

# Chapter 1

## Project Description, Location, and Environmental Setting

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The County of San Diego (County) Agriculture Promotion Program (proposed project) involves amending the County's Zoning Ordinance to promote accessory uses to agricultural operations throughout the unincorporated County. Specifically, adoption of the proposed project would revise permitting requirements for uses currently allowed in agricultural areas and introduce a permitting process for uses not currently addressed or included in the Zoning Ordinance. Such revisions would promote the development of uses that are accessory to agricultural uses, such as microbreweries (which by the definition in the Zoning Ordinance includes mead and cideries), distilleries, cheese-making and dairy operations, onsite food production, mobile butchering, packing and processing, onsite retail horticulture sales, animal raising, roadside sales of agricultural products, agricultural tourism, and agricultural homestays on agricultural lands consistent with the County's General Plan. The project would apply primarily to properties that are zoned *Agriculture (A70 and A72)*, *Specific Plan (S88)*,  *Holding Area (S90)*, and *General Rural (S92)*; however, other zones with agricultural uses would also be affected.<sup>1</sup> The proposed project includes amendments to the Animal Regulations that would apply to the keeping of animals in all zones with the affected designators. Lastly, adoption of the proposed project would allow small, boutique, and wholesale limited winery uses in the S92 zone. The project also proposes an amendment to the County of San Diego General Plan Mobility Element Table M-4, "Road Segments Where Adding Travel Lanes is Not Justified." This amendment would modify existing road segments or add new road segments that as a result of the proposed project may function at a Level of Service E or F. The County is the Lead Agency for the preparation of this Draft Environmental Impact Report (EIR).

The purpose of this chapter is to describe the details of the Agriculture Promotion Program and to provide reviewing agencies and decision-makers with a complete description of the proposed action. Approval of the update would adopt and incorporate the proposed revisions to the County's Zoning Ordinance that would guide development within the County, which can be reviewed in ~~strikeout~~ underline format in Appendix A.

### 1.1 Project Objectives

During the County Board of Supervisors Hearing on August 6, 2014, the Board directed the Chief Administrative Officer to develop the Agriculture Promotion Program that would streamline regulations for agriculture-related ventures throughout the County and winery uses in S92 zones. Agricultural operation in the County of San Diego is a significant component of the local industry and is facing challenges to its continued viability. To address these challenges, many agricultural operators are seeking opportunities to diversify their businesses. Additionally, there is increasing interest among the general public to get closer to the source of their agricultural products, and many agricultural operators are interested in accommodating this interest. In response, the County is

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<sup>1</sup> Some of the proposed changes would affect or change the currently permitted agricultural uses within Rural Residential, industrial, commercial, and special use zones.

developing the Agriculture Promotion Program to provide increased opportunities for agricultural ventures and tourism that are accessory to existing agricultural operations.

The portion of the project related to wineries in the S92 General Rural Zone is an expansion of a prior effort that affected the A70 and A72 zones. The 2010 Tiered Winery Zoning Ordinance Amendment Project (State Clearinghouse No. 2008101047) modified the Zoning Ordinance for the A70 and A72 zones to increase opportunities for wineries and tasting rooms. An update to these regulations is currently in process by the County. This proposed project would extend the same ordinance requirements that apply to the A70 and A72 zones (including any updates to those regulations approved by the County) to the S92 zone.

A statement of project objectives is required by the California Environmental Quality Act (CEQA) Guidelines (Section 15124 (b)). In general, an objective can be defined as the purpose for which something is proposed. Under CEQA, a clear statement of project objectives is necessary because alternatives evaluated in an EIR must achieve, in whole or in part, the underlying objectives. Specific objectives for the proposed project are as follows.

1. Encourage the growth of the local agriculture industry throughout the County of San Diego.
2. Streamline and clarify the approval/permitting process for accessory agricultural operations (see Section 1.4.1) in order to better facilitate the development of such uses within the County, while ensuring compliance with local, state, and federal regulations where appropriate and utilizing sound management practices.
3. Encourage property owners in the County to maintain agricultural lands in production and support farming.
4. Minimize the potential for land use conflicts that may arise through the development and operation of accessory agricultural operations.
5. Update regulations for accessory agricultural operations to be consistent with public interest, emerging practices, and current technology and design.
6. Assist property owners in pursuing compliance with local County requirements related to accessory agriculture operations.
7. Update the County's Zoning Ordinance to incorporate the Tiered Winery Zoning Ordinance Amendment Project for all S92 General Rural zones.

## 1.2 Project Location

San Diego County is bounded by the counties of Orange and Riverside to the north, the County of Imperial to the east, the United States–Mexico international border to the south, and the Pacific Ocean to the west (see Figure 1-1). The proposed project comprises an amendment to the Zoning Ordinance and would affect properties in unincorporated portions of the County that are under the land use jurisdiction of the County. Therefore, it would not apply to lands in incorporated cities or to state, federal, or tribal lands. More specifically, the proposed project would apply to those unincorporated properties that support agricultural operations (see Figures 1-2 and 1-3). Agricultural operations occur throughout the unincorporated area, with high concentrations in certain areas and in a variety of zones, including some industrial and commercially zoned areas (Figure 1-4).



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**Figure 1-1**  
**Regional Location**  
**County of San Diego Agriculture Promotion Program**



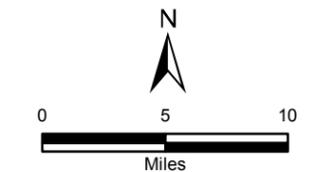
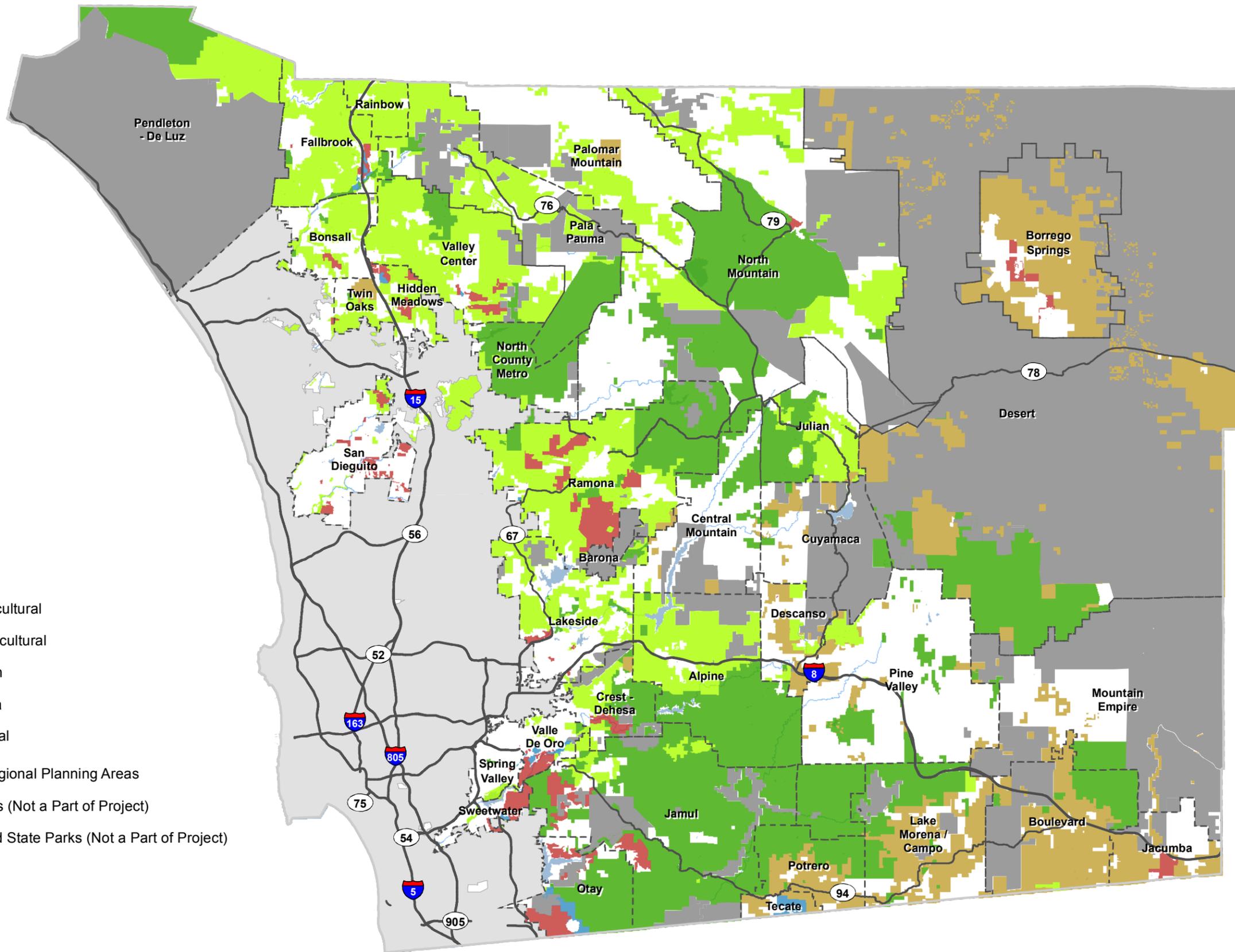




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**Zoning Categories**

- A70 Limited Agricultural
- A72 General Agricultural
- S88 Specific Plan
- S90 Holding Area
- S92 General Rural
- Community/Subregional Planning Areas
- Incorporated Cities (Not a Part of Project)
- Tribal, Military, and State Parks (Not a Part of Project)
- Lakes/Reservoirs
- Rivers
- Freeways
- Highways



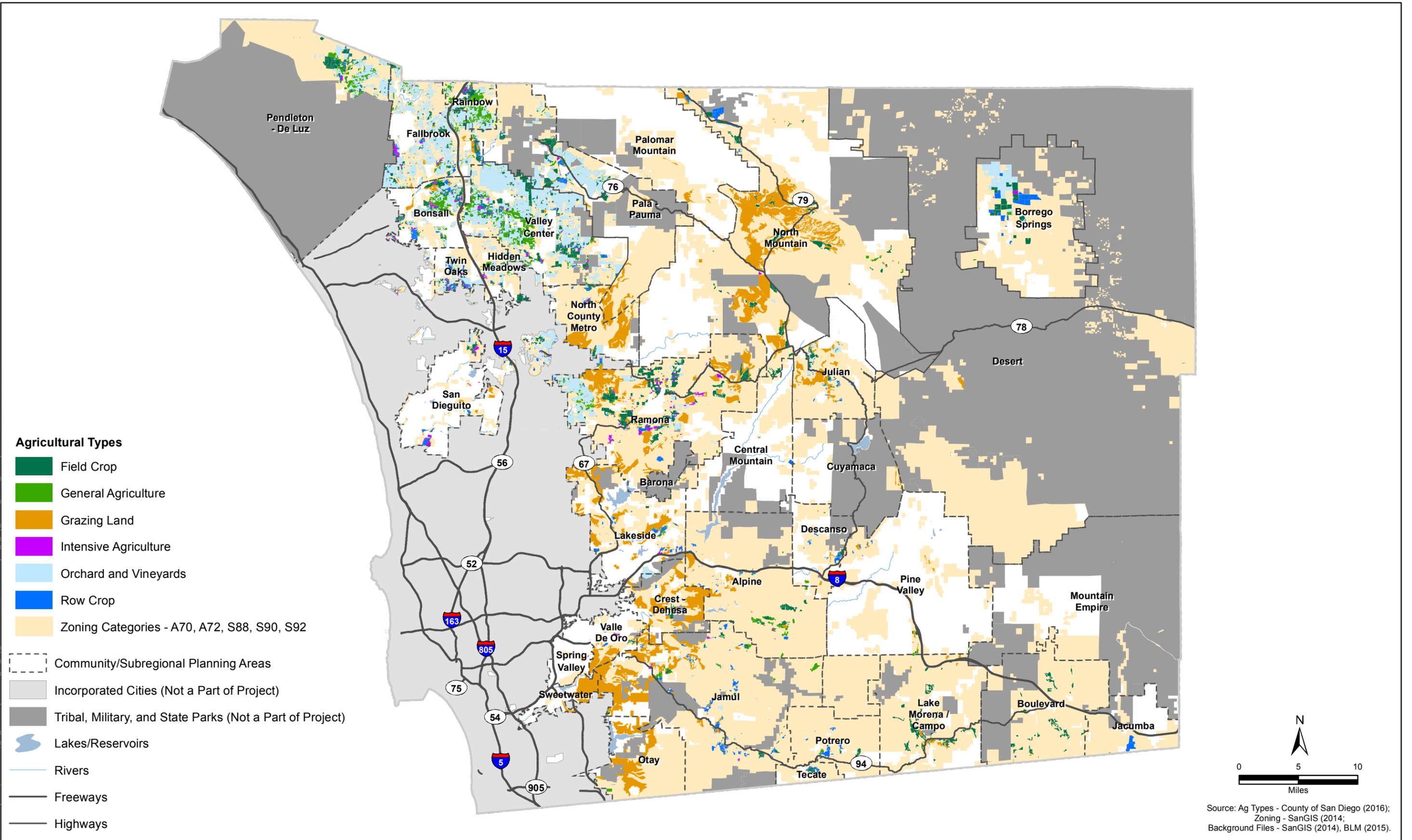
Source: Zoning - SANGIS (2014);  
Background Files - SanGIS (2014), BLM (2015).



**Figure 1-3**  
**Zoning**  
**County of San Diego Agriculture Promotion Program**



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**Figure 1-4**  
**Agricultural Lands within Zoning**  
**County of San Diego Agriculture Promotion Program**



Regional access throughout the affected area is provided by interstates, local state routes, and County roads. Primary north-south transportation facilities in the County include Interstates 5, 15, and 805, all of which are focused in the western part of the County. Other north-south State Highways include 67, 79, 125, and 163. Major east-west corridors include Interstate 8 and State Highways 54, 76, 78, and 94 and are dispersed throughout the County.

## 1.3 Environmental Setting

The project area encompasses the unincorporated areas of the County, which is mostly concentrated in the eastern portion of the County and is geographically the largest area in the County. The project area generally consists of rural land formations of rugged topography and open space while supporting wildlife habitats and agriculture. These lands comprise natural features such as lagoons, foothills, canyons, mountain ranges, and deserts and include a wide range of micro-climates, topography, soils, and other natural features that support a wide variety of habitats and biological communities. The unincorporated area of the County balances the land requirements of residential growth with those of commercial, agriculture, recreation, and wildlife habitat. It includes several large federal, state, and regional parklands that encompass much of the eastern portion of the County.

The project area also consists of developed land areas in the unincorporated County, where the prominent land uses are residential and transportation/circulation uses. The most developed communities in the unincorporated County are along the western boundary and include the Community Planning Areas of Sweetwater, Spring Valley, Valle de Oro, Lakeside, Ramona, Fallbrook, and San Dieguito and the North County Metro Subregion. These areas support public facilities and services, including water, sewer, roads, and schools, and contain higher populations. The environmental setting for each environmental issue is further explained in the beginning of each section of Chapter 2, *Environmental Effects of the Proposed Project*.

### 1.3.1 Accessory Agriculture Uses

Below is an overview of the types of uses under consideration as part of the proposed project. A general description is provided of the specific use and its application in the County of San Diego and how the use is regulated under the existing Zoning Ordinance. Table 1-1 at the end of this chapter provides a summary of each of the following uses and how they are currently regulated by the County's Zoning Ordinance.

#### Agricultural Homestay

Agricultural homestays include short-term (fewer than 14 days) lodging for guests at a working farm or ranch that provides bedrooms for rent and can provide meals. Bedrooms for homestays can be part of a main residence, a single cabin, or a small detached structure no larger than 500 square feet. Agricultural homestays are currently allowed in the County's Ordinance as an accessory use to a Commercial Agricultural operation in Rural Residential (RR), A70, A72, and S92 zones on lots of at least 4 acres in size and require the approval of a Minor Use Permit. There are no temporary special events relating to agricultural homestays allowed under existing County regulations.

## Agricultural Microbrewery, Cideries, and Micro-Distilleries

Agricultural micro breweries (including mead), cideries, and micro-distilleries involve the production of alcohol from various ingredients, depending on the desired product. San Diego County has recently become a fast-growing brewing region; however, the ingredients for beer have not been commonly grown in County agricultural areas until recently and they remain limited due to the region's growing conditions. The most common ingredient grown in the County is hops (grains are not as common, and it is not likely that they are commercially grown for beer at all), while barley typically grows in warmer, dry areas and has a short growing period. Barley is typically cultivated in the Southern California region as an erosion control crop and is not commonly grown for making beer. Hops that are grown locally typically do not reach the fullest height and yield that they do in regions with both greater precipitation and seasonal variation; however, there are several known hops-growing operations in the County, including the Star B Ranch in Ramona, the Golden Hop Farm in Fallbrook, Hopatul Farms in Alpine, Nopalito Farms and Hops Yard in Valley Center, and Steadfast Hop Farm in Valley Center (although this operation may no longer be active).

Agricultural microbreweries, cideries, and micro-distilleries are not specifically regulated in the County's existing Zoning Ordinance; however, breweries and microbreweries in general are allowed in most industrial zones and in some commercial zones (C37, C38, and C40 zones). Microbreweries are currently defined in the County's Zoning Ordinance as breweries that produce no more than 15,000 barrels of ales, beers, meads, hard ciders, and/or similar beverages per year. Breweries and microbreweries are allowed a tasting room by right (considered food and beverage retail sales) subject to the size limitations in industrial zones. An eating and drinking establishment (restaurant) may be allowed pursuant to an Administrative Permit, which is a discretionary action. There are specific regulations for the size of the establishment in M52, M54, M56, and M58 zones. Onsite brewing is allowed by right in C32, C34, C35 and C36 zones as part of a restaurant if at least 50 percent of the gross floor area is used for eating and drinking.

## Agricultural and Horticultural Retail

Agricultural and horticultural retail includes roadside sales of agricultural products (agricultural stands) and agricultural wholesale sales, including plant nurseries. Roadside sales of agricultural products are currently regulated and restricted to RR zones on lots 1 acre or larger, and in the A70, A72, S90, and S92 zones. Currently, horticultural retail sales are allowed in residential, agricultural, S88, and S92 zones upon approval of a Minor Use Permit. Agricultural stores are not currently specified or regulated directly under the existing ordinance. An agricultural stand is permitted by right provided that the following standards are met.

- Said stand shall be located no nearer than 15 feet from the edge of any street or highway right-of-way.
- Said stand shall be operated by the owner or tenant of the property upon which the stand is located.
- Agricultural products produced on other premises owned or leased by the same property owner or tenant may be displayed and sold from said stand
- The total roofed area of said stand, including all areas used for display or storage for all products, shall not exceed 300 square feet. No agricultural produce shall be sold from a motorized vehicle.

- Cold storage shall be allowed only when accessory to the onsite farming operation and used only for storage of crops grown by the person(s) farming the parcel.
- Incidental sale of items related to the sale or use of agricultural products (not to exceed 10 percent of the stand area), including horticultural products, may also take place provided any applicable health regulations are complied with.
- No commodities other than those listed above may be sold from a produce stand except as allowed by Food and Agricultural Code section 47050.
- A produce stand may sell only those ornamental plants that are grown on the same lot as such stand is located.

## Agricultural Tourism

Agricultural tourism (also known as agritourism or ag-tourism) is generally considered a commercial enterprise at a functioning farm, ranch, or agricultural plant that exists for the enjoyment or education of the public, to promote products produced on the farm, and to generate additional income. Agritourism can include farm stands or shops, U-pick, farm stays/agricultural homestays, cattle drives, tours, on-farm classes, pumpkin patches, Christmas tree farms, educational tours of farms, hunting or fishing, guest ranches, and more. There are a variety of facilities and activities available in San Diego, such as agricultural festivals, farm visits, farm tours, demonstration farms, farm stays, wineries, nursery trails, and agricultural museums.

Agritourism is currently allowed in the County's Ordinance by right as an accessory use to a Commercial Agricultural operation in RR, A70, A72, S90, and S92 zones (Zoning Ordinance Section 6156.kk), and does not include temporary special events, which are a separately regulated use.

## Animal Raising

The Animal Schedule (Section 3100 of the Zoning Ordinance) outlines the regulations that define the allowable limits to housing animals, including the density of animals and setbacks of animal enclosures. Animal raising in the County of San Diego is limited by the acreage of the land and, depending on the type of animal raising and number of animals, may be by-right or require an Administrative Permit, a Minor Use Permit, or a Major Use Permit.

## Aquaponics

Aquaponics is the combination of aquaculture and hydroponics that creates a food production system in a symbiotic environment. This system allows for fish farming, which typically occurs in tanks rather than lakes or ponds. The current Animal Schedule defines and regulates the keeping of up to 25 fish in certain designations; however, if more than 25 fish are used, a Minor Use Permit is required (Animal Schedule, Animal Raising (g)).

## Creamery/Dairy

Creamery production is considered the practice of making products that are milk-based, including butter, cheese, ice cream, and yogurt. The current Zoning Ordinance allows the practice of "dairying for sale" (processing fresh milk) as a Commercial Agriculture use, but does not include the practice of creameries.

## Fishermen's Markets

Fishermen's Markets were added to the California Retail Food Code as a "food facility" with the approval of Assembly Bill (AB) 226 on October 8, 2015. This temporary use would be added to the Zoning Ordinance to operate in the same manner as, or in conjunction with, a Certified Farmer's Market.

## Mobile Butchering

Mobile butchering provides farmers with a local service by bringing the slaughter facility either to the farm or to a docking station locally, if shared by several businesses or a cooperative of farmers. The County of San Diego currently does not have any regulations specific to mobile butchering.

## Wineries

Boutique and small wineries are currently allowed in A70 and A72 zones as a part of the 2010 Tiered Winery Ordinance Zoning Ordinance Amendment, which established and introduced two new winery classifications and revised the regulations for two existing winery classifications. It introduced the *Packing and Processing: Boutique Winery* use type allowed by right but subject to specific standards and limitations and the *Packing and Processing: Small Winery* use type allowed by Administrative Permit in A70 and A72 zones. It also revised the regulations for *Packing and Processing: Wholesale Limited Winery* to be allowed by right but subject to specific standards and limitations in the A70 and A72 zones. Wineries as allowed by Major Use Permit in the RR, Recreation-Oriented Residential (RRO), Residential Commercial (RC), A70, A72, S88, and S92 zones, and by right in the industrial zones, were not amended. The S92 zone currently allows agricultural use types of tree, row, and field crops and the growing of grapes by right, and wineries only with a Major Use Permit.

# 1.4 Project Description

The project involves amending the County of San Diego Zoning Ordinance for agriculture-related uses. The amendment consists of clarifications, deletions, and revisions to provide an updated set of definitions, procedures, and standards for review and permitting of various agriculture-related accessory uses. The amendment would revise permitting requirements for agriculture-related accessory uses including microbreweries, cheese-making and dairy operations, onsite food production, mobile butchering, packing and processing, onsite retail horticulture sales, animal raising, roadside sales of agricultural products, agricultural tourism, and agricultural homestays, on agriculturally zoned lands throughout the County. The proposed Zoning Ordinance Amendment is provided as Appendix A to this Draft EIR. The text in Appendix A is presented in ~~strikeout~~ and underline text to indicate deleted or proposed new language, respectively.

The project also proposes an amendment to the County of San Diego General Plan Mobility Element Table M-4, "Road Segments Where Adding Travel Lanes is Not Justified." This amendment would modify existing road segments or add new road segments that as a result of the proposed project may function at a Level of Service E or F. The proposed amendment to Table M-4 of the General Plan is provided in Appendix F.

## 1.4.1 Project Components

The proposed project consists of an amendment to the County's Zoning Ordinance that would provide an updated set of definitions, procedures, and standards for review and permitting of agriculture-related accessory uses throughout the County. Table 1-1 includes the proposed changes to the County's Zoning Ordinance by topic, while Table 1-2 provides a summary of the proposed changes to the ordinance by Ordinance Section number and agricultural use subject. Finally, Table 1-3 illustrates the proposed changes to the animal schedule.

### Agricultural Homestay

Adoption of the proposed Zoning Ordinance updates would promote the use of agricultural homestays in the County. Specifically, the proposed project would result in updating the Zoning Ordinance language to reduce the level of permitting required for homestay operations from a discretionary to a non-discretionary (e.g., ministerial) permit and to expand the zones where homestays are allowed. These changes are further described below.

**Accessory Use Regulations (Section 6150).** Within Section 6150 of the Zoning Ordinance, the use regulations pertaining to agricultural homestays would be relocated from Section 6156, Residential and Agricultural Use Types, to a new proposed Section 6157, Commercial Agricultural Operations. The level of permitting required for an agricultural homestay would be reduced from a Minor Use Permit to a Zoning Verification Permit, and permit approval for an agricultural homestay would change from a discretionary permit to a ministerial permit. This use would be allowed in the A70, A72, and S92 zones, similar to existing conditions, and would be expanded to allow for properties in the and S90 zones to operate an agricultural homestay subject to approval of a Zoning Verification Permit. Additional language to be added to Section 6157 would include the restriction of weddings and parties as part of an agricultural homestay operation and the increase of allowed sign size from 2 square feet up to 4 square feet.

### Agricultural Microbrewery, Cideries, and Micro-Distilleries

Brewing and distilling operations in the County of San Diego would be further encouraged by permitting these operations on areas where related ingredients are cultivated. Specifically, the proposed project would result in updating the Zoning Ordinance language to include new definitions for agricultural microbreweries, cideries, and micro-distilleries, adding new requirements in the use regulations, and allowing for the exceedance of height regulations for brewing-related structures in industrial and commercial zones.

**Definitions (Section 1100).** The proposed project would involve two new uses to be defined as *Microbrewery, Agricultural, Cidery, Agricultural* and *Micro-Distillery, Agricultural*, each of which is related to active agricultural production of some of the ingredients used for brewing and distillation. The new definition for *Microbrewery, Agricultural* would be a "microbrewery allowed as an accessory use to an active Commercial Agriculture operation producing hops, barley, or grain grown on the premises for brewing on site." The new definition for *Micro-Distillery, Agricultural* would be a "distillery allowed as an accessory use to an active Commercial Agriculture operation producing grains or vegetables on the premises for distilling on site."

**Accessory Use Regulations (Section 6150).** Two types of microbreweries, small and large, would be defined within the proposed new Section 6157. The restrictions within Section 6157 for small

and large operations would apply to microbreweries, cideries, and micro-distilleries. Small and large microbreweries and micro-distilleries would be required to comply with state laws (e.g., California Alcoholic Beverage Control), onsite driveway and parking areas would be required to be surfaced, groundwater studies would be required for large microbrewery operations proposing to use groundwater, noise abatement and control regulations would apply, and parking requirements would be determined based on manufacturing and warehousing parking use requirements in Section 6750 of the Zoning Ordinance, and at least 25 percent of the total ingredients would be required to be grown in San Diego County for small and large agricultural brewery and distillery operations.

Small operations would require approval of a Zoning Verification Permit and would be limited to no more than 2,000 barrels or 62,000 gallons per year, and at least 1 acre of hops, barley, or other ingredients would be required to be produced and used on-site. Small operations would be able to sell their products wholesale but would not be allowed to have retail sales or tasting rooms on site. The maximum floor area for brewing or distilling for small operations would be restricted to 2,000 square feet for lots less than 2 gross acres, 3,000 square feet for lots between 2 and 4 gross acres, and up to 5,000 square feet for lots larger than 4 acres.

Large operations would require approval of an Administrative Permit, and would be limited to no more than 8,000 barrels or 124,000 gallons per year, and at least 2 acres of hops, barley, or other ingredients would be required to be produced and used on site. Large operations would be able to sell their products on and off site and tasting rooms would be limited to no more than 30 percent of the total floor area for brewery or distillery operations. Tasting rooms would be allowed to operate between 10:00 a.m. and the legal sunset time every day of the week. The maximum floor area for brewing or distilling for large operations would be restricted to 3,000 square feet for lots less than 2 gross acres, 4,000 square feet for lots between 2 and 4 gross acres, and up to 5,000 square feet for lots larger than 4 acres. Events may be permitted as specified in the Administrative Permit. Findings for the Administrative Permit would include a determination that the proposed development is evaluated for harmony in scale, bulk, coverage, and density with surrounding areas, has public facilities and utilities available, and does not harm the neighborhood character, and that traffic generation on surrounding streets is considered, in addition to any other relevant impacts associated with the use. Consistency with the County General Plan, including emergency travel times, and compliance with CEQA is also specified.

**Height Regulations (Section 4600).** Structures associated with breweries up to 50 feet in height within industrial or commercial zones would be excluded from compliance with maximum height requirements for uses permitted by right. Brewery and associated structures greater than 50 feet would be permitted in industrial and commercial zones with approval of a Minor Use Permit.

## **Agricultural and Horticultural Retail/Packing and Processing**

The proposed updated language to the County's Zoning Ordinance would promote agricultural and horticultural retail to allow for retail sales of agricultural products produced and cultivated on site. Farm-to-table concepts and local sourcing of food has been of interest to County residents, and the proposed project would define three types of uses where owners and tenants could improve their operations with onsite retail sales, including an agricultural stand, food sales push carts, and agricultural stores. Specifically, the proposed project would update Zoning Ordinance language to better define agriculture-related sales, distinguish commercial sales from agricultural sales, and

introduce new regulations for agricultural stores. Each of the proposed changes are described below.

**Definitions (Section 1100).** A *Stand* would be further defined as *Stand, Agricultural*, and the definition would refer to the new requirements in Section 6157(a), where onsite agricultural and horticultural sales are further regulated. The definition of *Food Sales Push Cart* would be amended to specify that this term does not include agricultural stands or stores related to commercial agricultural operations.

**Commercial Use Types (Section 1400).** The existing use of *Agricultural and Horticultural Sales* would be further defined to specify that goods sold under this use are not cultivated on the premises. The purpose of this amendment is to distinguish commercial *Agricultural and Horticultural Sales* from *Onsite Agricultural and/or Horticultural Sales*.

**Use Regulations (Section 2700).** The proposed updates to the Zoning Ordinance would allow *Packing and Processing: General* in A70, A72, S88, and S92 zones as a use subject to limitations instead of requiring a Major Use Permit. Specific limitations would include: the operation must be incidental to the primary agricultural use and 50 percent of the total gross area of the premises shall be suitable for agricultural production; for any site above 200 acres, at least 40 acres must be in active agricultural operations. As to mobile butchering, the new use limitations protect adjacent property owners from possible use impacts. As a result, general agricultural product preparation (packing and processing) would not require a Major Use Permit and would be a temporary use, provided the specific limitations listed in Section 6126 are met (see discussion in Mobile Butchering below, at Page 1-12).

**Accessory Use Regulations (Section 6150).** Section 6157, Commercial Agricultural Operations, would consist of a new section in the County's Zoning Ordinance that would include *Onsite Agricultural and/or Horticultural Sales*. Within the *Onsite Agricultural and/or Horticultural Sales* section are three types of uses: *Roadside Sales of Agricultural Products* (which would be related from Section 6156(q)), *Agricultural Store, Small*, and *Agricultural Store, Large*, both of which would be new uses described and regulated in the Zoning Ordinance.

Roadside Sales of Agricultural Products. Section 6156(q), Roadside Sales of Agricultural Products, would be relocated to Section 6157(a). Most of the language would remain unchanged; however, a description of the intent of the *Onsite Agricultural and/or Horticultural Sales* use type would be included, along with the zones where *Roadside Sales of Agricultural Products* would be allowed. Also, this use would be extended into S88 zones, and would continue to be allowed in A70, A72, S90, and S92 zones. No other changes are proposed for Accessory Use Regulations as they pertain to the *Onsite Agricultural and/or Horticultural Sales* use type.

Horticultural Sales. Section 6156(v), Horticultural Sales, allows retail sales of horticultural and floricultural products and their related gardening items upon the premises of a growing nursery in all residential, agricultural, and S88 and S92 Use Regulations subject to a Minor Use Permit. The references to the agricultural, S88, and S92 zones would be relocated to 6157(a) and would be allowed as an Agricultural Store. Horticultural sales for all residential zones would remain in 6156(b) and require a Minor Use Permit.

Agricultural Store (Small and Large). The introduction of an agricultural store would involve a new type of use in the Zoning Ordinance and would define two types of agricultural stores, small and large. The allowed area of either a small or large agricultural store would not be permitted to

increase the size of a production facility, tasting area, and/or retail sales area of an active wholesale limited winery, boutique winery, or small winery. Also, both would be required to be incidental to agricultural, horticultural, animal husbandry, or open space uses, with at least half the gross total of the property suitable for these uses and 25 percent of the area under an active use. For large properties over 200 acres, at least 40 acres would be required to be under active agricultural use. Operation of an agricultural store (large or small) must occur by the owner or tenant and on their property, and products sold must be produced on their site or another site owned or leased by the owner or tenant. A limit of one agricultural store is included in the proposed regulations. Signage for either size of agricultural store is limited to 4 square feet.

- *Agricultural Store, Small.* Small agricultural stores would require a Zoning Verification Permit and would be permitted in the A70, A72, S88, S90, and S92 zones, and in RR zones where lot size is at least 2 acres. Other restrictions specified in the proposed Zoning Ordinance Update relate to building size (1,500 square feet maximum with no more than 200 square feet of retail sales for non-agricultural products) and parking (at least six spaces per small store). Events, including weddings and parties, are specifically prohibited; however, events related to production of goods produced on site is permitted. Hours of operation would be restricted to between 10:00 a.m. and sunset, 7 days per week.
- *Agricultural Store, Large.* Large agricultural stores would require an Administrative Permit and would be permitted in the A70, A72, S88, S90, and S92 zones, and in RR zones where lot size is at least 4 acres. Building size would be limited to 3,000 square feet and not to exceed 30 percent of the floor area of the building area. Onsite food preparation would be allowed and would be required to comply with applicable Department of Environmental Health regulations. A state Processor Permit would be required for packaging food for off-site consumption, and seating would not be permitted to exceed 15 percent of the floor area of the store. Hours of operation, parking requirements, and types of events allowed would be specified in the Administrative Permit and are not specifically defined in the proposed Zoning Ordinance Update.

## Agricultural Tourism

Agritourism includes educational agriculture, farm-to-table events, and other leisure activities associated with active agricultural operations, all of which would be further promoted by the proposed project. Specifically, the definition of agricultural tourism would be refined and the permitted zones and accessory use regulations would be updated. Each of the proposed changes are further described below.

**Definitions (Section 1100).** The proposed project includes amending the existing definition of agricultural tourism to specify that this use is defined as an accessory agricultural use. A reference to Section 6157(b) would also be included, which would refer the reader to the specific accessory use regulations, which are further described below.

**Accessory Use Regulations (Section 6150).** Under the proposed project, the text currently within Section 6156(kk) would be relocated to Section 6157(b), and the existing regulations would be amended to extend to the S88 zone, in addition to the RR, A70, A72, S90, and S92 zones where agricultural tourism is allowed under existing conditions. New regulations would require at least 50 percent of the gross area of the property to be suitable for agricultural, horticultural, animal husbandry, or open space use and 25 percent of the gross area to be actively used for agricultural, horticultural, animal husbandry, or open space uses. For properties greater than 200 acres, a minimum of 40 acres must be actively used for agricultural, horticultural, animal husbandry, or

open space uses. Also, the description of allowed activities would be amended to specify that music concerts, weddings, receptions, and circus- or carnival-related events are not allowed.

## Animal Raising

Regulations pertaining to animal raising would generally remain similar to the existing ordinance; however, some designators would be modified to allow for additional animals by right, and other designators would be modified with respect to the required lot sizes for raising animals. If a property owner would like to revise the total number of animals allowed on an individual property, a discretionary permit would still be required; however, the level of permitting would be reduced from a Minor Use Permit to an Administrative Permit. In total, 16 animal designators would be revised to generally reduce permitting requirements (see Table 1-3). Also, poultry manure management regulations would be relocated to Section 6157 and restrictions on receiving manure would be amended to specify that the number of poultry allowed by the applicable animal designator must not have a limit. Specific changes to the animal schedule are provided below in Table 1-3 at the end of this chapter.

## Aquaponics and Hydroponics

Adoption of the proposed Zoning Ordinance updates would promote aquaponics and define hydroponics operations in the County. Specifically, the proposed project would result in updating the Zoning Ordinance language to include new definitions for aquaponics, hydroponics, and miscellaneous general regulations for aquaponics operations. The specific details of the proposed changes as they relate to aquaponics and hydroponics are further described below.

**Definitions (Section 1100).** New definitions would be added to the County's Zoning Ordinance under the proposed project related to *Aquaponics*, *Hydroponics*, and *Fish Markets*. Aquaponics is a proposed new use to be added to the Zoning Ordinance. A definition would be added to specify that *Aquaponics* is a "form of agriculture that combines aquaculture (raising of fish) with hydroponics (growing plants in water) in a symbiotic, closed-loop system." A new definition for *Hydroponics* is also proposed, to read "A form of agriculture in which plants are grown in water or an inert supportive medium and as defined in Food and Agricultural Code Section 14538."

**Miscellaneous General Regulations (Section 6900).** A new Section 6913 would be added to provide for limitations and restrictions on this use, and would refer to existing regulations to apply to aquaponics such as the number of animals allowed, setbacks, odors, and noise abatement and control.

## Creameries and Dairies

Adoption of the proposed Zoning Ordinance updates would promote creamery and dairy operations in the County. Specifically, the proposed project would result in updating the Zoning Ordinance language to include new definitions and general regulations for creameries and dairies. The proposed project would also involve the removal of most of the nonconforming dairies that have gone out of business. These changes are further described below.

**Definitions (Section 1100).** Creameries and dairies would be defined in the updated Zoning Ordinance. A creamery would be considered an accessory use to a dairy, and a new definition would be added to define a *Creamery* as a "milk products plant, as defined in Food and Agricultural Code Section 32513, in which a person engages in the business of handling, receiving, manufacturing,

freezing, processing, or packaging milk, or any product of milk.” A *Dairy* or *Dairy Farm* would be defined as an “agricultural establishment raising large animals primarily for milking, including cattle, goats, or sheep, and as defined in Food and Agricultural Code Section 32505.”

**Accessory Use Regulations (Section 6150).** New regulations would be added to Section 6157(e) of the Zoning Ordinance and would establish that a minimum of 50 percent of the milk/cream used in the creamery operation be produced on site. Maximum floor area standards would limit the floor area to 2,000 square feet on parcels under 1 acre, up to 3,000 square feet for parcels between 1 and 2 acres, and 4,000 square feet for lots of 2 to 4 acres in size. Retail area related to a creamery would also be limited to 30 percent of the total square footage of the creamery structure. Other specific regulations proposed include allowing pre-packaged foods to be sold, requiring a minimum of six parking spaces, restricting amplified sound, and requiring that driveway and parking areas are paved.

**Nonconformity Regulations (Section 6850).** When herd size restrictions were introduced in the 1980s, there were several existing dairies that did not conform to the new regulations and were specifically listed as permitted to maintain their current operations as of December 15, 1986. Of the seven operations listed, one dairy (i.e., Gerritt Van Ommering) still exists and would remain listed in this section. All other dairies would be omitted from the Zoning Ordinance.

## Fishermen’s Markets

A new definition would be added to the County’s Zoning Ordinance under the proposed project related to Fishermen’s Markets. A *Fishermen’s Market* would be defined in the Zoning Ordinance as a “temporary use of certain public or commercial property for a Certified Fishermen’s Market.” This temporary use would be added to the Zoning Ordinance to operate in the same manner as, or in conjunction with, a Certified Farmer’s Market.

**Temporary Use Regulations (Section 6100).** Fish markets would be included as new Section 6128. Specifically, fish markets would only be allowed on public property, a developed school site, or private property within the C31, C32, C34, C35, C36, C37, C40, C42, or S88 zones, and operations would be limited to twice a week. Hours of operation would be restricted to between 6:30 a.m. and 10:00 p.m. Monday through Saturday and 7:30 a.m. through 6:00 p.m. on Sundays. The market is restricted from disrupting the flow of traffic and shall comply with all applicable requirements of the Department of Environmental Health and the Agriculture Commissioner. A Fishermen’s Market is allowed to operate at a Certified Farmer’s Market.

## Mobile Butchering

The proposed updated language to the County’s Zoning Ordinance would promote mobile butchering as a temporary use to allow for animals to be butchered on site by a mobile butchering vehicle for retail and personal use. Interest in mobile butchering has increased because of a lack of available butchering facilities in the area and would be largely regulated by the U.S. Department of Agriculture (USDA) regarding food safety and food-handling requirements. Specifically, the proposed project would update the Zoning Ordinance language to include new definitions for mobile butchering, amend the temporary use regulations, and add general regulations for mobile butchering. Each of the proposed changes are described below.

**Definitions (Section 1100).** New definitions for mobile butchering would include *Mobile Commercial Butchering* and *Mobile Custom Butchering*. *Mobile Commercial Butchering* would be

defined as a “motor vehicle or trailer licensed by the Department of Motor Vehicles that is a self-contained United States Department of Agriculture (USDA)-approved and inspected mobile slaughter facility that can travel to approved sites and is associated with a local USDA-certified slaughterhouse/butcher for processing and packing. Also known as *Mobile Slaughtering*.” *Mobile Commercial Butchering* operations shall be located within commercial, industrial, agricultural, or special purpose zones where either the Food and Beverage Retail Sales use type is allowed or where the Packing and Processing: Limited or General use types are allowed.

*Mobile Custom Butchering* would be defined similarly as a “motor vehicle or trailer licensed by the Department of Motor Vehicles that is a self-contained United States Department of Agriculture (USDA)-approved and inspected mobile slaughter facility providing a service to farmers under the California Department of Food and Agriculture custom exemption for the consumption of the animal owner, the owner’s family, farm workers, and non-paying guests own use. Subject to all USDA restrictions (see Section 6126).” *Mobile Custom Butchering* operations shall be located on a property where the livestock was raised, or another nearby property under the same ownership, where the Packing and Processing: Limited or General use types are allowed.

**Use Regulations (Section 2700).** The proposed updates to the Zoning Ordinance would allow *Packing and Processing: General* in A70, A72, S92, and S88 zones as a use subject to limitations instead of requiring a Major Use Permit. Specific limitations would include duration, hours of operation, setbacks from property lines, permitting requirements, and proper waste disposal. As a result, mobile butchering would not require a Major Use Permit and would be allowed as a temporary use, provided the specific limitations listed in Section 6126 are met.

**Temporary Use Regulations (Section 6100).** The proposed project would include a new Section 6126 in the County’s Zoning Ordinance, within the Temporary Use Regulations, titled *Mobile Butchering*, which would define the basic restrictions of the use relative to location, setback, duration, hours of operation, and other factors. *Mobile Commercial Butchering* would be permitted within commercial, industrial, agricultural, or special use zones, provided *Food and Beverage Retail Sales, Packing and Processing: Limited*, or *Packing and Processing: General* is permitted. *Mobile Custom Butchering* would be permitted on any property where livestock is raised or on another property nearby under the same ownership where *Packing and Processing: Limited* or *Packing and Processing: General* is permitted. The mobile butchering equipment would be required to be at least 25 feet from any property line, and the frequency of use would be restricted to no more than six times per year and for no more than three consecutive days. Hours of operation would be limited to between 7:00 a.m. and 8:00 p.m. Monday through Saturday, and 9:00 a.m. to 6:00 p.m. on Sundays. State and federal laws related to registration and animal disposal would apply.

## Wineries

The proposed updated language to the County’s Zoning Ordinance would promote wineries and serve as an extension to the Tiered Winery Zoning Ordinance Amendment approved in 2012. Specifically, the proposed project would result in updating the Zoning Ordinance language to extend the *Packing and Processing: Small Winery, Packing and Processing: Boutique Winery, and Packing and Processing: Wholesale Limited Winery* uses as allowed by right in the S92 zone as an agricultural use type. Specifically, wholesale limited, boutique, and small winery uses would be subject to Section 6910 of the County’s existing Zoning Ordinance, which allows onsite sales to the public of wine and other goods, including food service. Non-residential structures to produce wine would be permitted up to 1,000 square feet on lots less than 1 acre, up to 1,500 square feet on lots between 1 and 2

acres, up to 2,000 square feet on lots between 2 and 4 acres, and an additional 200 square feet for each acre over 4 acres, not to exceed 5,000 square feet total.

## Miscellaneous

Farm Employee Housing regulations in Section 6156 would be relocated to Section 6157; however, none of the specific regulations would be affected, and they would remain the same as under existing conditions. This change is being noted for informational purposes only and would not affect the environmental analysis in this document.

### 1.4.2 Permitting Requirements

Permitting in the County of San Diego as it relates to the proposed accessory agricultural uses involves differing levels of approvals. Some uses would be allowed by right or with ministerial permits, while others may require one of seven types of discretionary permits that would each require individual compliance with CEQA. A brief discussion and overview of the requirements for each permit are provided below for informational purposes to better aid the understanding of the permitting requirements associated with each of the proposed uses. The permits are described in order of the level of review associated with each, starting from the least amount of review (by-right) through the highest level of review (Major Use Permit). A comprehensive list of the existing and proposed permit types that would be needed for each proposed change to accessory agricultural uses is provided in Table 1-1.

## Ministerial

### By-Right

By-right uses are allowed without a specific permit or approval. The Zoning Ordinance commonly refers to these as “Permitted” uses. Some uses have specific limitations that must be considered. In these instances, as long as these limitations are not exceeded, no formal permit review or project application submittal is necessary and owners are permitted to use their property in accordance with the Zoning Ordinance. However, while the use may be allowed by right, activities associated with the use such as clearing vegetation, grading, or building a structure may require other permits and approvals from the County or other agencies that may require CEQA compliance. There are four existing uses allowed by right in certain circumstances as described above: (1) *Agricultural Stands*; (2) *Agricultural Tourism*; (3) *Wholesale Limited Wineries*; and (4) *Boutique Wineries*. Under the proposed project, by-right uses would be extended to the S88 zone for *Agricultural Stands* and *Agricultural Tourism* and by-right uses for *Wholesale Limited Wineries* and *Boutique Wineries* would be extended to the S92 zone. With adoption of the proposed project, three additional uses would be permitted by right in the certain circumstances described above: (1) *Fishermen’s Markets*; (2) *Creamery/Dairy*; and (3) *Mobile Butchering*.

### Grading Permit (Minor)

A Minor Grading Permit is a ministerial permit that requires a decision by the Planning Director or Director of Public Works (if the Planning Director defers approval). Approvals require a review of earthwork volumes and the complexity of grading operations must be within the parameters that qualify for a Minor Grading Permit as outlined in Section 87.206 of the County’s Zoning Ordinance. For instance, a Minor Grading Permit is allowed if actions would not result in cut slopes greater than

a ratio of 1.5:1 (horizontal to vertical), fill slopes greater than a ratio of 2:1 (horizontal to vertical), or ponding of water on or above slopes. A decision by the Planning Director must confirm that grading would also not involve moving more than 2,500 cubic yards of earth, would not require more than 200 cubic yards of import or export, would not interfere with any surface body of water except for driveways crossing a drainage area of 25 acres or less, and would not have a cut or fill bank in excess of 20 feet, when measured vertically from the top to the bottom of the slope. If the decision is deferred to the Director of Public Works, grading can involve up to 5,000 cubic yards of disturbance.

### **Zoning Verification Permit**

A Zoning Verification Permit is a ministerial permit that requires a decision by the Planning Director or a designated officer. Approvals require a review of application materials in conformance with standards and criteria established in the Zoning Ordinance. No public hearing or notice is required, and subsequent environmental review per CEQA would not apply for a Zoning Verification Permit. Decisions made for Zoning Verification Permits are considered final and there is no appeal process. The County currently outlines specific Zoning Verification Permits for three uses: *Horse Stables*, *Meteorological Testing (MET) Facilities*, and *Wind Turbine Projects (Small)*. Proposed project approval would allow for the following four uses to operate under a Zoning Verification Permit: (1) *Agricultural Homestays*; (2) *Microbrewery, Agricultural Small*; (3) *Micro-Distillery, Agricultural Small*; and (4) *Agricultural Store, Small*. Upon approval of the project, County staff would develop permit checklists for these four types of uses to ensure that proposals are in compliance with the County's Zoning Ordinance.

## **Discretionary**

### **Grading Permit (Major)**

A Major Grading Permit is a discretionary permit that requires a decision by a County official. Grading activities that exceed the standards or volumes prescribed for the Minor Grading Permit detailed above would require a Major Grading Permit per Section 87.208 of the County's Zoning Ordinance. Section 87.208 provides a list of other findings that must be made to approve a Major Grading Permit, such as compliance with requirements regarding specified sensitive areas.

### **Administrative Permit**

An Administrative Permit is a discretionary permit that requires a decision by the Planning Director (or another officer or body, where authorized) within 60 days of an applicant submitting all the required application materials. Applicants are required to notice all property owners within 300 feet of their property or at least 20 different owners, whichever is greater. A public hearing is not required, although one can be requested by the County or a member of the public. The County maintains a list of specific uses that require an Administrative Permit, and each type has its own specific submittal requirements, fees, and required findings. The County currently has a list of 26 specific types of uses or actions that require an Administrative Permit, which includes applications for agricultural clearing, farm employee housing, open space encroachments, small recycling collection facilities, oversized accessory structures, and small wineries. With approval of the proposed project, the County would create four new Administrative Permits with criteria and findings for (1) *Agricultural Store, Large*; (2) *Microbrewery, Agricultural, Large*; (3) *Micro-Distillery, Agricultural Large*; and (4) *Agricultural Tourism* for onsite events, and would allow Animal Raising

projects (e.g., 4-H and Future Farmers of America) upon approval of an Administrative Permit rather than a Minor Use Permit on properties where the number of animals exceeds the number allowed by the zone animal designator. The guidance document for Animal Raising would include a list of application requirements, fees, and other general guidance to assist applicants who would want to exceed the allowed number of animals for the animal designator on their property. The application would request information that would allow County staff to review the proposed changes and determine if it would meet the requirements of the Zoning Ordinance. Proposed project approval would allow for the following three uses to operate under an Administrative Permit: (1) *Microbrewery, Agricultural Large*; (2) *Micro-Distillery, Agricultural Large*; and (3) *Agricultural Store, Large*.

### **Minor Use Permit**

A Minor Use Permit is a discretionary permit that requires a decision by the body with jurisdiction over the entire project. If the Minor Use Permit is associated with other actions, such as a rezone or tentative map, then the highest approving body would also approve a use permit. If no other action is required, then the Minor Use Permit may be approved by the Zoning Administrator and may be appealed to the Planning Commission. Applications for use permits are required to include a list of all names of persons with an interest in the application and ownership of any property involved. Plans of the proposed project are to be included in the application submittal, along with several application forms and fees, including an environmental document. Findings would be made that project review considered the proposal's compatibility with the area, availability of public utilities/services, traffic generation, and other impacts. Use permit conditions include implementing monitoring requirements (if necessary). Under existing County regulations, exceeding the allowed number of animals per designator requires the approval of a Minor Use Permit, as well as approval of an agricultural homestay.

### **Major Use Permit**

A Major Use Permit is a discretionary permit that has similar application requirements and findings as a Minor Use Permit; however, a Major Use Permit must be approved by the Planning Commission and the decision may be appealed to the Board of Supervisors. A Major Use Permit is currently required for Packing and Processing: General.

## **1.4.3 Environmental Design Considerations**

Environmental design considerations have been incorporated into the proposed ordinance language to reduce environmental impacts.

### **Aesthetics/Community Character**

- Signage for small and large agricultural stores and small and large agricultural microbreweries/micro-distilleries shall not exceed 4 square feet.
- Only one agricultural store shall be permitted per legal lot and is not allowed on a lot with an agricultural stand or a winery.

### **Air Quality (Odors)**

- Odors related to aquaponics shall not be detectable from surrounding properties.

## Groundwater

- All small and large agricultural microbrewery/micro-distillery operations that would require the use of groundwater shall conduct a groundwater study pursuant to the County's Groundwater Ordinance to demonstrate adequate availability of groundwater.

## Hazards/Safety

- Small and large agricultural microbrewery/micro-distillery operations shall comply with the emergency travel times specified in Table S-1 of the Safety Element of the San Diego County General Plan.

## Noise

- All small and large agricultural microbrewery/micro-distillery and creamery operations shall comply with the provisions of Section 36.401 et seq. of the San Diego County Code of Regulatory Ordinances relating to Noise Abatement and Control.
- No amplified sound related to large agricultural microbrewery or creamery operations is allowed outside of any building.
- Equipment associated with aquaponics operations, such as exhaust fans, circulating pumps, and/or generators, shall be in compliance with the noise abatement and control regulations in Section 36.401 of the San Diego County Code or Regulatory Ordinances.

## Traffic

- The sales area for a Fishermen's Market shall not disrupt the flow of traffic onto and off of the site.

### 1.4.4 Technical, Economic, and Environmental Characteristics

During the preparation of this EIR, several technical, economic, and environmental issues were considered to analyze the existing and proposed conditions related to the various agricultural uses that are promoted under the project. The following provides a discussion of this project's technical, economic, and environmental characteristics.

Technical information to inform the proposed Zoning Ordinance amendment and the environmental analysis relied upon background research, coordination with County departments concerned with agriculture, community planning groups, interested parties, and stakeholder outreach. Information collected was mostly used to verify that the proposed updated Zoning Ordinance language was appropriate and that unforeseen conflicts would not arise. Additional technical comments and considerations may be received during the public review period for this document.

Economic considerations are a primary reason that the County is considering this project. The proposed project would facilitate the development of accessory uses on active agricultural properties throughout the County. In order to promote accessory uses to agriculture, the proposed project would streamline permitting by reducing the level of discretion needed for a permit or allowing accessory uses by right without a permit. In order to provide a wide range of options throughout the County for agricultural businesses, several types of accessory uses are identified and analyzed in this project. Because of the recent increase in the local brewing industry, new

regulations for agricultural microbreweries and micro-distilleries are included as an opportunity for increased production in brewing ingredients (e.g., hops, barley, wheat). Also, with the continued increase in wine production in the County, the tiered wineries ordinance updates are proposed to be extended to S92 zones.

Environmental considerations include regulatory agency review and local CEQA review for the potential for land use decisions and implementing actions to cause an impact on the environment. Agricultural uses are subject to local, state, and federal regulations related to land management, food production/packaging, food service and preparation, and other factors. Under the current Zoning Ordinance, many agricultural properties require a discretionary permit, such as a Major Use Permit, for the development of accessory uses to agriculture. As part of the County's discretionary review process, the state requires that all discretionary actions complete an evaluation under CEQA, which requires the County to identify potential impacts and ways to either avoid, reduce, or mitigate potential impacts prior to them occurring. The proposed project would reduce the level of discretionary review for several agriculture-related uses currently allowed, would maintain the level of permitting for several agriculture-related uses, and would introduce new permit requirement for uses not currently defined or regulated in the County's Zoning Ordinance. Several uses that are addressed in the proposed project would not require further or subsequent discretionary approval to implement accessory agricultural operations, such as *Agricultural Homestay; Microbrewery, Agricultural, Small or Micro-Distillery, Agricultural, Small; and Agricultural and Horticulture Sales* uses. For uses that would require future discretionary review, including *Microbrewery, Agricultural, Large; Micro-Distillery, Agricultural, Large; and Agricultural Tourism* if events would be held on the property, additional environmental review would be conducted when a specific project is proposed by an applicant. For those uses that would require future ministerial actions not subject to future CEQA review, such as *Agricultural Tourism* (without events) and agricultural stands that would be permitted in S88 zones under the project, potential environmental impacts are disclosed within this document.

## 1.5 Intended Uses of the EIR

The San Diego County Agriculture Promotion Program EIR is a project-level EIR that serves as an informational document to the public agency decision-makers and the public. It provides general information as to the significant environmental effects, identifies possible ways to minimize the significant effects, and describes reasonable alternatives to the proposed project. A project EIR has been prepared because amendments to the County's Zoning Ordinance would cause changes to the existing permitting structure to allow for less discretionary approval while expanding the types of agricultural uses.

In accordance with the requirements of the County of San Diego Environmental Impact Report Format and General Content Requirements (2006) and the statute and guidelines of the CEQA Public Resources Code Sections 21000 et seq., the County of San Diego will use this EIR in the process to decide whether to approve the proposed project. The Notice of Preparation (NOP), released for public review on June 16, 2015 and the Initial Study prepared for the proposed project are included as Appendix B. This EIR addresses environmental issues identified in the Initial Study and comments received during public review of the NOP documents.

### **1.5.1 Project Approvals/Permits**

Pursuant to State CEQA Guidelines Section 15124(d)(1)(B), a list of permits or other approvals required to implement the proposed project is included in the description of the proposed project. The County is the lead agency for the proposed project and would rely upon this Draft EIR to document potential impacts of implementation of the proposed changes to the County's Zoning Ordinance and to determine whether the impacts may be avoided or mitigated to less-than-significant levels. This Draft EIR may also be used by regulatory and responsible agencies such as county, state, and federal agencies. Such agencies are responsible for issuing permits and approvals that may be needed to proceed with the proposed project. Implementation of the proposed Zoning Ordinance amendment may require other permits and approvals for agricultural projects that are outside of the proposed project.

Discretionary approvals anticipated to be required for the project include approval of the Agricultural Promotion Ordinance Amendment (POD 14-001), approval of the General Plan Amendment modifying Table M-4 of the Mobility Element, and certification of this EIR by the County of San Diego Board of Supervisors. No other permits or approvals would be needed for the proposed changes to the Zoning Ordinance to go into effect. Potential permits and approvals that may be required by the County for some of the specific projects developed under the proposed project include Building and Demolition Permits, Clearing and Grading Permits, and Administrative, Minor Use, and Major Use Permits; however, these actions are subsequent approvals that are not specifically evaluated under the proposed project. Clearing and Grading, Administrative, Minor Use, and Major Use Permits are discretionary actions and would require additional CEQA compliance, and related project or permit approvals would be determined during those specific reviews.

### **1.5.2 Related Environmental Review and Consultation Requirements**

Pursuant to the State CEQA Guidelines (Section 15365), the County prepared an NOP for this EIR, which was publicly circulated for 30 days beginning June 16, 2015. The County held a scoping meeting on June 23, 2015 in order to provide opportunities to identify environmental issues and alternatives for consideration in the EIR. Public comments received during the NOP scoping process are provided in Appendix C. Consultation with Native American tribes will be conducted for the proposed General Plan Amendment pursuant to Senate Bill 18 concurrent with the public review of this EIR.

## **1.6 Project Inconsistencies with Applicable Regional and General Plans**

Accessory agricultural operations consistent with the proposed amendment language for the County's Zoning Ordinance would not result in any inconsistencies with applicable regional or general plan documents. Planning documents reviewed for the proposed project include the County's General Plan and Ordinances, the San Diego Regional Air Quality Strategy Plan, the San Diego Portion of the California State Implementation Plan, the County's Multiple Species Conservation Program, Resource Protection Ordinance, Biological Mitigation Ordinance Plan, Natural Community Conservation Plan, San Diego County Jurisdictional Urban Runoff Management

Program, Standard Urban Storm Water Mitigation Plan, San Diego County Multi-Jurisdictional Hazard Mitigation Plan, and Congestion Management Plan. No inconsistencies with the agricultural operations promoted by the proposed project were found, but it was determined that the proposed project may result in increased traffic on certain roads that necessitates an amendment to the County's General Plan Mobility Element (see Section 2.7.3 and Appendix F).

## 1.7 Cumulative Impacts Methodology

The State CEQA Guidelines (Section 15130) require that cumulative impacts be analyzed in an EIR when the resulting impacts are cumulatively considerable and, therefore, potentially significant. Cumulative impacts refer to the combined effect of project impacts with the impacts of other past, present, and reasonably foreseeable future projects. The discussion of cumulative impacts must reflect the severity of the impacts as well as the likelihood of their occurrence. However, the discussion does not need to be as detailed as the discussion of environmental impacts attributable to the proposed project alone. Furthermore, the discussion should remain practical and reasonable in considering other projects and related cumulatively considerable impacts. According to Section 15355 of the State CEQA Guidelines:

“Cumulative impacts” refer to two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts.

- a) The individual effects may be changes resulting from a single project or a number of separate projects.
- b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Furthermore, according to State CEQA Guidelines Section 15130 (a)(1):

As defined in Section 15355, a “cumulative impact” consists of an impact that is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts which do not result in part from the project evaluated in the EIR.

In addition, as stated in the State CEQA Guidelines Section 15130(b)(1), evaluation of cumulative impacts is to be based on either:

- A. A list of past, present, and probably future projects producing related or cumulative impacts, including, if necessary, those impacts outside the control of the agency,” or
- B. A summary of projections contained in an adopted plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact.

Because the proposed project encompasses multiple zones and a broad geographic territory, the project does not allow for the application of the project list analysis method. Consequently, the cumulative analysis relies on regional planning documents, which provide (Section 15130(b)(1)(B))

for the basis of cumulative effects of the proposed project. As such, the projection approach for this EIR bases the cumulative impact analysis on general growth projections contained in the regional planning, as well as environmental planning documents within the County of San Diego. This approach evaluates regional conditions that contribute to cumulative impacts based on the following documents.

- San Diego County General Plan
- Multiple Species Conservation Program
- Multiple Habitat Conservation Program
- Regional Water Quality Control Board's Water Quality Control Plan for the San Diego Basin
- San Diego Air Pollution Control District's Regional Air Quality Strategies and portions of the State Implementation Plan that relate to the San Diego air basin
- Metropolitan Water District's Regional Water Facilities Master Plan and San Diego County Water Authority's Urban Water Management Plans
- San Diego Association of Governments' Regional Comprehensive Plan

The geographic scope for the proposed project includes lands in the unincorporated portions of San Diego County that are zoned Agriculture (A70 and A72), Specific Plan (S88), Holding Area (S90), and General Rural (S92), and other lands, including industrial, commercial, residential and special zones. In addition, amendments to the Animal Schedule that would apply to the keeping of animals in all zones with the affected designators are included in the geographic scope of the project.

An examination of cumulative impacts involves considering the potential impacts of the proposed project with anticipated potential impacts associated with growth in the region. Each section in the environmental analysis chapter includes an assessment of the potential cumulative impacts associated with the specific issue area. A discussion of the potential cumulative impacts is included in each of the issue areas, with an identified cumulative threshold, analysis, and summary of the potential for the proposed project to create a cumulatively considerable contribution.

## 1.8 Growth-Inducing Effects

State CEQA Guidelines Section 15126.2(d) requires that an EIR discuss the ways in which a proposed project could directly or indirectly foster economic development, population growth, or additional housing, and how that growth would affect the surrounding environment. Direct growth inducement would result if a project, for example, involved construction of new housing. Indirect growth might occur if a project were to establish substantial new permanent employment opportunities that would stimulate the need for additional housing, utilities, and public services. Similarly, a project would indirectly induce growth if it would remove an obstacle to additional development, such as removing a constraint on a required public service or utility. For example, a project proposing to expand water supply capabilities in an area where limited water supply has historically restrained growth would be considered growth inducing.

The proposed project would facilitate the development of accessory agricultural uses within the County. Future growth of accessory agricultural uses could result in additional jobs such as clerks to operate agricultural stands and stores and operators to run microbrewery/micro-distillery

operations or wineries. Any increase in jobs related to accessory agricultural uses would not result in substantial economic or population growth. Temporary increases in employment would also result during future construction activities to implement accessory agricultural uses, such as temporary workers to construct microbrewery /micro-distillery buildings, parking areas. As a result, temporary jobs in the County would increase; however, temporary construction jobs are expected to draw from the local population and associated growth-inducing effects would not have a substantial or significant effect on the environment. On a regional level, any future increases in temporary or permanent employment as a result of the project would not be of a large enough scale to significantly alter the employment base or result in substantial populations relocating to the area. Furthermore, Chapter 2, *Environmental Effects of the Proposed Project*, discusses the adverse impacts on resources, including any impacts that would be caused by cumulative conditions.

**Table 1-1. Existing and Proposed Overview of Required Permits and Allowed Zones per Agricultural Activity**

<b>Activity</b>	<b>Existing</b>	<b>Proposed</b>
Agricultural Homestay	<ul style="list-style-type: none"> <li>Minor Use Permit</li> <li>Allowed in A70, A72, and S92 zones</li> </ul>	<ul style="list-style-type: none"> <li>Zoning Verification Permit</li> <li>Extend to RR and S90 zones</li> </ul>
Agricultural Microbrewery, Cidery, and Micro-Distillery (small and large)	<ul style="list-style-type: none"> <li>Not defined or regulated in Zoning Ordinance</li> </ul>	<ul style="list-style-type: none"> <li>Zoning Verification Permit for Small; Administrative Permit for Large</li> <li>Permitted zones not specified, allowed on active Commercial Agriculture operation</li> </ul>
Agricultural and Horticultural Retail (Agricultural Stand)	<ul style="list-style-type: none"> <li>Permitted by right per 10 consistency/compliance requirements</li> <li>Allowed in RR (1-acre minimum) or in A70, A72, S90, and S92 zones</li> </ul>	<ul style="list-style-type: none"> <li>Permitted by right per 10 requirements</li> <li>Extend to S88 zones</li> </ul>
Agricultural and Horticultural Retail (Agricultural Store, Small and Large)	<ul style="list-style-type: none"> <li>Not defined or regulated in Zoning Ordinance</li> </ul>	<ul style="list-style-type: none"> <li>Zoning Verification Permit for Small, Administrative Permit for Large</li> <li>Permit in RR zone (lot size at least 2 acres) and in A70, A72, S88, S90, and S92 zones</li> </ul>
Agricultural Tourism	<ul style="list-style-type: none"> <li>Allowed as accessory use by right pursuant to four requirements</li> <li>Allowed in RR, A70, A72, S90, and S92 zones</li> </ul>	<ul style="list-style-type: none"> <li>Allowed as accessory use by right pursuant to four requirements</li> <li>Extend to S88 zone</li> <li>Administrative Permit if events are proposed on the site</li> </ul>
Animal Raising	<ul style="list-style-type: none"> <li>Minor Use Permit for Animal Raising Projects exceeding the allowed number of animals per designator</li> </ul> <p><i>See Table 1-3 for detailed list of proposed amendments to the Animal Schedule.</i></p>	<ul style="list-style-type: none"> <li>Administrative Permit for Animal Raising Projects exceeding the allowed number of animals per designator</li> </ul>
Aquaponics	<ul style="list-style-type: none"> <li>Not defined or regulated in Zoning Ordinance</li> </ul>	<ul style="list-style-type: none"> <li>Allowed by right pursuant to six requirements</li> </ul>

<b>Activity</b>	<b>Existing</b>	<b>Proposed</b>
Creamery/Dairy	<ul style="list-style-type: none"> <li>• Not regulated in Zoning Ordinance</li> <li>• Permitted zones not specified</li> </ul>	<ul style="list-style-type: none"> <li>• Permitted by USDA, California Department of Food and Agriculture, and County Environmental</li> <li>• Permitted in zones where keeping of dairy cattle is allowed</li> </ul>
Fishermen’s Markets	<ul style="list-style-type: none"> <li>• Not defined or regulated in Zoning Ordinance, established by AB 226 on October 8, 2015</li> </ul>	<ul style="list-style-type: none"> <li>• Allowed as a temporary use by right pursuant to six requirements</li> <li>• Allowed in public property, school property with school use, or within C31, C32, C34, C35, C36, C37, C40, C42, or S88 zones</li> </ul>
Mobile Butchering	<ul style="list-style-type: none"> <li>• Not defined regulated in Zoning Ordinance</li> </ul>	<ul style="list-style-type: none"> <li>• Allowed as a temporary use by right where Packing and Processing: Limited or General is allowed and where Food and Beverage Retail Sales use type is allowed</li> <li>• Add new definitions for Mobile Commercial Butchering and Mobile Custom Butchering</li> </ul>
Packing and Processing: General	<ul style="list-style-type: none"> <li>• Major Use Permit in A70, A72, S88, and S92 zones</li> <li>• Allowed in industrial zones</li> </ul>	<ul style="list-style-type: none"> <li>• Allowed by right in A70, A72, and S92 zones but subject to Limitations in Section 2980</li> </ul>
Wineries	<ul style="list-style-type: none"> <li>• Allowed by right but subject to limitations for Boutique Winery and Wholesale Limited Winery</li> <li>• Small Winery requires Administrative Permit</li> <li>• Permitted in A70 and A72 zones</li> </ul>	<ul style="list-style-type: none"> <li>• Allowed by right but subject to limitations for Boutique Winery and Wholesale Limited Winery</li> <li>• Small Winery allowed by Administrative Permit</li> <li>• Extend to S92 zone</li> </ul>

**Table 1-2. Agriculture Promotion Program Proposed Zoning Ordinance Changes Summary**

<b>Ordinance Section</b>	<b>Subject</b>	<b>Proposed Change</b>
1110: 6157.d	Agricultural Microbrewery, Cidery, and Micro-Distillery (Small and Large)	<ul style="list-style-type: none"> <li>• Add definitions</li> <li>• Add new regulations</li> <li>• Limit to 2,000 barrels or 62,000 gallons/year for Small, 8,000 barrels or 124,000 gallons/year for Large</li> <li>• Requirements for growing/sourcing ingredients on a minimum numbers of onsite acres and within the County</li> <li>• Tasting/onsite sales permitted for Large only</li> </ul>
4620 & 4622	Breweries and Associated Equipment: Height exemption	<ul style="list-style-type: none"> <li>• Include as exempt from height limits not more than 50 feet</li> <li>• Include as exempt from height limits greater than 50 feet with minor use permit</li> </ul>

<b>Ordinance Section</b>	<b>Subject</b>	<b>Proposed Change</b>
6156.hh	Agricultural Homestay	<ul style="list-style-type: none"> <li>Change from Major Use Permit to Zoning Verification Permit or Administrative Permit</li> <li>Remove requirement to review use permit every 5 years</li> <li>Permit in RR and S90 zones</li> <li>Move from 6156 to 6157.c</li> </ul>
6156.kk	Agricultural Tourism	<ul style="list-style-type: none"> <li>Make minor revisions to definition and regulations</li> <li>Move from 6156.kk to 6157</li> <li>Add Administrative Permit requirement to allow events on the site</li> </ul>
1415	Agricultural and Horticultural Sales	<ul style="list-style-type: none"> <li>Add definitions, minor clarifications to Agriculture and Horticultural Sales</li> <li>Add clarification that 50% of premises suitable for agriculture and 25% of premises have active agriculture</li> </ul>
1420	Agricultural Services	<ul style="list-style-type: none"> <li>Minor clarifications to Agricultural Services</li> </ul>
1425	Animal Sales and Services	<ul style="list-style-type: none"> <li>Minor clarifications to Animal Sales and Services</li> </ul>
1110 6157.a	Roadside Agricultural Stands/Onsite Sales of Agricultural Products/ Agricultural Store, Small and Large	<ul style="list-style-type: none"> <li>Amend Agricultural Stand definition to add reference to Section 6157.a.1</li> <li>Move Roadside Agricultural Stands from 6156.q to 6157.a.1 and allow in S88 zone</li> <li>Add onsite sales of agricultural and/or horticultural products, including small and large agricultural stores</li> </ul>
1110/6913	Aquaponics/Aquaculture	<ul style="list-style-type: none"> <li>Add and amend definitions and add Section 6913 for Aquaponics (see also Specialty Animal Raising: Other)</li> </ul>
1110/3100	Animal Regulations	<ul style="list-style-type: none"> <li>Amend definitions and amend Animal Schedule</li> </ul>
3100 (a)/ 3115	Animal Raising Projects	<ul style="list-style-type: none"> <li>Change from Minor Use Permit to Administrative Permit on ½+ acres in D, E, F, J, L, M, N, O, P, V and W animal designators and add Administrative Permit findings.</li> </ul>
3100 (b), Note 5	Small Animal Raising	<ul style="list-style-type: none"> <li>Remove Major Use Permit for chinchillas in the L animal designator in section 3100(c), allow up to 100 with Minor Use Permit</li> </ul>
3100 (c)	Large Animal Raising	<ul style="list-style-type: none"> <li>Change limitations of number of animals on certain sizes</li> </ul>
3100 (g)	Specialty Animal Raising: Other	<ul style="list-style-type: none"> <li>Exclude Aquaponics from limitations on number of animals in D, E, F, J, K, L, M, P, S, T, U, V and X animal designators</li> </ul>
6912	Community Gardens	<ul style="list-style-type: none"> <li>Permitted where tree crops are allowed</li> </ul>
1110/ 6157.e	Creamery (cheese-making)	<ul style="list-style-type: none"> <li>Add definition</li> <li>Add new regulations in Section 6157 as accessory to a dairy</li> </ul>
1110/6877	Dairy	<ul style="list-style-type: none"> <li>Add definition and amend "HERD SIZE FOR SPECIFIED DAIRIES" to remove listed dairies that have closed (only one remains on the list)</li> </ul>
6156.u (move to 6157.f)	Farm Employee Housing	<ul style="list-style-type: none"> <li>Move from Section 6156 to Section 6157 (no changes to regulations)</li> </ul>
6102/6128	Fishermen's Market	<ul style="list-style-type: none"> <li>Add to Temporary Uses</li> </ul>

<b>Ordinance Section</b>	<b>Subject</b>	<b>Proposed Change</b>
6156.v and incorporate into 6157.a	Horticultural Sales	<ul style="list-style-type: none"> <li>No change to requirements for residential or S88 Use Regulations.</li> <li>Add to 6157.a for accessory horticultural sales in agricultural and S92 Use Regulations by right or with Administrative Permit rather than Minor Use Permit.</li> </ul>
1110	Hydroponics	<ul style="list-style-type: none"> <li>Add definition</li> </ul>
1110, 6102, 6126	Mobile Commercial Butchering and Mobile Custom Butchering	<ul style="list-style-type: none"> <li>Add definitions</li> <li>Add to Temporary Uses</li> </ul>
6157.a.3	On-Site Food Preparation	<ul style="list-style-type: none"> <li>Add to On-Site Agricultural and/or Horticultural Sales as part of a Large Agricultural Store with Administrative Permit</li> </ul>
2703, 2705, 2723, 2725, 2923, 2926, 2990 6157.g	Packing and Processing: General	<ul style="list-style-type: none"> <li>Amend in A70, A72, and S92 zones to change from Major Use Permit to Subject to Limitations "23"</li> <li>Add 6157.g for Packing and Processing operation or facility with Administrative Permit if accessory to Commercial Agriculture</li> <li>Allow as primary use of the premises with Major Use Permit (no change to existing requirements)</li> </ul>
2923, 2990	Packing and Processing, Wholesale Limited Winery, Boutique Winery, Small Winery	<ul style="list-style-type: none"> <li>Add to S92 zone</li> </ul>
1100 6157.h	Poultry Manure Management	<ul style="list-style-type: none"> <li>Amend definition to add additional types of birds</li> <li>Move from 6156 to 6157 add minor clarification</li> </ul>
6160.b	Single Family Dwellings in Manufacturing and Industrial Zones	<ul style="list-style-type: none"> <li>Amend "Farm Owner or Operator" to remove requirement for a net area of at least 5 acres and add requirement for "farming with Commercial Agriculture" on the lot or building site</li> </ul>

**Table 1-3. Existing and Proposed Animal Designator Requirements**

<b>Animal Designator</b>	<b>Topic</b>	<b>Existing</b>	<b>Proposed</b>
D	(a) Animal Raising Project (1/2 acre minimum)	Minor Use Permit	Administrative Permit
	(g) Specialty Animal Raising: other (25 acres)	Minor Use Permit	Exempt fish associated with Aquaponics from the limitations on number of animals
E	(a) Animal Raising Project (1/2 acre minimum)	Minor Use Permit	Administrative Permit
	(g) Specialty Animal Raising: other (25 acres)	Minor Use Permit	Exempt fish associated with Aquaponics from the limitations on number of animals
F	(a) Animal Raising Project (1/2 acre minimum)	Minor Use Permit	Administrative Permit

<b>Animal Designator</b>	<b>Topic</b>	<b>Existing</b>	<b>Proposed</b>
	(g) Specialty Animal Raising: other (25 acres)	Minor Use Permit	Exempt fish associated with Aquaponics from the limitations on number of animals
J	(a) Animal Raising Project (1/2 acre minimum)	Minor Use Permit	Administrative Permit
	(c) Large Animal Raising	Limit 2 by right	Unlimited on 8 acres or more by right
	(g) Specialty Animal Raising: other	25 or more with Minor Use Permit	Exempt fish associated with Aquaponics from the limitations on number of animals
K	(c) Large Animal Raising	--	Add permitted by right on 8 acres or more
		1 ½ acres or less: 2 animals by right	1 acre or less: 2 animals by right
		1 ½ acres to 4 acres: 1 animal per ½ acre	1 acre to 8 acres: 4 animals per ½ acre by right
		4 acres or more, 8 animals +1 per acre over 4 acres by right	Delete requirement
	(g) Specialty Animal Raising: other	25 or more with Minor Use Permit	Exempt fish associated with Aquaponics from the limitations on number of animals
L	(a) Animal Raising Project (1/2 acre minimum)	Minor Use Permit	Administrative Permit
	(b) Small Animal Raising	Limit 25 by right	Limit 25 by right and limit 100 (including chinchillas) with Minor Use Permit
		More than 25 chinchillas: Minor Use Permit	Delete requirement
	(c) Large Animal Raising	--	Add permitted by right on 8 acres or more
		1 ½ acres or less: 2 animals by right	1 acre or less: 2 animals by right
		1 ½ acres to 4 ac: 1 animal per ½ ac re	1 acre to 8 acres: 4 animals per ½ acre by right
		4 ac or more, 8 animals +1 per acre over 4 acres by right	Delete requirement
	(g) Specialty Animal Raising: other	25 ore more with Minor Use Permit	Exempt fish associated with Aquaponics from the limitations on number of animals

<b>Animal Designator</b>	<b>Topic</b>	<b>Existing</b>	<b>Proposed</b>
M	(a) Animal Raising Project (1/2 acre minimum)	Minor Use Permit	Administrative Permit
	(c) Large Animal Raising	--	Add permitted by right on 8 acres or more
		1 ½ acres or less: 2 animals by right	1 acre or less: 2 animals by right
		1 ½ acres to 4 acres: 1 animal per ½ ac	1 acre to 8 ac: 4 animals per ½ acre by right
	4 acres or more, 8 animals +1 per acre over 4 acres by right	Delete requirement	
	(g) Specialty Animal Raising: other	25 or more with Minor Use Permit	Exempt fish associated with Aquaponics from the limitations on number of animals
N	(a) Animal Raising Project (1/2 acre minimum)	Minor Use Permit	Administrative Permit
	(c) Large Animal Raising	--	Add permitted by right on 8 acres or more
		1 ½ acres or less: 2 animals by right	1 acre or less: 2 animals by right
		1 ½ acres to 4 acres: 1 animal per ½ acre by right	1 acre to 8 acres: 4 animals per ½ ac by right
	4 acres or more, 8 animals +1 per acre over 4 acres by right	Delete requirement	
O	(a) Animal Raising Project(1/2 acre minimum)	Minor Use Permit	Administrative Permit
	(c) Large Animal Raising	4 acres or more by right	1 acre or more by right
		1 ½ acres or less: 2 animals by right	1 acre or less: 2 animals by right
	1 ½ acres to 4 acres: 1 animal per ½ acre by right	Delete requirement	
P	(a) Animal Raising Project (1/2 acre minimum)	Minor Use Permit	Administrative Permit
	(g) Specialty Animal Raising: other	25 or more with Minor Use Permit	Exempt fish associated with Aquaponics from the limitations on number of animals

<b>Animal Designator</b>	<b>Topic</b>	<b>Existing</b>	<b>Proposed</b>
S	(g) Specialty Animal Raising: other	25+ with Minor Use Permit	Exempt fish associated with Aquaponics from the limitations on number of animals
T	(g) Specialty Animal Raising: other	25+ with Minor Use Permit	Exempt fish associated with Aquaponics from the limitations on number of animals
U	(g) Specialty Animal Raising: other	25+ with Minor Use Permit	Exempt fish associated with Aquaponics from the limitations on number of animals
V	(a) Animal Raising Project (1/2 acre minimum) (g) Specialty Animal Raising: other	Minor Use Permit 25 or more with Minor Use Permit	Administrative Permit 25 or more with Minor Use Permit; however, limitation does not apply to Aquaponics
W	(a) Animal Raising Project (1/2 acre minimum) (c) Large Animal Raising	Minor Use Permit 4 acres or more by right 1 ½ acres or less: 2 animals by right 1 ½ acres to 4 acres: 1 animal per ½ acre by right	Administrative Permit 1 acre or more by right 1 acre or less: 2 animals by right Delete requirement
X	(c) Large Animal Raising  (g) Specialty Animal Raising: other	-- 2 animals allowed by right ½ acre plus 2 animals per ½ acre by Minor Use Permit 25 or more with Minor Use Permit	Add permitted by right on 8 acres or more Delete requirement Delete requirement Exempt fish associated with Aquaponics from the limitations on number of animals