

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
WEDNESDAY, MARCH 15, 2017**

MINUTE ORDER NO. 3

**SUBJECT: NOTICED PUBLIC HEARING:
AGRICULTURE PROMOTION AMENDMENTS GENERAL PLAN
AMENDMENT, ZONING ORDINANCE AMENDMENTS, FINAL
ENVIRONMENTAL IMPACT REPORT AND STATEMENT OF
OVERRIDING CONSIDERATIONS (DISTRICTS: ALL)**

OVERVIEW:

This is a request for the Board of Supervisors (Board) to evaluate proposed amendments to the Zoning Ordinance (Ordinance) related to the Agriculture Promotion Program (Amendments). These Amendments would: 1) add and clarify agricultural use definitions; 2) supplement agricultural opportunities to include new agri-tourism accessory uses; 3) allow wineries in the S92 Use Regulations; and 4) revise the animal use regulations to simplify the Ordinance.

According to the County Department of Agriculture, Weights & Measures 2015 Crop Report, total agriculture in the County is valued at 1.7 billion dollars; however, local farming faces challenges that threaten its continued viability. These include: 1) conflicts at the urban/agricultural interface; 2) water cost/availability; 3) high cost of operation; and 4) economic pressures to sell and/or develop agricultural land.

On August 6, 2014 (1), the Board directed the Chief Administrative Officer (CAO) to develop the Amendments and to present them to the Board in 30 months to address the aforementioned challenges (Attachment A). The Amendments contain updated and new agricultural accessory uses that respond to current trends in the agriculture industry, such as agri-tourism and microbreweries/micro-distilleries. Allowing these types of uses as accessory agricultural uses would support small-scale agricultural operations. In developing the Amendments, a Mobility Element General Plan Amendment is needed to accept several segments to operate at a failing Level-of-Service.

Staff also developed a process that streamlines permitting for agricultural uses and allows new agricultural uses, such as micro-breweries, that could support small agricultural operations. It also addresses winery uses in the General Rural Use Regulations (S92). Finally, staff prepared Amendments to simplify permitting by offering a ministerial Zoning Verification Permit and an Administrative Permit.

Today's recommendation includes: 1) approving a General Plan amendment (GPA) resolution for the Mobility Element to accept four additional County Mobility Element roadway segments at a failing Level-of-Service; 2) adopting an Ordinance Amendment; 3) certifying the Final Environmental Impact Report (EIR); and 4) adopting a Statement of Overriding Considerations. The Amendments will facilitate the continued viability of agricultural production in the County by simplifying and streamlining the agricultural-related regulations.

FISCAL IMPACT:

Funding for the Amendments has not been included in the Fiscal Year 2016-17 Operational Plan in the PDS. If approved, the Amendments may result in unanticipated costs and revenue from two new permit processes through the existing Zoning Verification Permit and Administrative Permit, if the Amendments' permit applications are received. Based on the volume of similar application requests, PDS estimates that \$10,000 could be collected in Fiscal Year 2016-17 from the Amendments' permit applications and \$27,000 in Fiscal Year 2017-18. The Amendments represent full cost recovery and its funding source would be the permit applicants. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

The Amendments expand agricultural production opportunities by updating regulations, adding new uses and simplifying the permitting processes. The Amendments represent one of many regulatory strategies to further County goals that support and protect the unincorporated County agricultural industry.

RECOMMENDATION:

PLANNING COMMISSION

On February 10, 2017, the Planning Commission considered the Amendments and recommended that the Board:

1. Certify that the Final EIR, dated February 2017, on file with Planning & Development Services (SCH No. 2015061047) and prepared for the Amendments, has been completed in compliance with the California Environmental Quality Act (CEQA) and County CEQA Guidelines; that the EIR was presented to the Board, which reviewed and considered the information contained therein before approving the project; and that the EIR reflects the Board's independent judgment and analysis (Attachment B).
2. Adopt the CEQA Findings for the Agriculture Promotion Amendments regarding significant effects of the project; Statement of Overriding Considerations; Recirculation; and the Mitigation and Monitoring Amendments, prepared pursuant to the CEQA Guidelines Sections 15091, 15093 and 15097 (Attachment C).
3. Adopt the attached Resolution approving the Agriculture Promotion Amendments entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS CONCERNING GENERAL PLAN AMENDMENT (GPA-16-004) (Attachment D);

Adopt the attached Form of Ordinance entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO THE AGRICULTURE PROMOTION AMENDMENTS (Attachments E and F).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) concurs with the Planning Commission's recommendations.

ACTION:

Noting for the record a clerical error was found in the attachment of the Planning Commission Staff Report (pages 3-57). No changes are required of the Board items. ON MOTION of Supervisor Jacob, seconded by Supervisor Roberts, the Board closed the Hearing and took action as recommended, adopting Resolution No. 17-026, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS CONCERNING GENERAL PLAN AMENDMENT (GPA-16-004); and Ordinance No. 10463 (N.S.), entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO THE AGRICULTURE PROMOTION AMENDMENTS.

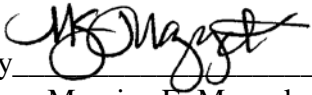
AYES: Cox, Jacob, Gaspar, Roberts, Horn

State of California)
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the original entered in the Minutes of the Board of Supervisors.

DAVID HALL
Clerk of the Board of Supervisors



By 
Marvice E. Mazyck, Chief Deputy