

19.22.030 Accessory uses and buildings.

Accessory uses and buildings customarily incidental to any of the above uses shall be permitted in the R-E zone subject to the regulations herein:

- A. Guest houses (see CVMC [19.04.106](#) for definition of “guest house”), subject to the provisions of CVMC [19.58.020\(D\)](#), and not rented or otherwise conducted as a business;
- B. Customary incidental home occupations, subject to the provisions of CVMC [19.14.490](#);
- C. Private stables and corrals, subject to the provisions of CVMC [19.58.310](#);
- D. Full-time foster homes ~~and small family day care homes~~, as defined in CVMC ~~19.04.095 and~~ [19.04.098](#);
- E. Temporary tract offices and tract signs, subject to the provisions of CVMC [19.58.320](#) and [19.60.600\(E\)\(2\)](#);
- F. A satellite dish antenna may be located in a residential district when it complies with the following conditions:
 - 1. It is ground-mounted;
 - 2. It is not located in a front yard or exterior side yard, said yard to be measured from any portion of the building to the front or exterior side property line;
 - 3. It complies with setback requirements of the underlying zone for accessory structures;
 - 4. It does not exceed 12 feet in height above existing grade;
 - 5. It shall be located on lots where at least a five-foot-high solid wall or fence is installed between the dish antenna and adjacent properties;
 - 6. It shall be adequately screened from any adjacent residential zone, right-of-way, or private street easements, at horizontal grade level to the satisfaction of the Zoning Administrator;
 - 7. It shall not be located in the H – hillside modifying district;
 - 8. Only one satellite dish antenna shall be permitted per lot;

9. Satellite dish antennas with diameters measuring less than one meter may be installed in a manner consistent with typical television antennas;
10. Satellite dish antennas shall be used for private, noncommercial purposes;
11. All satellite dish antennas, in any zone constructed and erected prior to the effective date of the ordinance codified herein, which do not conform to the requirements of the provisions of this title for the particular zones in which they are located, shall be accepted as nonconforming antennas for a period of three years, to expire February 14, 1989. Thereafter, the satellite dish antennas shall be subject to immediate abatement via removal or through modification or relocation to comply with the standards of this section;
12. A building permit shall be required;
13. Replacement of an existing nonconforming antenna with another satellite dish antenna, or removal of a nonconforming antenna for a period longer than 60 days, shall constitute abandonment of the nonconforming antenna, and is subject thereafter to the standards of this section;

~~G. Large family day care homes, subject to the provisions of CVMC [19.58.147](#);~~

~~H.G.~~ Accessory dwelling units, subject to the provisions of CVMC [19.58.022](#);

~~H.~~ Residential-level electrical generating facilities, as defined in CVMC [19.04.089\(E\)](#). The siting and establishment of a residential-level facility shall be subject to and governed by CVMC Title [15](#). (Ord. 3423 § 4, 2018; Ord. 3279 § 3, 2013; Ord. 3153 § 2 (Exh. A), 2010; Ord. 2897 § 3, 2003; Ord. 2269 § 3, 1988; Ord. 2160 § 1, 1986; Ord. 2145 § 2, 1986; Ord. 2138 § 1, 1986; Ord. 2124 § 4, 1985; Ord. 2111 § 2, 1985; Ord. 2108 § 1, 1985; Ord. 1575 § 1, 1974; Ord. 1356 § 1, 1971; Ord. 1212 § 1, 1969; prior code § 33.502(C)).

19.24.020 Permitted uses.

Principal permitted uses in the R-1 zone include:

- A. One single-family dwelling on any lot;
- B. Factory-built home/mobilehome on any lot, subject to the provisions of CVMC [19.58.145](#) and [19.58.330](#);
- C. All portions of the dwelling, factory-built home or mobilehome used for living or sleeping purposes shall be attached by common walls;
- D. ~~Small and~~ Large family day care homes, ~~subject to the provisions of CVMC 19.58.147~~. (Ord. 3153 § 2 (Exh. A), 2010; Ord. 2260 § 1, 1988; Ord. 2161 § 1, 1986; Ord. 1941 § 1, 1981; Ord. 1212 § 1, 1969; prior code § 33.503(B)).

19.24.030 Accessory uses and buildings.

Accessory uses permitted in the R-1 zone include:

A. Rooming and boarding of not more than two persons; provided, off-street parking space is available for any automobile owned or operated by any boarder or roomer, in addition to any space required for the principal residents of the dwelling;

B. Customary incidental home occupations and professional offices, subject to the provisions of CVMC [19.14.490](#);

C. The keeping of cats and/or dogs, not to exceed the number permitted by the animal ordinance for each dwelling unit;

D. Full-time foster homes ~~and small family day care homes~~, as defined in CVMC ~~19.04.095 and~~ [19.04.098](#);

E. Other accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the requirements of Chapter [19.58](#) CVMC;

F. Satellite dish antennas as per the provisions of CVMC [19.22.030\(F\)](#);

G. Temporary tract offices and tract signs, subject to the provisions of CVMC [19.58.320](#) and [19.60.600\(E\)\(2\)](#);

H. Agricultural uses as provided in CVMC [19.16.030](#);

I. Satellite dish antennas as per the provisions of CVMC [19.22.030\(F\)](#);

~~J. Large family day care homes, subject to the provisions of CVMC [19.58.147](#);~~

~~K~~J. Accessory dwelling units, subject to the provisions of CVMC [19.58.022](#);

~~L~~K. Residential-level electrical generating facilities, as defined in CVMC [19.04.089\(E\)](#). The siting and establishment of a residential-level facility shall be subject to and governed by CVMC Title [15](#). (Ord. 3423 § 5, 2018; Ord. 3279 § 3, 2013; Ord. 3153 § 2 (Exh. A), 2010; Ord. 2897 § 4, 2003; Ord. 2269 § 5, 1988; Ord. 2160 § 1, 1986; Ord. 2145 § 1, 1986; Ord. 2138 § 1, 1986; Ord. 2124 § 5, 1985; Ord. 2117 § 1, 1985; Ord. 2111 § 4, 1985; Ord. 1575 § 1, 1974; Ord. 1494 § 1, 1973; Ord. 1356 § 1, 1971; Ord. 1212 § 1, 1969; prior code § 33.503(C)).

19.26.040 Conditional uses.

The following uses shall be permitted in the R-2 zone, provided, a conditional use permit is issued in accordance with the provisions of CVMC [19.14.030\(A\)](#) or [19.14.040](#), as may be applicable, and CVMC [19.14.050](#) through [19.14.090](#):

A. Off-street parking areas, subject to the provisions of Chapter [19.62](#) CVMC;

~~B. Small family day care homes, as defined in CVMC [19.04.095](#), if not operating within a single-family dwelling;~~

~~C. Large family day care homes, as defined in CVMC [19.04.094](#), within a single-family dwelling;~~

~~D.~~ Professional offices (for additional provisions, see CVMC [19.58.244](#)).

The following uses shall be permitted in the R-2 zone, provided, a conditional use permit is issued by the Planning Commission ~~or Chula Vista Redevelopment Corporation for projects with a designated redevelopment project area~~, or for unclassified uses as defined in CVMC [19.54.020](#).

~~E.~~ Electrical substations and gas regulators, subject to the provisions of CVMC [19.58.140](#);

~~F.~~ Unclassified uses, see Chapter [19.54](#) CVMC. (Ord. 3153 § 2 (Exh. A), 2010; Ord. 2269 § 7, 1988; Ord. 2237 § 1, 1987; Ord. 2111 § 6, 1985; Ord. 1697 § 1, 1976; Ord. 1542 § 1, 1974; Ord. 1356 § 1, 1971; Ord. 1212 § 1, 1969; prior code § 33.504(D)).

19.28.040 Conditional uses.

The following uses shall be permitted in the R-3 zone, provided, a conditional use permit is issued in accordance with the provisions of CVMC [19.14.030\(A\)](#) or [19.14.040](#), as may be applicable, and CVMC [19.14.050](#) through [19.14.090](#):

- A. Except in R-3-T, day nurseries;
- B. Except in R-3-T, incidental services, such as restaurants and retail sales to serve residents; provided, there is no exterior display or advertising and such activities are conducted in spaces which are integral parts of a main building;
- C. Commercial parking garages and off-street parking lots, in accordance with the provisions of CVMC [19.62.010](#) through [19.62.130](#);

~~D. Small family day care homes, as defined in CVMC [19.04.095](#);~~

~~ED.~~ Private, noncommercial recreational facilities, such as swimming pools, tennis courts, and clubhouses (for additional provisions, see CVMC [19.58.100](#) and [19.58.270](#));

~~FE.~~ Professional offices (for additional provisions, see CVMC [19.58.244](#));

~~G. Large family day care homes, as defined in CVMC [19.04.094](#), within a single-family dwelling.~~

The following uses shall be permitted in the R-3 zone, provided, a conditional use permit is issued by the Planning Commission, ~~or Chula Vista Redevelopment Corporation for projects within a designated redevelopment project area~~, or for unclassified uses as defined in CVMC [19.54.020](#):

~~HF.~~ Electric substations and gas regulators, subject to the provisions of CVMC [19.58.140](#);

~~IG.~~ Unclassified uses, see Chapter [19.54](#) CVMC. (Ord. 3442 § 2(H), 2018; Ord. 3153 § 2 (Exh. A), 2010; Ord. 2269 § 8, 1988; Ord. 2111 § 7, 1985; Ord. 2034 § 2, 1983; Ord. 1822 § 2, 1978; Ord. 1697 § 1, 1976; Ord. 1542 § 2, 1974; Ord. 1494 § 3, 1973; Ord. 1356 § 1, 1971; Ord. 1212 § 1, 1969; prior code § 33.505(D)).

Chapter 19.58

USES

Sections:

19.58.010	Purpose of provisions.
19.58.020	Accessory buildings.
19.58.022	Accessory dwelling units.
19.58.023	Junior accessory dwelling units.
19.58.024	Sexually oriented businesses.
19.58.030	Agricultural processing plants.
19.58.040	Amusement and entertainment facilities.
19.58.042	Carnivals and circuses.
19.58.050	Animal hospital, veterinarian facilities.
19.58.055	Auctions of vehicles, heavy machinery and equipment.
19.58.060	Automobile car wash facilities.
19.58.070	Automobile sales facilities.
19.58.075	Bars, cocktail lounges, and nightclubs.
19.58.080	Cemetery, crematory, mausoleum, or columbarium.
19.58.090	Club, country – Golf course.
19.58.100	Club, community building, social hall, lodge and fraternal organization.
19.58.110	Church, hospital, convalescent hospital, religious or eleemosynary institution.
19.58.115	Dance floors.
19.58.120	Drive-in establishments.
19.58.130	Dwelling groups.
19.58.140	Electric substations.
19.58.142	Electrical generating facilities.
19.58.143	Emergency shelters.
19.58.144	Qualified employee housing.
19.58.145	Factory-built housing.
19.58.147	Family day care homes, large.
19.58.148	Certified farmers' markets.

19.58.150	Fences and walls.
19.58.160	Fertilizer plants and yards.
19.58.170	Golf driving ranges.
19.58.175	Hay and feed stores.
19.58.178	Hazardous waste facilities.
19.58.180	Heliports or landing strips for aircraft.
19.58.190	Kennels, riding academies and public stables.
19.58.200	<i>Repealed.</i>
19.58.205	Mixed commercial-residential projects in the C-C zone.
19.58.210	Motels and hotels.
19.58.220	Nursing homes.
19.58.225	<i>Repealed.</i>
19.58.230	Parking lots and public garages.
19.58.240	Poultry farm.
19.58.244	Professional offices in the R-1, R-2 and R-3 zones.
19.58.245	Ambulance services.
19.58.260	Repair of vehicles.
19.58.265	Residence, single room occupancy (SRO).
19.58.268	Residential facility.
19.58.270	Retail sales for guests only.
19.58.280	Service stations.
19.58.290	Shooting clubs.
19.58.310	Stables and corrals.
19.58.315	Supportive and transitional housing.
19.58.320	Tract office, temporary.
19.58.330	Trailers.
19.58.340	Recycling and solid waste storage.
19.58.345	Recycling collection centers.
19.58.350	Commercially zoned double frontage lots.
19.58.360	Zoning wall or fence.
19.58.370	Outside sales and display – Permanent and temporary.
19.58.380	<i>Repealed.</i>
19.58.390	Senior housing development.
19.58.400	Recreational vehicle storage yards.

- 19.58.410** **Prohibition of flashing lights.**
- 19.58.420** **Water distribution facilities.**
- 19.58.430** **Liquor stores in the C-N zone.**
- 19.58.440** **Mobile food facilities.**

~~19.58.147~~ ~~Family day care homes, large.~~

~~A large family day care home shall be allowed in the R-E and R-1 zones, and within the P-C designated R-E and R-S zones, upon the issuance of a large family day care permit by the Zoning Administrator and in compliance with the following standards:~~

~~A. Notice shall be given to properties within 500 feet of the proposed large family day care home at least 10 days prior to consideration of the permit.~~

~~B. The permit shall be considered without public hearing unless a hearing is requested by the applicant or other affected party by the hearing deadline date. The applicant or other affected party may appeal the Zoning Administrator's decision to the City Council.~~

~~C. The family day care function shall be incidental to the residential use of the property.~~

~~D. A large family day care home shall not locate within:~~

~~1. Three hundred (300) feet of another such facility with said measurement being defined as the shortest distance between the property lines of any such facilities; and~~

~~2. One thousand two hundred (1,200) feet of another such facility along the same street with said measurements being defined as the shortest distance between front property lines, as measured along the same street, of any such facilities.~~

~~E. The owner must provide a double-wide driveway which shall be paved to meet City standards and be a minimum of 16 feet wide and 19 feet in depth as measured from the edge of sidewalk to any vertical obstruction. The driveway shall be available during all hours of operation for the loading and unloading of children. If a garage exists on-site, it must be utilized for parking of personal vehicle(s). In the event that less than a two-car garage exists on-site, the owner must designate an area on-site other than on the driveway so that a total of two~~

~~personal vehicles can be parked on-site, including the garage. Notwithstanding the foregoing, the applicant must comply with all other Municipal Code provisions as to parking and traffic.~~

~~F. If, in the opinion of the Zoning Administrator, there is a potential for significant traffic problems, the Zoning Administrator shall request review of the application by the City Traffic Engineer. The City Traffic Engineer may impose accessory requirements for the day care permit in these instances to ensure maintenance of traffic safety levels within the vicinity of the home.~~

~~G. Adequate outdoor play space shall be required and determined on a case-by-case basis. Outdoor play activity shall not be allowed in the front or exterior side yard of the home.~~

~~H. Play areas shall be designed and located to reduce the impact of noise on surrounding properties.~~

~~I. A business license will be obtained concurrently with the use permit.~~

~~J. At the City's discretion, an annual review of the permit may be done to determine compliance with state and City requirements and the permit's conditions of approval. (Ord. 3153 § 2 (Exh. A), 2010; Ord. 2793 § 1, 1999; Ord. 2717 § 1, 1998; Ord. 2269 § 2, 1988; Ord. 2123 § 1, 1985; Ord. 2111 § 8, 1985).~~

19.84.005 Residential zones.

A. Residential – Mixed Harbor District (R-MH).

1. *Purpose and Intent.* The purpose and intent of the residential – mixed harbor zone is to provide appropriate locations for a mix of mid-rise and high-rise residential towers in the Harbor District. “Mid-rise development” is defined as four- to seven-story buildings. “Highrise development” is defined as eight-story and above buildings. All mid- and high-rise buildings include multiple-family condominium style residences and central garage structures. Residential uses include multiple-family dwellings in clusters of varying size and configuration to provide a range of housing types. Retail uses shall be located at the street level to create a village atmosphere and pedestrian orientation.

2. *Permitted Uses.* The following uses are permitted:

- a. Dwellings, multiple, mid-rise;
- b. Dwellings, multiple, high-rise;
- c. Short-term vacation rentals;
- d. Retail commercial uses at street level;
- e. Incidental services, such as restaurants, retail sales, fitness clubs, and other such services, provided such activities are conducted in spaces that are integral parts of a main building;
- f. Private, noncommercial recreational facilities, such as swimming pools, tennis courts, and clubhouses (for additional provisions, see CVMC [19.58.100](#) and [19.58.270](#));
- g. Day care/nursery facilities; and
- h. Accessory uses and buildings including:
 - i. Customary incidental home occupations, subject to the provisions of CVMC [19.14.490](#);
 - ii. Other accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the provisions of CVMC [19.58.020](#);

- iii. Full-time foster homes as defined in CVMC [19.04.098](#);
- iv. Satellite dish antennas per the provisions of CVMC [19.22.030\(F\)](#);
- v. Accessory dwelling units pursuant to the provisions of CVMC [19.58.022](#).

3. *Conditionally Permitted Uses*. The following uses may be allowed subject to the approval of a conditional use permit:

a. Commercial parking garages and off-street parking lots, in accordance with the provisions of CVMC [19.62.010](#) through [19.62.130](#); ~~and~~

b. Unclassified uses; see Chapter [19.54](#) CVMC; ~~and~~

~~c. Small family day care homes, as defined in CVMC [19.04.095](#).~~ (Ord. 3503 § 9, 2021; Ord. 3352 § 2, 2015; Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2532, 1992).

Chapter 19.58

USES

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19.58.180	Heliports or landing strips for aircraft.
19.58.190	Kennels, riding academies and public stables.
19.58.200	<i>Repealed.</i>
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~~B. The permit shall be considered without public hearing unless a hearing is requested by the applicant or other affected party by the hearing deadline date. The applicant or other affected party may appeal the Zoning Administrator's decision to the City Council.~~

~~C. The family day care function shall be incidental to the residential use of the property.~~

~~D. A large family day care home shall not locate within:~~

~~1. Three hundred (300) feet of another such facility with said measurement being defined as the shortest distance between the property lines of any such facilities; and~~

~~2. One thousand two hundred (1,200) feet of another such facility along the same street with said measurements being defined as the shortest distance between front property lines, as measured along the same street, of any such facilities.~~

~~E. The owner must provide a double-wide driveway which shall be paved to meet City standards and be a minimum of 16 feet wide and 19 feet in depth as measured from the edge of sidewalk to any vertical obstruction. The driveway shall be available during all hours of operation for the loading and unloading of children. If a garage exists on-site, it must be utilized for parking of personal vehicle(s). In the event that less than a two-car garage exists on-site, the owner must designate an area on-site other than on the driveway so that a total of two~~

~~personal vehicles can be parked on-site, including the garage. Notwithstanding the foregoing, the applicant must comply with all other Municipal Code provisions as to parking and traffic.~~

~~F. If, in the opinion of the Zoning Administrator, there is a potential for significant traffic problems, the Zoning Administrator shall request review of the application by the City Traffic Engineer. The City Traffic Engineer may impose accessory requirements for the day care permit in these instances to ensure maintenance of traffic safety levels within the vicinity of the home.~~

~~G. Adequate outdoor play space shall be required and determined on a case-by-case basis. Outdoor play activity shall not be allowed in the front or exterior side yard of the home.~~

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~~I. A business license will be obtained concurrently with the use permit.~~

~~J. At the City's discretion, an annual review of the permit may be done to determine compliance with state and City requirements and the permit's conditions of approval. (Ord. 3153 § 2 (Exh. A), 2010; Ord. 2793 § 1, 1999; Ord. 2717 § 1, 1998; Ord. 2269 § 2, 1988; Ord. 2123 § 1, 1985; Ord. 2111 § 8, 1985).~~