

- (3) 1 space for each 25 camping sites, to be located near the registration office.
 - (e) All storage, service, and repair areas shall be located on the site so that they are not visible, or shall be *screened* so they are not visible from, adjacent *development* and *public rights-of-way*.
 - (f) Recreational vehicles, trailers, and tents shall not be located closer than 15 feet to any *abutting property*.
 - (g) Trash enclosures shall be provided for each four camping sites.
 - (h) Maximum occupancy periods shall be as follows:
 - (1) For tents and trailers without utilities hook-up capacity: 1 month in any 12-month period; or
 - (2) For trailers or recreational vehicles with utilities hook-up capacity: 6 months in any 12-month period.
- (Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§141.0606 Child Care Facilities

- (a) This section regulates the following *child care facilities*:
 - (1) Large family day care homes: Any *child care facility* licensed by the State of California to provide child care for 7 to 12 children in the child care providers home. (Small family day care homes, which provide care for six or fewer children, are not subject to this section.)
 - (2) Child care centers: Any *child care facility*, other than a small or large family day care home, that is licensed by the State of California to provide child care: child care centers may be infant centers, preschools, or school-age, extended day care facilities.

(b) Large Family Day Care Homes

Large family day care homes are a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (1) A large family day care home may provide care for 7-12 children (including children under the age of 10 who reside at the home) for periods of less than 24 hours per day.
 - (2) The day care provider shall comply with all state licensing requirements for large family day care homes.
 - (3) The day care provider shall comply with standards adopted by the State Fire Marshal pursuant to the California Health and Safety Code relating to large family day care homes.
- (c) Child Care Centers

Child care centers are permitted as a limited use in the zones indicated with an “L” and may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (1) Child care centers are not permitted within 1,000 feet of any known business that:
 - (A) Has or is required to have a health permit from the County of San Diego Hazardous Materials Management Division, excluding underground fuel storage tanks, and handles regulated substances above the Threshold Quantity as listed in the California Code of Regulations, Title 19 Section 2770.5;
 - (B) Handles compressed flammable gases in excess of 1,500 pounds; or
 - (C) Handles flammable liquids in excess of 10,000 gallons.
- (2) The 1,000-foot separation distance shall be measured from the *property line* of the proposed *child care facility* to the use, storage, or handling areas for the regulated substances. Businesses may satisfy the separation requirements on-site. The child care center operator has the burden of proof of demonstrating compliance with the separation requirement.
- (3) Before beginning operation, the child care center operator shall obtain and shall maintain on file on the *premises* a “Hazardous Materials

Substance Approval Form” executed by the County of San Diego Hazardous Materials Division.

- (4) Deviations from the hazardous materials separation requirements may be permitted with a Conditional Use Permit decided in accordance with Process Three. Issuance of the permit will be based in part on a “Health Risk Assessment Study” to be submitted by the *applicant*.
 - (5) Drop-off and pick-up of children from vehicles shall be permitted only on the driveways, in approved parking areas, or in the *street* directly in front of the facility.
 - (6) All outdoor play and activity areas shall be enclosed with a *fence* that is at least 4 feet and no more than 6 feet in height. If an outdoor play or activity area is located adjacent to a public *street* with a right-of-way width of 64 feet or more, the *fence* shall be solid.
 - (7) All outdoor play and activity areas shall be separated from vehicular circulation, parking areas, equipment enclosures, storage areas, and refuse and recycling storage areas.
 - (8) Child care centers shall be designed to attenuate significant outside noise sources. Surrounding uses shall also be protected from noise emanating from child care centers. The following measures are required to accomplish noise attenuation.
 - (A) A *solid fence* that is at least 4 feet and no more than 6 feet in height shall be constructed between the child care center and abutting residential uses, or all windows facing abutting residential uses shall be double-glazed with 1/4-inch thick glass.
 - (B) A *solid fence* that is at least 4 feet and no more than 6 feet in height shall be constructed between the child care center and a *public right-of-way* of 64 feet or more wide, or all windows facing a *public right-of-way* of 64 feet or more wide shall be double-glazed with 1/4-inch thick glass.
 - (9) The child care center operator shall comply with all state licensing requirements for child care centers.
- (d) Child care centers proposed to be located on public or private *school* sites are permitted as follows:

- (1) Child care centers proposed as an *accessory use* on the *premises* of a *school* are exempt from the provisions of this section. The child care center may be either school-operated or privately operated.
- (2) Child care centers proposed for location on private *school premises* in a zone where *schools* are a permitted use, are permitted as a limited use subject to the regulations of Section 141.0606(c).
- (3) Child care centers proposed for location on private *school premises* in a zone where *schools* are required to obtain a Conditional Use Permit shall also be required to obtain a Conditional Use Permit subject to the regulations in Section 141.0606(c).

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 3-1-2006 by O-19467 N.S.; effective 8-10-2006.)

§141.0607 Eating and Drinking Establishments Abutting Residentially Zoned Property

Eating and drinking establishments on *premises* abutting residential zones are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the regulations in Section 141.0607(a). Eating and drinking establishments abutting residentially zoned property that do not comply with Section 141.0607(a) may be permitted with a Neighborhood Use Permit subject to the regulations in Section 141.0607(b).

(a) Limited Use Regulations

- (1) Eating and drinking establishments abutting residential zones may operate only during the hours between 6:00 a.m. and 12:00 midnight.
- (2) In the IL-3-1 zone, eating and drinking establishments shall also comply with Section 131.0623(b).

(b) Neighborhood Use Permit Regulations. Except in the CN zones, eating and drinking establishments abutting residential zones that do not comply with Section 141.0607(a) may be permitted with a Neighborhood Use Permit subject to the following regulations.

- (1) All activities associated with the establishment shall occur within an enclosed building between the hours of 12:00 midnight and 6:00 a.m.
- (2) Drive-up or drive-through service is not permitted between the hours of 12:00 midnight and 6:00 a.m.