilities off-site, and the resulting urban design benefits of off-site parking, if any.
- b. As a condition of granting approval to the development of off-site parking facilities, the applicant and other involved parties shall be required to sign and record a reciprocal parking agreement ensuring the continued availability of the off-street parking facilities for the use they are intended to serve, to be approved by the March JPA Planning Director.

Section 9.11.080 Design Standards

A. Dimensions of Parking Spaces

1. Residential Uses

- a. Covered Spaces: Each covered space shall be located within a carport or enclosed garage. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of 10 feet x 20 feet for each 1 car parking space provided. All other covered residential spaces shall each be a minimum of 9 feet in width and 18 feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.
- b. Uncovered Spaces, Full-Size: Each full-size uncovered space shall be a minimum of 9 feet in width and 18 feet in depth.
- c. Uncovered Space, Compact: Each uncovered compact space shall have a minimum width of 8 feet and a minimum depth of 16 feet.
- d. Parallel Space: Each parallel parking space shall have a minimum dimension of 8 feet wide by 22 feet long. However, if a parallel space abuts 1 or fewer parallel spaces, and access is adequate to that space, the length may be reduced to 20 feet (see Figure 9.11.080-4).
- e. Tandem Space: Each tandem space shall be a minimum of 9 feet in width and 22 feet in depth.

2. All Other Uses

- a. Full Sized Space: Each full-sized space shall be a minimum 9 feet in width and 18 feet in depth (see Figure 9.11.080-5).
- b. Compact Space: Each compact space shall have a minimum width of 8 feet and a minimum depth of 16 feet (see Figure 9.11.080-5).
- c. Parallel Space: Each parallel parking space shall have minimum dimensions of 8 foot width by 22 foot length. However, if a parallel space abuts 1 or fewer parallel spaces, and access is

adequate to that space, the length may be reduced to 20 feet (see Figure 9.11.080-4).

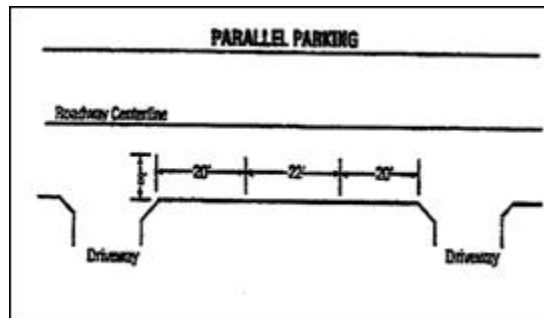


Figure 9.11.080-4

Dimensions of Parallel Parking Spaces

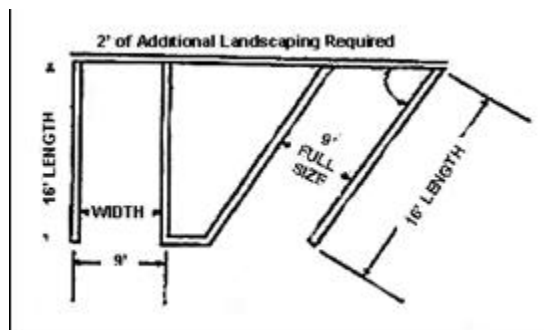


Figure 9.11.080-5

Nonparallel Parking Spaces

B. Dimensions of Parking Bays and Aisles

1. Vehicular

The minimum dimensions of parking bays and maneuvering aisles shall be set forth in the following Tables 9.11.080-14, 9.11.080-15, 9.11.080-16, and 9.11.080-17:

Table 9.11.080-14

**Parking Bay Widths for
One-Way Traffic and Double Loaded Aisles**

Angle (degrees)	Parking	
	8' 0" Stalls	9' 0" Stalls
30	40' 0"	43' 0"
45	44' 6"	48' 7"
60	48' 6"	54' 6"
70	51' 0"	57' 6"
80	52' 9"	59' 10"
90	54' 0"	61' 4"

Table 9.11.080-15

**Parking Bay Widths for
One-Way Traffic and Single Loaded Aisles**

Angle (degrees)	Parking	
	8' 0" Stalls	9' 0" Stalls
30	26' 0"	27' 6"
45	28' 3"	30' 3"
60	31' 9"	35' 3"
70	34' 3"	38' 1"
80	36' 9"	40' 9"
90	39' 0"	43' 4"

Table 9.11.080-16

**Parking Bay Widths for
Two-Way Traffic and Double Loaded Aisles**

Angle	Parking	
	8' 0"	9' 0"

(degrees)	Stalls	Stalls
30	48' 3"	51' 2"
45	52' 0"	56' 4"
60	54' 0"	59' 3"
70	54' 0"	60' 5"
80	54' 0"	61' 1"
90	54' 0"	61' 4"

Table 9.11.080-17

**Parking Bay Widths for
Two-Way Traffic and Single Loaded Aisles**

Angle (degrees)	Parking	
	8' 0" Stalls	9' 0" Stalls
30	34' 0"	35' 6"
45	36' 3"	38' 4"
60	37' 9"	40' 7"
70	38' 6"	41' 9"
80	39' 0"	42' 9"
90	39' 0"	43' 4"

2. Bicycle

A minimum aisle width of five (5) feet shall be provided between and adjacent to rows of bicycle spaces for access and pedestrian pathways.

C. Standard Improvements

1. Directional Arrows and Signs

Within parking facilities, the March JPA Planning Director may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the March JPA Planning Director may require installation of signs to ensure safe and efficient vehicular movement.

2. Drainage

All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided

with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

3. Safety Features

- a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the March JPA Planning Director when determined to be appropriate.
- b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across parking aisles.
- c. Bicycle and automobile parking areas shall be separated by a physical barrier of sufficient identification and distance to protect parked bicycles from damage by cars.

4. Striping and Identification

- a. All automobile parking spaces shall be clearly outlined with double lines on the surface of the parking facility as shown in Figure 9.11.080-6 or as otherwise specified by the Building Official.

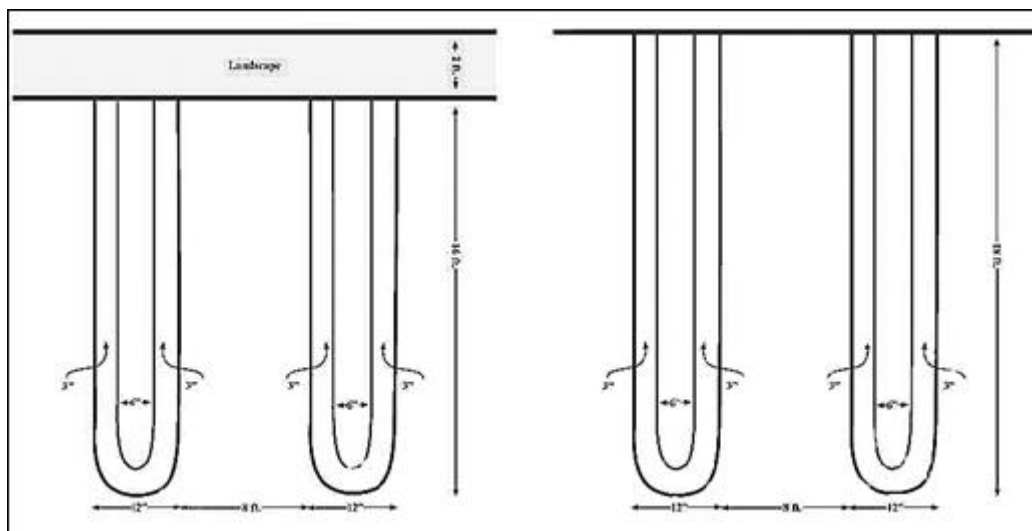


Figure 9.11.080-6A Figure 9.11.080-6B

Parking Space Striping Requirements

- (1) All parking spaces for compact cars shall be clearly identified as "Compact Car Only."

- (2) Where Class 1 bicycle facilities required by this Chapter are provided, a sign shall be posted directing users to the facility.

b. Accessible Parking Identification

- (1) All accessible parking spaces shall be striped and marked according to applicable state regulations.
- (2) Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign, of a construction and material approved by the Building Official, displaying the international symbol of accessibility. The sign shall have a minimum size of 70 square inches, and shall be centered at the interior end of the parking space at a maximum height of 80 inches from the bottom of the sign to the finished grade of the parking space.
- (3) At each entrance to a parking facility containing one or more parking spaces for the handicapped, a sign with a minimum size of 17 inches by 22 inches shall be posted, stating clearly and conspicuously in letters with a minimum height of one inch the following:

"Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for physically handicapped persons may be towed away at owner's expense. Towed vehicles may be reclaimed at ____ or by telephoning ____."

- (4) Parking spaces reserved for persons with disabilities shall have, in addition to the requirements of Subparagraphs (1), (2), and (3) above, a surface identification in blue paint of at least three square feet in size, duplicating the international symbol of accessibility.

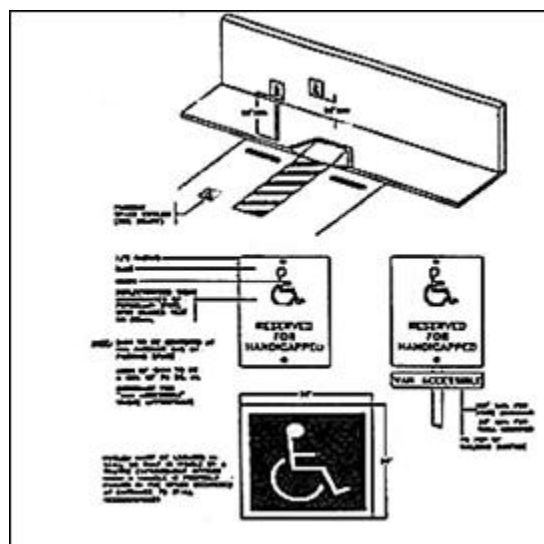


Figure 9.11.080-7

Accessible Parking Stall Requirement

*Loading area width: van accessible = 8 feet; all other accessible spaces = 5 feet

5. Surfacing

- a. All permanent automobile and handicapped parking spaces, loading and maneuvering areas shall be paved and permanently maintained with asphalt, concrete, or other all-weather surfacing as approved by the March JPA Planning Director.
- b. All bicycle parking and storage areas shall be surfaced so as to keep the area in a dust-free condition.
- c. Temporary parking facilities shall be provided with surfaces which prevent dust.

D. Types of Bicycle Facilities**1. Class 1 Facilities**

Class 1 Bicycle facilities required pursuant to the provisions of this Chapter are intended for long-term parking, and shall be protected against theft of the entire bicycle and of its components and accessories. Facilities considered to be Class 1 include, but are not necessarily limited to lockers, check-in facilities, monitored parking, and restricted access parking areas.

2. Class 2 Facilities

Class 2 facilities are intended for short-term parking, and shall include a stationary object to which the owner or operator can lock the frame and both wheels with a user-provided lock. The facility shall be designed so as to protect the lock from physical assault. Covered facilities are intended to provide protection from the sun.

3. Class 3 Facilities.

Class 3 facilities are also intended for short-term parking, and shall include a stationary object to which the user can lock the frame and both wheels with a user-provided six-foot cable (or chain) and lock.

E. Location of Parking

1. All parking spaces required by this Chapter shall be provided on the same site as the use requiring the parking spaces, except as authorized in Section 9.11.070, Adjustments to Off-Street Parking Requirements.
2. All automobile spaces required for residential uses shall be located a maximum of 250 feet from the units they are serving. Distances shall be measured from the nearest point of the building to the parking space(s) serving that building.
3. All handicapped spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve and oriented so that the user of the handicapped parking space need not go past the rear of automotive parking spaces in order to reach the building's main entrance.
4. All car pool parking spaces shall be located as close as possible to the entrance(s) of the use they are

intended to serve.

5. Permitted compact car spaces shall be dispersed throughout the parking facility and shall be as approved by the March JPA Planning Director unless specified on the approved set of plans.
6. All bicycle spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve, but situated to not obstruct primary pedestrian circulation.
7. Class 2 and 3 bicycle facilities shall be located in highly visible areas to minimize theft and vandalism.
8. In addition to the preceding requirements, parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

F. Landscape and Screening Requirements

Parking lot screening and landscaping shall conform to the requirements of the March JPA Landscape Development Guidelines and Specifications.

G. Access

1. Parking Access from Streets

- a. Access to parking spaces, other than four (4) or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.
- b. All spaces within a parking facility shall not be accessed from a public right-of-way or private street. Parking spaces shall be accessed internally.

2. Driveway Widths and Clearances

For purposes of this Section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

- a. Driveways for single family detached structures shall not be less than 16 feet in width, and shall be maintained free and clear of all obstructions;
- b. Driveways for single family attached, multiple family, and nonresidential uses shall be as shown in Table 9.11.080-18, except when for health and safety purposes wider dimensions are required for emergency vehicle access; and
- c. Driveways which serve single family development shall be defined as the paved area leading from a

public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area.

Table 9.11.080-18
Driveway Dimensions for Single Family Attached,
Multiple Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Minimum (one-way)	20 feet
Minimum (two-way)	24 feet
Maximum	36 feet
Right Turn Radius ¹	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing ²	
From side property line	10 feet
From street corner	25 feet
Angle ³	75E

3. Ramps

- a. One-way ramps shall have a minimum width of 14 feet, unless a larger dimension is required for emergency vehicle access.
- b. Two-way ramps shall have a minimum width of 20 feet.

4. Gated Entries

Requests for gated entries shall be submitted to the March JPA Planning Director and shall be accompanied by a study addressing the following issues:

- a. Type and operation of gate;
- b. Adequacy of vehicle stacking area;
- c. Effect of gated entry on parking usage and distribution on the site;
- d. Effect of gated entry on parking for surrounding or adjacent areas;

¹On side of driveway exposed to entry or exit by right turning vehicle to driveways with curb radius.

²Minimum spacing is measured along the street side property line from throat to the side property line, or to a line passing through the intersection curb return.

³Minimum acute angle measured from edge of pavement.

- e. Emergency vehicle access.

H. Loading Area Design Requirements

1. Loading areas shall be designed to provide adequate area for backing and maneuvering onsite, and shall not require maneuvering within public rights-of-way or backing onto or from a public street.
2. Loading doors shall not front a public street.
3. Loading doors shall be screened from public view by concrete wing walls, screening wall or landscaping or any combination of the above.
4. Screen walls and wing walls for screening loading areas shall be of sufficient height to screen loading activities.
5. A sight-line analysis shall be provided with all site plans for which loading areas are proposed. The sight-line analysis shall show that all roll-up doors are screened from view from adjoining residential uses and from public streets.

Section 9.11.090 Subterranean, Semi-subterranean, and Above-Ground Parking Structures

The following requirements shall apply to subterranean, semi-subterranean, and above-ground structures.

A. Requirements for All Parking Structures

1. The development of parking structures shall be subject to the Major Development and Design Review process.
2. No interior parking lot landscaping shall be required for parking spaces located within parking structures.
3. Stair wells within parking structures shall be open so as to facilitate casual observation.
4. Ramps within parking structures shall not have a slope greater than 20 percent; provided, however, that the first and last 10 feet of a ramp shall have a transitional slope no greater than 10 percent.
5. Facilities with controlled entries shall provide a minimum off-street 3 car queuing length of 60 feet.

B. Subterranean Parking Facilities

1. All openings for ingress and egress facing a public street shall be situated behind the street setback line.
2. A subterranean parking structure may be constructed and maintained in any required setback area.
3. Exits from any subterranean parking structure shall provide adequate sight distance in compliance with applicable standards established by the March JPA Planning Director.

C. Semi-Subterranean Parking Facilities

A parking structure shall be considered to be semi-subterranean if the structure is partially underground, and if the finished floor of the first level of the main building or structure does not exceed three (3) feet above the street grade of the parcel, except for openings for ingress and egress. A semi-subterranean parking structure shall not be counted as a floor or story for calculating building height.

1. All openings for ingress and egress facing a public street shall be situated behind the street setback line established by the district within which the facility is located.
2. Semi-subterranean parking structures shall meet the setback requirements.
3. Exits from any semi-subterranean parking structure shall provide adequate sight distance in compliance with applicable standards established by the March JPA Planning Director.

D. Above-Ground Parking Facilities

1. Above-ground parking facilities shall meet the height and setback requirements established for the district in which it is to be located.
2. The exterior elevations of above-ground parking structures shall be designed so as to minimize the use of blank concrete facades as determined by the approval authority.
3. The perimeter of the parking structure shall be landscaped at ground level with a minimum of one tree for every 20 feet of linear distance of facade in addition to any required streetscape landscaping.

Access	11-9-11-10, 11-17, 11-18, 11-25, 11-27-11-28
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Automobile Service Station	11-12
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Senior Housing.....	11-5, 11-12
Shared Parking	11-3, 11-15
Storage	11-3, 11-3, 11-25
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Chapter 9.12**SIGN REGULATIONS****Sections:**

- Section 9.12.010 Purpose and Intent
- Section 9.12.020 Applicability
- Section 9.12.030 Sign Area Calculations
- Section 9.12.040 Exempt Signs
- Section 9.12.050 Prohibited Signs
- Section 9.12.060 Permitted Signs
- Section 9.12.070 Sign Program
- Section 9.12.080 Outdoor Advertising Displays
- Section 9.12.090 Construction Specifications, Safety and Maintenance
- Section 9.12.100 Illumination of Signs
- Section 9.12.110 Discontinued Uses
- Section 9.12.120 Signs Required to be Removed

Section 9.12.010 Purpose and Intent

The purpose and intent of this Chapter is to establish the legal framework for a comprehensive system of sign regulation to:

1. Provide for the maximum public convenience; and
2. Maintain a high quality visual image for the community; and
3. Promote the economic well being of local businesses and the community; and
4. Reduce possible traffic and safety hazards

Section 9.12.020 Applicability

No sign shall be erected, placed or maintained except as specified in this Chapter. All signs shall require permits and payment of applicable processing fees unless exempted by this Chapter.

Section 9.12.030 Sign Area Calculations**A. Sign Area**

The area of a sign shall be the entire area that encloses the outside limits of the sign, including the sign copy area and any frame, border, background area, structural trim, or other material forming an integral part of the sign.

B. Sign Copy Area

The sign copy area shall be the area that encloses the extreme limits of the area available for displaying the desired message. The sign copy area includes both the written message and the background against which the message can be displayed.

C. Measurement Criteria

1. Only one side of a double-faced sign (a sign with two parallel, back-to-back faces) shall be counted in the calculation of sign area or sign copy area.
2. The area (sign area /sign copy area) of three dimensional signs such as spheres or cubes shall be considered to be one-half of the total visible surface area of the sign.
3. If the sign consists of more than one section or module, all of the area, including the area between the sections or modules, shall be included in the computation. The area between the sections of a wall sign shall not be included in the computation.
4. If the sign is a wall sign composed of individual letters using the wall as a background, with no additional elements, the sign area shall be equal to the sum of the area within the perimeter of each word and symbol. The perimeter shall be delineated by drawing straight lines along the outside edge of each word or symbol.

9.12.040 Exempt Signs**A. Exempt Signs**

The following signs shall be exempt from the Minor Development Review permit requirements, and shall be permitted subject to the limitations contained in this Chapter. However, a building permit may be required.

1. Change of copy involving no change in the structure, materials or dimensions of the sign.
2. Temporary holiday decorations.
3. Interior signs.

4. Licensed commercial vehicles.(see Section 9.12.050-C regarding prohibited vehicle signs).
5. Memorial tablets and plaques.
6. Official and legal notices.
7. Public transportation vehicles and bus shelters.
8. Public utility signs.
9. Safety signs.
10. Residential identification signs (see Section 9.12.040-B).
11. Temporary site identification signs (see Section 9.12.040-C).
12. Window signs (see Section 9.12.040-D).
13. For sale, lease or rent and personal message signs (see Section 9.12.040-E).
14. Open house signs (see Section 9.12.040-F).
15. On-site subdivision sale signs (see Section 9.12.040-G).
16. Temporary political signs (see Section 9.12.040-H).
17. Signs for projects under construction (see Section 9.12.040-I).
18. Directional, warning and informational signs (see Section 9.12.040-J).
19. Flags (see Section 9.12.040-K).
20. Incidental signs (see Section 9.12.040-L).
21. Agricultural signs (see Section 9.12.040-M).
22. Under-canopy signs (see Section 9.12.040-N).

B. Residential Identification Signs

The following signs shall be limited to a maximum area of four (4) square feet and a maximum letter height of four (4) inches.

1. Residential Building Identification Signs (identifying the name of a residential complex)
2. Residential Name Plate (identifying the occupants, e.g. The Smiths)

C. Temporary Site Identification Signs

Temporary site identification for public or quasi-public uses are permitted subject to the following:

1. One sign not to exceed 16 square feet in area shall be permitted per street frontage;
2. The public or quasi-public use is not located within a permanent, full-time facility;
3. The public or quasi-public use has only intermittent or periodic use of the facility it occupies, e.g., a local ministry holding weekly services in a school auditorium;
4. Such temporary signs must be displayed on the property at which the function is to take place;
5. Such temporary signs may only be displayed not more than 24 hours before and while the facility is used or occupied by the intermittent or periodic user and shall be removed immediately thereafter.
6. Temporary site identification signs may include A-frame type signs

D. Window Signs

Window signs shall not obscure more than 25% of the clear sight window area situated between four (4) and seven (7) feet above the finished floor level.

E. For Sale, Lease or Rent and Personal Message Signs

For sale, lease, rent or personal message signs shall be permitted to be placed in all zone classifications on the property offered for sale, lease or rent, or to which the personal message applies, subject to the following regulations:

1. For single family uses - one for sale, lease or rent sign per street frontage not to exceed 4 square feet in surface area and not more than 6 feet in height;
2. For multiple family residential uses - one sign for each street frontage, each sign not to exceed 16 square feet in surface area and not more than 6 feet in height. In addition, a single banner sign may be used not to exceed 40 square feet in area. Said banner shall be affixed to the wall of the building and maintained as described in Section 9.12.060-M;
3. For commercial, office and industrial uses - one sign per street frontage not to exceed 24 square feet in surface area and not more than 6 feet in height; In addition, a single banner may be used not to exceed 40 square feet in area. Said banner shall be affixed to the wall of the building and maintained as described in Section 9.12.060-M.
4. For agriculture uses - one sign for each street frontage, each sign not to exceed 16 square feet in surface area and not more than 6 feet in height;
5. For sale, lease or rent signs shall be removed within 15 days of the execution of the sale, lease or rent agreement of the property or space for which the sign was erected;
6. Personal message signs - one sign of a non-commercial nature not exceeding 8 square feet in area and not more than 6 feet in height.

F. Open House Signs

Off-Premise Temporary Open House Signs shall be permitted to be placed in all zone classifications subject to the following regulations:

1. Off-premise temporary real estate open house signs shall only be permitted in conjunction with an open house event held for the resale on one single family residence, mobile home, condominium or townhouse;
2. A maximum of five off premise open house signs shall be allowed for each open house event;
3. No more than one open house sign shall be permitted to be placed on any interior parcel and no more than two signs (one per street frontage) shall be permitted on any corner lot;
4. Off premise temporary open house signs shall only be displayed during daylight hours;
5. Off premise temporary open house signs shall not exceed four square feet in area;
6. Off premise temporary open house signs are prohibited within the public right-of-way and shall not be installed in a manner which creates a hazard for vehicle or pedestrian traffic;
7. Off premise temporary open house signs may only be located adjacent to street intersections and must be placed outside of the public right-of-way. The definition of "right-of-way", as found in Chapter 9.15, includes "the entire width of property for the use of highways...". Therefore, this item will require that temporary open house signs be located on private property. Placement of open house signs will require the written permission from the private property owners upon which such signs are placed.

G. Subdivision Sale Signs

The following standards shall apply for the construction and installation of on-site subdivision sale signs.

On-site Subdivision Signs, advertising the original sale of a subdivision, are allowed within the boundaries of a subdivision subject to the following minimum standards:

1. No sign shall exceed 100 square feet in area;
2. No sign shall be within 100 feet of any existing off-site residence;
3. No more than two such signs shall be placed within any subdivision; and
4. No such sign shall be artificially lighted.

H. Temporary Political Signs

1. Temporary political signs are permitted in all zoning districts subject to the following limitations:
 - a. No such sign shall exceed 24 square feet;

- b. No freestanding temporary political sign shall exceed 6 feet in height;
 - c. No lot shall contain temporary political signs having an aggregate surface area in excess of 80 square feet;
 - d. No such sign shall be artificially lighted;
 - e. No such sign shall be erected or placed more than 90 days prior to the scheduled election to which it pertains, except that a sign erected or placed for a candidate who prevails in a primary election may be maintained until 10 days after the final election; all other signs shall be removed within 10 days after the scheduled election to which they pertain;
 - f. No such sign shall be erected, placed or maintained upon any private property without the consent of the owner, lessee, or person in lawful possession of such property;
 - g. No temporary political sign shall be erected, placed, or maintained on any publicly owned building, structure, tree or shrub; or upon any portion of a public street or highway right of way which is used for traffic or parking;
 - h. No temporary political sign shall be erected, placed or maintained so that it does any of the following:
 - (1) Mars, defaces, disfigures or damages any public building, structure or other property;
 - (2) Endangers the safety of persons or property;
 - (3) Obscures the view of any fire hydrant, traffic sign, traffic signal, street sign, or public informational sign;
 - (4) Blocks lines of sight to areas of vehicular or pedestrian traffic.
2. Any temporary political sign erected, placed or maintained in violation of any provisions of this Section will be removed by the March JPA 5 days after notice of the violation is given to the concerned candidate or sponsor, and to the owner, lessee or person in lawful possession of the property; provided however, that any temporary sign erected, placed or maintained on any public property or right of way in violation of paragraphs e, g, or h of Subsection 1 above, or which constitutes an immediate danger to the safety of person or property may be removed by the March JPA summarily and without notice. The March JPA may bill for and/or bring an action to recover the reasonable cost of sign removal from any party or parties found to be responsible for the violation under this Section.

I. Signs for Projects Under Construction

Contractor or construction signs, future tenant identification signs, real estate signs for sale or lease may be permitted during construction provided that all of the following are met:

- 1. 32 square foot maximum;

2. Maximum of 8 feet in height;
3. Signs shall be placed no closer than 10' to any property line;
4. Signs shall be removed within 10 calendar days of issuance of a Certificate of Occupancy;
5. Where a project has in excess of 600 lineal feet of street frontage, one (1) additional sign shall be permitted for each full 600 lineal feet of street frontage and shall be separated by a minimum distance of 600 feet;
6. Sign square footage may be combined for a maximum of 72 square feet to advertise more than one of the categories identified above (i.e. construction sign and future tenant sign); and
7. For residential projects of four (4) dwelling units or less a total of one sign per street frontage may be placed on the site provided that each sign has a maximum of eight (8) square feet, has a maximum height of five (5) feet, and is located no closer than five (5) feet to any property line.

J. Directional, Warning, or Informational Signs

The following directional, warning and informational signs are permitted:

1. Signs providing direction (e.g. exit or entrance), warning, or information as required or authorized by law or by any federal, state, county, special district or city authority.
2. "No Trespassing," "No Parking," and similar warning signs to a maximum of four (4) square feet per sign.

K. Flags and Flagpoles

1. Residential Uses

Any number of flags of a noncommercial nature are allowed.

2. Nonresidential Developments:

- a. A total of three (3) flags may be displayed, inclusive of official flags and flags of a commercial nature, except that additional official flags may be allowed with a sign permit. Official flags are flags of any nation, state, county, city or other noncommercial organization.
- b. Subject to approval of a sign permit, a maximum of two (2) flags of a commercial nature may be displayed on vertical poles; each such flag shall be no larger than four (4) feet by six (6) feet in size.
- c. When a sign permit is required for a flag(s), said permit may be approved if the March JPA Planning Director finds the flag(s) compliments the design of the development where it is to be displayed.

3. Flags shall be displayed on poles manufactured for such purpose. Flagpole(s) may be erected not less

than 10 feet from any property line. The height or the top of each flagpole shall not exceed the maximum building height for the zone in which it is located.

4. Flags shall be maintained in good condition and shall not extend beyond the property line of the property on which they are located.

L. Incidental Signs

Incidental signs which show notices of services provided or required by law, trade affiliations, credit cards accepted, and the like shall be exempt from the provisions of the Minor Development Review process provided all of the following are met:

1. Such signs are attached to an otherwise approved freestanding sign, structure, or building;
2. There are no more than four (4) such signs; and
3. No sign exceeds an area per face of two (2) square feet.

M. Agricultural Signs

Signs identifying agricultural products grown or raised on the premises are permitted, and shall be subject to the following:

1. The number of such signs shall be limited to one (1) per street frontage;
2. If wall mounted, the sign shall be located below the roof line;
3. Freestanding signs shall be no higher than six (6) feet; and
4. Each sign shall have an area no greater than four (4) square feet for parcels two (2) acres or less, no greater than sixteen (16) square feet for parcels larger than two (2) acres.

N. Under-canopy Signs

1. An under-canopy sign is a pedestrian-oriented sign suspended beneath a covered walkway (arcade) with businesses along one or both sides of the walkway.
2. An under-canopy sign shall be oriented perpendicular to the building face.
3. Each tenant within a nonresidential multi-tenant project may install an under-canopy sign not to exceed four (4) square feet in area near the business entrance.
4. Each under-canopy sign shall provide a minimum clearance of eight feet between the bottom of the sign and the walkway below.
5. Under-canopy signs shall be constructed of material compatible with the building material.

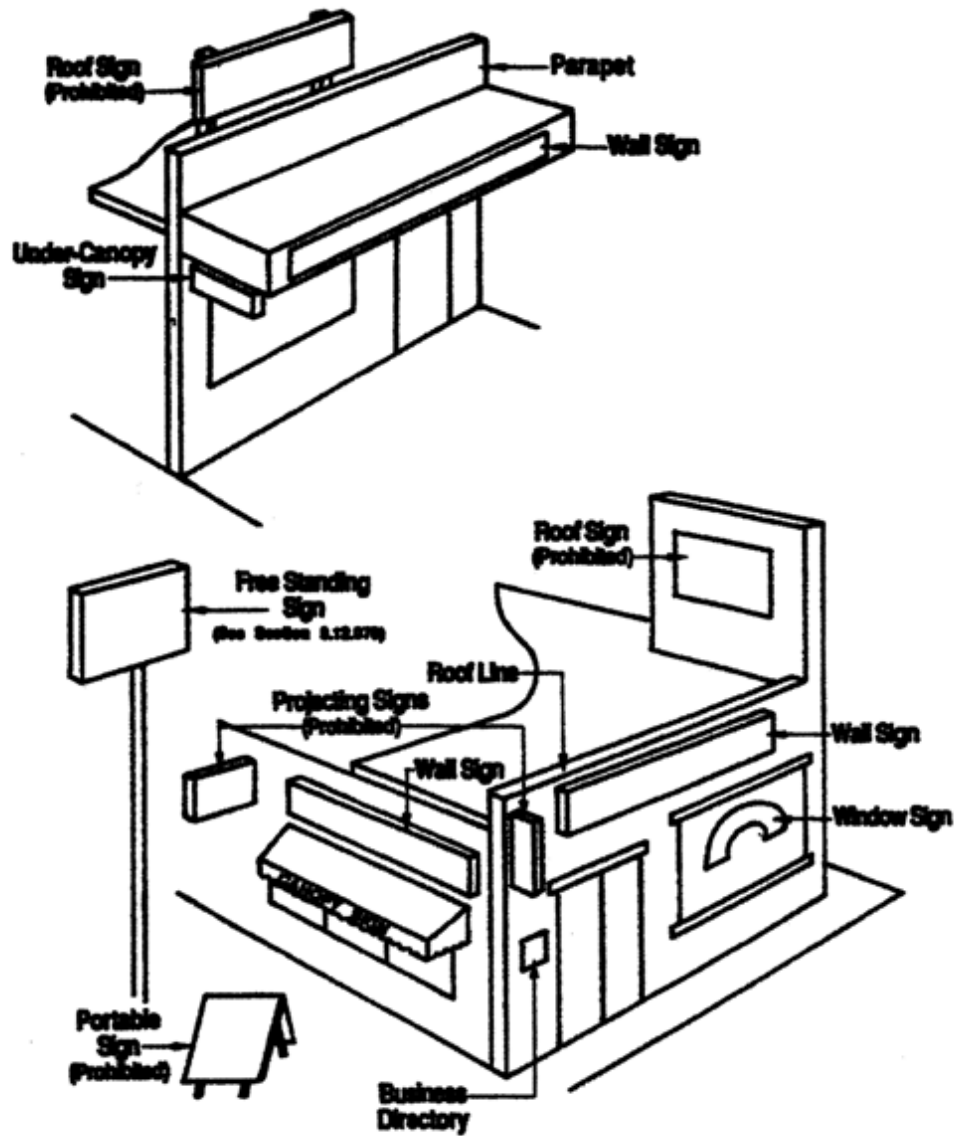
Section 9.12.050 Prohibited Signs

The following signs are prohibited except as otherwise provided in this Section:

- A. Roof signs extending above the eave or parapet line, except when the March JPA Planning Director finds the sign is an integrated feature of the architectural design or complements the design of the building;
- B. Except as provided in Section 9.12.060-A, signs which move in any manner, have any portions which move, convey the illusion of motion, revolve or rotate, emit sounds, odors or visible matter, or that incorporate reflective materials that shimmer, glisten, or glimmer or flash;
- C. Vehicle signs placed or attached on vehicles (or trailers) parked on or adjacent to any property, the purpose of which is to attract attention to a business on such property or a product or service provided on such property;
- D. Portable signs, including A-frame signs except as permitted under Section 9.12.040-C;
- E. Off-site signs except as permitted by 9.12.060-L and Section 9.12.080;
- F. Signs within the public right-of-way except those required by a governmental agency and temporary political signs and off-site directional signs subject to the provisions of Section 9.12.040-H and 9.12.060-L;
- G. Outside light bulb strings except for temporary uses such as, but not limited to, Christmas tree lots, carnivals, and other similar uses subject to prior approval of a Temporary Use Permit pursuant to the provisions of Section 9.02.150. This shall not be construed to preclude the year-round use of strings of mini-lights typically used as a Christmas tree decoration;
- H. Banners, flags, pennants, and balloons, except as specifically permitted by the provisions of Sections 9.12.040-E, 9.12.040-K, 9.12.060-K and 9.12.060-M;
- I. Other advertizing devices used to attract attention, including statues and inflatables, except as permitted for Special Events under Section 9.12.060-K;
- J. Signs which are an imitation of, or resemble official traffic warning devices or signs that by color, location, or lighting, may confuse or disorient vehicular or pedestrian traffic. This prohibition shall not include traffic or directional signs installed on private property to control on-site traffic;
- K. Signs which permit beams or rays of light to be directed at any portion of the traveled way or which are of such intensity or brilliance as to cause glare or to impair the vision or otherwise interfere with the driver of any motor vehicle;
- L. All signs not otherwise permitted by the provisions of this Title
- M. Signs attached to trees or shrubs
- N. Signs painted on roofs, fences or walls.
- O. Projecting signs, except as provided in Section 9.12.060-J.

P. Outdoor advertising displays, pursuant to Section 9.12.080

Figure 9.12.050-8
Types of Signs



Section 9.12.060 Permitted Signs**A. General Provisions**

1. The following signs shall be permitted subject to a sign permit:

- a. Modified monument signs
- b. Tenant identification (wall) signs
- c. Drive-through restaurant menu boards
- d. Freeway signs
- e. Gas station signs
- f. Theater marques
- g. Internal guidance signs
- h. Directory signs
- i. Special event signs
- j. Off-site directional signs
- k. Banners

2. Changeable Copy

The signs described in this Section may include manual, electronic or mechanically activated changeable copy comprising not more than 50 percent of the sign copy area. Such changeable copy shall not blink, flash or change in appearance more than once in 3 seconds. Manually activated changeable copy signs shall use no more than two (2) colors and shall be enclosed within a cabinet with a clear protective cover. Changeable copy signs shall not be used for advertisement of off-site businesses or activities.

B. Modified monument sign requirements

1. Commercial and Industrial Developments

One sign is allowed per driveway not to exceed a total per street frontage of 2 square feet of copy area and 2.5 square feet of sign area respectively for each 1,000 square feet of gross floor area within the development. With respect to a single building of less than 10,000 square feet in gross floor area located on an individual parcel with street frontage, said sign need not be less than 20 square feet in sign copy area and 35 square feet in sign area per street frontage.

2. Residential Developments

- a. Neighborhood Identification Signs

One non-illuminated sign is permitted not to exceed 25 square feet in copy area, 45 square feet in sign area and six (6) feet in height at each street entrance to a neighborhood. The content of such signs shall be limited to the name of neighborhood.

- b. Multiple Family Complex

One sign is permitted per street frontage not to exceed 12 square feet in copy area, 25 square feet in sign area and six (6) feet in height. The content of such signs shall be limited to the name of

the complex and the range of addresses within the complex.

c. Temporary Model Home Complex

Two non-illuminated signs are permitted not to exceed 25 square feet in copy area, 45 square feet in sign area and six (6) feet in height at each major entrance to the complex. Such signs shall be removed at the completion of home sales.

3. Institutional Signs within Residential Districts

One modified monument sign not to exceed 36 square feet in copy area, 48 square feet in sign area and 8 feet in height is permitted to identify the premises of a place of religious worship or similar quasi-public institution.

4. Sign Height and Area

- a. The height of a modified monument sign is the vertical dimension measured from the average finished grade level to the highest point of the sign. The height of a modified monument sign shall not exceed fifteen (15) feet.
- b. The maximum height of a sign located on a berm with a finished grade level more than two (2) feet above the top of the street curb shall be reduced an amount equal to the distance that the grade level exceeds two (2) feet above the top of curb.
- c. Where topographic constraints make the established copy height standards impractical, the March JPA Planning Director may adjust the height requirements on a project by project basis.
- d. The sign area of a modified monument sign may not exceed the limits prescribed in this Section unless a determination is made by the decision-making body that an increase is needed to improve the compatibility of the sign with the architecture of the development where the sign is to be located. This provision shall not be construed to apply to the sign copy area.

5. Addresses

Addresses with a minimum of six (6) inch letters shall be located above the copy area. If a series of addresses are located within the project, the address shall include the entire address range beginning with the lowest number. Addresses shall not be considered in the calculation of the copy area.

6. Vacant Spaces

Any vacant tenant spaces on a multi-tenant modified monument sign shall appear opaque until occupied using a material and texture consistent with the rest of the sign copy area.

7. Opaque Backgrounds

The sign copy area shall be designed with opaque backgrounds such that when illuminated from behind, only the sign text is illuminated against a dark (unlighted) background.

8. Application to Multi-tenant Centers

Modified monument sign standards apply to any development designed as an integrated center with shared parking and access. Leasing to individual tenants or subdivision of the center shall not establish separate sign privileges for each tenant or parcel.

9. Setback Requirements

Modified monument signs may be placed at the ultimate street right-of-way line, except that they shall not encroach within the limited use area described in the Landscape Development Guidelines and Specifications.

C. Tenant Identification (Wall) Sign Requirements

1. Signs on buildings up to 2 stories high

Each tenant may erect a wall sign on the front, side and rear of the building space occupied by said tenant with a sign area not to exceed 10 percent of the building face occupied by said tenant, except that said sign need not be less than 20 square feet in area.

2. Signs within any district on buildings over 2 stories high

- a. One wall sign not to exceed 2 percent of the building face may be placed above the windows of the highest floor on each exterior wall (front, rear and side) of the building. Such sign(s) shall display the name of the building or the major tenant.
- b. Up to 4 wall signs per building, each not to exceed 20 square feet in area, may be placed below the second floor to identify building tenants.

3. Residential Uses

One wall sign is permitted per street frontage of a multiple family complex not to exceed 12 square feet in area. The content of such signs shall be limited to the name of the complex and the range of addresses within the complex.

4. Approved Types of Wall Signs

Wall signs shall consist of individually mounted channel letters, carved or routed wood, neon, sculptured cans, can signs and awning signs.

5. Wall Sign Specifications

- a. The copy area of a can wall sign shall use an opaque background. The retainer shall be decorative.
- b. Individually mounted letters may be constructed of metal, plastic, or foam provided that the letters are a minimum of 1 inch in depth and the density of the plastic or foam is 3 pounds or greater. Alternative materials may be approved provided they are equivalent in durability to the above-referenced materials.

- c. Carved or routed wood signs shall be constructed of redwood, cedar, balsa or an equivalent material. Wood signs shall be coated with sealer to minimize weathering. Plywood signs are prohibited.
- d. Letters or graphics on an awning sign shall be painted, printed or affixed flat against the surface of an awning. An awning is a roof-like cover constructed of non-rigid material over a supporting framework that projects from the exterior wall of a building.

6. Raceways and Conduit

Raceways and electrical conduit shall not be visible.

D. Drive-through Restaurant Menu Boards

Two additional signs shall be permitted for the purpose of displaying the type and price of products sold on site to drive-through customers. Said signs may include a speaker system to allow drive-through customers to order food and beverages. Said signs shall not exceed 36 square feet in area and six feet in height.

E. Freeway signs

One freestanding on-site sign shall be permitted per parcel or business complex, provided that the sign is located within 660 feet of a freeway right-of-way. Said sign shall not exceed 45 feet in height and 150 feet in sign area. The sign area may not exceed the limits prescribed in this Section unless a determination is made by the March JPA Planning Director that an increase is needed to improve the compatibility of the sign with the architecture of the development where the sign is to be located.

F. Gas Station Signs

1. Modified monument signs

Gas stations shall be allowed one modified monument sign per street frontage to identify the business and the state mandated price identification. Each sign shall not exceed 40 square feet in copy area and 75 square feet in sign area, except that up to 45 square feet in copy area may be allowed where there is joint use of a gas station with other businesses.

2. Gas pump island signs

Signs are allowed on or above the fuel pumps not to exceed a maximum aggregate surface area of 4 square feet per linear foot of pump island.

3. Gas pump canopy (liter box) signs

Letters and symbols placed on the canopy over the fuel pumps shall not exceed 20 percent of the total surface area of each face of the canopy.

G. Theater marquees

Theater marquees shall be subject to review by the March JPA Planning Director.

H. Internal Guidance Signs

Internal guidance signs may be erected to direct pedestrian or vehicular traffic within the internal circulation system of a business or residential complex. Internal guidance signs shall list one or more of the businesses or buildings on the premises and indicate the recommended route to the businesses or buildings. Such signs shall not exceed 15 feet in height. Such signs shall be oriented for viewing from within the premises, and shall not be not readily visible from outside of the premises in which they are located. Internal guidance signs located 20 feet or more from the public right-of-way and less than 4 square feet in sign area do not require a sign permit.

I. Directory signs

1. Vehicular-oriented directory signs

One vehicular-oriented directory sign may be required near each major entrance of a multiple-structure project. One vehicular-oriented directory sign shall be permitted near each major entrance of a multi-tenant, business complex. Said signs shall not exceed 48 square feet in sign area and eight (8) feet in height. A vehicular-oriented directory sign shall not be placed at the driveway entrance but shall be located in an easily accessible location adjacent to the driveway. Said sign may contain a list and map and accompanying legend indicating the name of the development, streets, buildings, unit numbers and fire hydrant locations within the development. Vehicle-oriented directory signs shall be oriented for viewing from within the complex and not from the street outside of the complex.

2. Pedestrian-oriented directory signs

One pedestrian-oriented directory sign not to exceed ten (10) square feet in copy area shall be permitted for each multi-tenant building in a business or residential complex. Said sign shall list each business or residence located within the building and its address.

J.. Projecting Signs

A projecting sign may be permitted in lieu of a modified monument sign based on a determination by the decision-making body that the physical limitations of the site make it impractical to erect a modified monument sign on the premises. The copy area and sign area shall not exceed the size of said modified monument sign.

K. Special Event Signs

1. Special Event Signs are permitted subject to the following:

- a. Definition: A "Special Promotion" is a commercial event for which the special use of Special Event signs which are otherwise prohibited by this Chapter, are permitted with a granting of a permit by the March Joint Powers Commission prior to such displays. No special promotion shall exceed 30 days during any calendar year at any one address or location within the March JPA Planning Area;

- b. The March JPA Planning Director shall issue permits for "Special Event Signs" not to exceed

30 days during any calendar year. The applicant for such special event signs may elect to determine how the days shall be allocated to that particular address or premises within the March JPA Planning Area. However, no more than three (3) permits may be issued per calendar year;

- c. Applications for "Special Event Sign" permits shall be filed with the March Joint Powers Planning Director, at least five (5) days prior to the beginning of the event, provided, however, that the March JPA Planning Director may exempt an applicant from the five (5) days application prior to the beginning of an event provided the applicant files a declaration under penalty of perjury that the nature of his business activities does not permit advance knowledge by the applicant of the time of any particular "Special Event" and that such applicant agrees that he will not exceed the total number of 30 days within any calendar year.
- d. All "Special Event Signs" shall comply with the following requirements and restrictions:
 - (1) The applicant shall obtain any other required permits, licenses, written approvals from the March JPA or other agencies and observe all laws concerning health and safety.
 - (2) Written approval from the property owner or authorized agent shall be submitted with the permit application.
 - (3) A copy of the approved permit application will be furnished by March Joint Powers Planning Director. This copy, and all other required permits, the must be displayed in a conspicuous place on the premises throughout the duration of the event.
 - (4) Signs, advertising devices and other approved outdoor displays shall substantially conform in size and location to the site plan sketched on or attached to the permit and conform with any restrictions stated upon the permit.
 - (5) Signs, advertising devices and other approved outdoor displays shall be erected or placed only on property in possession or control of the permittee. No off-site signs or displays shall be permitted.
 - (6) Within ten (10) feet of any vehicular access or five (5) feet of any public street property line, no sign, advertising device, or other approved outdoor display shall exceed thirty (30) inches in height above street curb. No public right-of-way shall be used for locating any sign or display.
 - (7) Signs or banners shall be permitted with an area of one (1) square foot for each lineal foot of store or building front, owned or operated by the permittee, up to a maximum of eighty (80) square feet.
 - (8) All signs, or other approved outdoor displays shall be erected and maintained in a clean, safe manner and in good repair at all times.
 - (9) The March JPA Planning Director may impose special requirements and restrictions when unusual conditions exist at or near the proposed event location. Such restrictions shall be listed on the approved permit application and shall be adhered to throughout the duration of the event.

- (10) Search lights may be permitted concurrently with other signs as part of a special event promotion.
- 2. "Special Event Signs" for Grand Openings shall be permitted in addition to the time frames specified above provided that no additional time shall be granted for inflatable signs.
 - a. No sign shall be displayed more than 30 calendar days;
 - b. The event is for the original opening of a business at a particular location, within 30 days after occupancy. Existing businesses may qualify if the ownership and the name of the business is changed. A grand opening is not an annual or occasional sales promotion or the opening of a related store at another location;
 - c. The requirements of Special Event Signs, are met.

3. Inflatable Signs

Inflatables shall be allowed with a Special Event Sign permit provided that:

- a. Inflatables shall not be displayed for more than 30 days per calendar year.
- b. Balloons and blimps shall not exceed a maximum height of fifty (50) feet above grade.
- c. Large (greater than 40 inches in diameter) balloons and blimps shall be permitted for commercial uses only.
- d. Any size balloon or blimp may be illuminated but may not have been constructed of reflective material.

L. Off-Site Directional Signs

Only off-site directional signs which are in conformance with this Section may be erected or maintained within the March JPA Planning Area. Off-site directional signs shall only be permitted for residential subdivisions, public and quasi-public uses or facilities. The following standards shall apply to the construction and installation of off-site directional signs:

- 1. The March JPA shall designate an organization for administration of the terms of this Section except that the organization shall have no enforcement powers hereunder. The duties of the organization under this Section include, but are not limited to, the following:
 - a. Timely, equitable and non-discriminatory processing of applications to install a Directional Sign on a Kiosk;
 - b. Obtaining sites and approvals for Kiosk locations;
 - c. Timely construction and installation of Kiosks and Directional Signs; and
 - d. Maintenance of Kiosks, Kiosk sites and Directional Signs in a neat, clean and orderly condition.

2. The duties imposed upon the organization pursuant to this Section may be exercised by a third party, subject to prior approval of such third party by the March JPA Planning Director.
3. The design of Kiosks and Directional Signs shall be prepared by the organization and submitted to the March JPA for written approval by the March JPA Planning Director.
4. Kiosks and Directional Signs shall conform to the following general standards:
 - a. Kiosks shall contain no more than eight (8) Directional Signs per face;
 - b. No Kiosk shall have more than one face, except that additional faces, not to exceed three in number, may be approved for specific locations by the March Joint Powers Commission;
 - c. No Kiosk shall exceed nine (9) feet in height or five (5) feet in width;
 - d. Each Directional Sign shall be nine (9) inches high and five (5) feet long;
 - e. Directional Signs may contain the following information: name of use; applicant logo; and a directional arrow; and
 - f. No tag sign, streamer, device, display board, or other appurtenance may be added to or placed upon any Kiosk or Kiosk site except as approved in writing by the March JPA Planning Director.
 - g. Kiosks will be permitted in all land-use districts and on private or public property or right-of-way, subject in each case to written permission of the owner of such property or right-of-way and subject to written approval of the March JPA. Permission of the property owner for each Kiosk site shall be filed with the March JPA Planning Director. Approval of the March JPA may be obtained in the following manner:
 - (1) By designation as an approved site by the March JPA Planning Director;
 - (2) For Kiosks of one face, by the March JPA Planning Director; and
 - (3) For Kiosks of two or more faces, by the March Joint Powers Commission, except that the March JPA Planning Director may give interim approval of such sites for a period of thirty (30) days or less.
 - h. All liabilities, costs and expenses arising out of the siting, installation and construction of Kiosks and Directional Signs, and out of administering the provisions of this Section, other than enforcement expenses related to violations of this Section, shall be borne by the organization; the organization shall enter into an agreement with the March JPA, under which it indemnifies, defends and holds harmless the March JPA, in such form as approved by the March JPA Executive Director and March JPA Legal Counsel, and shall provide public liability insurance in the minimum amount of \$300,000 naming the March JPA as additional insured and in such form and with a company or companies approved by the March JPA Executive Director and March JPA Legal Counsel; and the March JPA shall have no liability therefore.
 - i. In addition to other penalties provided by law, including those set forth in this Section, any

Directional Sign erected, constructed, installed or maintained in violation of this Section shall be deemed a public nuisance and may be summarily abated as such by the March JPA.

M. Banners**1. General Provisions**

- a. Banners shall be maintained free from deterioration, disrepair or other condition that would create a nuisance as described in Section 6.04.030 (p) of the Municipal Code.
- b. Banners shall be attached to buildings unless otherwise specified in this Section. The banners shall be securely fastened at all four corners to the wall of the building on which it is located. The method of attachment shall prevent the banner from flapping in the wind.
- c. A banner shall not obscure windows, doors, lighting fixtures, other signs, nor shall it be displayed above the walls of the building on which it is located.

2. Promotional advertising banners

- a. A promotional advertising banner is a banner advertising the name of a business or a product or service provided on the premises.
- b. No promotional advertising banner shall be displayed unless authorized by permit issued by the March Joint Powers Planning Director. Each permit may cover more than one banner. A banner permit shall be effective for one year. The permit fee shall be equal to the fee(s) specified for Special Event Signs unless otherwise provided by resolution of the March Joint Powers Commission.
- c. Banners shall be displayed on the wall(s) of the building space occupied by the business advertised on the banner, not to exceed one banner per wall and two (2) banners per business. Each promotional advertising banner shall not exceed 10% of the area of the building face on which it is placed.
- d. In the case of a business engaged in a substantially outdoor enterprise, the March JPA Planning Director may permit a promotional advertising banner to be placed in a location other than the wall of a building occupied by said business and of a size that would be enjoyed by a typical indoor business situated on a site of the same size.
- e. A copy of the approved banner permit shall be displayed in a conspicuous place on the premises in full public view for as long the permit is in effect.
- f. A promotional advertising banner shall not be displayed in lieu of a permanent wall or canopy sign except during the first 60 days of issuance of the certificate of occupancy for the business.
- g. A promotional advertising banner shall not be displayed facing a freeway.

3. Quasi-public uses

One banner not to exceed 16 square feet in sign area may be displayed per street frontage in

conjunction with a quasi-public use.

Section 9.12.070 Sign Program

An integrated sign program may be requested by the property owner for all non-residential projects greater than 15 gross acres in area. The sign program shall be subject to review by the March JPA Planning Director. A sign program may deviate from any of the standards provided in this Section. Sign programs in effect prior to adoption of this Title shall be considered valid upon adoption of this Title. Such programs may be converted to the standards given in this Section if the landowner files a Notice of Intent with the March JPA Planning Director.

Section 9.12.080 Outdoor Advertising Displays**A. General Provisions**

1. An outdoor advertising display is a sign that meets both of the following criteria:
 - a. The sign contains any component that is more than nine (9) feet in height above the ground or more than five (5) feet in width; and
 - b. The sign advertises any establishment, product, service, or activity which is not located, sold, produced, or furnished on the property where the sign is located. This criterion includes any sign regulated by the California Outdoor Advertising Act.
2. No person shall erect, use, or maintain any outdoor advertising display in the March JPA Planning Area, except in accordance with the provisions of this Section. Where there is a conflict between this Section and any other applicable regulations, the more restrictive provisions shall prevail.
3. Because outdoor advertising displays have been determined to be a visual blight which is offensive to the aesthetic standards of the community, contribute to traffic hazards by distracting driver's attention and reduce the visibility of other signs that contribute to the economic well-being of the community no new outdoor advertising displays shall be allowed.

Section 9.12.090 Construction Specifications, Safety and Maintenance**A. Compliance with Building Code**

All signs shall comply with the appropriate detailed provisions of the March JPA Building and Construction Code relative to design and construction, structural integrity, connections and safety. Signs shall also comply with the provisions of the applicable electric codes, with other applicable ordinances, and the additional construction standards set forth in this section.

B. Construction and Maintenance of Signs

1. Each sign hereafter erected or remodeled shall bear, in a permanent position, clearly legible

identification decals stating the firm or corporation responsible for its construction and erection. Electric signs shall be marked with input amperages at the full load input.

2. Each sign shall have a specified sticker provided by the March Joint Powers Planning Director that identifies the permit number that was originally issued by the March JPA, and such sticker must be visibly placed on the frame or outer perimeter of the sign.
3. No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or door opening, unless authorized by special user permit. No sign shall be attached in any form, shape or manner which will interfere with an opening required for ventilation, except in circumstances when not in violations of the March JPA Building and Construction Code or other applicable Codes or ordinances.
4. Signs shall be located so as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the March JPA Building and Construction Code and the regulations of the Public Utilities Commission.
5. Signs that require water distribution, or as required by the March JPA, shall be properly guttered and connected with down spouts to storm drains so that water will not drip or flow onto public sidewalks or streets.
6. All permanent free-standing signs or poles shall be self-supporting structures erected on and permanently attached to concrete foundations. Such structures or poles shall be fabricated only from steel or other such materials as allowed by the March JPA Building and Construction Code or Building Official.
7. All signs shall be constructed to withstand wind loads, in accordance with the March JPA Building and Construction Code.
8. Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections.
9. All signs shall be structurally safe, and shall be fabricated, constructed, erected or installed and maintained in such a manner as will comply with the provisions of this chapter and with all applicable federal, state, and city regulations. The display surface of all signs shall be kept clean, neatly painted, and free from graffiti, rust and corrosion. Any cracked or broken surfaces and malfunctioning or damaged portions of a sign shall be repaired or replaced within 30 calendar days following notification by the March JPA. Noncompliance with such a request shall constitute a nuisance, and will be abated in accordance with the provisions of Chapter 1, Section 1.01.250 of the Municipal Code.

Section 9.12.100 Illumination of Signs

A. Signs shall be internally illuminated, except that indirect lighting shall be permitted provided the light source shall not spill over on adjacent properties or road right-of-way and is not visible from the street, public parking area or public thoroughfare. The light fixtures shall be screened from view.

B. Signs incorporating neon to highlight the desired message against an opaque background are permitted provided that:

1. Neon lights installed within twelve (12) feet of the ground shall be enclosed or covered by a protective transparent shield; and
2. Neon signs shall not exceed (30) milliamps.

Section 9.12.110 Discontinued Uses

Signs which advertise activities, businesses, business directories, services or products, which are no longer conducted or sold on the premises, except for temporary closures for repairs, alteration, or similar situation, shall be removed within 30 days of such discontinuance, abandonment or vacation of the premises.

Section 9.12.120 Signs Required to be Removed

Signs which are not removed in the specified time periods pursuant to the provisions of this Chapter shall constitute a nuisance, and shall be subject to removal under the provisions of other applicable Sections of the March JPA Code or as provided by law.

A. Nuisance Signs and Hazardous Sign

Every sign and advertising structure unlawfully placed on the public right-of-way or unlawfully projecting over the public right-of-way or unlawfully placed on public property, or declared to be hazardous or unsafe by the March JPA Planning Director, is hereby declared to be a public nuisance.

B. Removal of Signs - Nuisance Signs

The March JPA Planning Director may forthwith remove or correct or cause to be moved or corrected, any sign or advertising structure, without notice, for unlawfully placed on or unlawfully projecting signs over the public right-of-way or unlawfully placed on public property. Signs which are declared to be hazardous or unsafe which in actuality are immediately hazardous to life and property may also be removed or corrected without notice. All other signs which are public nuisances under this Code may be abated by said Director or other proper official after notice and hearing is provided or allowed to the sign owner in accordance with provisions of this Code, or as otherwise provided by law.

C. Removal of Signs - Storage and Redemption

A removed sign, other than signs of paper, cardboard, lightweight plastic or similar material, shall be held not less than thirty days by the March JPA during which period it may be recovered by the owner upon paying the March JPA for costs of removal and storage. If not recovered within the thirty-day period, the sign and structure is declared abandoned and title thereto shall vest in the March JPA. The charge may be in addition to any penalty for the violation and recovery of the sign and does not necessarily abrogate the penalty.

Chapter 9.13**SPECIFIC PLANS****Sections:**

9.13.010	Purpose and Intent
9.13.020	Authority
9.13.030	Applicability
9.13.040	Map Designation
9.13.050	Specific Plan Requirements
9.13.060	Minimum Design Standards
9.13.070	Requirements Not Specified
9.13.080	Adoption/Amendment Procedure
9.13.090	General Plan Consistency
9.13.100	Findings for Projects within an Approved Specific Plan

Section 9.13.010 **Purpose and Intent**

The purpose and intent of this Chapter is to allow for flexibility in design and development requirements which will afford the opportunity to create major developments on large tracts of land which will implement the March JPA General Plan and the Planned Industrial, Planned Residential and Planned Commercial designations shown on the March JPA General Plan Map.

The specific plan is a tool for the systematic implementation of the March JPA General Plan which documents the proposed distribution, location, extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, parks and other essential facilities proposed to be located within or needed to support the land uses described in the plan, as well as implementation and financing methods and added benefits to the March JPA as a whole.

Section 9.13.020 **Authority**

The March Joint Powers Commission may initiate the preparation of Specific Plans based upon the March JPA General Plan and shall draft such regulations and programs as deemed necessary. Publicly and privately initiated Specific Plan applications shall be processed by the March Joint Powers Commission and shall be scheduled for Public Hearing by the March Joint Powers Planning Director.

Section 9.13.030 **Applicability**

This Section shall apply to all Planned Development Districts, or any other project site where the applicant believes that implementation of a Specific Plan will benefit the project and the March JPA.

A minimum project area of 2.5 acres, as a separate parcel or in combination with adjoining parcels for the purposes of a single project submittal, is required for the filing of a specific plan application. A specific plan shall be subject to Major Development Review, the requirements of the underlying district and the following standards. All specific plan applications shall be accompanied by a General Plan Amendment and zone change application requesting a change from the existing March JPA General Plan and underlying district designation to a specific plan designation.

Section 9.13.040 **Map Designation**

Areas within an approved specific plan shall be designated on the March JPA General Plan Map and the official zoning map as follows:

In all cases, the "SP" symbol shall be followed by a number to designate the Specific Plan (e.g., SP-1: Specific Plan No. 1). All development shall be subject to provisions of the designated Specific Plan, associated documents and the regulations of this Chapter.

Section 9.13.050 **Specific Plan Requirements**

A specific plan shall include, but not be limited to, a text and diagram(s) which specify all of the following in detail:

1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
2. The proposed distribution, location, extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, parks, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
3. Standards and criteria by which development will proceed and standards for the conservation, development and utilization of natural resources, where applicable.
4. A program of implementation measures including regulations, programs, public works projects and financing measures necessary to carry out 1, 2, and 3 specified above.
5. The specific plan shall include a statement of its relationship to the March JPA General Plan including a statement of how the specific plan implements the goals and policies of the March JPA General Plan.

6. All specific plans shall include a table indicating how the specific plan differs from the zoning district designation most closely resembling the type and density of the proposal; equivalent threshold density shall be utilized for residential comparison. A complete discussion of how the differences proposed in the specific plan serve to implement the March JPA General Plan and improve the quality of development above what would be provided through the utilization of development district standards shall be included.
7. Any project phasing shall be clearly identified. All parks and roadways required to service each phase shall be completed prior to occupancy. The responsibility of the developer, the March JPA, and any other agencies shall be discussed in the phasing section of the document. Any and all agreements which require March JPA participation, developer contribution, or construction of facilities shall be discussed.
8. The residential development standards and regulations shall include, but not be limited to, the following items:
 - a. Description and purpose;
 - b. Definition of terms (if other than that set forth in the March JPA Development Code);
 - c. Permitted uses, buildings and structures;
 - (1) Primary uses.
 - (2) Accessory uses.
 - (3) Conditional uses.
 - d. Minimum building site areas and lot dimensions;
 - e. Minimum building site area per dwelling unit;
 - f. Minimum floor area per dwelling unit, if found to be appropriate by the March Joint Powers Commission;
 - g. Minimum setbacks;
 - (1) Yards.
 - (2) Building separations.
 - h. Maximum building coverage per lot;
 - i. Building and structural height limitations;
 - j. Recreational leisure areas, open space and private outdoor living areas;
 - k. Off-street parking;
 - (1) Open.
 - (2) Covered.
 - (3) Screening from roadways.

- l. Distance of dwelling units from vehicular access ways and parking;
- m. Walls or fencing;
- n. Refuse storage areas;
- o. Treatment of any external lighting and roof mounted equipment;
- p. Landscaping (on and off-site);
- q. Signs; and
- r. The residential land use categories designated in the specific plan shall apply the following nomenclature:

Very low density shall correspond to densities of up to 1 dwelling unit per acre; low density residential shall correspond to densities of up to 2 dwelling units per net acre; medium density residential shall correspond to densities of up to 5 dwelling units per net acre; medium-high density residential shall correspond to densities of up to 10 dwelling units per net acre; high density residential shall correspond to densities of up to 15 dwelling units per net acre; and very-high density shall correspond to densities of up to 20 dwelling units per net acre.

- 9. The commercial and industrial development standards and regulations shall include, but may not be limited to, the following items:
 - a. Description and purpose;
 - b. Definition of terms, if other than that set forth in the March JPA Development Code;
 - c. Permitted uses, buildings and structures;
 - (1) Primary uses.
 - (2) Accessory uses.
 - (3) Conditional uses.
 - d. Setbacks and building separations;
 - e. Landscaping (on and off-site);
 - f. Building and structural height limitations;
 - g. Site size;
 - h. Off-street parking;
 - i. Walls;
 - j. Refuse storage and loading areas;

- k. Access (secondary);
 - l. Treatment of external lighting and roof mounted equipment;
 - m. Signs;
 - n. Performance standards (standards which might affect adjacent residential uses, i.e., noise, odor, lighting, dust and the like).
10. Any specific plan shall include graphic illustrations or a design manual as appropriate, and may be required to address other subjects which in the judgment of the March Joint Powers Planning Director and/or March Joint Powers Commission, are necessary or desirable for implementation of the March JPA General Plan.

Section 9.13.060 **Minimum Design Standards**

All specific plans shall provide for development which exceeds the minimum standards and quality, as determined by the March Joint Powers Commission over the whole of the project, of development commensurate with what would be permitted under the existing district classification that most closely resembles the type and density of development proposed.

The following are considered the minimum standards acceptable for a specific plan. Each of the following shall be addressed within the text and graphic illustrations or design manual submitted for approval of a specific plan:

- a. Lot development alteration or enlargement shall be viewed not only as one or more free standing objects but also as part of a street, a cluster, or neighborhood within the entire community. Parcel or lot development should respect existing development, topography, views, general vehicle, pedestrian, bicycle and equestrian circulation, and the natural environment.
- b. Natural features such as mature vegetation, landforms, drainage courses, rock outcroppings, and views should be used to advantage as design elements. Conversely, undesirable site features should be minimized through proper site planning and building orientation. A discussion of view corridors and opportunities is required.
- c. Placement of the building shall be done in a manner compatible with surrounding existing and planned uses and buildings. The setback from streets and adjacent properties shall relate to the scale of the proposed building. Larger buildings shall require more setback area for a balance of scale and to provide compatibility with adjacent uses. All buildings shall have articulated roof lines and fully dimensional roofs creating shadowing effects, physical offsets, and features of design such as interesting angles, projections, roof overhangs, and other enhancing techniques integrated into the building in a harmonious manner coupled with pedestrian amenities. All exterior wall elevations of buildings and screen walls shall have architectural treatment and articulation of elevation and recesses, which create shadow patterns and texture, and provide variety to the building plane or surface. At ground level, expanses of blank building wall shall be minimized through creative use of materials, textures, color and building form.

- d. Access and circulation shall be designed to provide a safe and efficient system for vehicles and pedestrians. Points of access shall comply with City access regulations and shall not conflict with other planned or existing access points. The circulation system shall be designed to reduce conflicts between vehicular and pedestrian traffic, minimize impacts on adjacent properties, combine access where possible, and provide adequate maneuvering areas. Vehicular and pedestrian traffic shall be separated through the use of a continuous system of public and private sidewalks. Major entry areas shall be treated in a manner which reflects the architectural theme of the development and is compatible in color, texture, and materials with adjacent structures.
- e. Parking shall be designed to minimize visual disruption of the overall project design. Parking areas should be screened from streets through combinations of mounding, landscaping, low profile walls, and especially grade separations. The design of parking areas shall also minimize auto noise, glare, and increases in ambient air temperature. This can be accomplished through sound walls, screening with fences or hedges, trees, and separation of parking spaces and driveways from residences.
- f. A unifying landscape design which is clearly identified and included as part of the specific plan is required and shall enhance the building design, enhance public views and spaces and provide buffers and transitions. Landscaping shall provide for solar access and for shade to facilitate energy conservation. Where appropriate, landscape design features such as color accents, specimen tree planting and decorative hardscape shall be provided to enhance roadway intersections, driveway approaches, pedestrian walkways, and building entries. A discussion of plant materials, minimum sizes, number of plants, placement and anticipated landscape budget for the project is required.
- g. Fences and walls are discouraged unless needed for a specific screening or safety purpose. Where needed, fences and walls shall relate to both the site being developed and surrounding developments, open space and streets or pedestrian ways. The use of fencing or walls shall be consistent with the overall design theme of the development or adjoining existing developments; and shall incorporate landscape elements, changes in materials, offsets and fenestrations, color or texture in order to screen refuse facilities and prevent graffiti, undue glare, heat, or reflection; and minimize aesthetic inconsistencies.
- h. Adequate on-site lighting shall be provided to ensure a safe environment yet not cause areas of intense light, glare or spill over on adjacent properties. Lighting fixtures and poles shall be designed as an integrated part of buildings or complexes and placed in a manner consistent and compatible with the overall site and building design character.
- i. On-site utilities and ancillary equipment shall be located in inconspicuous areas and screened with material or combination of materials which best suit the overall design theme.
- j. Development should relate to the natural surroundings and minimize grading by following the natural contours as much as possible. Graded slopes shall be rounded and contoured to blend with existing terrain. Split-level pads, built-up foundations, stepped footings, and the like, are encouraged in areas of moderate to steep gradient. The overall grading shall create differentials in building plotting and shall be used to break up straight visual lines by lowering parking areas and stepping site plans and building pads.
- k. A recognizable design theme shall be established which is compatible with surrounding planned or existing developments and which is based upon prominent design features in the immediate area (e.g., trees, landforms, historic landmarks). Variations are encouraged which provide visual interest

but do not create abrupt changes causing discord in the overall character of the immediate neighborhood. It is not intended that one style of architecture should be dominant, but that individual structures shall create and enhance a high quality and harmonious community appearance.

- l. The architecture shall consider compatibility with surrounding character, including harmonious building style, form, size, color, material, reveals, overhangs and roof line. Individual dwelling units should be distinguishable from one another and have separate entrances.
- m. The mass and scale of the building shall be proportionate to the site, open spaces, street locations, and surrounding developments. Setbacks and overall heights should provide an element of openness and human scale.
- n. Colors, textures, and materials shall achieve compatibility of design and to enhance architectural interest. They should blend well with the environment and not create inappropriate abrupt changes.
- o. An integrated sign program or programs for the entire specific plan area shall be provided. Conformity to applicable regulations, provisions for sign placement, sign scale in relationship to buildings and readability shall be considered in developing the signing concept. While providing the most effective signing, the concept shall also be compatible with the building and site design relative to color, material, and placement.
- p. All equipment, whether on the roof, side of building, or ground, shall be screened. Wherever possible, a roof parapet or other architecturally integrated element shall be used to address this requirement. All equipment screening shall be architecturally compatible with respect to materials, color, shape, and size. The screening design shall blend with the building design. Where individual equipment is provided, a continuous screen is desirable.

Section 9.13.070 **Requirements Not Specified**

Development within a specific plan area shall be subject to the requirements of the district which most closely resembles the use and intensity of use proposed unless expressly addressed and modified within the text of the approved specific plan. Determination of said district shall be made by the March JPA Planning Director.

Section 9.13.080 **Adoption/Amendment Procedure**

A specific plan shall be adopted, amended and repealed by ordinance and may be amended as often as deemed necessary by the legislative body.

Section 9.13.090 **General Plan Consistency**

No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the March JPA General Plan or any General Plan Amendment approved concurrently with the specific plan.

Section 9.13.100 Findings for Projects within an Approved Specific Plan

No local public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no zoning ordinance may be adopted or amended and no Conditional Use Permit, Plot Plan, Variance, or other discretionary approval or permit shall be adopted or granted within an area covered by a specific plan unless it is consistent with the adopted specific plan.

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Chapter 9.14**LAND DIVISIONS****Sections:**

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- 9.14.220 Amount of Security
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Section 9.14.010 Authority

- A. This Chapter is adopted pursuant to the provisions of the Subdivision Map Act.
- B. All land divisions in the March JPA Planning Area as hereinafter defined are subject to all of the applicable provisions of the Subdivision Map Act and this Chapter.

Section 9.14.020 Standards of Land Division**A. Conformance**

1. All land division shall conform to the March JPA General Plan, with all applicable specific plans, and with the requirements of this Development Code except as hereinafter provided.
2. The requirements set forth in this Chapter are minimum standards and requirements, and the March JPA Executive Director may establish additional policies to implement said standards and requirements, which the March JPA Executive Director finds necessary for proper and effective division of property and necessary to implement applicable March JPA General Plan policies.
3. Exceptions from the requirements of this ordinance relating to the design or improvement of land divisions shall be granted only when it is determined that there are special circumstances applicable to the property, such as, but not limited to, size, shape or topographical conditions or existing road alignment and width, and that the granting of the modification will not be detrimental to the public health, safety or welfare or be damaging to other property in the vicinity.
4. Applications for such exceptions shall be made in writing, stating fully the reasons and justification for the requested exception and shall be filed with the tentative map to be acted upon when the tentative map is considered for approval, conditional approval or denial.
5. A Tentative Map shall be required of all applications for all land divisions for which a parcel map is required pursuant to Section 66428 of the Subdivision Map Act. The requirement for a tentative map may also be waived by the March JPA Planning Director where a request for a waiver of a parcel map meets with approval pursuant to Section 9.14.090-L.

B. General Street Design

1. The street system in the proposed land division shall be related, in general, to the existing streets in the area adjoining the proposed land division.
2. The proposed street system shall give consideration to the future land division of adjoining undivided property.
3. All streets shall be designed to serve the proposed use of the abutting land.

4. When improvements are required, part-width boundary streets in a land division adjacent to undivided land shall have a minimum half-width right-of-way.
5. When no improvements are required, part-width boundary streets shall have a minimum right-of-way width of 30 feet.
6. Concrete rolled curbs in conformance with March JPA Standards may be permitted in place of standard curbs on non-dedicated streets upon the determination of the March JPA Executive Director that the streets are adequate to handle drainage, and that an adequate maintenance program is provided in the covenants, conditions, and restrictions of the subdivision or otherwise assured to the satisfaction of the March JPA Executive Director.
7. When consistent with existing development, access to residential property along freeways, expressways, arterial highways, major highways and flood control channels shall be provided by one of the following:
 - a. A frontage road or service road; or
 - b. A street separated by a tier of lots.
8. Design of streets shall make provision for railroads, parkways, expressways, grade separations, flood control channels, prevailing geological conditions and local drainage facilities.
9. Whenever lots of a proposed land division are located more than 660 feet, in any area, from a publicly maintained circulatory road, a secondary access shall be provided. Documentation and improvement for such access shall be established as part of the tentative map review.
10. Dead-end and part-width streets shall not be permitted if it is determined that adjacent land use or topographical features will not permit the extension or widening of such streets. Dead-end streets shall be so designed that access to abutting property shall be physically possible.
11. On land divisions where improvements are not required, the centerline alignment of the street right-of-way shall be so located that future improvements shall be feasible and in accordance with March JPA Standards and ordinances.
12. Concrete rolled curbs are not permitted in streets offered for dedication to the public.

C. Private Streets

1. Private streets may be permitted when it is determined that there is adequate provisions for their construction and continued maintenance, that the welfare of the occupants of the development will be adequately served and that it will not be detrimental to the public health, safety and general welfare.
2. Private streets shall not be offered for dedication to public use. All private streets shall meet the width requirements set by the March JPA Executive Director and shall be constructed in accordance with March JPA Standards.

3. All streets that are permitted to be private may provide for access control by land division design, posting or gating. Gating shall meet the approval of the Fire Prevention Bureau.
4. Interior streets of a planned residential development shall be constructed to minimum widths as determined by the March JPA Executive Director and in accordance with March JPA improvement standards.
5. When a special design for a cul-de-sac, length of a street terminating in a cul-de-sac, landscaped median, or any other improvement design is proposed and is not provided for in this Chapter or in the March JPA improvement standards, the design shall be submitted to the March JPA Executive Director for approval.
6. Concrete rolled curbs in conformance with March JPA Standards may be permitted in place of standard curbs on non-dedicated streets upon the determination of the March JPA Executive Director that the streets are adequate to handle drainage, and that an adequate maintenance program is provided in the covenants, conditions, and restrictions and/or otherwise assured to the satisfaction of the March JPA Executive Director.
7. Sidewalks shall be required to be constructed in conjunction with private streets unless it is determined by the approving body to be unnecessary, considering the design of the development. Sidewalk construction shall be in accordance with the March JPA improvement Standards.
8. Improvement plans, agreements and bonds shall be required for private streets in accordance with the applicable provisions of this Chapter.

D. Street Grade

1. Street grades for local streets may exceed 12% only when engineering design shows that the grade proposed is safe and that the lesser grade would deny access to land appropriate for use subject to the approval of the Fire Prevention Bureau.
2. Street grades of less than 1.0% may be approved only when engineering design shows that local drainage provisions are adequate and steeper gradients cannot be obtained. The minimum acceptable grade shall be 0.50% unless a written request is made of, and written approval is granted by the March JPA Executive Director. The utilization of combinations of steep and minimum gradelines as a means of generating embankment materials for on-site tract grading to the detriment of street maintenance and good engineering design will not be approved. Every effort shall be made to design street grades which will be in conformance with the existing terrain.

E. Street Alignment

1. All street intersections shall be at right angles, plus or minus 5 degrees, unless otherwise approved by the March JPA Executive Director.
2. Centerline offsets of less than 200 feet shall not be permitted, except that in special design cases offsets of less than 5 feet may be used when approved by the March JPA Executive Director.
3. Curb Returns:

- a. A minimum curb return radius of 25 feet shall be provided at intersecting streets designated as collector or local streets;
 - b. A minimum curb return radius of 35 feet shall be provided when one or both of the intersecting streets is designated as a minor arterial street or greater;
 - c. In hillside areas, the curb return radius may be modified if required because of the topography.
4. Corner cutbacks shall be established as provided in March JPA Standards.
5. Frontage road connections providing access to the main highway shall incorporate an intersection design in conformance with March JPA Standards.
6. Median openings or crossovers between opposing lanes of a divided highway shall be located only at approved intersections and other locations as approved by the March JPA Executive Director.

F. Alleys

1. Improved alleys not less than 20 feet in width may be approved at the rear of all lots intended for industrial, commercial, and multiple family uses.
2. Alley intersections shall have minimum corner cutbacks of 25 feet.
3. Dead-end alleys shall provide an adequate turnaround for emergency vehicles as required by the [Municipal Code].

G. Lots

1. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the March JPA General Plan.
2. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than 3600 square feet, exclusive of the utility easement.
3. Side lot lines shall be at right angles to the street center line, except where terrain or other restrictions make such design impractical.
4. No lot shall be divided by a city, county, school district or other taxing agency boundary line.
5. The minimum lot frontage on a knuckle or cul-de-sac street shall be 35 feet measured along the property line unless otherwise specified in the development standards of the zoning classification.
6. Lot frontage along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.
7. When a lot includes an access corridor, the access corridor shall be not less than 35 feet in width. In no case shall the length of the access corridor exceed 500 feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than the maximum length of a cul-de-sac as defined herein.

H. Exclusions

1. Any contiguous property that is owned by the land divider shall be included within the boundaries of a land division when necessary or desirable in the design or improvement of the land division.
2. Any contiguous property that is owned by the land divider, but not included within the boundaries of the land division, shall be of such size and shape as to conform to the provisions of this code, the March JPA General Plan, or any applicable specific plan; otherwise it shall be included within the boundaries of the land division.

I. Required Access

1. No land division final map shall be recorded unless public access is provided from each parcel of the land division to a city, county, county service area, community service district, state or federal road that is maintained for public use. Public access to a road maintained by a property owner's association may be allowed if the March Joint Powers Commission determines that there is no other feasible means of guaranteeing maintenance of the road for public use, and if the association has the unqualified right to maintain the road pursuant to recorded conditions, covenants and restrictions which require the association to maintain the road and such requirement cannot be amended or terminated without the consent of the March JPA.
 2. The requirement for public access may be waived under the following circumstance:
 - a. If a parcel map creates 4 or less parcels and public access over intervening lands cannot be offered for dedication, an appurtenant private easement for ingress, egress, roadway, and public utility purposes may be approved, provided:
 - (1) The land to be divided is not zoned for commercial, industrial or multiple-residential use; and
 - (2) No parcel under one acre in size is created unless only one additional parcel is being created; and
 - (3) If no improvements are required, the private easement is no less than 24 feet in width, and is duly recorded, is perpetual in duration, and is not subject to liens and encumbrances which might impair or defeat its purpose. If improvements are required, a minimum of 40 feet is required; and
 - (4) The access easement owned by the land divider is not an exclusive easement or specifically written to prohibit further division of the land.
 - b. If a subdivision map has been previously recorded that permitted private streets without the requirement of offering the streets for dedication, a private road easement may be approved provided said easement grants the new lots unrestricted access rights to the existing private streets.
 3. Public Access is not required if each parcel created is 40 acres or more or is a quarter of a quarter section.
-

J. Design of Subdivision to Provide for Future Passive or Natural Heating or Cooling Opportunities

In order to provide for future passive or natural heating and/or cooling opportunities in a subdivision, the following considerations shall be taken into account: subdivision lot design, size, configuration or structure, orientation in an east-west direction, local climate, contour, configuration of the parcel to be divided, and other design and improvement requirements. Such provision shall not result in reducing allowable densities or the percentage of lot which may be occupied by a building or structure under applicable planning and zoning in force at the time the tentative map is filed.

These requirements do not apply to condominium projects which consist of the subdivision of airspace in an existing building when no new structures are added.

Section 9.14.030 Tentative Maps - General**A. Tract Numbers**

1. Prior to the filing of a tentative map for a land division, a tract number shall be obtained from the Riverside County Road Department or other proper authority.
2. When the tentative map is a parcel map division, this shall be so indicated thereon.
3. The March JPA Executive Director shall maintain a permanent record of all tract numbers within the March JPA Planning Area limits.
4. When applying for a tract number, the land divider shall certify that he is the record owner of the property, or that the record owner consents to the filing of the map, or the land divider shall submit such proof of ownership or consent of the owner as shall be required by the March JPA Executive Director.
5. When a number has been assigned by the County for a particular parcel or contiguous parcels of land, the land divider shall place the tract number upon each tentative map of the land division and neither the number nor the area of the parcel of land for which the number is issued shall thereafter be changed or altered in any manner upon the tentative map of the land division unless and until a new number has been assigned by the County.

B. Preliminary Corner Stakes

At the request of staff, the land divider may be required to place a conspicuous stake identified with a number or corner description and flag at each approximate corner of the property to be divided. The stake shall extend at least three feet above ground and be identified with a number and owner description.

C. Application

1. Prior to filing a tentative map, the land divider shall obtain an application for land division, which form shall be furnished by the March JPA staff and completed by the divider.
2. The application shall be for the purpose of:

- a. Providing and clarifying the information required to be shown on, or to accompany, the tentative map;
- b. Determining whether the land division conforms to all the requirements of this and other March JPA ordinances; and
- c. Expediting the processing of the tentative map.

D. Division of Land

1. No person shall make any land division, as herein defined, of real property located in the March JPA Planning Area, except in accordance with the provisions of the Subdivision Map Act, Land Surveyors Act, this Code and other appropriate laws.
2. When a tentative map has been submitted, no grading or construction work shall be performed until the tentative map and the improvement plans for such work have been approved by the appropriate approving authority.

Section 9.14.040 Tentative Maps - Information Required**A. Tentative Subdivision Maps**

1. The following information shall be shown on and verified or accompany tentative subdivision maps with any other supplementary information that the March JPA Staff or March JPA Executive Director may deem necessary and reasonable:
 - a. Tract number, title of map, Assessor's parcel number and legal description of property, not including tract name;
 - b. Name, address and telephone number of owner and land divider, and name, address and telephone number of person preparing map;
 - c. Ownership information on additional property owned adjacent or contiguous to the land to be subdivided;
 - d. Approximate total acreage of property and lot size, net and gross for a typical lot and for each irregular lot, overall dimensions, north arrow, scale and date;
 - e. Subdivision boundary line and detailed vicinity map showing relationship to surrounding community;
 - f. Names, location, right-of-way, widths, and improvements of adjacent streets, alleys, railroads, transmission lines, pipelines, sewers and existing structures, both above and below ground;
 - g. Names, locations, widths of right-of-way for proposed streets, alleys and easements, and the approximate grades of proposed and existing streets and approximate street centerline radii of curves;

- h. Streets, alleys and right-of-way providing legal access to the property;
- i. If private streets are proposed, they shall be so noted on the tentative map;
- j. Names of utility purveyors, locations and widths of existing and proposed public utility easements:
 - (1) When specific areas for subsurface disposal are required, those areas shall be delineated; and
 - (2) Any known existing wells on the property or within 200 feet of the subdivision boundary shall be indicated on the tentative map;
- k. Water courses, channels, existing culverts and drain pipes, including existing and proposed facilities for control of storm waters;
- l. Land areas subject to overflow, inundation or flood hazard;
- m. Any land or right-of-way to be dedicated for public use;
- n. Identify common areas and open spaces;
- o. Proposed lot lines and approximate dimensions;
- p. Adjoining property and lot lines;
- q. Maximum contour interval shall be as required by the March JPA Executive Director. The contour lines shall extend 300 feet beyond the exterior boundaries of the property when adjacent property is unimproved or vacant unless otherwise determined by the March JPA Executive Director. Copies of the U.S.G.S. topographic maps are acceptable when approved by the March JPA Executive Director. County Flood Control and County Road Department base maps may be acceptable;
- r. Site Grading:
 - (1) Whenever any area of the proposed subdivision has a gradient of 5% or more, as measured between natural contours, the following information shall be shown on, or accompany, the tentative map:
 - (a) The proposed cuts and fills in the subdivision:
 - 1) All cut and fill slopes or combination thereof shall be made no steeper than 2:1 (two horizontal to one vertical), and their height shall be no greater than ten feet. Exceptions to these standards may be permitted as follows:

Cut slopes - Slope ratios steeper than 2:1 and slope heights in excess of ten feet vertically shall be considered if they are recommended to be safe in a slope feasibility report written by either a registered geotechnical engineer or a registered engineering geologist. The slope stability report must also include

recommendations for erosion control and landscaping of the proposed grading;

Fill Slopes - Fill slopes with heights in excess of ten feet vertically (on a slope of 2:1) may be allowed if they are recommended to be safe in a slope stability report written by a registered geotechnical engineer. The slope stability report must also include recommendations for erosion control and landscaping of the proposed grading;

Based on the slope stability report, fill slopes greater than ten feet may need to be constructed at a more gentle slope ratio (e.g. 3:1 or 4:1), in order to achieve stability.

- 2) Cuts and fills in areas of subsurface sewage disposal shall be in accordance with the sewage disposal feasibility report recommendations.
 - (b) The elevations of all individual building pads in the subdivision;
 - (c) The elevations at the perimeter of the subdivision;
 - (d) The relationship to adjoining land and development.
- (2) Where grading will tie into adjacent natural terrain, final manufactured slopes shall be blended into the existing terrain.
 - s. Existing use and zoning of property immediately surrounding tract;
 - t. Existing zoning, and proposed land use of property within the proposed tract (single-family, multiple-family, commercial, industrial); and
 - u. A list of the names and addresses of the owners of real property located within 300 feet of the exterior boundaries of the property to be considered, as shown on the latest equalized assessment roll, and any update issued by the County Assessor.
2. Reports and written statements on the following matters shall accompany the tentative map:
 - a. Proposed method of control of storm water, including data as to amount of runoff, and the approximate grade and dimensions of the proposed facilities;
 - b. A written statement (Land Division Form SAN 53) from the Health Officer stating that:
 - (1) A water purveyor under permit has agreed in writing to serve all lots in the land division; and
 - c. A written statement (Land Division Form SAN 53) from the Health Officer stating the type of sewage disposal that will be permitted. To aid in this determination a sewer feasibility letter or a sewage disposal feasibility report and Regional Water Quality Control Board clearance or other pertinent information shall be required.
3. If the land division lies within a special zone shown on the map prepared by the State Geologist pursuant to the Alquist-Priolo Geologic Hazard Zone Act, a geologic report or waiver thereof pursuant to the provisions of this Title shall accompany the tentative map.

4. A program for control of soil erosion in conformity with this Chapter shall be submitted for land division in blow sand areas.

B. Tentative Parcel Maps

1. The following information shall be shown and verified or accompany all tentative parcel maps and any other information that the March JPA Staff or March JPA Executive Director may deem necessary and reasonable:
 - a. Parcel Map identification number, Assessor's parcel number, title of map, and legal description of property but not including tract name;
 - b. Name and address of owner and land divider and name and address of person preparing map;
 - c. Approximate total acreage of property and lot size net and gross for a typical lot and for each irregular lot, overall dimensions, north arrow, scale and date;
 - d. Land division boundary line and vicinity map showing relationship to surrounding community;
 - e. Assessor's Map book and page numbers of adjoining land divisions;
 - f. Names, locations, right-of-way, width and improvements of existing adjacent streets, alleys, railroads, and existing structures, both above and below ground;
 - g. Names, location, widths of rights-of-way or proposed streets, alleys and easements, and the approximate grades of proposed streets and approximate street centerline radii of curves;
 - h. Streets, alleys and right-of-way providing legal access to the property;
 - i. If private streets are proposed, it shall be so noted on the tentative map;
 - j. Names of utility purveyors, location and width of existing and proposed known public utility easements:
 - (1) When specific areas for subsurface sewage disposal systems are required, the location and width of the disposal areas is required.
 - (2) Any known existing wells on the property or within 200 feet of the subdivision boundary shall be indicated on the tentative map.
 - k. Water courses, channels, existing culverts and drain pipes, including existing and proposed facilities for control of storm waters;
 - l. Land areas subject to overflow, inundation or flood hazard;
 - m. Any land or right-of-way to be dedicated for public use and right-of-way for railroads and other uses;
 - n. Identify common areas and open spaces;

- o. Proposed lot lines and approximate dimension;
- p. Adjoining property and lot lines;
- q. Maximum contour interval shall be as required by the March JPA Executive Director. The contour lines shall extend 300 feet beyond the exterior boundaries of the property when adjacent property is unimproved or vacant unless otherwise determined by the March JPA Executive Director. Copies of U.S.G.S. topographic maps are acceptable only when other information is not available. County Flood Control and County Road Department base maps may be acceptable;
- r. Existing use and zoning of property immediately surrounding tentative map;
- s. Existing zoning and proposed land use of property within the parcel map (single-family, multi-family, commercial, or industrial);
- t. A statement as to whether the tentative map includes the entire contiguous ownership of the land divider or only a portion thereof; and
- u. A list of the names and addresses of the owners of real property located within 300 feet of the exterior boundaries of the property to be considered, as shown on the last equalized assessment roll, and any update issued by the County Assessor.
- v. Site Grading:
 - (1) Whenever any area of the proposed subdivision has a gradient of 5% or more, as measured between natural contours, the following information shall be shown on, or accompany, the tentative map:
 - (a) The proposed cuts and fills in the subdivision:
 - 1) All cut and fill slopes or combinations thereof shall be made no steeper than 2:1 (two horizontal to one vertical), and their height shall be no greater than ten feet. Exceptions to these standards may be permitted as follows:

Cut Slopes - Slope ratios steeper than 2:1 and slope heights in excess of ten feet vertically shall be considered if they are recommended to be safe in a slope stability report written by either a registered geotechnical engineer or a registered engineering geologist. The slope stability report must also include recommendations for erosion control and landscaping of the proposed grading.

Fill Slopes - Fill slopes with heights in excess of ten feet vertically (on a slope of 2:1) may be allowed if they are recommended to be safe in a slope stability report written by a registered geotechnical engineer. The slope stability report must also include recommendations for erosion control and landscaping of the proposed grading.

Based on the slope stability report, fill slopes greater than ten feet may need to be constructed at a more gentle slope ratio (e.g. 3:1 or 4:1), in order to achieve stability.

- 2) Cuts and fills in areas of subsurface sewage disposal shall be in accordance with the sewage disposal feasibility report recommendations.
 - (b) The elevations of all individual building pads in the subdivision;
 - (c) The elevations at the perimeter of the subdivision;
 - (d) The relationship to adjoining land and development.
- (2) Where grading will tie into adjacent natural terrain, final manufactured slopes shall be blended into the existing terrain.
2. Reports and written statements on the following matters shall accompany the tentative map:
 - a. Proposed method of control of storm water, including data as to amount of runoff, and the approximate grade and dimensions of the proposed facilities;
 - b. A written statement (Form SAN 53) from the Health Officer, stating the type of sewage disposal and water supply that will be permitted shall be submitted for all commercial and industrial parcel maps.
3. If the land division lies within a special studies zone shown on the map prepared by the State Geologist, pursuant to the Alquist-Priolo Geologic Hazard Zone Act, a geologic report or waiver thereof pursuant to the provisions of this title shall accompany all tentative parcel map.
4. Request to waive the final map for any parcel map division shall be filed at the time of the filing of the tentative parcel map.

Section 9.14.050 Processing of Tentative Maps

A. Filing of Tentative Map

1. Action Following Filing: For purposes of this Section, the 50-day limitation for action after filing of the tentative map shall commence after certification of the Environmental Impact Report, adoption of a Negative Declaration, or a determination that the project is exempt from the requirements of Division 13 (commencing with Section 21,000) of the Public Resources Code.
2. Submittal Requirements: All tentative maps shall be submitted to the March JPA Staff and shall be accompanied by the appropriate fee as set by the March Joint Powers Commission and shall comply with this Chapter.
3. Additional Information: Within 30 days of the date on which the map is submitted, the March JPA Staff shall determine whether any additional information is required, and the applicant or representative shall be so notified. Once the information required to complete the review of the tentative map is provided, the March JPA Staff shall accept the map as complete for filing.

Additional information which may be required shall include, but is not limited to, data necessary to complete environmental review, flood and drainage studies, sewage disposal information, and circulation studies.

B. Fee for Flood Protection Study

1. A flood protection study fee as set forth by March Joint Powers Commission shall be paid upon the submittal of the tentative map if required by the March JPA Executive Director.
2. No charge shall be made for a flood protection study on a revised tentative map filed within two years of the original filing.
3. There shall be no flood protection study fee for reverting subdivided lands to acreage.

C. Map Distribution

Upon the submittal of the tentative map to the March JPA Staff, one copy thereof shall be forwarded to each member of the appropriate [Advisory Agency and to each of the following:

1. March JPA Executive Director
2. Fire Department
3. School District(s)
4. California Department of Transportation (If Applicable)
5. Flood Control District (If Applicable)
6. Eastern Municipal Water District and local sewer/water servers as applicable to the property involved
7. Riverside County Health Department
8. Police Department
9. Parks and Recreation Department
10. Any other public agency, as appropriate

D. Review By March Joint Powers Commission

1. All tentative maps shall be reviewed by the March Joint Powers Commission. The land divider and any representative shall be notified of the date and time of the meeting, at which time the land divider shall review the proposed map with the Commission.
2. Upon completion of its review, the March Joint Powers Commission shall prepare minutes and

transmit a copy thereof to the land divider and his representative.

E. Consideration by the Advisory Agency

1. Tract Maps and Parcel Maps. Except as described herein, a public hearing shall be held before the March Joint Powers Commission and its report thereon shall be made. Notice of the hearing shall be given as provided in Section 9.02.200 of this Code and shall be subject to the Major Development Review Process contained in Section 9.02.030-B of this Code. After closing the hearing, the March Joint Powers Commission shall approve, conditionally approve or disapprove the proposed tentative map. The March JPA Planning Director may approve, conditionally approve or disapprove a Tentative Parcel Map without a public hearing on land zoned and developed for commercial or industrial purposes. Notice shall be given as provided in Section 9.02.200-C.
2. Notice of the decision shall be filed with the Secretary of the March Joint Powers Commission and a copy thereof mailed to the land divider or authorized agent and any interested party requesting a copy.

F. Consideration of Tentative Maps by the March Joint Powers Commission

The decision of the March Joint Powers Commission is final 11 days after the Commission decision is required unless:

1. An appeal is filed within 10 days of the March Joint Powers Commission action; or
2. A member of the March Joint Powers Commission requests that the Commission assume jurisdiction of the matter within 10 days of the Commission action; or
3. The tentative map requires prior approval of a General Plan Amendment, Zone Change or other approval vested solely with the March Joint Powers Commission.

G. Appeal of Actions of Advisory Agency

1. Appeal of the Action of the March JPA Planning Director
 - a. The land divider or any interested party may appeal the decision of the March JPA Planning Director to the March Joint Powers Commission. Any such appeal shall be filed with the March JPA Planning Director within ten (10) days after the decision. The appeal shall be filed in writing, stating the basis for the appeal, and shall be accompanied by the applicable fee as required by the March JPA.
 - b. Upon the filing of the appeal, the March JPA Planning Director shall set the matter for a public hearing on a date within 30 days after the date of the filing of the appeal and shall give notice of the public hearing in the same manner as required by law. Upon conclusion of the hearing, the March Joint Powers Commission shall render its decision on the appeal within 7 days.

H. Extension of Time for Processing

All time limits specified in this Code for reporting and acting on tentative maps may be extended by the mutual consent of the land divider and the Advisory Agency or March Joint Powers Commission, but in no event may the extensions exceed the maximum applicable period permitted by State Law.

I. Failure to Receive Notice

Failure to receive notice of a hearing shall not invalidate the action taken by the Advisory Agency, or the March Joint Powers Commission.

J. Waiver of Final Parcel Map

Upon request of the land divider, the March JPA Executive Director may waive the requirement that a final parcel map be prepared if the Executive Director finds that the proposed land division complies with the requirements as to:

1. Area;
2. Improvement and design;
3. Flood water drainage control;
4. Appropriate improved public roads;
5. Sanitary disposal facilities;
6. Water supply availability;
7. Environmental protection;
8. Adequate existing survey control; and
9. All other provisions of this and other applicable ordinances of the March JPA and the Subdivision Map Act.

Section 9.14.060 Processing of Vesting Tentative Maps**A. Introduction**

1. It is the purpose of this Section to establish procedures necessary for the implementation of the Vesting Tentative Map Statute, and to supplement the provisions of the Subdivision Map Act and this Chapter (Land Divisions). Except as otherwise set forth in the provisions of this Section, the provisions of this Chapter shall apply to the processing of Vesting Tentative Maps.
2. This Section is enacted pursuant to the authority granted by Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the Government Code of the State of California (hereinafter referred to as the Vesting Tentative Map Statute), and may be cited as the Vesting Tentative Map Ordinance.

B. General Provisions

1. Consistency

No land shall be subdivided and developed pursuant to a vesting tentative map for any purpose which is inconsistent with the March JPA General Plan and any applicable specific plan or not permitted by this Code or other applicable Ordinances.

2. Application

- a. This Section shall apply both to residential and nonresidential developments. Whenever a provision of the Subdivision Map Act, as implemented and supplemented by this Code requires the filing of a tentative map or tentative parcel map, a vesting tentative map may instead be filed in accordance with the provisions hereof.
- b. If a subdivider does not seek the rights conferred by the Vesting Tentative Map Statute, the filing of a vesting tentative map shall not be a prerequisite to any approval for any proposed subdivision, permit for construction, or work preparatory to construction.

3. Filing and Processing

A vesting tentative map shall be filed in the same form and have the same contents, accompanying data and reports and shall be processed in the same manner as set forth in this Chapter for a tentative map except as hereinafter provided:

- a. At the time a vesting tentative map is filed, it shall have printed conspicuously on its face the words "Vesting Tentative Map".
- b. At the time a vesting tentative map is filed, a subdivider shall also supply the following information unless waived by the March JPA Staff or March JPA Executive Director as appropriate:
 - (1) Height, size, location and uses of all existing and proposed buildings;
 - (2) Existing and proposed sewer, water, storm drain and road details;
 - (3) Detailed grading plans, including soils information;
 - (4) Flood control information or engineer's drainage study, as required and approved by the March JPA Executive Director;
 - (5) Plans to include roofs, materials, fences and walls, elevations, landscaping, signs and such other improvements as may be required for architectural or design review by March JPA ordinances or regulations;
 - (6) A traffic study approved by the March JPA Executive Director, unless waived by the March JPA Executive Director;
 - (7) Archeological, geological, seismic and soils studies as found to be necessary by the March JPA Staff;
 - (8) An acoustical study approved by the March JPA Planning Director for properties requiring

such study by March JPA ordinance, regulations or policies;

- (9) An application for rezoning the property if the proposed use or density is not permitted in the current zone; and
 - (10) Such other information as may be requested by the March JPA Staff or March JPA Executive Director to permit a complete analysis and appraisal of the project.
- c. The provisions of Subdivision b. shall be applied in a manner consistent with the provisions of Section 66498.8 (d) of the Vesting Tentative Map Statute.

4. Fees

Upon filing a vesting tentative map, the subdivider shall pay the fees required by the March Joint Powers Commission for the filing and processing of a vesting tentative map.

5. Expiration

The approval or conditional approval of a vesting tentative map shall expire at the end of the same time period, and shall be subject to the same extensions established by this Chapter for the expiration of the approval or conditional approval of a tentative map.

6. Vesting on Approval of Vesting Tentative Map

- a. Subject to the provisions of the Vesting Tentative Map Statute, the approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies and standards described in Government Code Section 66474.2.

However, if Section 66474.2 of the Government Code is repealed, the approval or conditional approval of a Vesting Tentative Map shall confer a vested right to proceed with development in substantial compliance with the ordinances and policies and standards in effect at the time the vesting tentative map is approved or conditionally approved.

- b. Notwithstanding Subdivision a., any fees required to be paid after the tentative map is approved, such as park fees, school fees, drainage, improvement or other development impact fees, and the like, and landscape and maintenance requirements, shall be paid in the amount required or otherwise complied with at the time each is required to be paid or performed.
- c. Notwithstanding Subdivision a., a permit, approval, extension, or entitlement may be made conditional or denied if any of the following are determined:
- (1) A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both;
 - (2) The condition or denial is required in order to comply with state or federal law.
- d. The rights referred to herein shall expire if a final map is not approved prior to the expiration of the vesting tentative map as provided in this Code. If the final map is recorded, these rights shall

last for the following periods of time:

- (1) An initial time period of twelve (12) months beyond the recording of the final map. Where several final maps are recorded on various phases of a project covered by a single vesting tentative map, this initial time period shall begin for each phase when the final map for that phase is recorded;
- (2) The initial time period set forth in this Subdivision d. shall be automatically extended by any time used by the March JPA for processing a complete application for a grading permit or for design or architectural review, if such processing exceeds 30 days from the date a complete application is filed;
- (3) A subdivider may apply to the March Joint Powers Commission for a one-year extension at any time before the initial time period set forth in this Subdivision d. (1) expires. If the extension is denied, the subdivider may appeal that denial to the March Joint Powers Commission by depositing a written notice of appeal with the **Secretary of the March Joint Powers Commission** within fifteen (15) days;
- (4) If the subdivider submits a complete application for a building permit during the periods of time specified in this Subdivision d., the rights conferred by the Vesting Tentative Map Statute shall continue until the expiration of that permit, or any extension of that permit granted by the March JPA.

7. Development Inconsistent with Zoning—Conditional Approval

- a. Whenever a subdivider files a vesting tentative map for a subdivision whose intended development is inconsistent with the zoning ordinance in existence at the time, that inconsistency shall be noted on the map. The March JPA may deny such a vesting tentative map or approve it, conditioned on the subdivider, or his or her designee, obtaining the necessary change in the zoning to eliminate the inconsistency. If the change in the zoning is obtained, the approved or conditionally approved vesting tentative map shall, notwithstanding Subsection 6, confer the vested right to proceed with the development in substantial compliance with the change in the zoning and the map, as approved.
- b. The rights conferred by this Section shall be for the time periods set forth in Section 6.

8. Applications Inconsistent with Current Policies

As recognized under the provisions of Section 66498.4 of the Vesting Tentative Map Statute, notwithstanding any provision of this Section, a property owner or his or her designee may seek approvals or permits for developments which depart from the ordinances, policies, and standards described in Subsections 6 and 7 of this Section, and the March JPA may grant these approvals or issue these permits to the extent that the departures are authorized under applicable ordinances and other law.

Section 9.14.070 **Denial of Tentative Land Division Maps**

A. Findings

A tentative map shall be denied if any of the following findings are made:

1. That the proposed land division is not consistent with applicable general and specific plans;
2. That the design or improvement of the proposed land division is not consistent with applicable general and specific plans;
3. That the site of the proposed land division is not physically suitable for the type of development;
4. That the site of the proposed land division is not physically suitable for the proposed density of the development;
5. That the design of the proposed land division or proposed improvements are likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

This finding shall not be construed to prohibit approval of a map for which an Environmental Impact Report was prepared and a finding is made pursuant to Section 21081 (c) of the California Public Resources Code;

6. That the design of the proposed land division or the type of improvements are likely to cause serious public health problems; or
7. That the design of the proposed land division or the type of improvements will conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

With respect to this finding, a land division may be approved if it is found that alternative easements for access or for use will be provided and that they be substantially equivalent to ones previously acquired by the public. This paragraph shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction.

8. Denial of Map Under the Williamson Act.
 - a. A tentative map or a parcel map for which a tentative map was not required shall be denied if it is found that the land is subject to a contract entered pursuant to the California Land Conservation Act of 1965, and that the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use.
 - b. Land shall be presumed to be in parcels too small to sustain their agricultural use if the land is:
 - (1) Less than 10 acres in size in the case of prime agricultural land; or,
 - (2) Less than 40 acres in size in the case of land which is not prime agricultural land. The March Joint Powers Commission may approve a subdivision with parcels smaller than those specified in this Section if the March Joint Powers Commission find that the parcels can nevertheless sustain their agricultural use, or are subject to a written agreement for joint management pursuant to Section 51230.1 of the Government Code provided that the parcels

which are jointly managed total at least 10 acres in size in the case of land which is prime agricultural land or 40 acres in size in the case of land which is not prime agricultural land.

- (3) This Section shall not be construed as limiting the power of the March Joint Powers Commission to establish minimum parcel sizes larger than those specified herein.
- c. This Section shall not apply to land which is subject to a contract when any of the following has occurred:
 - (1) The Local Agency Formation Commission (LAFCO) has approved the annexation of the land to a March JPA and the March JPA will not succeed to the contract as provided in Government Code Sections 51243 and 51243.5;
 - (2) Written notice of non-renewal of the contract has been served as provided in Government Code Section 51245; or
 - (3) The March Joint Powers Commission has granted tentative approval for cancellation of the contract as provided in Government Code Section 51282.
9. That the proposed land division and the associated design and improvements are not consistent with applicable ordinances of the March JPA.

B. Additional Findings

Prior to approving a tentative map, the following additional findings shall be made:

1. That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision; and
2. That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of the March JPA Planning Area and available fiscal and environmental resources.

C. Land Projects

A tentative land division map for any land project as defined in the Business and Professions Code Section 11000.5 shall not be approved unless:

1. A specific plan covering the area proposed to be included within the land project has been adopted by March Joint Powers Commission; and
2. It is determined that the proposed land project, together with the provisions for its design and improvement, is consistent with the adopted specific plan for the area.

Section 9.14.080 General Regulations

A. Revised Tentative Maps

1. Any revised tentative map shall comply with all of the provisions of the Subdivision Map Act and this Chapter in effect at the time the revised map is approved.
2. Proceedings on a revised tentative map shall be conducted in the same manner as for the original approval of a tentative map except those procedures that are not applicable. The approval or conditional approval of a revised tentative map shall annul approval of the previous tentative map, but the approval thereof shall not extend the time within which the final map may be filed.

B. Division into Phases

1. Multiple final maps relating to an approved or conditionally approved Tentative Map may be filed prior to the expiration of the Tentative Map provided:
 - a. The subdivider, at the time the Tentative Map is filed, informs the March JPA of his intent to file multiple final maps on such Tentative Map; or
 - b. After filing of the Tentative Map, the March JPA and subdivider concur in the filing of multiple final maps.
2. No phased map shall be approved unless it is complete and in compliance with all of the provisions of this ordinance, including fire protection, flood control, traffic circulation, access and environmental considerations, and with all conditions of approval of the tentative tract, and specifically approved by the March Joint Powers Commission.
3. The phase will be identified by the approved tentative map number with a dash number designating said unit. The unit number shall be obtained from the March JPA Executive Director upon payment of the fee specified by the March Joint Powers Commission. Units shall be recorded in the order as indicated by the unit number. The last unit within a tentative map to be recorded will not bear a unit number.
4. No more than three unrecorded phase numbers may be issued or be effective on a tentative map at any time, unless otherwise approved by the March Joint Powers Commission during a Public Hearing.
5. The right of the subdivider to file multiple final maps shall not limit the authority of the March JPA to impose reasonable conditions relating to the filing of multiple final maps.

C. Expiration of Approved Tentative Maps and Vesting Tentative Maps: Extension of Time

1. Tentative Subdivision Maps: An approved or conditionally approved tentative subdivision map shall expire 36 months after such approval unless within that period of time a completed final map meeting all applicable conditions of approval shall have been filed with the March JPA Executive Director for completion of processing, approving and recording. Prior to the expiration date, the land divider may apply in writing for an extension of time. Each application shall be made to the March JPA Planning Director no more than 60 days prior to the expiration date of the tentative map and shall be accompanied by the fee set by the March Joint Powers Commission.
2. Tentative Parcel Maps: Expiration of approved or conditionally approved tentative parcel maps shall be subject to the same provisions specified for tentative subdivision maps under subsection 9.14.080

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3. An extension of time shall not be granted unless: all incurred March JPA fees have been paid; the land division conforms to the March JPA General Plan; the land division is consistent with existing zoning and with applicable improvement standards; and the land division will not be detrimental to the public health, safety and welfare. This provision shall not necessarily be construed to prohibit approval of an extension of time for a land division that is nonconforming with respect to the design of lots or cul-de-sac streets.
4. Vesting Tentative Maps: A vesting tentative map shall be subject to the same expiration and extension of time provisions as a tentative map; provided, however, that on recordation of a final map, the rights conferred on a vesting tentative map shall be as specified under subsection 9.14.060 B.6.d.
5. If the subdivider is required to construct, improve, or finance the construction or improvement of public improvements outside the boundaries of the tentative map, and said cost of improvements is equal to or exceeds the dollar amount as specified in the current edition of the State Subdivision Map Act, each filing of a final map as specified in Section 9.14.090 shall extend the expiration of the approved or conditionally approved tentative map by 36 months from the date of its expiration or the date of the previously filed final map, whichever is later. The extension shall not extend the tentative map more than 10 years from its approval or conditional approval. For the purposes of this Section, the number of phased final maps which may be filed shall be determined by the [Advisory Agency at the time of the approval or conditional approval of the tentative map.
6. Extensions of Time for Maps Affected by Moratoriums and Lawsuits: The period of time specified in paragraphs 4 and 5 of Subsection D of this Section shall not include any period of time during which a development moratorium, imposed after approval of the tentative map, is in existence; provided however, that the length of the moratorium does not exceed five years. Once a moratorium is terminated, the map shall be valid for the same period of time as was left to run on the map at the time that the moratorium was imposed. However, if the remaining time is less than 120 days, the map shall be valid for 120 days following the termination of said moratorium. A development moratorium shall include a water and/or sewer moratorium as well as other actions of public agencies which regulate land use, development, or the provisions of services to the land, other than the March JPA which thereafter prevents, prohibits, or delays the approval of a final or a parcel map. A development moratorium shall also be deemed to exist for those reasons set forth in the Subdivision Map Act.
7. The period of time specified in paragraphs 1 and 2 of Subsection D of this Section shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is or was pending in a court of competent jurisdiction if the stay of the time period is approved by the March Joint Powers Commission pursuant to this paragraph.

After service of the initial petition or complaint in the lawsuit upon the March JPA, the subdivider may apply to the March JPA Staff for a stay pursuant to this Section. Applications for a stay shall be made to the March JPA Planning Director on the forms provided by the March JPA Staff and shall be accompanied by the filing fee set by the March Joint Powers Commission and shall include such information and documents as may be required by the March JPA Planning Director.

The March JPA Planning Director shall forward to the March Joint Powers Commission a recommendation for approval or denial of the request for a stay. The March Joint Powers

Commission shall act on the requested stay within 40 days after the application is received by the March JPA Planning Director. The decision of the Commission shall be forwarded to the Secretary of the March Joint Powers Commission. The decision of the March Joint Powers Commission shall be final.

Section 9.14.090 Final Land Division Maps**A. General**

After the approval or conditional approval of the tentative map and prior to the expiration of such map, the subdivider may cause the real property included within the map, or any part thereof, to be surveyed and a final map thereof prepared in accordance with the current March JPA standards and the approved or conditionally approved tentative map.

B. Subdivision Boundary Plat Requirements

1. Surveys made in preparation of final land division maps shall be in accordance with standard practices and principles of surveying and all applicable provisions of the Subdivision Map Act.
2. Before the final map of a subdivision will be accepted by the March JPA Executive Director for checking, the land divider shall submit and obtain approval by the March JPA Executive Director of a map showing:
 - a. A boundary survey of the land division, including all courses and distances necessary to compute a closure;
 - b. Sufficient data to prove the method by which the boundary was determined, including a description of all corners found or set, adjoining maps or property lines of record.
3. The March JPA Executive Director may waive the boundary plat if sufficient survey information is of record.
4. Whenever the March JPA Executive Director has established the centerline of a street, that data shall be considered in making the surveys and in preparing the final map, and all monuments found shall be indicated and proper reference made to field books or maps of public record, relating to the monuments. If the points were reset by ties, that fact shall be stated. The final map shall show March JPA Planning Area and County boundaries adjoining the division of land.

C. Preliminary Filing of Final Subdivision Map

1. When a boundary survey map is approved or waived by the March JPA Executive Director, the subdivider may then file his final map for preliminary checking in the office of the March JPA Executive Director. The quantity of the number of positive prints shall be determined by the March JPA Executive Director.
2. The final map shall be accompanied by the following:
 - a. Map checking fee as set by the March Joint Powers Commission; and

- b. Any additional data as determined by the March JPA Executive Director.
- 3. Proposed improvement plans shall be submitted and accompanied with the plan checking fee as set by the March Joint Powers Commission.
- 4. Prior to the recordation of the final map, the following items shall be provided and approved:
 - a. A copy of the approved Conditions, Covenants and Restrictions (CC&R's) that are to be recorded with the final map;
 - b. Evidence of title in the form of a current preliminary title report issued by a California title company, showing the names of persons having any record title interest in the land to be divided, together with the nature of their respective interests therein. In the event that any dedication is to be made for public use of any property shown on a final land division map, a subdivision guarantee shall be issued by a California title company. The consent of the owner or owners of any contingent reversionary interest in the lands to be subdivided is not necessary and need not be named in the guarantee of title;
 - c. All requests for waivers of signatures as provided in the Subdivision Map Act;
 - d. Utility Plans:
 - (1) An original and 3 positive prints of each map showing the proposed water distribution and sewage collection systems, signed by a registered civil engineer and the water and sewer purveyors. Each system shall comply with all applicable State, County and March JPA regulations. The Fire Prevention Officer shall also sign the water plans when conditions include fire protection; and
 - (2) Letters from other utility purveyors that will serve the land division certifying that satisfactory provisions have been made with each of the said public utility purveyors as to location of their facilities and construction thereof.

D. Preliminary Filing of Final Parcel Map

After a tentative parcel map is approved, the land divider may cause a final parcel map to be prepared and submitted to the March JPA Executive Director. The land divider shall submit the following:

- 1. A number of positive prints of the final parcel map as determined by the March JPA Executive Director with plan checking fee as set by the March Joint Powers Commission;
- 2. All required improvement plans with plan checking fee as set by the March Joint Powers Commission; and
- 3. Evidence of title in the form of a current preliminary title report issued by a California title company, showing the names of persons having any record title interest in the land to be divided, together with the nature of their respective interests herein. In the event that any dedication is to be made for public use of any property shown on a final parcel map, a subdivision guarantee shall be issued by a California title company.

E. Data Required - Final Land Division Maps

1. Final subdivision and parcel maps shall conform to all of the following provisions:
 - a. Each map shall be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black on tracing cloth or good quality polyester base film, including certificates, except that such certificates may be legibly stamped or printed upon the map with opaque material when recommended by the March JPA Executive Director and authorized by the County Recorder. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch;
 - b. Each map, including each sheet of a multi-sheet map shall bear the number as assigned by the Riverside County Road Department or other proper official which shall be followed by a subtitle consisting of a general description of all the property being divided by reference to record maps, and to section surveys or ranchos. Reference shall be spelled out and worded identically with original records, with complete reference to proper book and page of record;
 - c. All sheets shall be numbered, the relation of one sheet to another clearly shown, and the number of sheets used shall be set forth on each sheet. An adequate number of sheets shall be submitted to clearly present all pertinent data;
 - d. A location map shall be placed on the final map which indicates the location of the proposed land division and its relationship to existing streets and highways;
 - e. The certificates and acknowledgements, required by the Subdivision Map Act and this Ordinance, shall appear on the first sheet only. "Certificates" shall include the following:

Owner's Certificate
Trustee's Certificate
Recorder's Certificate
Surveyor's/Engineer's Certificate
March JPA Executive Director's Certificate
Secretary of the March Joint Powers Commission's Certificate
Tax Collector's Certificate
Tax Bond Certificate (As appropriate)

The first sheet shall also include: (1) Signature Omissions (relating to oil, gas or mineral rights) and (2) Notice of Election By Land Divider to Defer Payment of Drainage Fees. If needed, the second map sheet may be used for notary acknowledgements. In no case shall the certificates noted above be placed on the second sheet of a multi-sheet map;

- f. The Recorder's certificate shall be placed in the upper right-hand corner of the map or in the upper right hand corner of the first sheet only of multi-sheet maps;
- g. The surveyor's or engineer's certificate shall state that the survey was made by him or under his direction, that the survey is true and complete as shown, that all monuments are of the character and occupy the positions indicated and are sufficient to enable the survey to be retraced, that the map conforms to the approved tentative map and conditions of approval thereof, and that all

- provisions of the applicable state and local ordinances have been complied with;
- h. The number, scale, north point and sheet number shall be shown on each sheet of the map. The map shall be drawn at a suitable engineer's scale to identify and describe all essential details clearly. If more than two map sheets are used, an index showing the division of land, with lots numbered as shown on the map, shall be shown. A complete boundary survey shall be shown on one sheet of every phase of a unitized subdivision. Said boundary shall also reflect the original boundary as shown on the tentative map of said subdivision;
 - i. A land division name shall not be shown on the map;
 - j. The exterior boundary of the land shown on a land division map shall be indicated by a distinctive delineation and clearly designated;
 - k. A statement labeled Surveyor's Notes or Engineer's Notes shall be shown on the first map sheet after the signature sheet of a multi-sheet map. The statement shall include the basis of bearings; the monuments that were found; the monuments and points that were set, with reference to March JPA Standards; and a key to the symbols and abbreviations and such other information required by the March JPA Executive Director;
 - l. Lots shall be numbered consecutively, commencing with the number "1", with no omissions or duplications. Each lot shall be shown in its entirety on one sheet. Lots used for streets, alleys, or barrier strips shall be lettered. Easements shall be clearly identified; and
 - m. Where a part-width street is shown on a map, the centerline of the improvements shall be monumented and shown correctly, as related to the full future width of the street.
2. The following data shall be shown on each final subdivision and parcel map:
- a. Dates of survey and the name and registration number of the person authorized to practice land surveying by the State of California and who is responsible for the preparation of the map;
 - b. Locations and names (without abbreviations) of all adjoining, existing and proposed streets and the location of alleys. Proposed public area and easements shall also be identified;
 - c. Gross area of land division, and the net acreage, computed to the nearest .01 acres, on all lots containing 1 acre or more. Lot lines shall be shown by solid lines;
 - d. Centerlines of all streets and lengths, tangent, radius and central angle or radial bearings on all points on curves and the bearings of radial lines to each lot corner on a curve; the width of each street, the width of the portion being dedicated and the width of existing dedications; and the widths of right-of-way of railroads, flood control or drainage channels and other easements appearing on the map;
 - e. Sufficient data to determine readily the bearing and length of each line. Recorded survey data as required by the March JPA Executive Director;
 - f. Sufficient primary survey control points;
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- g. Ties to and recording references to adjacent record maps and to section corners, quarter section corners and also to section lines and quarter section lines when adjacent or within the map;
- h. Centerline data and width of all easements to which the division of land is subject. If the easements are not definitely located by record, a statement as to the easement shall appear on the title sheet of the land division. Distances and bearings on the side lines of lots which are cut by an easement shall be so shown as to indicate clearly the actual location. Alignment data alongside lot lines of easements shall be provided when not controlled by paralleling lines or centerline. The easement shall be clearly labeled and identified and, if already on record, proper reference to the records given. Easements dedicated in land divisions shall be included in the owner's Certificate of Dedication. Easements shall be shown on the map by broken lines;
- i. Clear indication of stakes, monuments or other evidence found on the ground to determine the boundaries of the tract, data to determine physical description, size, ground position, tag number and record reference of survey markers; untagged monuments accepted as control shall be tagged or replaced by the surveyor or engineer making the survey;
- j. No setback lines shall appear on the final map;
- k. New street names shown on a land division map must be approved by the March JPA Executive Director;
- l. When an Environmental Constraint sheet is required, a note shall be placed below the Surveyor's notes on the final map in one-fourth inch high bold block letters, stating: ENVIRONMENTAL CONSTRAINT NOTE; Environmental constraint sheet affecting this map is on file in the Office of the March JPA Executive Director. This affects Lot Nos. _____ or Parcel No. _____; and
- m. The Basis of Bearings must be between two found monuments of one record map survey plat or right-of-way map on file and approved by the County Surveyor or the March JPA Executive Director. Replacement monuments may be used if the position of the original monuments have been preserved by cross-ties or swing ties acceptable to the March JPA Executive Director. The bearing and distance of the reference line shall be shown on the map and if the distance is also of record it shall be so stated. If a Basis of Bearing is not available from a record map then a basis will be as determined by the March JPA Executive Director.

F. Parcel Maps Compiled From Recorded Data

A parcel map of four or less parcels may be compiled from recorded or filed data, if such data is acceptable to the March JPA Executive Director.

G. Filing of Final Land Division Maps

- 1. After the preliminary final land division map is determined to be correct, the March JPA Executive Director shall notify the land divider to prepare and submit the original and duplicate original of the final map together with all required agreements for improvements and securities and all other required documents as may be necessary for consideration of the final map. If the final land division map or documents are not determined complete by the March JPA Executive Director, they shall be returned to the land divider for corrections.

2. The original and duplicate original map shall be inscribed on polyester base film, including the required signatures, and shall meet the requirement of the March JPA Executive Director.

H. Action by the March JPA Executive Director

1. When a Schedule "A", "B", "C", "D", "E", "F", "G", "H", or "I" final land division map and all agreements, securities and other required documents have been submitted and found to be in correct form, the March JPA Executive Director shall, within 20 days thereafter, file the final map and documents with the Secretary of the March Joint Powers Commission and certify that:
 - a. He has examined the map;
 - b. The land division as shown is substantially the same as it appeared on the tentative map and any approved alterations thereof;
 - c. All provisions of the Subdivision Map Act and all March JPA ordinances applicable at the time of approval of the tentative map have been complied with;
 - d. He is satisfied that the map is technically correct; and
 - e. In the certificate, the March JPA Executive Director shall state the date of approval of the tentative map and the date of expiration.

I. Action by the March Joint Powers Commission

The March Joint Powers Commission, upon filing of a Schedule "A", "B", "C", "D", "E", "F", "G", "H", or "I" map, shall at the meeting at which it receives the map or at its next regular meeting after the meeting at which it receives the map, approve the map if it conforms to all the requirements of the Subdivision Map Act and this Ordinance applicable at the time of approval or conditional approval of the tentative map and any rulings made thereunder, or if it does not so conform, disapprove the map; provided, however, that the final map shall not be disapproved due to technical or inadvertent errors which in the opinion of the March JPA Executive Director do not materially affect the validity of the map.

J. Surveys and Monuments

1. At the time of making the survey for a final land division map, the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in Section 8771 of the Business and Professions Code and also comply with March JPA standards.
2. All monuments for final land division maps containing 5 or more lots, and all Schedule "E" maps regardless of the amount of lots shown on the map, shall be set prior to the recordation of the map unless the land divider executes a secured agreement guaranteeing the setting of the monuments.
3. All monuments for final land division maps containing 4 or less lots, except Schedule "E" maps, shall be set prior to the recordation of the map.

K. Delivery of Final Map to the Recorder

1. Upon approval by the March Joint Powers Commission, the Secretary of the March Joint Powers Commission shall certify that all required certificates, security and deposits have been filed and shall transmit the final map to the Recorder.
2. The land developer shall present to the Recorder evidence that, at the time of the filing of a final map, the parties consenting to the filing are all of the parties having a record title interest in the real property being divided whose signatures are required, as shown by the records in the Office of the Recorder; otherwise, the map shall not be filed.
3. The Recorder shall have not more than 10 days within which to examine the final land division map and either accept or reject it for filing.
4. If the Recorder accepts the map for filing, such acceptance shall be certified on the face thereof.
5. The Recorder, upon filing the final subdivision map or parcel map, shall attach the recording data to the polyester type film duplicate original and thereupon deliver the same to the March JPA Executive Director who shall retain custody thereof.

L. Waived Maps

1. The waiver of the final map shall only be approved by the March JPA Executive Director based on the required findings pursuant to Section 66428(b) of the Subdivision Map Act. To allow a waiver, the March JPA Executive Director shall first determine that the proposed division of land complies with March JPA requirements with respect to area, improvements and design, floodwaters and drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act or March JPA ordinances.
2. The requirement for a tentative parcel map may be waived by the March JPA Planning Director if it is determined by the March JPA Executive Director that the land division meets the requirements herein for approval of a waiver of the final parcel map and a request for waiver of the tentative parcel map accompanies the request for waiver of the final parcel map.
3. When a final parcel map has been waived, the March JPA Executive Director shall distribute copies of the Certificate of Compliance and waiver of the parcel map to the March JPA Staff and file a Certificate of Compliance with the Recorder's Office upon payment of the fee set per the March Joint Powers Commission.

M. Certificate of Correction of Final Maps

After a final map or parcel map is filed in the Office of the County Recorder, the recorded final map may be modified by a Certificate of Correction.

1. Application. The land divider may apply for a Certificate of Correction upon finding that one or more of the following conditions apply:
 - a. To correct an error in any course or distance shown thereon;
 - b. To show any course or distance that was omitted therefrom;

- c. To correct an error in the description of the real property shown on the map;
 - d. To indicate monuments set after the death, disability or retirement from practice of the engineer or surveyor charged with responsibilities for setting monuments;
 - e. To show the proper location or character of any monument which has been changed in location or character and originally was shown at the wrong location or incorrectly as to its character; or
 - f. To correct any other type of map error or omission as approved by the March JPA Executive Director which does not affect any property right. Such errors and omissions may include, but are not limited to, lot numbers, acreage, street names, and identification of adjacent record maps. As used in this Section, "error" does not include changes in courses or distances from which an error is not ascertainable from the data shown on the final or parcel map.
2. The application for a Certificate of Correction shall be made to the March JPA Executive Director upon payment of fees set by the March Joint Powers Commission and on the forms provided by the March JPA Executive Director and shall include such information as required by the March JPA Executive Director in addition to the following:
- a. The Certificate of Correction shall be prepared and signed by a registered civil engineer or licensed land surveyor and shall show in detail the corrections made and show the names of the present fee owners of the property affected by the correction or omission.
3. Recordation of Certificate of Correction. Once the Certificate of Correction has been certified by the March JPA Executive Director, the Certificate of Correction shall be filed in the Office of the County Recorder in which the original map was filed. Upon such filing, the County Recorder shall index the names of the fee owners and the appropriate tract designation shown on the amended map or Certificate of Correction in the general index and map index respectively. Thereupon, the original map shall be deemed to give notice of all such corrections in the same manner as though set forth upon the original map.

N. Amendment of Final Maps

- 1. In addition to the amendments authorized by Subsection M of this Section, after a final map or parcel map is filed in the Office of the County Recorder, the recorded final map may be modified by an Amendment of Final Map.
- 2. Application. The land divider may apply for an Amendment of Final Map on the forms provided by the March JPA Executive Director upon payment of fees as set by the March Joint Powers Commission and shall include such information as required by the March JPA Executive Director.
- 3. No Amendment of Final Map shall be approved unless it complies with the following standards:
 - a. There are changes in circumstances which make any or all of the conditions of such a map no longer appropriate or necessary;
 - b. The modifications do not impose any additional burden on the present fee owner of the property;
 - c. The modifications do not alter any right, title, or interest in the real property reflected on the

- recorded map; and
- d. The March JPA Executive Director finds that the map as modified conforms to the provisions of Section 9.14.080 of this Ordinance.
 4. Notice of Hearing. The March JPA Executive Director shall set the matter for public hearing in accordance with Section 9.02.200 of this Ordinance. The hearing shall be confined to consideration of and action on the proposed modification.
 5. Recordation of Amendment of Final Map. When the changes to a final map are in conformance with the standards, the March JPA Executive Director shall certify to this fact on the amended map.

Section 9.14.100 Land Division Dedications, Improvements, Fees and Reservations

A. Dedications

1. All streets, highways and alleys, and other parcels of land intended for public use including, but not limited to, access road easements required for flood control and utilities intended for public use, shall be offered for dedication to the public by owners certificate as a part of a final land division map. No utility easement or other rights-of-way shall be granted within proposed street dedication subsequent to the date of filing of a preliminary tentative map. Necessary right-of-way outside of the tract boundary must be processed by separate instruments.
2. Whenever a minor arterial or higher classification is designated on the Circulation Element of the March JPA General Plan as requiring an ultimate right-of-way of 88 feet or greater and such highway either adjoins or crosses a proposed land division, access rights may be required to be offered for dedication to the March JPA or otherwise restricted. The note "ACCESS RESTRICTED" shall be shown along the highway frontages on the final land division map, as provided herein. Access rights shall be restricted except for limited access openings as approved by the March JPA Executive Director. However, the location of access opening(s) to commercially zoned property may be postponed to the development stage as approved by the March JPA Executive Director.

B. Land Division Improvements

1. Improvements installed in land divisions shall be constructed in conformance with March JPA standards.
2. In the absence of a standard for an improvement, the March JPA Executive Director may establish a standard in keeping with good construction and engineering practices.
3. When asphalt-concrete dikes are permitted and drainage is required to cross at intersecting streets, concrete curb returns and cross-gutters shall be installed.
4. Structural roadbed section shall be designed using recognized design methods, employing engineering soils analysis and determination of traffic evaluations.
5. The street pattern in the land development shall not land lock adjacent property or preclude access to public land.

6. When located under the pavement, utility mains and utility services shall be installed before the final street surfacing is installed.
7. When an existing underground utility or pipeline crosses a proposed land division or an access to a land division, the land divider shall adequately protect the utility or pipeline as directed by the utility owner as part of the conditional approval of the land division.
8. Projects which are located in High Fire Hazard Areas shall require special fire mitigation measures. These fire mitigation measures shall be as per March JPA ordinance.

C. Improvements Plans Required

1. All improvements constructed or installed in a land division shall be in accordance with detailed plans and specifications as approved in writing by the March JPA Executive Director prior to commencement of said improvement work.
2. All plans shall be submitted to the March JPA Executive Director and shall be approved by him before submitting a final land division map to the March Joint Powers Commission. Upon approval of said plans, they shall become the property of the March JPA.
3. All improvements constructed or installed in land divisions shall be in accordance with plans and specifications as approved by the March JPA Executive Director.
4. Contractors shall secure an encroachment permit for all work done in connection with land division projects within March JPA right-of-way and Riverside County Flood Control right-of-way prior to commencing said work.
5. The improvement plans shall show the location of all existing improvements, gas and any other service facilities.
6. Improvements proposed or required on State Highway right-of-way shall be located in the improvement plans and designed to Department of Transportation standards. Prior to approval by the March JPA Executive Director, the land divider's engineer shall obtain the Department of Transportation's approval for such improvements.

D. Improvement for Subdivision

The minimum improvements which a land divider shall install, or enter into an agreement to install, for subdivisions shall be as hereinafter set forth in Schedule "A", "B", "C", and "D" for Tentative Map subdivisions and in Schedule "E", "F", "G", "H" and "I" for Parcel Map divisions.

E. Schedule "A" Subdivision

Any division of land into 5 or more parcels, where any parcel is less than 18,000 square feet in net area, shall be defined as a Schedule "A" subdivision. The minimum improvements for a Schedule "A" subdivision shall be as follows:

1. Streets. The minimum improvements for streets are established as follows:
 - a. Divided Major Arterial - 110 feet in width, designed and constructed in conformance with March JPA Standards;
 - b. Modified Divided Major Arterial - 102 feet in width, designed and constructed in conformance with March JPA Standards;
 - c. Divided Arterial - 86 feet in width, designed and constructed in conformance with March JPA Standards;
 - d. Arterial - 76 feet in width, designed and constructed in conformance with March JPA Standards;
 - e. Minor Arterial - 64 feet in width, designed and constructed in conformance with March JPA Standards;
 - f. Industrial Collector - 56 feet in width, designed and constructed in conformance with March JPA Standards;
 - g. Collector Streets - 44 feet in width, designed and constructed in conformance with March JPA Standards;
 - h. General Local Streets - 40 feet in width, designed and constructed in conformance with March JPA Standards;
 - i. Short Local or Circulatory Interior Street - 36 feet in width, designed and constructed in conformance with March JPA Standards;
 - j. Restricted Local or Noncirculatory Interior Streets - 32 feet in width, designed and constructed in conformance with March JPA Standards;
 - k. Access Road - 32 feet in width, designed and constructed in conformance with March JPA Standards;
 - l. Frontage Roads - designed and constructed in conformance with March JPA Standards;
 - m. Cul-de-sac Streets - shall be designed and constructed in conformance with March JPA Standards;
 - n. Alleys - 20 feet in width, designed and constructed in conformance with March JPA Standards;
 - o. Part-width Streets - shall be one-half of the required improvements plus an additional 12 feet, but not less than 28 feet, designed and constructed in conformance with March JPA Standards;
 - p. Street Name Signs - Type and placement shall conform with March JPA Standards;
 - q. Barricades shall be placed at the end of dead-end streets in accordance with March JPA Standards;
 - r. Sidewalks shall be required to be constructed unless they are determined by the approving body

to be unnecessary considering the design of the development. Sidewalk construction shall be in accordance with March JPA Standards.

2. Domestic Water. The minimum requirements for domestic water supply and distribution system are as follows:
 - a. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards); and
 - b. Piped water systems.
3. Fire Protection. The minimum requirement for fire protection facilities in residential zones that do not allow multi-family residential uses shall be as follows:
 - a. Type of fire hydrant and connection as approved by the agency providing fire protection;
 - b. The water system shall be capable of providing a fire flow of 1,500 GPM for 2 hours duration at a minimum of 20 PSI operating pressure from each fire hydrant;
 - c. The fire protection system shall be installed and operational prior to any combustible building material being placed on the job site; and
 - d. In zones that allow multi-family residential uses, the minimum fire protection shall be as set forth in applicable March JPA ordinance or ordinances.
4. Sewage Disposal. The minimum requirement for sewage disposal shall be as follows:
 - a. Sewage disposal shall be provided by connection to an existing collection system capable of accepting waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet Health Department and the Regional Water Quality Control Board standards and requirements.
 - b. Improvement plans for sewage collection systems shall be reviewed as required by this Chapter; and
 - c. Dry sewer may be required as set forth in Section 9.14.120 when subsurface sewage disposal is approved.
5. Fences. Minimum fencing requirements shall be as follows:

Six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
6. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows:

Electrical and communication facilities shall be installed in conformity with the provision of Section 9.14.130.

F. Schedule "B" Subdivision

Any division of land into 5 or more parcels, where any parcel is not less than 18,000 square feet in net area up to 2 acres in gross area, shall be defined as a Schedule "B" subdivision. The minimum improvements for a Schedule "B" subdivision shall be as follows:

1. Street
 - a. Divided Major Arterial - 110 feet in width, designed and constructed in conformance with March JPA Standards;
 - b. Modified Divided Major Arterial - 102 feet in width, designed and constructed in conformance with March JPA Standards;
 - c. Divided Arterial - 86 feet in width, designed and constructed in conformance with March JPA Standards;
 - d. Arterial - 76 feet in width, designed and constructed in conformance with March JPA Standards;
 - e. Minor Arterial - 64 feet in width, designed and constructed in conformance with March JPA Standards;
 - f. Industrial Collector - 56 feet in width, designed and constructed in conformance with March JPA Standards;
 - g. Collector Streets - 44 feet in width, designed and constructed in conformance with March JPA Standards;
 - h. General Local Streets - 40 feet in width, designed and constructed in conformance with March JPA Standards;
 - i. Short Local or Circulatory Interior Streets - 36 feet in width, designed and constructed in conformance with March JPA Standards;
 - j. Restricted Local or Noncirculatory Interior Streets - 32 feet in width, designed and constructed in conformance with March JPA Standards;
 - k. Access Roads - 32 feet in width, designed and constructed in conformance with March JPA Standards;
 - l. Frontage Roads - designed and constructed in conformance with March JPA Standards;
 - m. Cul-de-sac Street - shall be designed and constructed in conformance with March JPA Standards;
 - n. Alleys - 20 feet in width, designed and constructed in conformance with March JPA Standards;
 - o. Part-width Street - shall be one-half of the required improvement, plus an additional 12 feet, but

- not less than 28 feet, designed and constructed in conformance with March JPA Standards;
- p. Street Name Signs - Type and placement shall conform with March JPA Standards;
 - q. Barricades shall be placed at end of dead-end streets in conformance with March JPA Standards.
2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
- a. Water supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards);
 - b. Piped water systems.
3. Fire Protection systems. The minimum requirement for protection facilities in residential zones that do not allow multi-family residential uses shall be as follows:
- a. Type of fire hydrant and connection as approved by the agency providing fire protection;
 - b. Approved fire hydrants shall be located on all streets in the March JPA Planning Area, and spaced as approved by Moreno Valley Fire Services;
 - c. The water system shall be capable of providing a fire flow of 1,500 GPM for 2 hours at a minimum of 20 PSI operating pressure from each fire hydrant;
 - d. The fire protection system shall be installed and operational prior to any combustible building material being placed on the job site; and
 - e. In zones that allow multi-family residential uses, the minimum fire protection shall be as set forth in applicable March JPA ordinances.
4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
- a. Sewage disposal shall be provided by connection to an existing collection system capable of accepting the waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet the Riverside County Health Department and the Regional Water Quality Control Board standards and requirements;
 - b. Improvement plans for sewage collection systems shall be reviewed as required by this Chapter; and
 - c. Dry sewer may be required as set forth in this Chapter when subsurface sewage disposal is approved.
5. Fences. Minimum fencing requirement shall be as follows:
- Six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
-

6. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows:

Electrical and communication facilities shall be installed in conformity with the provisions of Section 9.14.130.

G. Schedule "C" Subdivision

Any division of land into 5 or more parcels where any parcel is not less than 2 acres in gross area up to 5 acres in gross area. The minimum improvement of Schedule "C" subdivision shall be as follows:

1. Streets. All streets shall be 32 feet in width, improved with asphalt concrete and paving, designed and constructed in conformance with March JPA Standards, unless further improvements are required on boundary streets to achieve compatibility with contiguous existing streets or street improvement requirements set forth on adjacent land division.
2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
 - a. No water system required. If a water system is installed, the requirements shall be as follows:
 - (1) Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this Chapter;
 - (2) Piped water systems.
 - b. If no water system is installed, the following statement shall be placed on each map sheet of the Environmental Constraints Sheet, in letters not less than one-fourth (1/4) inch high:

NO WATER SYSTEM IS PROVIDED FOR THE LAND DIVISION AS OF THE DATE
OF RECORDATION OF THIS MAP.
3. Fire Protection. If a water system is installed, the minimum requirement for fire protection facilities in single-family residential zones shall be as approved by the Fire Chief as follows:
 - a. Type of fire hydrant and connection as approved by the agency providing fire protection;
 - b. Approved fire hydrants shall be located on all March JPA streets and spaced as approved by Riverside County Fire Services;
 - c. The water system shall be capable of providing a fire flow of 1,500 GPM for 2 hours duration at a minimum of 20 PSI operating pressure from each fire hydrant; and
4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
 - a. No sewage disposal collection system is required; and
 - b. The land divider will be required to provide the Riverside County Health Department with a

Sewage Disposal Feasibility Report in conformance with Health Department and the Regional Water Quality Control Board standards.

5. Electrical and Communication Facilities. The minimum requirements for electrical and communication facilities shall be as follows:
 - a. No electrical and communication facilities are required; and
 - b. If installed, they shall be installed in conformance with the provisions of Section 9.14.130.

H. Schedule "D" Subdivision

Any division of land into 5 or more parcels, where any parcel is not less than 5 acres in gross area up to 20 acres in gross area, shall be defined as a Schedule "D" subdivision. The minimum improvements of a Schedule "D" subdivision shall be as follows:

1. Streets.
 - a. If the streets are not to be accepted for maintenance by the March JPA, all streets shall be improved with 24 feet of suitable aggregate base, four inches thick, on a 40-foot graded roadway section. Vertical grades and horizontal alignments shall be held to an acceptable tolerance as determined by the March JPA Executive Director;
 - b. If the streets are to be accepted for maintenance by the March JPA, the improvements shall be the same as those required for Schedule "C" subdivisions;
 - c. Access road shall be a minimum 18 - foot wide graded roadbed section engineered to a profile and alignment as approved by the March JPA Executive Director, which provides access to a paved and maintained street or highway.
2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
 - a. No water system required. If a water system is installed, the requirements shall be as follows:
 - (1) Water Supply: water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this Chapter;
 - (2) Piped water systems.
 - b. If no water system is installed, the following statement shall be placed on each map sheet of the recorded land division map, in letters no less than one-fourth (1/4) inch high:

NO WATER SYSTEM IS PROVIDED FOR THE LAND DIVISION AS OF THE
DATE OF RECORDATION OF THIS MAP.

3. Fire Protection.

- a. If a water system is installed, the minimum requirements for fire protection facilities in single family residential zones shall be as approved by the Fire Chief or as follows:
 - (1) The water system shall be capable of providing a fire flow of 1,500 GPM for 2 hours duration at a minimum of 20 PSI operating pressure from each fire hydrant; and
 - (2) Approved fire hydrants shall be located on all March JPA Planning Area streets and spaced as approved by the Fire Prevention Bureau.
- 4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
 - a. No sewage disposal collection system is required; or
 - b. The land divider will be required to provide the Health Department with a Sewage Disposal Feasibility Report in conformance with the Riverside County Health Department and the Regional Water Quality Control Board standards.
- 5. Electrical and Communication Facilities. The minimum requirements for electrical and communication facilities shall be as follows:
 - a. No electrical and communication facilities are required; and
 - b. If installed, they shall be installed in conformance with the provisions of Section 9.14.130.

I. Improvements for Parcel Map Divisions

- 1. The minimum improvements which a land divider shall install, or enter into an agreement to install, for parcel map divisions shall be as hereinafter set forth in Schedule "E", "F", "G", "H", and "I".

J. Schedule "E" Parcel Map Division

Any division of land into 2 or more parcels in commercial or industrial zones, regardless of parcel size shall be described as a Schedule "E" Parcel Map division. The minimum improvements for a Schedule "E" Parcel Map division shall be as follows:

- 1. Streets. The minimum improvements for streets are established as follows:
 - a. All through streets shall be 64 feet in width, designed and constructed in conformance with March JPA Standards;
 - b. No circulatory streets shall be less than 56 feet in width, designed and constructed in conformance with March JPA Standards;
 - c. No part-width interior street shall be less than 34 feet in width;
 - d. Concrete curb and gutter shall be required in all cases;
 - e. Industrial Collector streets shall be 56 feet in width, designed and constructed in conformance with March JPA Standards;

- f. Sidewalks may be required to be constructed unless they are determined by the approving body to be unnecessary considering the design of the development. Sidewalk construction shall be in accordance with March JPA Standards;
 - g. Access roads, 32 feet in width, designed and constructed in conformance with March JPA Standards.
- 2. Domestic Water. The minimum requirements for domestic water supply and distribution system is as follows:
 - a. Water supply: Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this Chapter; and
 - b. Piped water systems.
- 3. Fire Protection. The minimum fire protection requirements shall be as provided in applicable March JPA Ordinances.
- 4. Sewage disposal. The minimum requirement for sewage disposal shall be as follows:
 - a. Sewage disposal shall be provided by connection to an existing collection system capable of accepting the waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet Health Department and the Regional Water Quality Control Board standards and requirements;
 - b. Improvement plans for sewage collection systems shall be reviewed as required in this Chapter;
 - c. Dry sewer may be required as set forth in Section 9.14.120 when subsurface sewage disposal is approved.
- 5. Fences. Minimum requirement for fencing shall be as follows:

Six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
- 6. Electrical and Communication facilities. The minimum requirements for electrical and communication facilities shall be as follows:

Electrical and communication facilities shall be installed in conformity with the provisions of Section 9.14.130.

K. Schedule "F" Parcel Map Division

Any division of land into 4 or less parcels, where any parcel is less than 18,000 square feet in net area, shall be defined as a Schedule "F" parcel map division. The minimum improvements for a Schedule "F" parcel map division shall be as follows:

1. Streets. The minimum improvements for streets are established as follows:
 - a. Divided Major Arterial - 110 feet in width, designed and constructed in conformance with March JPA Standards;
 - b. Modified Divided Major Arterial - 102 feet in width, designed and constructed in conformance with March JPA Standards;
 - c. Divided Arterial - 86 feet in width, designed and constructed in conformance with March JPA Standards;
 - d. Arterial - 76 feet in width, designed and constructed in conformance with March JPA Standards;
 - e. Minor Arterial - 64 feet in width, designed and constructed in conformance with March JPA Standards;
 - f. Industrial Collector - 56 feet in width, designed and constructed in conformance with March JPA Standards;
 - g. Collector Streets - 44 feet in width, designed and constructed in conformance with March JPA Standards;
 - h. General Local Streets - 40 feet in width, designed and constructed in conformance with March JPA Standards;
 - i. Short Local or Circulatory Interior Streets - 36 feet in width, designed and constructed in conformance with March JPA Standards;
 - j. Restricted Local or Noncirculatory Interior Streets - 32 feet in width, design and constructed in conformance with March JPA Standards;
 - k. Access Roads - 32 feet in width, designed and constructed in conformance with March JPA Standards;
 - l. Frontage Roads - designed and constructed in conformance with March JPA Standards;
 - m. Cul-de-sac Street - shall be designed and constructed in conformance with March JPA Standards;
 - n. Alleys - 20 feet in width, designed and constructed in conformance with March JPA Standards;
 - o. Part-width Street - shall be one-half of the required improvement, plus an additional 12 feet, but not less than 28 feet, designed and constructed in conformance with March JPA Standards;
 - p. Street Name Signs - Type and placement shall conform with March JPA Standards;
 - q. Barricades shall be placed at end of dead-end streets in conformance with March JPA Standards.
2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:

- a. Water supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this Chapter;
 - b. Piped water systems.
3. Fire Protection systems. The minimum requirement for protection facilities in residential zones that do not allow multi-family residential uses shall be as follows:
 - a. Type of fire hydrant and connection as approved by the agency providing fire protection;
 - b. Approved fire hydrants shall be located on all March JPA streets and spaced as approved by the Fire Prevention Bureau;
 - c. The water system shall be capable of providing a fire flow of 1,500 GPM for 2 hours at a minimum of 20 PSI operating pressure from each fire hydrant;
 - d. The fire protection system shall be installed and operational prior to any combustible building material being placed on the job site; and
 - e. In zones that allow multi-family residential uses, the minimum fire protection shall be as set forth in March JPA Standards.
4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
 - a. Sewage disposal shall be provided by connection to an existing collection system capable of accepting the waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet the Riverside County Health Department and the Regional Water Quality Control Board standards and requirements;
 - b. Improvement plans for sewage collection systems shall be reviewed as required by this Chapter; and
 - c. Dry sewer may be required as set forth in Section 9.14.120 when subsurface sewage disposal is approved.
5. Fences. Minimum fencing requirement shall be as follows:

Six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
6. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows:

Electrical and communication facilities shall be installed in conformity with the provisions of Section 9.14.130.

L. Schedule "G" Parcel Map Division

Any division of land into 4 or less parcels, where any parcel is not less than 18,000 square feet in net area up to 1 acre in gross area, shall be defined as a Schedule "G" parcel map division. The minimum improvements for Schedule "G" parcel map division shall be as follows:

1. Street. The minimum improvements for streets are established as follows:
 - a. Divided Major Arterial - 110 feet in width, designed and constructed in conformance with March JPA Standards;
 - b. Modified Divided Major Arterial - 102 feet in width, designed and constructed in conformance with March JPA Standards;
 - c. Divided Arterial - 86 feet in width, designed and constructed in conformance with March JPA Standards;
 - d. Arterial - 76 feet in width, designed and constructed in conformance with March JPA Standards;
 - e. Minor Arterial - 64 feet in width, designed and constructed in conformance with March JPA Standards;
 - f. Industrial Collector - 56 feet in width, designed and constructed in conformance with March JPA Standards;
 - g. Collector Streets - 44 feet in width, designed and constructed in conformance with March JPA Standards;
 - h. General Local Streets - 40 feet in width, designed and constructed in conformance with March JPA Standards;
 - i. Short Local or Circulatory Interior Streets - 36 feet in width, designed and constructed in conformance with March JPA Standards;
 - j. Restricted Local or Noncirculatory Interior Streets - 32 feet in width, designed and constructed in conformance with March JPA Standards;
 - k. Access Roads - 32 feet in width, designed and constructed in conformance with March JPA Standards;
 - l. Frontage Roads - designed and constructed in conformance with March JPA Standards;
 - m. Cul-de-sac Street - shall be designed and constructed in conformance with March JPA Standards;
 - n. Alleys - 20 feet in width, designed and constructed in conformance with March JPA Standards;
 - o. Part-width Street - shall be one-half of the required improvement, plus an additional 12 feet, but not less than 28 feet, designed and constructed in conformance with March JPA Standards;
 - p. Street Name Signs - Type and placement shall conform with March JPA Standards;

- q. Barricades shall be placed at end of dead-end streets in conformance with March JPA Standards.
- 2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
 - a. No water system required. If a water system is installed, the requirements shall be as follows:
 - (1) Water supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this Chapter; and
 - (2) Piped water systems.
 - b. If no water system is installed, the following statement shall be placed on each map sheet of the Environmental Constraints Sheet, in letters no less than 1/4 inch high:

NO WATER SUPPLY IS PROVIDED FOR THE LAND DIVISION AS OF THE
DATE OF RECORDATION OF THIS MAP.
- 3. Fire Protection. The minimum improvements for fire protection shall be as required by the Fire Prevention Bureau and applicable March JPA Ordinances.
- 4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
 - a. No sewage disposal collection system is required; however, the land divider may be required to provide the Riverside County Health Department with a sewage disposal feasibility report in conformance with Health Department and Regional Water Quality Control Board standards.
 - b. Construct a dry sewer system as approved by the March JPA Executive Director.
- 5. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows:
 - a. No electrical and communication facilities are required; and
 - b. If installed, they shall be installed in conformity with the provision of Section 9.14.130.

M. Schedule "H" Parcel Map Division

Any division of land into 4 or less parcels, where all parcels are not less than 1 acre in gross area, shall be defined as a Schedule "H" parcel map division. The minimum improvements for a Schedule "H" parcel map division shall be as follows:

- 1. Streets. The minimum improvements for streets shall be as follows:
 - a. If the streets are not to be accepted for maintenance by the March JPA, all streets shall be improved with 24 feet in width of four inch thick base material (minimum R of 60, minimum sand equivalent of 20) on a 32-foot minimum graded roadway section, unless difficult

- topography dictates a lesser graded section no less than 18 feet in width. Vertical grades and horizontal alignment shall be shown on an improvement plan detailing the construction requirement for grading and drainage as approved by the March JPA Executive Director.
- b. If the streets are to be accepted for maintenance by the March JPA, the improvement shall be as follows:
 - (1) All street except as noted in (2) below shall be not less than 32 feet in width, improved with asphalt concrete paving, designed and constructed in conformance with March JPA Standards, unless further improvements are required on boundary streets to achieve compatibility with contiguous existing streets or street improvement requirements set forth on adjacent land divisions; and
 - (2) Noncirculatory streets located in an area where the geography will not sustain parcels of lesser size may have the streets section reduced to 28 feet in width. The street shall be improved with asphalt concrete paving, designed and constructed in conformance with March JPA Standards.
 - c. Improvements required on general plan streets, collector or greater, shall be at the same level as exists, or for which improvements have been bonded on a contiguous parcel of land.
 - d. Access roads shall be a minimum 18-foot wide graded roadbed section designed and constructed to a profile and alignment as approved by the March JPA Executive Director which provides access to a paved and maintained street or highway.
2. Other Improvements. Domestic water, fire protection facilities and electrical and communication facilities shall be as necessary per applicable March JPA Ordinances.
3. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
- No sewage disposal collection system is required; however, the land divider may be required to provide the Health Department with a sewage disposal feasibility report in conformance with Health Department and Regional Water Quality Control Board Standards.
4. Agricultural Lands. The following agricultural lands shall be exempt from all improvement requirements specified within this Section:
- a. Lands lying within an established agricultural preserve formed pursuant to the Williamson Act;
 - b. Lands (parcels) zoned AG and identified in the March JPA General Plan as agriculture and not less than 5 acres in size.
5. Exceptions. For the purpose of this Section, any parcel map division located in its entirety within a community services district, the following exception shall apply:
- Whenever in this ordinance reference is made to any street design, standard, minimum improvements, maintenance, access, or dedication thereof, the adopted street standards of the March JPA shall apply in meeting any street requirements for land division approval,

provided the March JPA Executive Director has previously approved such standards. The land divider shall submit to the March JPA Executive Director a street construction permit issued by the March JPA approving the proposed street construction.

N. Schedule "I" Parcel Map Division

Any division of land, where all parcels are not less than 20 acres in gross area, shall be defined as a Schedule "I" parcel map division. The land divider may be required to provide soil percolation tests in conformity with March JPA requirements and the Regional Water Quality Control Board. No improvements are required on a Schedule "I" parcel map division, subject to the condition that an adequate circulation system is retained or replaced.

O. Drainage Fees

1. This Section is adopted pursuant to Sections 66483 et seq. of the Government Code which provides for the payment of fees for the construction of drainage facilities as a condition to the division of land.
2. Whenever land that is proposed to be divided lies within the boundaries of an Area Drainage Plan, a drainage fee in the amount required by the plan for the area, as adopted or thereafter amended, shall be required as a condition of approval of the division of land in that drainage area.
3. Each Area Drainage Plan as adopted, pursuant to the provision of Government Code Sections 66483 et seq.; shall cover a particular drainage area; shall contain an estimate of the total cost of constructing the drainage facilities required by the plan, and include a map of the area that show the boundaries of the drainage area and the location of the required facilities serving the drainage area. As a part of the adoption of a plan, the March JPA shall find and determine that the subdivision and development of land within the plan area will require construction of the facilities described in the plan. The March JPA shall further find and determine that the drainage fees are fairly apportioned within the local drainage area, on the basis of benefits conferred on property proposed for subdivision or on the land for local drainage facilities created by the proposed subdivision and development of other properties within the adopted drainage area, and may provide for varying fees; provided, however, the fee as to any property proposed for subdivision within a drainage area shall not exceed the pro rata share of the amount of the total actual or estimated cost of all facilities within the drainage area apportioned uniformly on a per acre basis.
4. Drainage fees shall be paid at the time of the filing of the final map or parcel map, or as a condition of the waiver of the filing of a parcel map; provided, however, at the option of the land divider the fee may be paid, in pro rata amounts, at the time of the issuance of grading permits for the approved parcels or at the time of issuance of building permits if no grading permits are issued for the parcels. The amount of the drainage fee required to be paid shall be the amount that is in effect for the particular Area Drainage Plan at the time of actual payment of the fee. If the land divider elects to have payment made at the time of issuance of grading permits for the approved parcels or at the time of issuance of building permits if no grading permits are issued for the parcels. The amount of the drainage fee required to be paid shall be the amount that is in effect for the particular Area Drainage Plan at the time of actual payment of the fee. If the land divider elects to have payment made at the time of issuance of a grading or building permit, the recorded final map or parcel map or certificate of compliance evidencing the waiver of the filing of a parcel map shall specifically state that payment of a drainage fee is required to be paid prior to issuance of a grading permit or building permit for the

parcels that have been created by the land divider. In addition, a separate instrument shall be recorded by the land divider in the Office of the County Recorder of Riverside County, at the time of the filing of the final map or parcel map, which gives notices that the drainage fee is required to be paid by any person owning such parcels prior to issuance of a grading or building permit, if a grading permit is not required.

5. If the drainage fee is paid at the time of filing of the final map or parcel map or certificate of compliance evidencing the waiver of the parcel map, it shall be paid to the Riverside County Flood Control District. If the drainage fee is paid at the time of issuance of a grading or building permit, it shall be paid to the Riverside County Flood Control District. All fees that are collected shall thereafter be deposited into a Local Drainage Facilities Fund maintained under the jurisdiction of the Riverside County Flood Control and Water Conservation District. A separate fund shall be established by the District for each adopted local drainage area. Money in such funds shall be expended for construction or reimbursement for construction, including acquisition of right-of-way necessary for construction, of the drainage facilities serving the drainage areas for which the fees are collected, or to reimburse the District for the cost of engineering and administrative services to design and construct and acquire any necessary right-of-way for the facilities.
6. Under the direction of the March JPA Executive Director, considerations such as dedications of right-of-way, actual construction, or design work by a civil engineer may be accepted in lieu of the payment of drainage fees, upon a determination that the alternative is acceptable and is equal to or greater in value than the required fee.
7. Money may be advanced by the Riverside County Flood Control and Water Conservation District to design or construct drainage facilities or to acquire necessary right-of-way within an adopted drainage area; therefore, money so advanced may be reimbursed to the District from the fund for the local drainage area in which the facilities are located.
8. When required for the implementation of an adopted area plan, an agreement may be entered into between a developer and the Riverside County Flood Control and Water Conservation District whereby the developer may advance money for the construction of facilities, or design or construct facilities within a local drainage area; provided that the sole security to the developer for repayment of money or other consideration advanced shall be for the amount agreed upon in advance only and shall not include interest or other charges. This agreement shall expire fifteen years after the date it was entered into, and any subsequent money paid into the fund shall accrue to the fund without obligation to developers whose agreements have expired.
9. The drainage plan area, the required facilities and the drainage fee in an adopted plan may be amended by the County Board of Supervisors at any time upon a determination that it is necessary to do so in order to correctly reflect the drainage area, the required facilities or estimated cost of the facilities.

P. Interchange and Bridge Construction Fees

1. This Section is adopted pursuant to Section 66484 of the Government Code which provides for the payment of fees to defray the actual or estimated costs for the construction of bridges and interchanges as identified in the Circulation Element of the General Plan and as a condition of approval of a final map or as a condition of issuing a building permit.

2. Whenever land that is proposed to be divided or for which a building permit is sought, lies within the boundaries of an Area of Benefit, as hereinafter defined and established, a fee in the amount specified by the resolution establishing the Area of Benefit as adopted or thereafter amended, shall be required as a condition of approval and recordation of any final subdivision or parcel map or for the issuance of a building permit. No property shall be assessed a fee under this Section for both a final map and a building permit.
3. **Setting the Matter For Public Hearing.** The March Joint Powers Commission may, by resolution, set a public hearing at any time to determine whether an Area of Benefit is to be established and to designate the bridge and interchange(s) from fees collected from owners of real property within said Area of Benefit. The Secretary of the March Joint Powers Commission shall notify all owners of real property within the proposed boundaries of the Area of Benefit, as shown by the last equalized assessment roll of the County, of the time and place of the hearing at least 21 days prior to the date of the hearing, by U.S. Mail, postage prepaid, and by publication once in a newspaper of general circulation published in Riverside County. Said notice shall contain information setting forth the proposed boundaries of the Area of Benefit, identifying the interchange(s) and/or bridge(s) to be constructed and the estimated cost of each, and setting forth the proposed method for equitably apportioning the fee amount to property owners.
4. **Public Hearing and Protest.** At the public hearing, the March Joint Powers Commission will consider the preliminary plan prepared by the March JPA Executive Director that outlines the area to be included within the Area of Benefit, designates those bridge(s) and/or major interchange(s) to be constructed, the cost estimate with regard to each improvement, and the method of apportioning fees within the Area of Benefit. The March Joint Powers Commission will also consider testimony from interested persons, written protest and all relevant evidence submitted. All protests are to be in writing and may be filed with the Secretary of the March Joint Powers Commission at any time period or the close of the public hearing. Each protest may be filed by a person or entity owning property within the proposed boundaries of the proposed Area of Benefit and describe the property with sufficient specificity that the parcel may be identified. If the person or entity filing the protest is not shown on the latest equalized assessment roll as the owner of the parcel, the protest may contain or be accompanied by documentary evidence establishing ownership. A protest may be withdrawn in writing at any time prior to the conclusion of the public hearing. If written protests are filed with the Secretary of the March Joint Powers Commission from persons or entities owning more than 50 percent of the land area to be included within the proposed Area of Benefit and, by the conclusion of the public hearing, a sufficient number of said protests have not been withdrawn so as to reduce the land area whose owners are protesting to less than 50.0 percent, then all proceedings with regard to the Area of Benefit shall be abandoned and the March Joint Powers Commission shall not, for one year from the date of the hearing, commence or carry on any proceeding for the same improvement or Area of Benefit under the provisions of this Section. If any majority protest is directed against only a portion of the designated improvement, then all further proceedings under the provision of this Section to construct that portion of the designated improvement so protested against shall be barred for a period of one year, but the March Joint Powers Commission shall not be barred from commencing new proceedings not including any part of the designated improvements or acquisition so protested against. The March Joint Powers Commission may, within a one-year period following a majority protest, commence new proceedings for the construction of the portion of the designated improvements so protested against, if it finds by the affirmative vote of four-fifths (4/5) of its members, that the owners of more than one-half of the property to be benefitted are in favor of going forward with such portion of the designated improvements.

5. Establishment of Areas of Benefit. The March Joint Powers Commission, by resolution, within a reasonable time after the close of public hearing, may establish the Area of Benefit. Said resolution shall set forth the boundaries of the Area of Benefit, specify the designated improvements to be constructed, the cost, actual or estimated, for each of the designated improvements, and establish the fee schedule by which said cost is to be equitably apportioned among the parcels comprising the Area of Benefit. The decision of the March Joint Powers Commission represented by said resolution shall be final. A certified copy of said resolution shall be recorded in the Office of the County Recorder. The method of fee apportionment, in the case of major thoroughfares, shall not provide for higher fees on land which abuts the designated improvement except where the abutting property is provided direct usable access to the adjoining thoroughfare. The resolution establishing an Area of Benefit, may be amended from time to time by the March Joint Powers Commission to reflect modification in either the facilities to be constructed or the area to be included within the Area of Benefit due to alternation in land use and to reflect adjustments in the fee schedule necessitated by any amendment or increase in construction costs. Said amendments shall be adopted in the same manner as the original resolution. If the Area of Benefit includes lands not subject to the payment of fees, the March Joint Powers Commission shall make provisions for payment of the fees that would otherwise be chargeable to said lands from other sources. The designation of said alternative funding need not be addressed in the resolution establishing the Area of Benefit.
6. Payment of fees.
 - a. Interchange improvement fees for Areas of Benefit shall be paid as follows:
 - (1) Interchange improvement fees shall be paid to the March JPA Executive Director prior to the recordation of a final subdivision or parcel map. If the recordation of a final parcel map is waived, road improvement fees shall be paid as a condition of the waiver prior to recordation of a certificate of compliance evidencing the waiver of the final parcel map. The fees paid shall be based on the fee schedule in effect on date of payment;
 - (2) At the option of the land divider, upon filing a required affidavit requesting deferment of the payment of fees, the road improvement fees shall be paid to the March JPA Executive Director prior to issuance of a building permit for each approved parcel; however, should a building permit have been obtained or construction initiated by the land divider prior to the recordation of the final subdivision or parcel map or the receipt of a waiver to record a final parcel map, this option is not available to the land divider; and
 - (3) For any parcel or lot created prior to the adoption of the resolution establishing the Area of Benefit, road improvement fees shall be paid to the March JPA Executive Director prior to the issuance of a building permit for any new construction on said parcel or lot that creates additional dwelling units or increases the value of nonresidential structures by more than one-half of their current market value, as determined by the March JPA Planning Director. All fees collected shall be deposited in a separate account designated for each Area of Benefit. Any fees once collected shall not be returned, except as reimbursement for the construction of designated improvements. Road improvement fees which are deferred to the time of issuance of a building permit shall be based upon the fee schedule in effect at the time of issuance of the permit.
 - b. Nothing in this Section is intended to relieve a subdivision or application for a building permit

from the requirements imposed under other provision of this or other March JPA ordinances to dedicate and improve roads as a condition of approval of a tentative map or building permit.

- c. Notwithstanding the provisions of this paragraph 6 of Subsection P, payment of fees shall not be required for the following:
 - (1) An application for a building permit for the alteration or enlargement of any existing building or structure, or the erection of one or more buildings or structures accessory thereto, or both, on the same lot or parcel of land; provided, however, that the total value as determined by the March JPA Planning Director; of all such alterations, enlargement or construction which is complete within any one-year period shall not exceed one-half of the current market value of the land, as determined by the March JPA Planning Director; or
 - (2) The following accessory buildings and structures: private garages, children's playhouses, radio and television receiving antennas, windmills, silos, tank houses, shops or barns or buildings that are accessory to one-family or two-family dwellings; or
 - (3) Outdoor advertising structures; or
 - (4) Wells.
- d. Notwithstanding the provision of this paragraph 6 of Subsection P, payment of fees shall not be required unless the designated interchange(s) are in addition to, or a reconstruction of any existing interchange(s) serving the Area of Benefit at the time of the adoption of the boundaries for the Area of Benefit.
- e. Notwithstanding the provisions of this paragraph 6 of Subsection P, payment of fees shall not be required unless the designated bridge is an original bridge serving the Area or an addition to any existing bridge facility serving the Area of Benefit. Fees imposed by this subsection shall not be expended to reimburse the cost of existing bridge facility construction.

7. Use of Funds.

- a. Fees shall be deposited in a designated bridge or interchange fund. A separate fund shall be established for each designated bridge or interchange project provided, however if the Area of Benefit is one in which more than one bridge or interchange is required to be constructed, a fund may be established covering all of the bridge or interchange projects in the Area of Benefit. Monies in such fund shall be expended solely for the construction or reimbursement for construction of the improvement serving the area to be benefitted and from which the fees comprising the fund were collected, or to reimburse the March JPA for the cost of constructing the improvement.
- b. The March JPA may advance money from its general fund or road fund to pay the cost of constructing the designated bridge or interchange(s) and may reimburse the general fund or road fund for such advances from the bridge or interchange funds established pursuant to this Section.
- c. The March JPA may incur an interest bearing indebtedness for the construction of a designated bridge or a interchange planned pursuant to this Section; provided that the sole security for repayment of such indebtedness shall be money in the specific fund established for that

designated bridge or interchange.

- d. At the discretion of the March Joint Powers Commission, considerations such as dedication of right-of-way, actual construction, or design work by a civil engineer may be accepted in lieu of the payment of fees, upon a determination that the alternative is acceptable and is equal to or greater in value than the required fee.
 - e. When required to implement the construction of a specific facility, a project agreement shall be entered into between a developer and the March JPA whereby the developer may advance money for the construction of a facility, or design or construct a facility within the Area of Benefit; provided that the sole security to the developer for repayment of money or other consideration advanced over and above his fair share shall be money subsequently accruing to the fund that has been established for the specific facility. Reimbursement shall be for the amount agreed upon in advance only and the right to reimbursement shall expire fifteen years after the agreement was entered into, and any subsequent money paid into the fund shall accrue to the fund without obligation to developers whose agreements have expired.
8. Amendments. The resolution establishing an Area of Benefit may be amended by the March Joint Powers Commission as to boundaries of the Area of Benefit, the designation of facilities to be constructed or the estimated cost thereof, or any other aspect thereof, by following the same procedure required to establish an Area of Benefit.

Q. Park and Recreation Fees and Dedications

1. This section is adopted pursuant to Section 66477 of the Government Code which provides for the dedication of land for park and recreational facilities as a condition of approval of a tentative map or parcel map.
2. Whenever land that is proposed to be divided for residential use lies within the boundaries of the March JPA Planning Area, the dedication of land may be required as a condition of approval of the division of land, as herein provided. The March JPA shall have the option of requiring dedication of land for park purposes as a condition of approval of subdivisions of fifty parcels or more. Such dedication shall be in lieu of park land impact mitigation fees.
3. It is hereby found and determined by the March Joint Powers Commission that the public interest, convenience, health, welfare, and safety requires that five (5) acres of land for each 1,000 persons residing within the March JPA Planning Area shall be devoted to neighborhood and community park and recreational facilities, based upon the determination by the March Joint Powers Commission that the amount of existing neighborhood and community park areas, as calculated pursuant to Government Code Section 66477, exceeds the limit set forth therein, and the calculated amount of five (5) acres per 1,000 persons residing within a subdivision subject to this Section is hereby established. No credit shall be given to a subdivider for provision of private open space, private parks, private recreational areas, landscaped setbacks or landscaped road dividers within or adjacent to the proposed subdivision.
4. EXEMPTIONS. This Section shall not apply to the following land divisions:
 - a. Commercial or industrial;

- b. Condominium projects or stock cooperatives which consist of the subdivision of airspace in an existing apartment building which is more than five years old and as to which no new dwelling units have been added by the subdivision;
- c. Subdivisions containing less than five parcels and not used for residential purposes; provided, however, that a condition of approval shall be placed on those maps that if a building permit is requested for the construction of a residential structure or structures on one or more of the parcels within four (4) years after recordation of the subdivision map, the park land impact mitigation fees shall be required to be paid by the owner of each parcel as a condition to issuance of such permit.

5. DEDICATION REQUIREMENTS OF SUBDIVIDERS.

- a. Whenever a tentative tract map which is subject to the provisions of this Section is submitted to the March JPA Planning Director, it shall be accompanied by a written statement from the applicant stating whether it is intended to dedicate land for park and recreational purposes. If the developer desires to dedicate land for this purpose, he shall first consult with the March JPA Planning Director as to the appropriate area to be dedicated, and such area shall be shown on the proposed tentative tract map as submitted. All dedications must be approved and accepted by the March Joint Powers Commission.
- b. The conditions of approval of a tentative tract map subject to the provisions of this Section shall require the dedication of land for park and recreational purposes. If land is to be dedicated, the proposed dedication shall be shown on the approved tentative map.
- c. The amount and location of property to be dedicated shall be recommended by the March JPA Executive Director and determined by the March Joint Powers Commission.
- d. All dedications of land shall be in accordance with the Subdivision Map Act. Land shall be conveyed in fee simple to the March JPA by grant deed free and clear of all encumbrances except those which will not interfere with the use of the property for its intended purposes and which the March JPA agrees to accept. All deeds shall be delivered to the March JPA before the approval of the final map. If the final map is disapproved, or if it is withdrawn by the subdivider, the deeds shall be returned to the subdivider. If the final map is approved, the deeds shall be recorded by the March JPA at the time the final map is recorded. No deed for the dedication of land shall be accepted unless it is accompanied by a policy of title insurance, secured by and at the expense of the subdivider, in an amount equal to the value of the land dedicated.
- e. Whenever land has been conveyed to the March JPA and a final map is not recorded, or, if recorded, the land is thereafter reverted to acreage, the March JPA shall, at its option, either reconvey all land dedicated to it, allow the developer a credit for any land dedicated to be applied only to a new subdivision on the same property, or make other arrangements with the subdivider.

6. DETERMINATION OF LAND DEDICATION. When the conditions of approval for a land division require the dedication of land, the conditions shall be based on the following:

- a. The natural features of the area; available access; the location, size and shape of the subdivision; the location, size and shape of the land available for dedication; the feasibility of dedication; the

location of existing and proposed park sites and trailways; and the compatibility of dedication with the March JPA General Plan;

- b. Whenever the actual amount of land to be dedicated is less than the amount of land required to be dedicated, the subdivider shall pay park land impact mitigation fees for the value of any additional land that otherwise would have been required to be dedicated;
- c. The amount and location of the land to be dedicated shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision;
- d. The amount of land to be dedicated shall be based on the residential density of the subdivision. The residential density shall be determined by multiplying the number of dwelling units of the subdivision by the average number of persons per unit by the ratio which the number of acres of park land required for each 1,000 persons bears to 1,000 (i.e., .005). The average number of persons per unit shall be the most recent such average established by the Department of Finance of the State of California;
- e. Whenever land is dedicated pursuant to this Section the subdivider shall, without credit and without cost to the March JPA, provide the following for the benefit of the land dedicated:
 - (1) Full street improvements and utility connections including, but not limited to, curbs, gutters, relocation or undergrounding of existing public utility facilities, street paving, traffic control devices, street trees, and sidewalks to the dedicated land;
 - (2) Block wall fencing along the property lines of the subdivision which are contiguous to the park;
 - (3) Improve the drainage through the park site;
 - (4) Provide minimal physical improvements, not including recreational facilities, building, or equipment, which the March JPA Executive Director determines are necessary for acceptance of the land for park and recreational purposes;
 - (5) Provide access from the park and recreational facilities to an existing or proposed public street, unless the March JPA Executive Director determines that such access is unnecessary for maintenance of the park area or use of the park by the residents of the area;
 - (6) Grading and drainage improvements, and irrigation and planting improvements as required under applicable March JPA ordinances. All land to be dedicated and improvements to be made shall be approved by the March JPA prior to the approval or disapproval of a subdivision by the March JPA;
 - (7) All grading plans for land to be dedicated shall be reviewed and approved by the March JPA Executive Director for conformance with the Parks and Recreation Plan and the needs of the March JPA;
 - (8) No grading, drainage, irrigation, planting, street or utility improvements required under this Section shall be eligible for a credit against the land to be dedicated, however, park and recreational improvements to a dedicated park land shall be a credit against the required

dedication.

- f. Land which has been dedicated and accepted may be sold by the March JPA if the subdivider has not begun substantial construction on the subdivision within two years after recordation of the Final Map and the March JPA determines that another site would be more suitable for park or recreational facilities. The proceeds from the sale of the dedicated land must be used for the purpose or improvement of the more suitable site.

Section 9.14.110 Flood Control and Tract Drainage

A. General Provisions

Facilities for the control of tract drainage and floodwaters in Schedule "A", "B", "C", "D", "E", "F", "G", "H", and "I" land divisions are established as follows:

1. The minimum design for facilities which control drainage water generated within a land division or floodwater flowing into or crossing a land division shall be based on the 100 year flood as defined in this Code. Hydrologic and hydraulic calculations for the design of generated within a land division shall be submitted for approval to the March JPA Executive Director. Hydrologic and hydraulic calculations for the design of flood control facilities to control floodwater flowing into or crossing a land division shall be submitted for approval to the flood control agency having jurisdiction and to the March JPA Executive Director;
2. The use of streets for flood control and drainage purposes may be prohibited by the March JPA Executive Director if the use thereof is not in the interest of the public health, safety and welfare; and
3. When the March JPA Executive Director permits the use of streets for flood control and drainage purposes, the 10-year frequency design discharge shall be contained between the tops of curbs or asphalt concrete dikes, the 100-year frequency design discharge shall be contained within the street right-of-way, and the product of flow depth and flow velocity shall not exceed 6.
4. Additional Flood Control facilities may be required by the March JPA Executive Director if he determines conditions require them.

B. Flood Control

1. The March JPA Executive Director shall review the hydrologic calculations submitted by the land divider and determine the adequacy of peak discharges of offsite floodwaters impinging upon the land division from which protection must be provided. The land divider may consult with the March JPA Executive Director or his representative as to the adequacy of flood control facilities proposed.
2. Improvement plans for flood control facilities to control floodwater flowing into or crossing a land division shall be approved by the appropriate Flood Control Agency and the March JPA Executive Director.
3. After receipt of an application for a tentative map, the March JPA Executive Director will recommend conditions to be imposed. He shall also furnish a flood hazard report to the land divider and such governmental agencies as may require the same.

C. Tract Drainage

1. Improvement plans for drainage facilities to control drainage water generated within a land division shall be approved by the March JPA Executive Director.
2. In land divisions where lot grading is not proposed, the following criteria are established:
 - a. Where land division streets on sustained gradients cross natural drainage courses, adequate culverts shall be provided to accommodate the 100-year storm with maximum ponding to an elevation 2 feet below the road centerline profile grade, provided diversion of ponded water into another drainage area will not result therefrom; and
 - b. Culverts of adequate size, but not less than 18 inches in diameter or equal, to prevent the 10-year storm from overtopping the roadway shall be provided in dip sections or as approved by the March JPA Executive Director.

Section 9.14.120 Dry Sewers

If a land division is submitted and if connection to a wet sewerage system is not currently available, the installation of a dry sewer system may be required by the Health Department or the March JPA Executive Director in addition to subsurface sewage disposal in accordance with the following:

1. An agency that provides sewage collection and treatment services has a plan that includes the area being divided and an implementation program for the wet sewer system that would serve the area within a reasonable period of time, and the serving agency has agreed to serve the land; and
2. The land divider has contacted and has secured a letter of approval from the agency that will have the ultimate responsibility for acceptance of the sewage treatment and disposal thereof and the maintenance of the proposed dry and wet sewer lines. The approval letter shall be submitted to the March JPA; and
3. When dry sewers are required, the dry sewer design must be shown on the utility plans in accordance with the requirements as set forth in Section 9.14.100 of this Ordinance.
4. Installation of the sewer mains, laterals and connections shall be completed prior to installation of street improvements.

Section 9.14.130 Electrical and Communication Facilities**A. When Underground Installation is Required**

Except as provided herein, all electrical distribution lines of less than one hundred fifteen thousand volts, telephone, cable antenna television and similar service wires or cables which:

1. Provide direct service to the property being developed;

2. Are existing and located within the boundaries of the property being developed; and
 3. Are existing between the property line and the centerline of the peripheral streets of the property being developed; and
 4. Are located along or within six feet of the rear or side lot lines of the property to be developed;
- Shall be installed underground.

B. Exceptions--Generally

The following exceptions shall apply to the requirement of Subsection A:

1. Utility service poles may be placed in the area within six feet of the rear lot line of the property to be developed for the sole purpose of terminating underground facilities;
2. Temporary utilities along with the necessary service poles, wires, and cables may be permitted for the period during which authorized construction is continuing for which valid building permits have been issued or for temporary uses which comply with requirements of this Code, the March JPA Building and Construction Code, and other applicable regulation;
3. Appurtenances and associated equipment including, but not limited, to, surface-mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts for an underground system, may be placed above ground.

C. Exceptions--Approval by March JPA Executive Director

The following further exceptions to the requirements of Subsection A shall apply, subject in each case to the specific written approval of the March JPA Executive Director, and then only on the basis of a formal request detailing the reasons therefore:

1. In residential areas where utility service poles presently exist along or near rear lot lines, overhead utility lines to serve residential structures may be permitted. This exception may be applied to existing subdivided property where building permits have not been issued, but shall not apply to new residential subdivisions;
2. On developments consisting of three lots or less that do not in total exceed six hundred (600) feet of frontage for residential proposals or six hundred (600) feet of frontage for commercial development, the March JPA Executive Director may waive construction of underground utilities along the peripheral streets or property lines. However, in such a situation, an estimated cost for undergrounding utilities along the peripheral streets shall be determined and a cash deposit in this amount shall be deposited with the March JPA. This cash sum shall be held in trust by the March JPA until an area sufficient in size to warrant the formation of an underground utility district or until costs for undergrounding of at least a six hundred (600) foot length of street have been collected.

D. Responsibility for Compliance

The developer or owner is responsible for complying with the requirements of this Section, and he shall make all necessary arrangements with the utility company for the installation of such facilities.

E. Nonconforming Structures

Buildings and structures, which on the effective date of the ordinance codified in this Chapter, or any subsequent amendments thereto, are nonconforming in regard to above-ground utilities, may continue to be used, altered or enlarged in the same manner, as if such nonconforming utility lines did not exist. However, when said building or structures are enlarged over 2,500 square feet in area, said utility lines shall comply with the requirements of this Chapter.

Section 9.14.140 Street Trees**A. General Provisions**

1. The planting of street trees in connection with the development of new land divisions is desirable and shall be required as a condition of approval in Schedule "A", "B", "C", "D", "E", "F" and "G" land divisions unless otherwise exempted.
2. All land divisions governed by this Section shall be required to have planted the minimum number of trees per this Code per parcel frontage prior to final building inspection based on the requirements of the Landscape Development Guidelines and Specifications and the following standards:
 - a. Trees shall be chosen from the approved March JPA Street Tree List for trees, shrubs, and ground covers. Each choice should reflect consideration of the geographic zone involved;
 - b. Trees shall be selected, located and maintained such that at 15 years of age the crown will be a minimum height of 20 feet above any encroachment across property lines or into street road beds;
 - c. Trees shall be located a minimum of ten feet from driveways;
 - d. For corner lots, street trees shall be required on both street frontages, provided such planting does not interfere with site distances and setbacks;
 - e. All street trees shall be staked and tied per March JPA Landscape Development Guidelines and Specifications; and
 - f. Exceptions to street tree planting may be permitted by the March JPA Executive Director in cul-de-sacs and on those lots where proper spacing is not possible. Requests for exception shall be made, in writing, to the March JPA Executive Director.
3. The proposed location of all street trees shall be indicated on the Street Improvement Plans submitted to the March JPA Executive Director for final approval.

B. Exemptions

1. Any person may be exempted from any applicable requirement to plant street trees if any of the following conditions are found to exist:

- a. Tree planting is impractical due to unsatisfactory soil, rock, grade or other topographical conditions that cannot readily be corrected;
 - b. A satisfactory water supply is not available;
 - c. Tree planting will create conditions hazardous to traffic;
 - d. The street is planned to be widened within a reasonable period of time and trees cannot now be set in their ultimate right-of-way; or
 - e. Trees are already planted in the substantially correct location.
2. Any request for exemption shall be approved by the March JPA Executive Director. The decision on any request for an exemption under this Section shall be made prior to the issuance of any building or grading permits.

C. Enforcement

The March JPA Executive Director shall be responsible for the administration and enforcement of the street tree planting requirements under this Section.

Section 9.14.150 Lot Line Adjustments**A. Lot Line Adjustment**

1. General Provisions. A lot line adjustment is a modification of a boundary line between two or more adjacent legal parcels where the modification complies with the following criteria:
 - a. No new parcels are created, and no existing parcels are deleted;
 - b. No parcel is reduced below the minimum lot area required by the zoning designation set forth in this Title and the March JPA General Plan;
 - c. The proposed adjustment is exempt from the Subdivision Map Act, and no tentative map, or final map, shall be required as a condition to the approval of a lot line adjustment; and
 - d. Public rights-of-way are not altered in any way unless approved by the March JPA Executive Director.
2. Filing Requirements. Applications for lot line adjustment as defined in this Section of this Ordinance shall be made to the March JPA Executive Director on forms provided by the Engineering Department. The applications shall be accompanied by the fee set by the March Joint Powers Commission.
3. Procedure. Upon receipt of a completed application, the Engineering Department shall transmit the material to the following agencies: March Joint Powers Commission and Fire Prevention Bureau]. The applicant or a designated representative shall be notified of any concerns set forth by the reviewing agencies which may delay approval of the application. The March JPA Executive Director

shall limit review and approval to a determination of whether or not the parcels resulting from the adjustment will conform to state law and March JPA ordinances, and shall not impose conditions or exactions on the approval except to conform to March JPA ordinances, or to facilitate the relocation of existing utilities, infrastructure, easements, or improvements. When special circumstances apply to a parcel of property, including but not limited to topographic constraints, parcel orientation, access restrictions, methods of circulation, existing improvements, and/or urbanization of the property under a requested permit, the March JPA Executive Director may, upon sufficient documentation and justification, approve a lot line adjustment so long as the proposed adjustment is not in conflict with state law, March JPA ordinances, and requirements set by other March JPA departments or agencies.

Within 30 days of the lot line adjustment application being accepted as complete, the March JPA Executive Director, with the consent of the March JPA Planning Director, shall conditionally approve, disapprove, or notify the applicant and his representative that the request does not meet the requirements of a lot line adjustment.

Applications for lot line adjustment shall not be considered final until the application documents and new legal description(s), reflecting the adjustment, have been received.

4. Recordation. Upon approval of the lot line adjustment, the March JPA Executive Director, within six months or as agreed to by the March JPA Executive Director and applicant not to exceed one year, shall receive proof of the recordation of the deed or Record of Survey and the "Notice of Lot Line Adjustment" with the County Recorder. Said Notice shall contain the following: "This document is being recorded pursuant to Lot Line Adjustment No. _____, approved by the March Joint Powers Commission on _____."
5. Record of Survey. A Record of Survey or other records shall be required pursuant to Section 8762 of the Business and Professions Code if monuments are set at the new lot lines, unless the boundary is monumented as part of a land division with a recorded map.

Section 9.14.160 **Certificate of Compliance**

A. Classification of Certificate of Compliance

The following classifications of Certificate of Compliance are provided for by the provisions of this Section:

1. Certificate of Compliance. A Certificate of Compliance is issued when the real property is in compliance with the Subdivision Map Act and this Chapter;
2. Conditional Certificate of Compliance. A Conditional Certificate of Compliance is issued when the March JPA Executive Director determines that the property was divided in violation of the Subdivision Map Act or this Chapter;
3. Certificate of Compliance and a waiver of a parcel map. A Certificate of Compliance is required on all parcel maps which have the final map waived. Since there is no final map to record, a certificate is necessary to record a legal description of the property which has been divided.

The procedures applicable to applications for approval, processing and issuance of Certificate of Compliance are set forth in the following Subsections of this Section.

B. Application

Any owner of real property, including an owner denied a permit, may file an application for a Certificate of Compliance. A separate application shall be made to the March JPA Executive Director, accompanied by the fees set by the March Joint Powers Commission for each parcel to be certified. No certificate of compliance application proposing the certification of multiple lots will be accepted unless submitted in conjunction with a waived final parcel map. Each completed application shall be accompanied by all information required by the March JPA Executive Director.

C. Processing and Issuance**1. Certificate of Compliance.**

- a. Upon receipt of and acceptance of a completed application the March JPA Executive Director shall review the matter and within 50 days after acceptance make a final determination as to whether or not the real property complies with the applicable provisions of the Subdivision Map Act and this Ordinance, or whether the proposed development of the real property can be approved as not contrary to the public health, welfare and safety.
- b. If the March JPA Executive Director, with the consent of the March JPA Planning Director, determines that the real property was divided in compliance with the provisions of the Subdivision Map Act and this Ordinance that were applicable at the time the property was divided, he shall cause a Certificate of Compliance to be filed for record with the County Recorder.

2. Conditional Certificate of Compliance.

- a. If upon receipt of a completed application the March JPA Executive Director, as concurred with by the March JPA Planning Director, determines that the property was divided in violation of the Subdivision Map Act or this Ordinance, but that a proposed development may be approved as being not contrary to the public health, welfare or safety, a Certificate of Compliance may be issued by the March JPA Executive Director contingent upon the completion of specified conditions.
- b. The March JPA Executive Director and March JPA Planning Director may impose such conditions as would have been applicable to the division of the property at the time that the current owner of record acquired the property, except that where the applicant was the owner of record at the time of the initial violation, who by a grant of the real property created a parcel or parcels in violation, and such person is the current owner of record of one or more of the parcels which were created as a result of the grant in violation, then the March JPA Executive Director may impose such conditions as would be applicable to a current division of the property or the requirement of filing on a tentative parcel or tract map.

- (1) When the March JPA Executive Director imposes conditions, they shall be filed for recordation with the County Recorder as a Conditional Certificate of Compliance.

- (2) The conditions may be fulfilled and implemented by the owner who has applied for the Certificate of Compliance or any subsequent owner.
 - (3) Compliance with such conditions shall not be required until such time as a permit or other grant of approval for the development or use of the property is issued by the March JPA or any other subsequent jurisdiction, unless the property is thereafter included as a part of a legal division of said real property pursuant to the provisions of this Chapter.
 - (4) Upon completion of the conditions, the owner shall notify the March JPA Executive Director. If the conditions are satisfactorily completed, the March JPA Executive Director shall then issue and record a final Certificate of Compliance.
- c. Certificate of Compliance and Waiver of Parcel Map.
 - (1) A Certificate of Compliance is required on all parcel maps which have the final map waived.
 - (2) The March JPA Executive Director shall distribute the final copy of the Certificate of Compliance and waiver of parcel map to the Department of Building and Safety and County Recorder's Office upon payment of the fee set by the March Joint Powers Commission.
3. Appeal to March Joint Powers Commission. The decision of the March JPA Executive Director and March JPA Planning Director regarding a Certificate of Compliance may be appealed to the March Joint Powers Commission within 15 calendar days after notice of the decision is deposited in the United States mail. Upon receipt of a completed appeal, the March JPA Executive Director shall set the matter for hearing before the March Joint Powers Commission, not less than 10 days nor more than 60 days thereafter, and shall give written notice of the hearing, by mail, to the appellant. The March Joint Powers Commission shall render its decision within 30 days following the close of the hearing on the appeal and a copy thereof shall be mailed to the applicant.

Section 9.14.170 Merger Of Lots

A. Purpose and Intent

This Section establishes criteria and procedures for lot mergers required to achieve conformance with other provisions of this Code or voluntarily requested on the part of any property owner.

B. Applicability and Filing

1. Any lot, parcel, or unit of land may be merged with a contiguous lot, parcel or unit held by the same owner if any one of the contiguous lots, units, or parcels do not conform to current standards for minimum lot area or dimensions under the regulations of the zoning district applicable to the property without reverting to acreage if all of the following requirements are satisfied.
 - a. At least one of the affected parcels is: 1) undeveloped by any structure for which a building permit was issued or for which a building permit was not required at the time of construction, 2) is developed only with an accessory structure or accessory structures, or 3) is developed with a single structure, other than an accessory structure, that is also partially sited on a contiguous parcel or unit; and

- b. With respect to any affected parcel, one or more of the following conditions exist:
 - (1) Comprises less than 5,000 square feet in area at the time of the determination of merger;
 - (2) Was not created in compliance with applicable laws and ordinances in effect at the time of its creation;
 - (3) Does not meet current standards for sewage disposal and domestic water supply;
 - (4) Does not meet slope stability standards;
 - (5) Has no legal access which is adequate for vehicular and safety equipment access and maneuverability;
 - (6) Its development would create health or safety hazards;
 - (7) Is inconsistent with the March JPA General Plan and any applicable specific plan, other than minimum lot size or density standards.
- 2. For purposes of determining whether contiguous parcels are held by the same owner, ownership shall be determined as of the date that notice of intention to determine status is recorded.
- 3. This Section shall not apply in the event of existence of any of the conditions delineated in subparagraphs (A) through (E) of Subdivision Map Act Section 66451.11.
- 4. Proceedings pursuant to this Section may be initiated directly by the March JPA Executive Director or by request of the property owner or his authorized agent upon those forms provided by the March JPA Executive Director, accompanied by such information as required by said forms and payment of applicable fees.

C. Authority

Authority for approval of mergers of lots shall be vested in the March JPA Executive Director. Whenever the March JPA Executive Director believes that real property should be merged pursuant to this Section, then the March JPA Executive Director shall cause to be mailed by certified mail to the then current owner of the real property affected by the merger a notice of intention to determine status, notifying the owner that the affected parcels may be merged pursuant to the standards specified in this Section, and advising the owner of the opportunity to request a hearing on determination of status and to present evidence at the hearing that the property does not meet the criteria for merger. The notice of intention to determine status shall also be filed for record with the County Recorder on the date the notice is mailed to the property owner, and shall advise the owner that he has thirty (30) days to request a hearing before the March Joint Powers Commission on determination of status (why the Notice of Merger should not be recorded).

D. Hearing and Determination

At any time within 30 days after recording of the Notice of Intention to Determine Status, the owner of the affected property may file with the March JPA Executive Director a request for a hearing by the March Joint Powers Commission on determination of status. Upon receiving such request for hearing, the March

JPA Executive Director shall cause to be fixed the time, date and place for hearing, and shall cause the property owner to be notified of that time, date and place for hearing by certified mail. The March Joint Powers Commission shall hold a public hearing on any merger pursuant to Section 9.02.200 no later than sixty (60) days following receipt of such property owner's request. At the hearing the property owner shall be given the opportunity to state his objection and present the evidence upon which he relies. The hearing may be postponed or continued with the mutual consent of the March JPA and the property owner. If the March Joint Powers Commission finds that the conditions constituting merger have not occurred, or that the findings required to maintain the lots, parcels, or units of land as unmerged can be made, then it shall determine that no merger has occurred and the March Joint Powers Commission shall instruct the March JPA Executive Director not to file the notice of merger. Otherwise, the March Joint Powers Commission shall determine that the affected parcels are to be merged. The March JPA Executive Director shall notify the property owner of the March Joint Powers Commission's decision. The March JPA Executive Director shall record the determination of merger with the County Recorder within thirty (30) days after conclusion of the hearing, as provided in Section 66451.12 of the Subdivision Map Act.

E. Determination Without Hearing

If, within the 30-day period specified in Subsection C, the owner does not file a request for a hearing in accordance with Subsections C and D, the March JPA Executive Director may, at any time thereafter, make a determination that the affected parcels are to be merged or are not to be merged. A determination of merger shall be recorded as provided for in Section 66451.12 of the Subdivision Map Act no later than 90 days following the mailing of notice required by Subsection C.

F. Recording and Mailing Notification Not to Merge

If it is determined that the parcels shall not be merged, the March JPA Executive Director shall cause to be recorded with the County Recorder, in the manner specified in Section 66451.12 of the Subdivision Map Act, a release of the notice of intention to determine status, and shall mail a clearance letter to the then current owner of record.

Section 9.14.180 Reversion to Acreage**A. Purpose and Intent**

This Section establishes procedures for processing reversions to acreage pursuant to Article 1 of Chapter 6 of the State Subdivision Map Act.

B. Applicability and Filing

Divided real property may be reverted to acreage pursuant to the provisions of this Code and the Subdivision Map Act. Reversion to acreage proceedings may be initiated by the March Joint Powers Commission on its own motion, or by petition of all owners of record of real property that is proposed to be reverted to acreage.

1. Procedures for Filing

To revert divided lands to acreage, a tentative map or tentative parcel map, as appropriate, shall be prepared and filed as required by this Chapter, and the processing fee set by the March Joint Powers

Commission shall be paid by the applicant(s) with the initial petition for reversion to acreage or by the person(s) requesting the March Joint Powers Commission to initiate the proceedings if initiated by the March Joint Powers Commission before initiation of proceedings.

C. Authority

Authority for approval of reversions to acreage shall be vested in the March Joint Powers Commission. The March JPA Planning Director shall provide a written recommendation to the March Joint Powers Commission who shall hold a noticed public hearing in accordance with Section 9.02.200 and process as a Major Development as defined in Section 9.02.030B. March Joint Powers Commission hearing shall be conducted pursuant to applicable Public Hearing requirements set forth in this Code.

D. Findings

Divided real property may be reverted to acreage only if the March Joint Powers Commission finds that:

1. Dedications or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes; and
2. Either:
 - a. All owners of an interest in the real property within the subdivision have consented to the reversion; or
 - b. None of the improvements required as a condition of the previous subdivision have been made within two years from the date the final subdivision map was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is the later; or
 - c. No lots shown on the final subdivision map have been sold within five years from the date such map was filed for record.

E. Conditions

The following shall be required as conditions of approval for a reversion:

1. Dedications or offers of dedication necessary for a logical street pattern for access to any lands not proposed for reversion or as may be necessary for drainage or utilities;
2. Retention of all previously paid fees as necessary to accomplish the purposes of this Chapter; and
3. Retention of any required improvement security or deposit(s) necessary to accomplish the purposes of this Chapter.

F. Final Map Procedures

1. After approval of the reversion to acreage, the applicant may cause a final map to be prepared in accordance with the applicable provisions of this Chapter.
2. Reversions shall be effective upon the final map being filed for record by the County Recorder, and

thereupon all dedications and offers of dedication not shown thereon shall be of no further force or effect.

Section 9.14.190 Enforcement and Penalties**A. Denial of Permits**

No building permit, grading permit or any other permit or approval necessary to develop real property shall be granted or issued for any parcel of real property which has been divided, or which has resulted from a division, in violation of the provisions of the Subdivision Map Act or this Chapter that were applicable at the time such division occurred, unless the March JPA Executive Director, as hereinafter provided, finds that development of such real property is not contrary to the public health, welfare or safety. A permit or approval shall be denied whether the applicant was the owner of the real property at the time of the violation or whether the applicant is the current owner of the real property with, or without, actual or constructive knowledge of the violation at the time of acquisition of the real property.

Whenever a permit or approval is sought to develop such real property, the Department from which the permit is sought shall notify the applicant that the permit cannot be granted because of the illegal division of land, and shall advise the person that he may file an application with the March JPA Executive Director for a determination as to whether the development of the property would not be contrary to public health or safety and for the possible issuance of a Certificate of Compliance or a Conditional Certificate of Compliance, as applicable, pursuant to the provisions of this Chapter.

Section 9.14.200 Supplemental Improvement Reimbursement Agreement

Where the subdivider or developer is required to install supplemental improvements in addition to those required for the needs of the subdivision, pursuant to the provisions of this Code, the March JPA shall at the subdivider's request enter into an agreement with the subdivider to reimburse the subdivider or developer pursuant to Section 66486 of the Subdivision Map Act, for that portion of the cost of those improvements in excess of the construction required for the subdivision, to be reimbursed from sums collected for that purpose from future developments benefiting therefrom.

Section 9.14.210 Improvement Security

Improvement securities shall be required to be submitted as a guarantee of the completion of improvements under an agreement with the March JPA to complete the improvements required as a condition of approval of any final map, parcel map, parcel map waiver, lot line adjustment, or lot merger, and not completed or otherwise satisfied prior to recordation of the map. Acceptable forms of security, if approved by the March JPA Executive Director, are limited to the following:

1. A bond or bonds by one or more duly authorized corporate sureties;
2. A deposit of cash with the March JPA;
3. An irrevocable instrument of credit from one or more financial institutions subject to regulation by

the State or Federal Government pledging that the funds necessary to carry out the agreements are on deposit, guaranteed for payment, and constitute a trust fund which is not subject to levy or attachment by any creditor of the depositor until released by the March JPA;

4. An irrevocable letter of credit issued by a financial institution subject to regulation by the State or Federal Government guaranteeing that all or any portion of the funds available pursuant to the letter of credit will be paid upon the written demand of the March JPA Executive Director, and that such written demand need not present documentation of any type as a condition of payment, including proof of loss;
5. An irrevocable assignment and delivery of a passbook account, together with the entitlement to insurance of the account, in a financial institution subject to regulation by the State or Federal Government, pledging, agreeing and covenanting that the March JPA may redeem, collect and withdraw the full amount of the account at any time and without notice, and further pledging, agreeing and covenanting that the funds stated or shown to be in the assigned account are on deposit, guaranteed for payment, and constitute a trust fund which is not subject to levy or attachment by any creditor of the depositor or the depository.
6. An adequate lien or security interest in and recorded against the property to be divided or in other real property, created by or referenced in a contract between the March JPA and the property owner. The property owner shall pay the costs associated therewith, including without limitation, appraisals, title policies and legal fees.

The agreement and the improvement security for all Schedule maps shall be executed by the March Joint Powers Commission only upon forms and terms approved by the March JPA Executive Director. The original period of the agreement and security shall be 24 months. Extensions of time may be granted at any time by the March Joint Powers Commission, either at its own option, with or without notice to the subdivider and surety, or at the written request of the subdivider.

Section 9.14.220 Amount of Security

Security to guarantee the performance of any act or agreement shall be in the following amounts except as otherwise provided by subsection (c) of Section 66499.3 of the Subdivision Map Act:

1. An amount determined by the March JPA Executive Director equal to one hundred (100) percent of the total estimated cost of the improvement or of the act to be performed, conditioned upon the faithful performance of the act or agreement. The total estimated cost of the improvement shall provide for increase for projected inflation computed to the estimated mid-point of construction;
2. An additional amount determined by the March JPA Executive Director equal to fifty (50) percent of the total estimated cost of the improvement, or the performance of the required act, securing payment to the contractor, his subcontractors, and to persons furnishing labor, materials, or equipment to them for the improvement or the performance of the required act;
3. Ten (10) percent of the estimated cost of the improvements for the guarantee and warranty of the work for a period of one (1) year following the completion and acceptance thereof against any defective work or labor done, or defective materials furnished.

As a part of the obligation guaranteed by the security and in addition to the face amount of the security, there shall be included costs and reasonable expenses and fees, including reasonable attorneys' fees incurred by the March JPA in successfully enforcing the obligation, all to be taxed as costs and included in any judgment.

Section 9.14.230 **Improvement Security Release**

Improvement security may be released upon the final completion and acceptance of the act or work; provided, however, such release shall not apply to the amount of security as determined in Section 9.14.220 (3) for the guarantee and warranty period, nor to costs and reasonable expense fees, including reasonable attorney's fees, incurred by the March JPA in enforcing any improvement agreement. When appropriate, such release shall be recorded in the Office of the County Recorder.

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Chapter 9.15**DEFINITIONS****Sections:**

9.15.010 Purpose and Intent

9.15.020 Applicability

9.15.030 Definitions

Section 9.15.010 Purpose and Intent

The purpose of this Chapter is to ensure precision in interpretation of this Code. The meaning and construction of words and phrases defined in this Chapter applies throughout this Code.

Section 9.15.020 Applicability

The following definitions set forth in Section 9.15.030 shall apply when interpreting the intent or meaning of the requirements and guidelines of this Code. The March JPA Planning Director may add additional definitions or refine the definitions as necessary to improve clarity for the user. However, any change in the definitions which constitutes a substantial amendment to the intent of a regulation contained in this Code shall first follow the procedures outlines in Section 9.02.050.

Section 9.15.030 Definitions**Abutting**

Having district boundaries or lot lines in common.

Access Corridor

A portion of the lot providing access from a street and having a minimum dimension less than the required lot width.

Access Rights

The right, claims, title, or privilege of access, by pedestrians or vehicles, to a public road or way.

Access Road

A graded road with such improvements and of such width as required in Chapter 9.14 of this Code which

provides access from a division of land to an existing maintained street or highway.

Accessory Building

Any subordinate building or portions of the main building, the use of which is incidental to that of the main building on the same lot or premises, and which is used exclusively by the occupants of the main building.

Accessory Structure Used for Living Purposes

An accessory structure which is habitable space as defined by the March JPA Building and Construction Code.

Accessory Use

Any use customarily incidental to, related and clearly subordinate to a principal use established on the same lot or premises.

Acreage (Adjusted Net)

The land area which remains after dedication of ultimate rights-of-ways for 1) exterior boundary streets, 2) flood control rights-of-way, and 3) public parks developed to meet minimum standards. Major utility easements and rights-of-ways may not be counted as adjusted net acreage. Areas devoted to park land or active recreational uses may be counted as adjusted net acreage only if such public facilities are proposed over and above the minimum park land requirements.

Active Recreational Uses

Facilities occurring on level or gently sloping land to a maximum slope of 10 percent which are designed to provide individual or group activities of an active nature including, but not limited to, sports fields, court games, swimming pools, children's play areas, picnic areas, golf courses, and recreational community gardening. Active recreational uses do not include natural open space, nature study areas, open space for buffer areas, slopes greater than 10 percent, riding and hiking trails, scenic overlooks, water courses, drainage areas or water bodies.

Adjoining

District boundaries or lot lines in common.

Adult Arcade

Any establishment wherein coin or token-operated or electronically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, in which a substantial portion of the total presentation time of the images so displayed are distinguished or characterized by an emphasis on depicting or describing "Specified Sexual Activities" or "Specific Anatomical Areas."

Adult Bookstore

Any establishment selling or renting books, magazines, periodicals or other printed matter, photographs, films, motion pictures, slides, tapes, video cassettes, records or any other forms of visual or audio representation twenty-five (25) percent of which, by number, are characterized by an emphasis upon the depiction or description of "Specified Sexual Activities" or "Specified Anatomical Areas."

Adult Cabaret

Any nightclub, bar, restaurant, or similar establishment in which a significant portion of the entertainment presented features:

- a. Live performances which are distinguished or characterized by an emphasis on "Specified Sexual Activities" or "Specified Anatomical Areas";
- b. Films, motion pictures, video cassettes, or slides or other photographic reproductions whose dominant or predominant character and theme is the depiction of "Specified Sexual Activities" or "Specified Anatomical Areas" for the observation by patrons.

Adult Entertainment

See Section 9.09.030 Adult Entertainment Businesses

Adult Model Studio

Any establishment where for any form of consideration or gratuity, human models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculpted, photographed, or otherwise depicted by persons other than the proprietor paying such consideration or gratuity. This provision shall not apply to any school of art, a firm which is operated by an individual, firm, association, partnership, corporation or an institution which meets the requirements established in the Education Code of the State of California for the issuance or conferring of a diploma.

Adult Motel or Hotel

A motel or hotel or similar commercial establishment offering public accommodations for any form of consideration which provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions, a substantial portion of the total presentation time of which is distinguished or characterized by an emphasis upon the depiction or description of "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons.

Adult Motion Picture Theater

Any establishment, with the capacity of fifty or more persons where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are shown and in which twenty-five percent or more of the total presentation time is devoted to the showing of material whose dominant or predominant character and theme is the depiction of "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons.

Adult Newsstands

- a. Any coin-operated machine or device which dispenses material substantially devoted to the depiction of "Specified Sexual Activities" or "Specified Anatomical Areas";
- b. Any shelf, countertop, or tack, indoor or outdoor, used for displaying, for sale, rental, or other use, to the public, magazines, newspapers, video cassettes, or other periodicals substantially devoted to the depiction of "Specified Sexual Activities" or "Specified Anatomical Areas" where twenty-five (25) percent of the area is devoted to said uses in non-adult businesses. This does not apply to interior display fixtures in approved adult entertainment businesses.

Adult Theater

A theater, concert hall, auditorium or similar commercial establishment either indoor or outdoor in nature which, for any form of consideration, regularly features live performances, a substantial portion of the total presentation time of which is distinguished or characterized by an emphasis on "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons.

Advisory Agency

The March Joint Powers Commission for all tentative Schedule "A", "B", "C", "D", "E", "F", "G", "H", and "I" maps, and for such other purposes as the context so indicates.

Aircraft Landing Facilities:

Facilities typically found at an airport including air cargo facilities, aircraft charter facilities, aircraft fuel dispensing and fuel sales, aircraft hangars, aircraft ramps, aircraft repair facilities, air tanker firefighting facilities and fixed base operation facilities, but not including passenger terminals for scheduled commercial aviation.

Aircraft Passenger Terminals for Scheduled Commercial Aviation:

Airport facilities solely dedicated to passenger terminals for scheduled commercial aviation.

Alley

A secondary means of access to property and is located at the rear or side of the property. Minimum right-of-way width shall be 20 feet.

Alter

To make a change in the supporting members of a structure, such as bearing walls, columns, beams or girders, that will prolong the life of the structure. In case of a sign, "alter" means a change of all or a portion of the copy, message or sign legend or face, except on signs designed to advertise changing messages.

Ambient Level

General noise level one finds in a certain area at a given time.

Animal (Exotic or Wild)

Exotic or wild animals include lions, tigers, bears, simians, cougars, badgers, wolves, coyotes, foxes, lynx, peacock, monkey or any venomous or otherwise dangerous reptile or any other dangerous or carnivorous wild animal, or any wild animal as defined in Section 2116 of the Fish and Game Code of the State of California, or any other animal determined to be dangerous or potentially dangerous by the March JPA Planning Director.

Animal (Large)

Large animals include equine, bovine and similar sized animals as determined by the March JPA Planning Director.

Animal (Medium)

Medium animals include sheep, goats and similar sized animals as determined by the March JPA Planning Director.

Animal (Small)

Small animals include rabbits, chinchillas, guinea pigs and other similar sized animals as determined by the March JPA Planning Director.

Antenna

A device used to transmit and/or receive radio or electromagnetic waves between terrestrially and/orbitally based structures.

Antenna, Commercial.

An antenna or satellite dish used in conjunction with a business, commercial enterprise, trade, calling, vocation, profession, occupation, or other means of livelihood, whether or not carried on for gain or profit including, but not limited to public utilities, wireless telephone communications or private-owned or publicly supported AM or FM radio stations, cable television operations or television broadcast stations, but excluding standard television receive only antennas.

Antenna, Non-commercial.

An antenna or satellite dish not used in conjunction with a business, or commercial enterprise.

Antenna, Satellite Dish.

A transmitting and receiving antenna, typically parabolic, disc or double convex shaped with an active element external to the disc that communicates by line of sight with another similar antenna or

an orbiting satellite.

Apartment

One or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit in a building containing more than two dwelling units.

Approved Access

One of the following:

- a. A dedicated right-of-way;
- b. An offer to dedicate to the March JPA, or an offer to dedicate to the County of Riverside for which the March JPA is a successor in interest, a width as established by the Circulation Element of the March JPA General Plan or any adopted specific plan or highway right-of-way standards and a strip of land at least 12 feet in width which expressly grants to the owner of the subdivision or development and any successors in interest the right to use the easement without limit as to the quantity of vehicular traffic from each lot or use created by the owners or successors in interest to improved roadways in the March JPA road system, both of which abut or connect to a publicly maintained roadway or connect to existing traveled roads where a prescriptive right by user exists for public use;
- c. An offer to dedicate to the March JPA, or an offer to dedicate to the County of Riverside for which the March JPA is a successor in interest, or to the public in general, an easement for public road, highway, and public utility purposes, of a width as established by the Circulation Element. The offer to dedicate to the public in general can be accepted by public use, but the easement for road construction thereon shall not become a March JPA roadway until and unless the March Joint Powers Commission, by appropriate resolution, has caused said roadway to be accepted into the March JPA road system; or
- d. An existing traveled way where a prescriptive right by user has been established for public use by a Court decree.

Approved Fire Hydrant

An appliance meeting March JPA standards and approved by the water company and fire department having jurisdiction for use as a fire hydrant.

Arcades

A place of business where more than four (4) electronic, video or coin operated games are operated for compensation.

Architectural Features

Any portion of the outer surface of a structure, including, but not limited to, the kind, color and texture of the building material, the type and style of all windows, doors, lights, signs, walls, fences, awnings

and canopies, screens, sculptures, decoration, roof shape and materials, and other fixtures appurtenant to a structure.

Architectural Projection

A marquee, fireplace chimney, porch, canopy or similar projection of a building.

Arterial

A highway intended to serve through traffic, where access rights are restricted and intersections with other streets or highways may be limited. Minimum right-of-way width shall be 100 feet.

Attendant Parking

Parking facilities where a lot attendant parks vehicles for drivers. This term is used interchangeably with "valet parking."

Authorized Agent

A person bearing written authority from the property owner to act on behalf of and to bind the property owner.

Automotive and Light Truck Repair (Minor)

Activities including, but not necessarily limited to, automotive and light truck repair, the retail sale of goods and services for automotive vehicles and light trucks (less than 6000 lbs.), and the cleaning and washing of automotive vehicles. Uses typically include, but are not necessarily limited to, brake, muffler and tire shops and automotive drive-through car washes. Heavier automobile repair such as transmission and engine repair and auto body shops shall not be included in this land use type.

Automotive and Light Truck Repair (Major)

Activities typically including, but not necessarily limited to, automotive and light truck repair, heavy automobile and truck repair, such as transmission and engine repair, automotive painting and body work, and the installation of major accessories.

Automobile Service Station or Gasoline Service Station

A retail place of business engaged in supplying goods and services essential to the normal operation of automobiles, whose primary use is the dispensing of automotive fuel and motor oil.

Aviary

An outside enclosure within which small birds (excluding poultry or fowl as defined) are kept and raised.

Awning

A permanent or temporary structure attached to and wholly supported by a building, and installed over or in front of openings or windows in a building, and consisting of a fixed or movable frame and a top of canvas or other similar material covering the entire space enclosed between the frame and the building.

Banner, Flag, Pennant or Balloon

Any cloth, bunting, plastic, paper or similar material used for advertising purposes attached to, pinned on, or hung from any structure, staff, pole, line, framing, vehicle, or other object.

Barrier Strip

A strip of land one foot or more in width dedicated to the March JPA for street purposes and access control at the end of a dead end street or along the side of a part-width dedicated street or other public right-of-way.

Base Flood

The flood having a one percent chance of being equaled or exceeded in any given year; this is sometimes referred to as a 100-year flood.

Bicycle Locker

A fully enclosed space accessible only to the owner or operator of the bicycle.

Bicycle Check-In Parking System

A parking system wherein the bicycle is delivered to, and left with, attendant(s) with provision for identifying the bicycle's owner. The stored bicycles are accessible only to the attendant(s).

Bicycle Monitored Parking

An area for the parking of bicycles which is under constant surveillance.

Bicycle Restricted Access Parking

Class 3 facilities within a locked room or locked enclosure accessible only to the owners or operators of bicycles parked within, or Class 2 facilities within the common locked garage area(s) of a multiple family residential development which is accessible only to residents of the units for which the garage is provided.

Bicycle Way

An area either within or outside the right-of-way of a dedicated street where bicycle travel is the designated use.

Billboard

See Outdoor Advertising Display.

Boarding or Rooming House

A building containing a dwelling unit where lodging is provided with or without meals for compensation for seven (7) or more persons.

Bridge

The construction of or addition to a bridge identified in the Circulation Element of the March JPA General Plan or is part of a major thoroughfare and spans a waterway, railway, freeway or canyon.

Building Face

The area of a building elevation, front, rear, or side, in which a business is located.

Building Frontage

The side of a building which contains the main entrance for pedestrian ingress and egress. If more than one main entrance exists, the one that more nearly faces or is oriented to the street of highest classification as portrayed on the current General Plan of Circulation shall be considered the building frontage. If all streets are of the same classification, the side of the building with the smallest lineal dimension containing a main entrance shall be considered the building frontage.

Building Height

The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the highest point of the highest gable of a pitch or hip roof, but exclusive of vents, air conditioners, chimneys, or other such incidental appurtenances.

Building Site

A legally created parcel or contiguous parcels of land in single or joint ownership, which provides the area and the open spaces required by this Code for location of a building or structure, exclusive of all vehicular and pedestrian rights-of-way and all other easements that prohibit the surface use of the property by the owner thereof.

Building Space

Building or portion of a building used by one business or other user interest without direct interior connections to other business interests.

Business Complex

A group of buildings and/or parcels planned or constructed as an integrated entity, with shared access and internal circulation.

Business Directory Sign

A sign located in a multi-tenant complex which lists each business and address located therein.

Business Identification Sign

An on-site sign which identifies the business located therein.

Cabana

Any portable, demountable, or permanent cabin, small house, room, enclosure, or other building or structure erected, constructed or placed on a mobile home space and used in conjunction with a mobile home. Said structure shall not be used for sleeping purposes.

Cannabis

Means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. “Cannabis” also means the separated resin, whether crude or purified, obtained from marijuana. “Cannabis” also means marijuana as defined by Section 11018 of the Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972.

Cannabis dispensary

A facility where cannabis, cannabis products, or devices for the use of cannabis or cannabis products are offered, either individually or in any combination, for retail sale, including an establishment that delivers cannabis and cannabis products as part of a retail sale.

Cannabis manufacturer

A person that conducts the production, preparation, propagation, or compounding of manufactured cannabis, or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages medical cannabis or cannabis products or labels or relabels its container.

Canopy

A small roof or awning attached to and supported by the wall of a structure.

Canopy or Awning Sign

A sign painted, placed or installed on any awning or canopy.

Can Sign

An internally illuminated sign consisting of a metal cabinet and a sign face(s) made, in part, of a translucent material such as plexiglass.

Carport

A permanently roofed structure with not more than three (3) enclosed sides used for automobile shelter and storage.

Catteries (Commercial)

Any building, structure, enclosure or premises whereupon, or within which five or more cats are kept or maintained primarily for financial profit for the purpose of boarding, breeding, training, marketing, hire or any other similar purpose.

Catteries (Non-Commercial)

Any building, structure, enclosure, or premises whereupon, or within which, five or more cats are kept or maintained, but not primarily for financial profit.

Child Care Center

Any licensed child care center, day care center, child care home, or any preschool.

Church

A structure or leased portion of a structure, which is used primarily for religious worship and related religious activities.

Collector Street

A street which is intended to serve intensive residential land use, multiple family dwellings, or to convey traffic through a subdivision to roads of equal capacity or greater. It may also serve as a cul-de-sac in industrial or commercial use areas but shall not exceed 660 feet in length when so used. Minimum right-of-way width shall be 66 feet.

Collection Facility

A center for the acceptance, by donation, redemption, or purchase, of recyclable materials from the public. Collection Facilities may include the following:

- a. Reverse Vending Machine(s).
- b. Small Collection Facilities which occupy an area of not more than 500 square feet, and may include:
 - (1) A mobile recycling unit;
 - (2) Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet;
 - (3) Kiosk type units, which may include permanent structures;
 - (4) Unattended containers placed for the donation of recyclable materials.

- c. Large Collection Facilities which may occupy an area of more than 500 square feet and may include permanent structures.

Communication Facilities.

Communication towers, equipment structures, monopoles, and the necessary appurtenances.

Community Center

Any facility open to the public at which classes, social activities, recreational activities, educational activities, support and public information are offered for all residents of the community.

Community Noise Equivalent Level (CNEL)

The average noise level during a 24 hour day, in decibels, weighted to account for the lower tolerance of people to noise during evening (7:00 p.m. to 10:00 p.m.) and night (10:00 p.m. to 7:00 a.m.) hours relative to daytime hours, and shall be computed as prescribed by Title 25 of the Administrative Code of the State of California.

Community Services District

A community services district which has the power to construct and maintain streets, landscaping, or other public improvements as appropriate with the context used.

Compatible

The term compatible means capable of coexisting in harmony or without significant conflict. A compatible land use will not cause a significant detriment to the use, economic value, habitability and enjoyment of residents, owners, workers, and/or patrons of any land uses in the surrounding and adjacent area. In terms of building design, compatible means consistent or in harmony with existing and planned development.

Elements to be considered in the evaluation of compatibility include without limitation by this enumeration style, mass, bulk, size, use, occupancy, improvements, character, scale, texture, color and other principles of design described in the March JPA Design Guidelines.

Comprehensive General Plan

The Comprehensive General Plan of the March JPA, including all elements thereof, as adopted by the March JPA.

Condominium

An estate in real property consisting of an undivided interest in common in portion of real property, coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map, parcel map or condominium plan in sufficient detail to locate all boundaries thereof, and as more specifically defined by California Civil Code Section 1351(f).

Construction Sign

A temporary sign announcing a future use or a project under construction and identifying parties participating in the project.

Convalescent Home

A facility licensed by the State Department of Public Health, the State Department of Social Welfare, or the County of Riverside, which provides bed and ambulatory care for patients with postoperative convalescent, chronically ill or dietary problems, and persons aged or infirm unable to care for themselves; but not including alcoholics, drug addicts, or persons with mental or contagious diseases or afflictions.

Convenience Sign

A sign which conveys information such as "restrooms", "no parking", "entrance", or minor business identification for directional purposes, and is designed to be viewed on site by pedestrians and/or motorists.

Convenience Store

Any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet.

Copy

Any words, letters, numbers, figures, designs or other symbolic representations incorporated into a sign.

Copy Area

See "Sign Copy Area"

Cul-De-Sac Street

A road open at one end only, with special provisions for turning around, and the further extension of which is precluded by the land division design.

Cultivation

Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

Day Care Center

Any child day care facility, licensed by the State of California, other than a family day care home, and includes infant care centers, preschools, and extended day care facilities.

dBa

A number in decibels read from a sound level meter with the meter using the "A" weighting filter. The "A" weighting filter de-emphasizes very low and very high frequency sounds in a manner similar to the response of the human ear.

Dead End Street

A street open at one end only, without provisions for turning around and which may be further extended into adjoining property.

Delivery

The commercial transfer of cannabis or cannabis products, and includes origination or termination within the jurisdiction as well as a delivery business.

Density

The number of dwelling units per net acre.

Department of Transportation

The Department of Transportation of the State of California.

Design (Land Divisions)

For purposes of Chapter 9.14 of this Title, "Design" means:

- a. Street alignments, grades and widths;
- b. Drainage and sanitary facilities and utilities, including alignments and grades thereof;
- c. Location and size of all required easements and rights-of-way;
- d. Fire roads and firebreaks;
- e. Lot size and configuration;
- f. Traffic access;
- g. Grading;
- h. Land to be dedicated for park or recreational purposes; and
- i. Such other specific physical requirements in the plan and configuration of the entire land division as may be necessary to insure consistency with or implementation of the Comprehensive General Plan and any applicable specific plan.

Directional Sign

A sign used to direct and control vehicular or pedestrian traffic and is located upon the same parcel of

land as the use that it is intended to serve. A subdivision directional sign shall not be included in this category.

Discontinued Use

A business or activity that has ceased operation at any given location for a continuous period of at least sixty days.

District

A portion of the March JPA Planning Area within which the use of land and structures and the location, height and bulk of structures are governed by this Code.

Divided Arterial

A divided highway primarily for through traffic to which access from abutting property shall be kept at a minimum. Intersections with other streets or highways shall be limited to approximately one-quarter mile intervals. Minimum right-of-way width shall be 110 feet.

Divided Highway

A roadway with two roadbeds.

Divided Major Arterial

A six-lane divided highway primarily for through traffic serving property zoned for major industrial, commercial and multiple residential uses where anticipated traffic volumes exceed four-lane capacity. Access from other streets or highways shall be limited to approximately one-quarter mile intervals. Minimum right-of-way width shall be 134 feet.

Dormitory

A building intended or used principally for housing students, where such building is related to an educational institution.

Dwelling (Multi-Family Attached)

A building containing 2 or more dwelling units.

Dwelling (Single-Family)

A building containing one (1) dwelling unit.

Dwelling Unit

A building or mobile home or portion thereof, which contains living facilities for not more than one

family, within which one family has interior access to all parts of the dwelling. In the case of residential care facilities with shared eating, cooking or sanitation facilities, a dwelling unit is a building or portion thereof that contains living facilities for 10 or less persons.

Edge of a Right-of-Way

A measurement from the limit of the public right-of-way measured along a line equidistant from and parallel to the centerline of the freeway or highway.

Educational Institutions

Public and other institutions conducting regular academic instruction at kindergarten, elementary, secondary, or collegiate levels, and including graduate schools, universities, research institutions and religious institutions. Such institutions must either offer general academic instruction equivalent to the standards prescribed by the State Board of Education, or confer degrees as a college or university of undergraduate or graduate standing, or conduct academic or scientific research, or give religious instruction. The definition does not include commercial or trade schools.

Enforcement Officer

Means the Sheriff, the Transportation and Land Management Agency Director, Building Official, Code Enforcement Official, County Counsel, Environmental Health Department Director, Public Health Officer, Agricultural Commissioner, Fire Chief, Clerk of the Board of Supervisors, and their designees.

Entertainment (Live)

This term, when used in this Code in connection with the performing arts and other methods of live performances by entertainers shall apply to the following activities where they occur on a scheduled basis 3 or more days during a calendar year on the site of a use other than a public or semi-public use:

- a. A musical, theatrical or dance recital performed by 1 or more persons, regardless of whether performers are compensated;
- b. Any form of dancing by patrons or guests at a business establishment; or
- c. A fashion show, except when conducted within an enclosed building used primarily for manufacture or sale of clothing.

Environmental Constraint Note

Any note or notes required by the conditions of approval to be shown on an Environmental Constraint Sheet and reference made thereto on the final map. This shall be required when constraints involving (but not limited to) any of the following are conditioned by the March Joint Powers Commission: archaeological sites, geologic mapping, grading, building, building setback lines, flood hazard zones, seismic lines and setbacks, fire protection, water availability or sewage disposal, and signalization mitigation.

Environmental Constraint Sheet

A duplicate of the final map on which are shown the Environmental Constraint Notes. This sheet shall be filed simultaneously with the final map, with the March JPA Planning Director and labeled ENVIRONMENTAL CONSTRAINT SHEET in the top margin. Applicable items will be shown under a heading labeled Environmental Constraint Notes. The Environmental Constraint Sheet shall contain the statement: THE ENVIRONMENTAL CONSTRAINT INFORMATION SHOWN ON THIS MAP SHEET IS FOR INFORMATIONAL PURPOSES DESCRIBING CONDITIONS AS OF THE DATE OF FILING, AND DERIVED FROM PUBLIC RECORDS OR REPORTS AND DOES NOT IMPLY THE CORRECTNESS OR SUFFICIENCY OF THOSE RECORDS OR REPORTS BY THE PREPARER OF THIS MAP SHEET.

Environmental Impact Report (EIR)

A report complying with the requirements of and as defined by the California Environmental Quality Act (CEQA) and its implementing state guidelines. This term is synonymous with an Environmental Impact Statement (EIS) as defined in federal law.

Exploration

The search for minerals by geological, geophysical, geochemical or other recognized techniques. These include, but are not limited to, sampling, assaying, drilling, or any surface or underground works needed to determine the type, extent or quantity of minerals present.

Expressway

A highway for through traffic to which access from abutting property is restricted. Intersections with other streets or highways shall be limited to approximately one-half mile intervals.

Facia Sign

See "Wall Sign"

Family

One or more non-transient, related or unrelated persons living together as a single, nonprofit housekeeping unit.

Family Day Care Home

A home, licensed by the State of California, which regularly provides care, protection and supervision of children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and includes the following:

- a. "Large Family Day Care Home" which means a home which provides family day care to 7 to 12 children, including children who reside at the home".
- b. "Small Family Day Care Home" means a home which provides family day care to six or fewer children, including children who reside at the home".

Farm Projects

(Future Farmers, 4-H, or similar projects). Not more than two cattle, horses, sheep, goats or similar farm animals on parcels not less than 20,000 square feet in size, and other small animals on smaller lots as specified in this Code, being fattened or trained in connection with the education of a person as a member of a recognized farm education organization.

Fire Chief

The Chief of the Riverside County Fire Protection Agency or of any other applicable district, agency or department of the March JPA or his designee having jurisdiction for fire protection purposes in the area in which a land division is located.

Flood or Flooding

A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of inland or tidal waters; or
- b. The unusual and rapid accumulation of run-off of surface waters from any source.

Flood Control Engineer

The person as determined by the area in which a land division is located, as follows:

- a. Within the boundaries of the Riverside County Flood Control and Water Conservation District, it means the Chief Engineer of that District.
- b. In other instances, it means the March JPA Executive Director or his designee.

Flood Hazard Area

An area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, as shown on a Sectional District Map, Flood Insurance Rate Map (F.I.R.M.) or Flood Boundary and Floodway Map.

Flood Insurance Rate Map (F.I.R.M.) And Flood Boundary and Floodway Map

The official maps on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study

The official report provided in which the Federal Insurance Administration has provided flood profiles, as well as the boundaries and the water surface elevations of the base floods.

Floodplain

The land area adjacent to a watercourse, and/or other land areas susceptible to being inundated by water from any source (see definition of "Flood or Flooding").

Flood Related Erosion

The collapse or subsidence of land along the shore of a lake or other body of water or adjacent to a stream as a result of erosion or undermining, caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water unanticipated force of nature, such as a flash flood or by an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

Floodway

The channel of a river or other watercourse and that part of the floodplain reasonably required to discharge the design flood without cumulatively increasing the water surface elevation more than one foot at any point assuming equal conveyance reduction outside the channel from the two sides of the floodplain.

Floor Area (Gross)

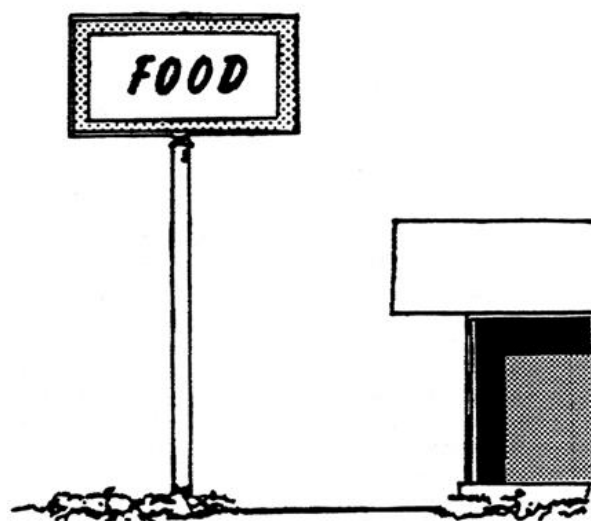
"Gross Floor Area" means the total enclosed area of all floors of a building measured to the inside face of the exterior walls but excluding area used exclusively for vehicle parking or loading.

Floor Area (Net)

The total building floor area excluding garages, hallways, lobbies, elevators and other common spaces.

Free Standing Sign

Any sign which is supported by one or more columns or uprights embedded in the ground, and which is not attached to any building or structure. Free standing sign shall be architecturally integrated with the primary use on-site.

Figure 9.15.030-9**Freestanding Sign****Freeway**

A highway upon which there are no abutter's rights of access and which provides separated grades at intersecting streets.

Frontage Road (Major, Secondary and Residential)

An auxiliary street adjacent to freeways, expressways, and flood control channels and other rights-of-way which is used primarily to provide public access to adjacent property. Minimum right-of-way width shall be in accordance with the appropriate March JPA Standards.

Future Tenant Identification Sign

A temporary sign for an approved project which identifies a future use of a site or building.

Garage

A permanently roofed and enclosed structure with a garage door which is intended to be used for automobile shelter and storage.

Garage (Subterranean)

A visually enclosed structure or portion of a structure intended to be used for the storage of automobiles, the maximum height of which is no greater than 2.5 feet measured from the existing grade.

General Local Street

A through street serving 50 or more single family lots or lot sizes of less than 7,200 square feet. It may also serve as a private interior street in an industrial park. Minimum right-of-way width shall be 60 feet.

Grade (Existing)

The surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project regulated by this Code.

Grade (Finish)

Is the final grade of the site which conforms to the approved plan.

Grand Opening Sign

A temporary sign for a promotional activity used for the original opening of a business at a particular location, within thirty days after occupancy, to inform the public of its location and contribution to the community. Existing businesses may qualify for an original opening if the ownership and the name of the business is changed. "Grand Opening" does not mean an annual or occasional promotion of retail sales by a business or opening of a related store at another location.

Guest Room

Any rented or leased room which is used or designed to provide sleeping accommodations for one or more guests in apartments, hotels, motels, private clubs, lodges and fraternal organizations. In a suite of rooms, each room that provides access to a common hall or direct access to the outside area shall be considered as one guest room.

Handicapped Housing

Multiple family housing in which all of the dwelling units serve physically handicapped persons. Handicapped housing is characterized by doors, elevators, bathroom and kitchen facilities designed to accommodate physically handicapped persons. Handicapped housing does not include residential care facilities licensed by the State of California.

Hazardous Fire Area

Hazardous Fire Area is any land which is covered with grass, grain, brush or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such

land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion.

Health Officer

Health Officer means the Health Officer of Riverside County.

Height

A vertical dimension measured from existing grade unless otherwise specified.

Highway or Street

A right-of-way within which improvements are constructed for the conveyance of vehicular, pedestrian and other permitted traffic and includes all highways, streets, roads and alleys. Said rights-of-way and improvements shall be in conformity with March JPA Standards and Specifications.

Home Occupation

Occupation conducted in a dwelling unit, in a residential district that is incidental to the principal residential use of a lot or site.

Homeless Shelter

A facility operated by a provider, other than a "community care facility", as defined in the California Health and Safety Code Section 1502, which provides temporary emergency shelter and/or an intake office for homeless persons. An intake office is a facility where homeless persons contact the provider and make arrangements for obtaining shelter. A provider is a government agency or a private non-profit organization which provides temporary emergency shelter for the homeless and that meets all of the applicable requirements contained in the California Health and Safety Code and the California Administrative Code.

Hot Tub

See "Swimming Pools, Hot Tubs and Spas"

Household Pet

Animals which are kept exclusively inside the residence, except dogs and cats, and for which no outside cages or shelters are required. These include, but are not limited to: snakes, birds (other than fowls), guinea pigs, and other animals which are not offensive to a residential neighborhood by nature of noise, odor, or other objectionable features.

Illumination (Direct)

Illumination by means of light that travels directly from its source to the viewer's eye.

Illumination (Indirect)

Illumination by means only of light cast upon a surface from a source from which the light does not travel directly to the viewer's eye.

Impound Yard

Any property used for the temporary storage of vehicles which have been legally removed or impounded at the direction of a peace officer or by judicial order, as prescribed by law. This definition shall not be construed to include vehicle repair, dismantling, salvage or wrecking activities, nor the sale of vehicles or parts.

Improvement

Any street work, surveys and monuments and utilities to be installed, or agreed to be installed, by the land divider on the land to be used for public or private streets, highways, and easements as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of the final map thereof. Improvement also means such other specific improvements or types of improvements, the installation of which, either by the land divider, public agencies, private utilities, by any other entity approved by the March JPA or its designated Officer or entity, or by any combination thereof, is necessary to insure consistency with, or implementation of, the March JPA General Plan and any applicable specific plan.

Improvement Agreement

As herein referred to shall mean the formal Subdivision Improvement or Agreements entered into with the March Joint Powers Commission by the subdivider or developer, as completed and executed by both parties. Said agreements to set forth all requirements for improvement of the subject subdivision, including roads, water supply systems, drainage systems and devices, sewers, monuments or other work as set forth therein.

Improvement Standards

The standards set forth in this and other March JPA ordinances or regulations related to the development of land as a subdivision or parcel map division.

Industrial Collector

A three lane interior, circulatory street with a continuous left turn lane with at least one end connecting to a road of greater capacity. Minimum right-of-way width shall be 78 feet.

Interior Sign

A sign inside any business that cannot be seen from outside of the building in which the business is located or located more than three (3) feet of the window.

Junk

An article in poor condition due to deterioration or disrepair.

Kennel (Commercial)

Any property maintained for the purpose of boarding, breeding, raising or training dogs or cats over the age of four months for a fee or for sale.

Kennel (Non-Commercial)

Any property where four or more dogs or cats, over the age of four months, are kept or maintained for the use and enjoyment of the occupant for non-commercial purposes.

Land Divisions

Shall be as defined by California Government Code Sections 66410 et. seq., commonly known as the Subdivision Map Act, Division 2, Subdivision, Article 2, Definitions.

Land Project

A land division as defined in Section 11000.5 of the Business and Professions Code.

Land Use Approval

An approval granted at the discretion of the March JPA Planning Director in connection with a building plan, landscape plan or other requested approval certifying that the proposal complies with applicable March JPA Ordinances, regulations and any applicable project conditions and where the findings are made by the March JPA Planning Director pursuant to Chapter 9.02, Section 170, Item C.

Land Use Ordinance

The March JPA Development Code as amended.

Lighting (Average Maintained)

A method of measuring light approximately six feet above the ground level.

Lighting (Minimum Maintained)

A method of measuring light at the ground level.

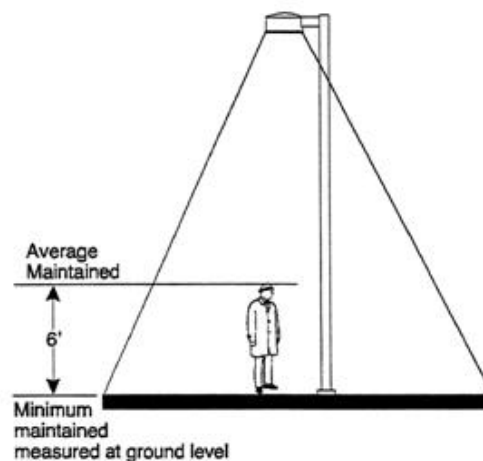


Figure 9.15.030-10

Lighting (Minimum Maintained)**Livestock**

Livestock shall include cows, bulls, calves, and heifers, except pigs.

Lodge Hall

A lodge hall consists if a building where a nonprofit fraternal organization holds meetings and social gatherings. A fraternal organization is a group of people formally organized for a common interest and generally characterized by membership qualifications, payment of fees or dues, a constitution and by-laws.

Lot

A designated parcel, tract or area of land established by plot, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit.

Lot Area

The area within the lot lines after dedication. (See Adjusted Net Acreage.)

Lot (Corner)

A site bounded by 2 or more streets that have an angle of intersection of not more than 135 degrees. The front yard of a corner lot shall adjoin the narrowest street property line.

Lot Coverage

The ratio between the ground floor area of the building or buildings and the lot area. Lot coverage shall be exclusive of steps, chimneys, unenclosed and unroofed terraces and patios.

Lot Depth

The horizontal distance between the midpoint of the front lot line and midpoint of the rear lot line.

Lot (Double Frontage)

A lot having frontage on two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot.

Lot (Flag)

A lot with access to a street by a portion of the lot not meeting the requirement of the code for lot width, but having a dimension of at least 35 feet at its narrowest point.

Lot (Interior)

A lot other than a corner lot.

Lot (Key)

The first interior lot to the rear of a reversed corner lot.

Lot (Reversed Corner)

A corner lot having a side lot line which is substantially a continuation of the front lot line of a lot to its rear.

Lot or Property Line (Front)

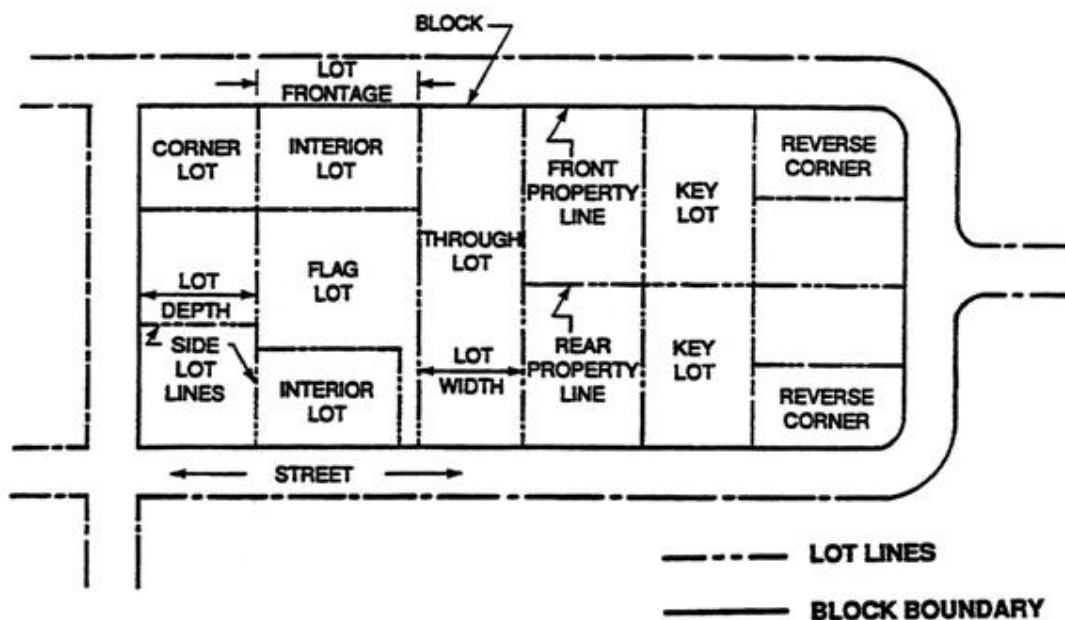
In the case of an interior lot, a line separating the lot from the street. In the case of a corner lot, the front lot line shall be the narrowest frontage separating the lot from the street.

Lot or Property Line (Rear)

Any lot line that is not a front lot line or a side lot line. In the case of a triangular or otherwise irregularly shaped lot, a line or lines ten feet in length entirely within the lot, parallel to and a maximum distance from the front lot line.

Lot or Property Line (Side)

The side property line shall be determined as those two lines which intersect the rear line of the required front yard setback and extend to the rear property line(s) of the lot. In the case of an irregularly shaped lot, only the two lines which intersect the rear line of the required front yard setback line shall be side property lines.



LOT/PROPERTY LINE

Figure 9.15.030-11

Lot Line Adjustment

A minor alteration, as approved by the March JPA Planning Director, to adjust a lot line or lot lines. It is not a subdivision or resubdivision procedure and is intended to be used only in those situations where the provisions of the Subdivision Map Act and this Title applicable to subdivisions and resubdivisions do not apply.

Lot Width

The average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

Major Thoroughfare

Those roads designated as an expressway, divided major arterial, modified divided major arterial, divided arterial, arterial, and minor arterial as described in this Title and reflected in the Circulation Element of the March JPA General Plan and whose primary purpose is to carry the through traffic and provide a network connecting to or which is part of the state highway system.

Manufactured Home

A factory built home as permitted by California law.

Manufacturing (Custom)

These activities include, but are not limited to: assembly, manufacturing, processing, packaging, treatment, or fabrication of custom made products. These types of businesses do not utilize raw materials for their finished products, but rather, may utilize semi-finished types of manufactured materials for their custom made-to-order products. The finished products area ready for use or consumption and may include on-site wholesale and warehousing of the goods produced. Uses may include, but are not limited to: manufacturing and warehousing of apparel products; art objects; jewelry; household furniture; small instruments (musical, electrical or photographic); stationery, and related products; signs and advertising displays; stained glass products; leather products; and assembly of bicycle parts.

These activities do not produce odors, noise, vibration, hazardous waste material or particulates which would adversely affect other uses in the structures or on the same site.

Manufacturing (General)

These activities include, but are not limited to: assembly, manufacturing, compounding of materials, packaging, treatment or fabrication of materials and products which require frequent large container truck traffic or the transport of heavy, bulky items. Products are semi-finished to become a component for further manufacturing, fabrication, and/or assembly. These types of businesses are usually directed to interplant transfer, or to order from industrial uses, rather than direct sale to the end consumer. Uses may include, but not be limited to: canned foods, furniture and fixtures, converted paper and paper board products, textile products, plastic products made from purchased plastic, resin or rubber products, fabricated metal products made from sheetmetals, electrical and electronic machinery, equipments and supplies, accounting, computing and office machines. Activities may only produce noise, odors, vibrations, illumination or particulates that have been mitigated so as not to affect the persons residing in or conducting business in the vicinity.

Manufacturing (Light)

Activities in this category include, but are not limited to: assembly, labor intensive manufacturing,

fabrication or repair processes which do not involve large container truck traffic or transport of large scale bulky products. New products may be finished in that the product is ready for use or consumption or it may be semi-finished to become a component for further assembly and packaging. These type of businesses are usually directed to the wholesale market, inter-plant transfer rather than direct sale to the consumer. Uses may include, but not be limited to: electronic microchip assembly; printing, publishing and allied industries; candy and other confectionery products; bottle, canned soft drinks, and carbonated water; apparel and other finished products; paper board containers and boxes; drugs; small fabricated metal products such as hand tools, general hardware, architectural and ornamental metal works; amusement, toys, sports, and athletic goods. These activities do not produce odors, noise, vibration, hazardous waste material or particulates which would adversely affect other uses in the structure or on the same site.

March JPA

The March Joint Powers Authority.

March Joint Powers Commission

The Joint Powers Commission formed to govern the March Joint Powers Authority.

March JPA Planning Director

The Planning Director of the March Joint Powers Authority.

March JPA Standards

Standard drawings as prepared or adopted by the March JPA Planning Director, showing the nature of various items of improvement work to be constructed and/or made a part of the Improvement Agreement.

Massage Parlor

Any place where for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs. Massage parlor, as referred to in this Code, does not include the following:

- a. A medical establishment including professional offices where massage is administered by a physician, surgeon, chiropractor, osteopath, physical therapist, nurse or any other person licensed to practice a healing art under the provisions of the California Business and Professions Code when engaging in such practice within the scope of his or her license, or by an individual acting under the direction and control of any of the aforelisted licensed professionals on the premises of the medical establishment.
- b. Hospital, medical clinic, nursing home, sanatorium, or other major medical or mental facility duly licensed under the laws of the State of California.
- c. Barbershop or beauty salon where massage is limited to the head, scalp, neck, or back and is administered by barbers or cosmetologists licensed under the laws of the State of California.

- d. Any school or institution of higher education including a community or junior college, college or university whose course of study is approved by the State Department of Education or Superintendent of Public Instruction where massage is administered or taught by authorized school employees in conjunction with athletic training programs, training in the healing arts or other school courses.
- e. Any athletic club, health club, country club, gymnasium, reducing salon, beauty salon, or similar establishment, where massage is offered as an incidental or accessory service to its primary program of sport, exercise, athletic training, weight reduction or beauty care.

Median

The portion of a divided highway separating the traveled way for traffic in opposite directions.

Mined Lands

The surface, subsurface, and groundwater of an area where surface mining operations will be, are being, or have been conducted. This includes private ways and roads appurtenant to any such land excavations, workings, mining waste, and areas where structures, facilities, equipment, machines, tools or other materials or property which result from, or are used in surface mining operations are located.

Minerals

Any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances. These include, but are not limited to, sand, gravel, coal, peat and bituminous rock, but exclude geothermal resources, natural gas and petroleum.

Mining Waste

The residual of soil, rock, mineral, liquid, vegetation, equipment, machines, tools, or other materials or property directly resulting from, or displaced by, surface mining operations.

Mini-warehouse (Self Storage Warehouse)

A mini-warehouse is a facility containing separate storage spaces leased or rented to individual tenants who have access to such space for the purpose of storing and removing personal property. Mini-warehouses are also known as self storage warehouses and self-service storage facilities. A mini-warehouse is not to be construed as a small, conventional warehouse.

Minor

A person under eighteen (18) years of age.

Minor Arterial

A highway intended to serve through traffic and where access rights are restricted. Minimum right-of-way width shall be 88 feet. Intersections with other streets and highways shall be as approved by the March JPA Executive Director.

Mobile Home

A structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

Mobile Home Park

A development where spaces are provided for rent or lease to accommodate mobile homes that are used for residential purposes.

Mobile Recycling Unit

An automobile, truck, trailer or van, licensed by the Department of Motor Vehicles, which is used for the collection of recyclable materials. A Mobile Recycling Center also means the bins, boxes or containers transported by trucks, vans, or trailers, and used for the collection of recyclable materials.

Modified Divided Major Arterial

A six-lane divided highway primarily for through traffic where anticipated traffic volumes exceed four-lane capacity and where access rights are restricted. Access from other streets or highways shall be limited to approximately one-quarter mile intervals. Minimum right-of-way width shall be 102 feet.

Modified Monument Sign

A sign supported permanently on the ground by a single, or multiple supports, but that shall not be supported on a single pole or column of less than eighteen (18) inches in diameter. Structural supports that are not a decorative element of the sign shall be concealed.

MODIFIED MONUMENT SIGN

Figure 9.15.030-12



Moving Sign

A sign, of which all or a portion, may move either on an intermittent or constant basis.

Multiple-Family Dwelling

A building or portion thereof used to house two or more families, including domestic employees of each such family, living independently or each other, and each having their own kitchen.

Multi-Lane Demand

Projected traffic volume which will exceed the nominal capacity of a two-lane street section when such projected traffic volume is determined by a rational method of traffic generation employing land use techniques and traffic engineering principles.

Net Acre

(See "Acreage, Adjusted Net")

Nonconforming Lot

A lot which when lawfully created or established, complied with the area requirements of the district where located, but which does not conform to the presently existing area regulations of the district where located, or which does not conform to the presently existing requirements of the subdivision regulations governing lot standards.

Nonconforming Sign

All existing and lawfully constructed and maintained signs (1) which did not comply with **Interim Ordinance 348 (the zoning ordinance in effect prior to adoption of this Code)** immediately prior to the adoption of this Code and which still do not comply with the provision of Chapter 9.12 of this Code, or (2) which do not now comply with the provisions of this Code.

Nonconforming Structure

A structure which was lawfully erected, but which does not conform with the standards for the district in which the structure is located by reason of adoption or amendment of a prior zoning or land use ordinance or this Code.

Nonconforming Use

A lawfully established and maintained use which does not conform with the use standards for the district in which the use is located by reason of adoption or amendment of a prior zoning or land use ordinance or this Code.

Off-Site Sign

A sign that directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing other than upon the same lot where the sign is displayed.

Off-Site Subdivision Sign

A sign which directs traffic to an off-site subdivision within the March JPA Planning Area.

Off-Street Loading Facilities

A site or portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives and landscaped areas.

Off-Street Parking Facilities

A site or portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives and landscaped areas.

One-Family Dwelling

a building or detached structure, including a mobilehome or manufactured home, containing one kitchen and used to house not more than one family, including domestic employees.

On-Site Advertising Structure or Sign

A structure or sign that is erected or maintained to advertise goods sold, business conducted or services rendered on the site upon which the sign is located.

On-Site Subdivision Sign

A sign which identifies the subdivision upon which the sign is located.

Open Space (Private)

A usable open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

Open Space (Common)

Usable open space within a residential development reserved for the exclusive use of residents of the development and their guests.

Open Space (Usable)

Outdoor space unobstructed from ground to sky, which serves a recreational function or provides visual relief from the building mass, the minimum dimension of which shall be 6 feet excluding required front yard.

Other Adult Entertainment Businesses

Any other businesses or commercial establishment not herein defined:

- a. Wherein for any form of consideration the establishment provides entertainment to patrons in which a substantial portion of the total presentation time is characterized by an emphasis on depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas"; or
- b. Which devotes more than 25 percent of the total area used for display of its stock in trade to items, instruments and paraphernalia which are characterized by an emphasis on depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas."

Outdoor Advertising Display

An outdoor advertising structure or outdoor advertising sign used for the display of political or other non-site related messages or the promotion of products, goods, services, or businesses not conducted, manufactured, or sold upon the site on which the display is located.

Outdoor Advertising Structure

A structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any poster, bill, printing, painting or other advertisement of any kind whatsoever may be placed, including statuary, for outdoor advertising purposes except as otherwise noted in this Section.

Outdoor Advertising Sign

Any card, cloth, paper, metal, painted, plastic or wooden sign of any character placed for outdoor advertising purposes, on or affixed to, the ground or any tree, wall, bush, rock, fence, building, structure or thing, either privately or publicly owned, other than an outdoor advertising structure.

- a. "Outdoor Advertising Structure" and "Outdoor Advertising Sign" does not include:
 - (1) Official notices issued by any court or public body or officer;
 - (2) Notices posted by any public officer in performance of a public duty or by any person in giving legal notice;
 - (3) Directional, warning or information structures required by or authorized by law or by Federal, State or March JPA authority; including signs necessary for the operation and safety of public utility uses; and
 - (4) A structure erected near a city or county boundary, which contains the name of such city or county and the names of, or any other information regarding, civic, fraternal or religious organizations located therein.

Outdoor Recreational Facility

A facility designed and equipped for the conduct of outdoor sports, leisure time activities and other

customary and usual recreational activities, and which includes public and private facilities.

Outer Separation

The area between the traveled way of a highway for through traffic and a frontage road or service road.

Overburden

The soil, rock or other materials that lie above a natural mineral deposit or in between deposits, before or after their removal by surface mining operations.

Parcel Map Division

See "Land Division"

Park

A public playground, public recreation center or area, and other public areas, created, established, designated, maintained, provided or set aside by the County, any city, or any other public entity or agency, for the purposes of public rest, play, recreation, enjoyment or assembly, and all buildings and structures located thereon or therein.

Parkway

The area adjoining the outer edge of the roadbed, extending to the right-of-way line in which sidewalks, plantings, utilities, bank slopes and related facilities may be located.

Part-Width Street

Any street in which the improved width is less than the width necessary for a normal full-width street.

Pedestrian Traffic Sign

A sign other than the main business identification sign and which is oriented to pedestrian traffic. Such sign shall not include any business related advertising information.

Pedestrian Way/Sidewalk

A right-of-way designed for use by pedestrians and not intended for use by motor vehicles. A pedestrian way or sidewalk may be located within or outside a street right-of-way, at grade, or grade separated from vehicular traffic.

Political Sign

A temporary sign relating to a candidate or ballot measure to be voted upon or signs which express a point of view on an issue of public debate or controversy which may/or may not necessarily be the subject of an upcoming election.

Portable Sign

Any sign not permanently affixed either to land or a structure.

Poultry or Fowl

Poultry or fowl includes all commonly domesticated birds kept for eggs or meat, and shall not include roosters, guinea fowl or peafowl. Pigeons shall be classified as fowl.

Premises

A single parcel of property. Where contiguous parcels are under common ownership or control, such contiguous parcels shall be counted as a single “premises” for purposes of this ordinance.

Prime Agricultural Land

Includes any of the following:

- a. Land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications;
- b. Land which qualifies for rating 80 through 100 in the Storie Index Rating;
- c. Land which supports livestock used for production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture;
- d. Land planted with fruit or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$200 per acre; or
- e. Land which has returned from the production of unprocessed agricultural plant products and annual gross value of not less than \$200 per acre for three of the previous five years.

Primary Caregiver

Shall have the meaning set forth in Health and Safety Code sections 11362.5 and 11362.7 et seq.

Private Street

A street within a private development or a planned residential development, which is not a public street, and where the street requirements are regulated by this Code.

Production Units

Single family residential dwelling units which are constructed in accordance with approved model home plans.

Projecting Sign

A sign that is wholly or partly dependent upon a building for support and which projects more than 8 inches from such building.

Promotional Sales Sign

A sign erected on a temporary basis to promote the sale of new products, new management, new hours of operation, a new service, or to promote a special sale at that location or address.

Pre-Existing

In existence prior to the effective date of the ordinance enacting this Code.

Private Interior Street (Short, Local or Circulatory)

A residential street limited by subdivision design to serve less than 50 single family dwellings or a circulatory private street in a planned residential development. Minimum right-of-way width shall be 50 feet.

Prospecting

The same meaning as "exploration"

Public Access

Where public access rights between a parcel of property and an adjacent public street or highway have been legally established by dedication or conveyance and acceptance or otherwise expressly established and approved by the March JPA Executive Director.

Public Improvements

Traffic controls, streets, roads, highways, freeways, bridges, overcrossings, street interchanges, flood control or storm drain facilities, sewer facilities, reclaimed water facilities, lighting facilities, parks and equestrian trails.

Public Use

A use operated or maintained exclusively by a public body for the benefit of the public, such use having the purpose of serving the public health, safety or general welfare; this term includes uses by or for the benefit of the public such as (but not limited to) public schools, parks, streets and ways, playgrounds, hospitals, and administrative and service facilities.

Pump Island

A raised concrete area upon which fuel dispensing pumps are situated to allow for the dispensing of fuel

to a vehicle.

Qualified Patient

Shall have the meaning set forth in Health and Safety Code sections 11362.5 and 11362.7 et seq.

Quasi-Public Use

A use owned or operated by a nonprofit, religious or eleemosynary institution and providing educational, cultural, recreational, religious or similar types of public programs.

Real Estate Sign

A temporary sign advertising real property for sale, rent or lease.

Reclamation

The combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines. Mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses, and creates no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization or other measures.

Recorder

The Recorder of Riverside County.

Recyclable Material

Reusable material, including, but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture, or recycling for the purpose of using the altered form. Recyclable material does not include refuse or hazardous materials.

Recycling Facility

A center for the collection and/or processing of recyclable materials. A Certified Recycling Facility or Certified Processor means a Recycling Facility certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A Recycling Facility does not include storage containers or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of material generated by that residential property, business or manufacturer. Recycling Facilities may include the following:

- a. Reverse Vending Machine(s);
- b. Small Collection Facilities which occupy an area of not more than 500 square feet, and may include:
 - (1) A mobile recycling unit;

- (2) Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet;
 - (3) Kiosk type units, which may include permanent structures;
 - (4) Unattended containers placed for the donation of recyclable materials.
- c. Large Collection Facilities which may occupy an area of more than 500 square feet and may include permanent structures.

Recycling Processing Facility

A Recycling Processing Facility is a building or enclosed space used for the collection and processing of recycling materials. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and manufacturing. Recycling Processing Facilities include the following:

- a. A Light Processing Facility occupies an area of under 45,000 square feet of gross collection, processing and storage area and has up to an average of two (2) outbound truck shipments per day. Light Processing Facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to qualify as a Certified Processing Facility. A Light Processing Facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.
- b. A heavy Processing Facility is any processing facility other than a Light Processing Facility.

Residential Building Identification Sign

A sign which identifies the residential occupants, such as, "The Smiths".

Residential Name Plate

A sign which identifies the name of a residential complex.

Responsible Party

Means: (1) Each person committing the violation or causing a condition on a premises located within the jurisdiction of the County of Riverside which violates this ordinance; (2) each person who has an ownership interest in that premises; or (3) each person who, although not an owner, nevertheless occupies or has a legal right or a legal obligation to exercise possession or control over that premises. In the event the person who commits the violation or causes the violating condition is a minor, then the minor's parents or legal guardian shall be deemed the responsible party. In the event the violation or violating condition is most reasonably attributable to a business, then that business, to the extent it is a legal entity such that it can sue and be sued in its own name, and each person who is an owner of that business shall be deemed responsible parties.

Restricted Parking

A situation where no on-street parking is permitted along the street frontage, or where on-street parking is prohibited during specified hours on certain days or on all days.

Restaurant

A place of business which sells or serves food products and beverages for consumption on the premises within a building consisting of a permanent structure that is fully enclosed with a roof and walls, and where incidental dining may be permitted out-of-doors on a patio, deck or terrace that is integrated into the building design.

Restaurant (Drive-through)

A place of business which sells food products or beverages and which delivers such food products or beverages to customers outside of the building in which they are prepared by means of a service window, counter, or similar method or device.

Restaurant (Fast Food)

Any establishment whose principal business is the sale of foods, frozen desserts, or beverages in ready-to-consume individual servings, for consumption either within the restaurant building or for carry-out, and where either: 1) foods, frozen desserts, or beverages are usually served in paper, plastic, or other disposable containers, and where customers are not served their food, frozen desserts, or beverages by a restaurant employee at the same table or counter where the items are consumed; or 2) the establishment includes a drive-up or drive-through service facility or offers curb service.

Reverse Vending Machine; Bulk Reverse Vending Machine

A reverse vending machine is an automated mechanical device which accepts at least one or more types of empty beverage containers including, but not limited to aluminum cans, glass and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by the State. A Reverse vending Machine may sort and process containers mechanically provided that the entire process is enclosed within the machine. In order to accept and temporarily store all three container types in a proportion commensurate with their relative redemption rates, and to meet the requirements of certification as a recycling facility, multiple grouping of Reverse Vending Machines may be necessary.

A Bulk Reverse Vending Machine refers to a Reverse Vending Machine that is larger than 50 square feet; is designed to accept more than one container at a time; and will pay by weight instead of by container.

Revised Tentative Map

A modification of an approved tentative map wherein the design of the land division is changed from the approved tentative map, but there is no substantial change in concept from the original approved map.

Right-of-Way

The entire width of property for the use of highways, flood and drainage works, overhead and underground utilities or any related or consistent improvements.

Roadbed

That portion of the roadway extending from curb-face to curb-face or from curb-face to the outside line of improved shoulder, or between the outside line of improved shoulders.

Roadway

That portion of the highway including roadbed, all slopes, side ditches, channels, waterways and all other related facilities which are located within a road right-of-way.

Roof Sign

Any sign or a portion thereof located on or extending over or above the roof of a building and either supported by the roof or by an independent structural frame.

School

An instruction of learning for minors, whether public or private, offering a regular course of instruction required by the California Education Code. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a home school, vocational or professional institution of high education, including a community or junior college, college, or university.

Sculpted Can Sign

A can sign constructed in such a manner that the shape of the cabinet conforms to the outline of the letters or other characters to be displayed.

Service Bay

A service bay is an area inside a building designed for the maintenance, repair or servicing of a vehicle.

Service Road

See "Frontage Road"

Shared Parking

Where certain parking spaces can be utilized by two (2) or more different uses.

Shopping Center

A parcel of land, or contiguous parcels of land, not less than 3 acres in size, on which there exists 4 or more separate business uses which may have shared parking facilities and shared access.

Sign

A device, fixture, surface or structure of any kind or character, made of any material whatsoever, displaying letters, numbers, words, text, illustrations, symbols, forms, patterns, colors, textures, shadows or lights; or any other illustrative or graphic display designed, constructed or placed on the ground, on a building, canopy, wall, post or structure of any kind, in a window, or on any other object for the purpose of advertising, identifying or calling visual attention to any place, structure, firm, enterprise, profession, business, service, product, commodity, person, idea, activity or other message. "Sign" shall include any portable sign. The term does not include a religious symbol on a church or other place of worship.

Sign Area

The area of a sign shall be the entire area that encloses the outside limits of the sign, including the sign copy area and any frame, border, background area, structural trim, or other material forming an integral part of the sign.

Sign Copy Area

The sign copy area shall be the area that encloses the extreme limits of the area available for displaying the desired message. The sign copy area includes both the written message and the background against which the message can be displayed.

Sign Copy Height

The vertical dimension measured from the average finished grade level under the sign to the highest point of the sign copy area.

Sign Face

That area of a sign which contains the advertising copy or conveys a message.

Sign Height

The vertical dimension measured from the top of curb or curb design, at the property line nearest to the sign, to the highest point of the sign.

Single Ownership

Holding record title, possession under a contract to purchase or possession under a lease, by a person, firm, corporation or partnership, individually, jointly, in common or in any other manner where the property is or will be under unitary or unified control.

Site

A lot or group of contiguous lots not divided by an alley, street, other right-of-way or city boundary line that is proposed for development in accordance with the provisions of this Title, and is in a single ownership or has multiple owners, all of whom join in an application for development.

Spa

See "Swimming Pools, Hot Tubs and Spas"

Special Event Sign

A temporary sign which advertises special events and activities such as charitable events, Christmas tree sales, and firework displays.

Specific Plan

A plan adopted by the March Joint Powers Commission that is based upon and implements the General Plan of the March JPA, as provided in Section 65450 et seq. of the California Government Code.

Specified Anatomical Areas

- a. Less than completely and opaquely covered:
 - (1) Any human genitals, or (2) any human female breast below a point immediately above the top of the areola; or
- b. Human male genitals in a discernible turgid state, even if completely and opaquely covered.

Specified Sexual Activities

- a. Human genitals in a state of sexual stimulation or arousal;
- b. Acts of human masturbation, sexual intercourse or sodomy; or
- c. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts.

Stable (Commercial)

A stable for horses, mules or ponies which are rented, used or boarded on a commercial basis for compensation.

Staff

Includes the employees of the March JPA.

Story

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. The basement or cellar shall not be considered a story unless the upper surface of the floor above is more than 6 feet above the average level of the highest and lowest points of the ground surface immediately adjacent to the exterior walls of the

building.

Street

See "Highway or Street"

Storm, 100-Year Frequency

A storm that has a 1% chance of occurring in any given year. It does not follow, however, that such a storm will be equaled or exceeded once in every 100-year period, or that having occurred once, it will not occur again for 100 years. It may occur several times in a 100-year period, but over a sufficient length of time the average is expected to be once in 100 years.

Structure

Anything constructed or erected that requires a location on the ground, including a building or a swimming pool, but not including a fence or a wall used as a fence if the height does not exceed six (6) feet, or access drives or walks.

Structural Alteration

Any change in or alteration to a structure involving change in or alteration to a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, roof diaphragms, foundations, piles, retaining walls, or similar components.

Structure (Accessory)

A subordinate structure or portion of a main building, the use of which is incidental, appropriate and subordinate to that of the main building.

Structure (Main)

A structure housing a principal use of a site or functioning as a principal use.

Subdivider

A person, firm, corporation, partnership or association who proposes to divide, divides or causes to be divided real property into a subdivision for himself or for others except that employees, agents and consultants of such persons or entities, acting in such capacity, are not "subdividers."

Subdivision

See "Land Division"

Subdivision Design

This term includes: street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way;

fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; and such other specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the March JPA General Plan or any applicable Specific Plan.

Subdivision Improvement

See "Improvement"

Substantial Improvement or Substantial Construction

Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- a. Before the improvement or repair is started; or
- b. If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

Surface Mining Operations

All, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incidental to an underground mine. Surface mining operations shall include, but are not limited to:

- a. In-place distillation, retorting or leaching;
- b. Production and disposal of mining waste; and
- c. Prospecting and exploratory activities.

Swimming Pools and Hot Tubs or Spas

Water-filled enclosures having a depth of 18 inches or more used for swimming or recreation.

Tandem Parking

Parking space configuration where two or more parking spaces are lined up one behind the other.

Temporary Sign

A sign erected for a temporary purpose attracting attention to an activity, product or other idea or message as provided for in this Code.

Tenant Improvements

Improvements to existing structures installed for the benefit of the proposed occupant and user of an office, commercial or industrial property. The occupant and user may be the property owner, a tenant or lessee. The improvements may involve the interior or exterior of the structure.

Tentative Map

A map made for the purpose of showing the design and improvement of a proposed land division and the existing conditions in and around it and need not be based upon an accurate or detailed final survey of the property.

Tentative Map, Revised

A modification of an approved tentative map wherein the design of the subdivision is changed from the approved tentative map, but there is no substantial change in concept from the original approved map.

Traveled Way

That portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

Truck (Large)

A truck weighing 10,000 pounds or more unloaded.

Vehicle Sign

A sign which is placed, attached or mounted to a vehicle which is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product or service sold or an activity or business located on such property or to an idea or other message.

Vehicle Storage Yard

Any property used for the storage of vehicles. This classification does not include vehicle repair, dismantling, salvage or wrecking activities, nor the sale of vehicles or parts.

Vesting Tentative Map

A map which meets the requirements of a Tentative Map that has printed conspicuously on its face the words "Vesting Tentative Map" and is processed in accordance with Section 9.14.060 of this Code.

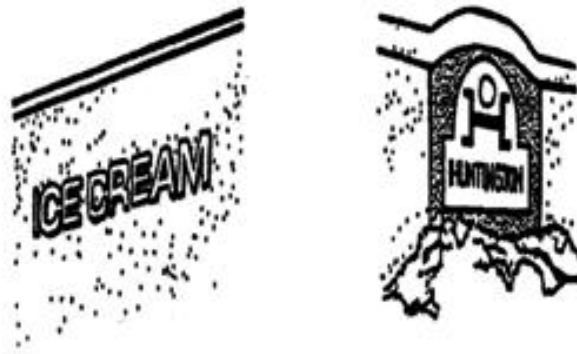
Visible

Likely to be noticed by a person of average height walking on an adjacent street or sidewalk or traveling in a vehicle on an adjacent street or highway 2 years after installation of any planting screening material intended to screen a view.

Wall Sign

Any sign affixed to a building facing in such a manner that the face of the sign is substantially parallel to the plane of the building facing.

WALL SIGN
Figure 9.15.030-13

**Warehousing**

The use of a building or buildings primarily for the storage of goods of any type, when such building or buildings contain more than five hundred (500) square feet of storage space.

Wholesaling

The selling of any type of goods for purpose of resale.

Window Sign

Any sign, exposed to public view, which is attached, painted, or pasted, or is located within 3 feet, either permanently or temporarily, on or of the interior or exterior of a window.

Wrecking Yard

Any facility used for the dismantling of vehicles. Activities normally include the buying and selling of inoperative vehicles, their parts or component materials and the storage thereof.

Yard or Court

An open space on the same site as a structure, unoccupied and unobstructed from the ground upward except as otherwise provided in this Title, including a front yard, side yard, rear yard or court between structures.

Yard (Front)

A yard extending across the full width of a site, the depth of which is the minimum horizontal distance between the front property line and a line parallel thereto on the site.

Yard (Rear)

A yard of the required width extending the full width across the site, from side yard to side yard measured parallel from the rear property line, the depth of which is the minimum horizontal distance between the rear property line and a line parallel thereto on the site.

Yard (Side)

A yard of the required width extending from the rear line of the required front yard measured parallel from the side property line of the lot extending to the rear property line.

Youth-oriented Facility

Any facility that caters to or provides services primarily intended for minors, or the individuals who regularly patronize, congregate or assemble at the establishment are predominantly minors.

SETBACKS AND YARD AREAS

Figure 9.15.030-14

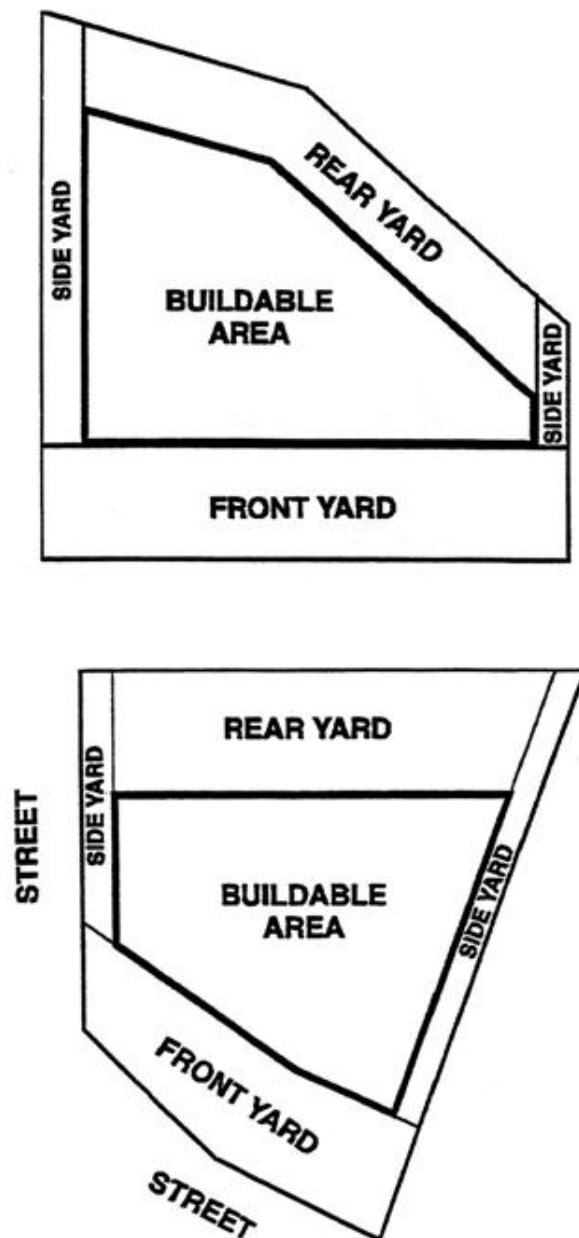
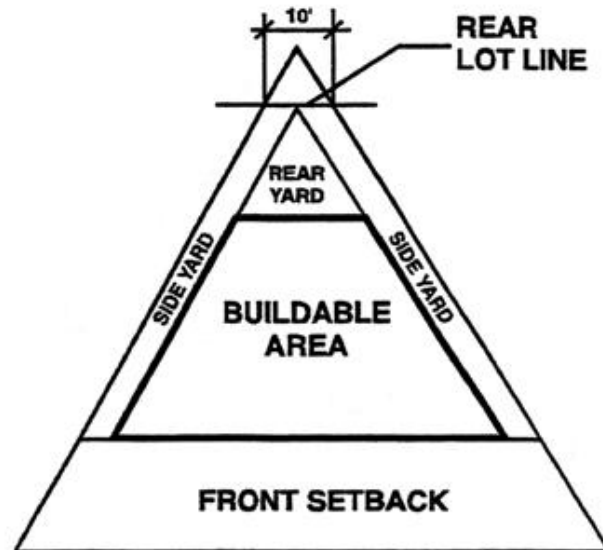


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Setbacks and Yard Areas

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Section 9.13.010 **Purpose and Intent**

The purpose of the landscape requirements is to identify landscape design issues and provide standards to create aesthetic and water conserving landscape areas and reduce light and glare. These requirements apply to landscape development in public rights-of-way, areas adjacent to the public right-of-way, easements, setbacks, slopes, parking areas, public, quasi-public, commercial, industrial and specified residential on-site landscape areas.

- B. The intent of this section is to provide landscape development requirements consistent with the goals and policies of the general plan, and implement landscape-related general plan objectives and compliance with the state of California Model Water Efficiency Ordinance. Landscape designs shall:
1. Enhance the aesthetic quality of the project area and eliminate or minimize negative

environmental conditions.

2. Complement the surrounding area whether fully developed or designed as natural open space.
3. Encourage the preservation of existing mature trees and shrubs, native plants significant rock outcroppings, and natural drainage courses and riparian vegetation.
4. Incorporate water conservation principles including the reduction of water usage without affecting the landscape quality, including, but not limited to, the use of advanced irrigation systems, plant palette selection, the use of mulch and the use of recycled and other permissible alternative sources of water, where available.
5. Utilize tree planting to create shaded microclimates that reduce heat, while reducing humidity gain, in and around open spaces and parking lots, and reduce heat gain in adjacent structures.
6. Reduce the emission of air pollutants by reducing the demand for electricity to cool buildings and reducing the evaporation of gas from parked vehicles.
7. Encourage the use of alternate paving materials for improved aesthetics and reduced water use and runoff.
8. Create visual continuity using landscaping streetscape themes.
9. Incorporate project identification and enhanced landscapes at entry drives.
10. Encourage the redesign of existing landscapes to promote drought tolerant designs.
11. Apply the current evapotranspiration adjustment factor (ET adjustment factor) set forth in the State's Model Water Efficient Landscape Ordinance.
13. Encourage the use of turfless plantings with alternative landscaping materials such as rock and other materials which do not require potable water sources.
14. Water features including fountains and ponds shall be equipped with a recycling system. (Ord. 786 § 2, 2009)

9.17.020 Applicability.

- A. The landscape requirements apply to all land uses, for all projects, in all districts requiring March Joint Powers Authority approval, unless specifically stated otherwise in this title.
- B. Specific plans with approved landscape guidelines are exempted from the requirements of this chapter, if another requirement is specifically identified in the plan. All other requirements of this section apply.
- C. Landscaped areas designated for management and operation by the March Joint Powers Authority's public works department will be designed and constructed in accordance with the

department's "Landscape Design Guidelines."

9.17.030 Landscape and Irrigation Design Standards.

- A. General. The landscape plans shall incorporate low water use plants, turf trees and ground covers adaptable to the area. A list of plants may be found in the county of Riverside's Guide to California Friendly Landscaping that provides a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Plants not on the list may be used providing the water consumption does not exceed the project's water budget. Consideration should be given to climate, soil types and topographic conditions. Landscapes should group plants using similar watering patterns to eliminate over watering and provide irrigation watering zones of similar use.

The irrigation systems shall be installed using water-conserving equipment including the installation of bubblers, drip systems, low volume sprays and smart irrigation controls. Smart irrigation controls are sensitive to the changing weather patterns and adjust watering cycles automatically to reduce water usage during colder/rainy weather. A water budget shall be completed that meets Western Municipal Water District guidelines and submitted with the landscape plans. Based on the landscape design, the water budget will determine the landscape's water demand. Once calculated, the annual maximum allowable water budget (AMAWB) is compared to the estimated annual water use (EAWU) to ensure the design does not exceed the allowed water use.

- B. Plan Design Standards. The following design standards are required on all landscape plan submittals:
1. Final landscape and irrigation plans shall be based on the approved site plan and/or the final grading plan for the project.
 2. Final landscape and irrigation plans for all projects, with more than one thousand (1,000) square feet of landscaped area, except custom homes or projects designed in-house by March JPA, shall be designed (and wet stamped/certified) by a California state licensed architect, civil engineer or landscape architect. All nonresidential projects with one thousand (1,000) square feet or less of landscaped areas shall provide landscape and irrigation plans certified by a certified irrigation designer.
 3. Minimum scale is one inch = twenty (20) feet. A smaller scale may be used with prior approval by the Planning Director. Standard sheet size is twenty-four (24) inches by thirty-six (36) inches.
 4. Existing vegetation shall be retained on any portion of a development not designated for grading or construction, unless otherwise approved or required by the Planning Director.
 5. Landscape shall include drought-tolerant plants and water conservation principles.
 6. All soil surfaces in landscape areas shall be covered with plant materials, walkways or mulch (organic or inorganic).
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7. Ground-mounted equipment (e.g., transformers and back flow preventers) shall be screened with landscaping or screening walls, allowing for adequate access for equipment maintenance.
8. Trash enclosures are screened with at least three feet of landscaping on three sides.
9. Unimproved areas are maintained in a weed-free condition, and may require temporary landscape and irrigation.
10. All nonturf landscape areas are covered with a minimum of three inches of mulch following installation, unless otherwise approved by the Planning Director.
11. Native or low-water use plant materials shall be used. The use of invasive plants should be avoided. (See the California Invasive Plant Inventory by the California Invasive Plant Council www.cal-ipc.org.) No invasive plants are permitted adjacent to Multi-Species Habitat Conservation Plan conservation areas.
12. Water budgets that meet Western Municipal Water District guidelines shall be attached to plan submittal. Obtain water budget information from Western Municipal Water District.
14. Irrigation systems shall be designed, maintained and managed to meet the current irrigation efficiency standard as determined by the state of California Code of Regulations. Landscape plans submitted shall meet this standard.
15. Water quality basin design shall ensure that the design between the basin and the required landscaping area complement one another.

C. Turf Areas.

1. Turf areas shall have a maximum design slope of twenty (20) percent and a minimum design slope of one percent.
2. Turf areas shall be limited to less than twenty-five (25) percent and only in gathering areas with the exception of parks and similar recreational facilities. Turf shall not be used solely for decorative purposes. Turfless or xeriscape design concepts are preferred.
3. Where turf areas are allowed, drought-tolerant and warm season turf varieties shall be used.
4. Except for single-family residences, concrete mow strips shall be installed between all turf areas and groundcover/shrub areas, vine pockets, walls, structures, or signs.
5. High quality artificial turf is allowed as an element of a project landscape, as determined by the Planning Director.
6. Native grasses not requiring regular mowing shall be used in lieu of turf in water quality facilities.

D. Ground Cover/Shrub Areas.

1. Shrubs and groundcover shall be installed in shrub/planting areas in amounts and at intervals that will provide eighty (80) percent coverage within twenty-four (24) months.

2. Shrubs shall be located to provide visual interest to the project site, break-up building massing, and help screen unsightly views.
 3. Groundcover (low water use plants are preferred) shall be installed in such a manner to ensure eighty (80) percent coverage within twelve (12) months.
 4. No plantings shall be located closer than twenty-four (24) inches from any building or structure, unless otherwise approved by the Planning Director.
 5. All planting areas adjacent to buildings or structures shall slope away from all buildings, structures or walls, or incorporate drains to direct water away from these elements.
 6. Large ground cover areas shall have multiple plant types including a variation in height, texture and color.
 7. The plant palette provided in the Riverside County Landscape Guidelines is recommended to identify plants which can be used to establish a balance of drought tolerant plants.
- E. Trees.
1. Trees shall be planted in a manner, which maximizes the shading of paved areas inclusive of outdoor employee break areas, outdoor customer seating areas, and both south- and west-facing windows.
 2. Street trees for designated streets shall be used, unless a different street tree has already been established along the street segment in question.
 3. Trees shall be planted at sufficient size and manner to ensure successful establishment and protection from breakage.
 4. All landscape plans shall graphically depict mature tree canopy diameters.
 5. All mature tree canopies in parking lots shall be pruned and maintained to maximize shade potential and ensure healthy, maximum growth. Topping of trees shall be avoided.
 6. The tree palette shall provide a balanced use of evergreen and deciduous trees with attention to summer shade, fall and spring color, winter sunlight, and new growth.
 7. Parkway tree planting shall provide a buffer effect that creates partial screening between parking lot areas and street vehicular traffic.
 8. Existing mature trees that cannot be preserved in-place, shall be transplanted elsewhere on the site, unless transplantation is infeasible due to the type or condition of the trees.
 9. Projects necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved.
 10. Trees shall be planted in a manner and at locations, which minimize the potential for damage to adjacent walkways and paving.
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F. Irrigation.

1. All planted landscape areas shall be provided with an approved “smart” automatic irrigation control systems (labeled as evapotranspiration (E.T.) based), with rain sensing and/or soil moisture sensing devices. Watering during the rain shall be avoided.
2. Drip, bubbler-type and rotor sprays or stream rotor sprinkler heads or similar efficient sprinklers shall be used whenever possible. These sprinklers should be used exclusively when positioned adjacent to building walls. (Bubblers and spray heads should be pressure compensating, low volume type.)
3. Separate irrigation zones shall be provided for areas with different irrigation requirements, including, but not limited to, trees, turf and nonturf areas.
4. Reduced pressure backflow preventers are required on all irrigation systems.
5. No fixed risers are permitted, unless otherwise approved by the Planning Director.
6. A pressure vacuum breaker shall be installed at the top of slopes when irrigation is installed on the top of the slope.
7. Irrigation shall be placed in a manner that eliminates overspray, runoff, wicking action and/or damage to adjacent buildings, walls, walks, driveways, streets, and fences.
8. Irrigation of landscapes should occur between nine p.m. and six a.m. except during the establishment period, when temperatures are predicted to fall below zero or when repairing/adjusting the irrigation system.

9.17.040 Street Trees.

- A. Street trees shall be provided on all streets in a consistent and unified manner. Where a question arises as to the necessary street tree, the Planning Director shall determine the appropriate species.
- B. Street trees are installed a minimum of one foot on the private side of the property line (single-family residential lots) or in the public right-of-way for all other projects. Care should be taken to avoid utility laterals (water, gas, and sewer). Consideration will be made for trees planted beneath or near overhead power lines.
- C. Trees shall be planted as follows, noting that spacing adjustments may be granted by the planning division:
- D. All Other Projects (Commercial, Industrial, Multifamily Residential, Institutional, Park or Parkway). Street trees shall be planted forty (40) feet on center. (Ord. 786 § 2, 2009)

9.17.050 Parking and Drive-Through Landscape Areas.

Landscaping in parking and drive-through areas shall be designed to provide safety and comfort for both drivers and pedestrians, to provide shade, reduce heat-gain, reduce air pollutant emissions, promote areas for water retention and evapotranspiration, allow runoff from impervious surfaces, and to enhance the visual quality of the project and the March Joint Powers Authority. The design shall reduce auto noise, light and glare, and ambient temperatures through the use of canopy trees. The following standards apply:

A. Design Considerations.

1. Parking lots and drive-throughs shall be screened from the public right-of-way by a thirty-six (36) inch high wall, shrub row and/or by berming. If walls are employed, they must be aesthetically compatible with the project design.
2. Landscape areas in the parking lot shall be designed to minimize the potential for pedestrians to cross any landscape areas to reach building entrances and to access parked cars. Walkways shall be provided to facilitate pedestrian access, especially at corner locations.
3. Curb cut openings must be provided to permit parking lot drainage to enter landscape areas for retention and water quality. Wheel stops shall not be permitted unless approved by the Planning Director.
4. Turf is not permitted in parking lot planters.

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.
2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.
3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.
4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.
5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. Minor adjustments are allowed in cases where this exact interval would be infeasible.
6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

- C. Planter Curbs and Step-Outs. Planters shall be separated from parking spaces by a six-inch wide concrete curb. Where a planter (finger or island) is located on the side of a parking space, a twelve (12) inch wide concrete step-out is required along the long dimension of the parking space. A step-out is required, in addition to a six-inch curb, resulting in a combined concrete surface measuring eighteen (18) inches in width.
- D. Trees—Number, Location, and Type.
 - 1. Trees may be planted in clusters along the street frontage and side and rear setbacks, if applicable.
 - 2. Parking lot trees shall be planted to align with the ends of parking lot stripes (between cars) and away from light standards, in order to create adequate shade canopies, and avoid damage to tree trunks.
 - 3. The selection of parking lot trees should emphasize the provision of summer shading of pavement and vehicles. Within a maximum of ten (10) years, parking lot trees shall shade a minimum of fifty (40) percent of parking space pavement during the summer months, between one and four in the afternoon. A maximum of fifty (25) percent of the parking lot trees may be deciduous unless otherwise approved by the Planning Director.
 - 4. The selection of parking lot trees shall avoid trees with excessive litter, sap or fruit that could damage vehicles.

9.17.060 Wall Treatment.

Vines and/or shrubs shall be planted adjacent to walls that are more than three feet in height and exposed to view from adjacent streets.

9.17.070 Multifamily Residential Development.

- A. A minimum of thirty-five (35) percent of the site area, exclusive of private patio and yard areas, shall be landscaped. Required setback areas and outdoor recreation areas may be counted towards this minimum, but not public rights-of-way. Landscape areas consist predominately of plant materials, except for necessary walks and fences/walls. The use of permeable surfaces is recommended for walks and patios to reduce water run-off.
- B. Trees shall be positioned such that trees are planted to shade paved areas and west- and south-facing windows for energy-efficient savings; coniferous or nonwinter deciduous trees are kept away from south-facing windows in order to allow for heat gain during winter months. The larger sized trees should be placed at entries and accent areas.
- C. Turf shall be limited and installed in useable gathering areas only with a maximum of twenty-five (25) percent.

9.17.080 Commercial, Industrial, Public and Quasi-Public Development.

- A. All required setback areas, exclusive of required walkways and driveways shall be landscaped. Landscape areas consist predominately of plant materials, except for necessary walks and fences/walls. Gated and screened storage areas may be exempted from this landscape requirement per approval of the Planning Director.
- B. A landscape buffer shall be provided on a nonresidential site when adjacent to residential uses to provide visual relief to the nonresidential side. Plant materials shall be selected so that at maturity (within ten (10) years), intermittent visual obstruction with no unobstructed openings greater than five feet in horizontal distance remain.
- C. In addition to the required street trees, trees shall be planted at the equivalent of one tree per thirty (30) linear feet of building dimension that is visible from the parking lot or public right-of-way. Trees may be massed for pleasing aesthetic effects. The creation of plaza or paseo areas is encouraged, including the use of pervious surface areas that reduce water run off. Such areas should incorporate focal points such as water features or specimen trees and establish a social gathering place with such elements as tables, benches, and seating walls.
- D. Additional parking lot trees shall be provided at one tree per thirty (30) linear feet of parking lot adjacent to the interior property.
- E. Project entry drives shall incorporate enhanced landscaping (size and variety of vegetation) and pavement.
- F. Projects with frontage abutting arterial streets shall be required to construct parkways in conformance with March JPA standard engineering plans unless otherwise approved by the Planning Director.
- G. Turf is limited to gathering areas only.

9.17.090 Reverse Frontage Parkways and Medians.

Reverse frontage parkways shall include a landscape area between perimeter walls and the public sidewalk. They may include a landscape area or parkways adjacent to the street curb, as well. Medians are planted areas located along the centerline of a public street.

- A. Design Requirements.
 - 1. A landscape easement may be required in addition to the standard public right-of-way;
 - 2. Projects with frontage abutting arterial streets shall be required to construct parkways in conformance with March Joint Powers Authority standard engineering plans unless otherwise approved by the Planning Director;
 - 3. Landscaping areas shall meet public works standards. Reverse frontage areas designated for management and operation by the March JPA' public works department shall be designed and constructed in accordance with the department's landscape design

guidelines.

B. Intersection parkway areas shall adhere to the following criteria:

1. Create sense of entry into the neighborhood or project.
2. Maintain a clear line-of-sight.

9.17.100 Erosion Control/Slope Planting.

Erosion control landscape plans are required for all cut or fill slopes over three feet high. Landscaping provides erosion control while maintaining the aesthetic values of the hillside.

A. General/Design Requirements.

1. Landscape must establish or reinforce a design concept for the specific hillside area, while complimenting buildings and streetscapes.
2. Placement of plant materials shall reinforce the natural terrain and topography of the area.
3. Tree species and placement shall respect potential view sheds of neighboring properties.
4. Erosion control and fire prevention devices may be required depending on the degree and length of slope, soil type, etc.
5. Slope areas shall be planted in a manner to ensure adequate vegetation coverage and slope stability, draining to landscape or permeable surface areas that allow for water retention and absorption.
6. Turf shall not be used for slope planting. Hydro seed and water efficient grasses not requiring regular mowing may be permitted per approval by the Planning Director.
7. Slopes that abut public streets/rights-of-way must also adhere to applicable portions of Section 9.17.090.

9.17.110 Public Parks/Recreation Areas.

- A. A balance of evergreen and deciduous trees should be provided to create sun and shade areas throughout the facility.
- B. Perimeter planting should be predominately evergreen to screen adjacent development.
- C. Tree planting around children's play areas should provide summer shade and encourages year-round use.
- D. Visual access shall be provided from the park or recreation area to surrounding natural open spaces and public right-of-way, if applicable.

- E. Maximize the use of woody plants.
- F. Create a diversity of habitats, using different age trees and species.
- G. Provide turf in gathering areas and sports fields only.

9.17.120 Water Quality Landscape Designs.

Water quality landscapes are designed to encourage the use of landscape areas as a water treatment area incorporating small scale features across a site to assist in watershed hydrology functions.

- A. Water treatment areas shall be no deeper than twenty-four (24) inches visible within the landscape setback areas unless otherwise approved by the Planning Director. Rock or other decorative material may provide for greater depth of the treatment areas. No fencing will be required around water treatment areas that do not exceed building code fencing requirements (currently twenty-four (24) inches in visible depth).
- B. Basins and treatment areas shall be landscaped to appear like a natural water feature.
- C. Design and site considerations shall be aesthetically consistent with surrounding landscaping using a variation of plants and materials.