

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
WEDNESDAY, FEBRUARY 12, 2020**

**MINUTE ORDER NO. 2**

**SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
TEMPORARY AGRITOURISM COMMUNITY EVENTS - AMENDMENT TO  
THE ZONING ORDINANCE AND COUNTY CODE OF REGULATORY  
ORDINANCES (POD 19-002) (1/29/2020 - FIRST READING;  
2/12/2020 - SECOND READING) (DISTRICTS: ALL)**

**OVERVIEW**

On January 29, 2020 (6), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on February 12, 2020.

To promote farming and agritourism, the Board of Supervisors (Board) approved amendments to the Zoning Ordinance related to the Agriculture Promotion Program on March 15, 2017 (3). The Zoning Ordinance amendments defined new agricultural uses including agritourism. Agritourism provides educational opportunities for the community, and includes U-Pick operations, tours, lectures or classes, and participation in agricultural operations on-site. On May 16, 2018 (5), the Board directed the Chief Administrative Officer to explore options that would make it easier for local, small-scale businesses to provide food and goods during community-based events on agriculture producing properties in the unincorporated area.

On November 14, 2018 (1) the Board approved four actions, two of which were implemented immediately. These two actions were permit fee waiver pilot programs:

- Waive the Zoning Verification Permit Fee for Small Agricultural Stores; and
- Establish Food Truck Participation Incentive Pilot.

Two actions could not be implemented immediately because they required environmental review and amendments to the County of San Diego's (County) Zoning Ordinance and County Code of Regulatory Ordinances:

- Allow Multiple Food and Goods Vendors; and
- Eliminate the Zoning Verification Permit for Small Agricultural Stores.

Today's request would implement these two additional actions and requires two steps. On January 29, 2020, the Board is requested to: 1) review and consider the environmental review and proposed amendments to the County Zoning Ordinance and complete the first reading of an amendment to the County Code of Regulatory Ordinances; 2) receive a report on the outcome of the previously implemented permit fee waiver pilot programs (Waive the Zoning Verification Permit Fee for Small Agricultural Stores and Food Truck Participation Incentive Pilot Program); and 3) consider continuing previously implemented waiver programs and establishing new permit fee waiver programs to encourage local businesses to partner with agricultural producers to support agritourism thereby saving applicants fee costs ranging from \$128 to \$1,337.

If the Board takes the actions recommended, then on February 12, 2020 the proposed County Code amendment will be brought back to the Board for consideration and adoption.

**RECOMMENDATION(S)**

**DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES**

Adopt the ordinance entitled:

AN ORDINANCE AMENDING THE COUNTY OF SAN DIEGO CODE OF REGULATORY ORDINANCES TO DEFINE TEMPORARY AGRITOURISM COMMUNITY EVENTS (POD 19-002).

**FISCAL IMPACT**

Today’s action could include authorization for the continuation or establishment of permit fee waiver pilot programs by way of adopting resolutions or exclude permit fee waiver pilot programs completely.

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan. If permit fee waiver programs are approved, today’s actions may result in estimated costs of \$94,458 to the County of San Diego beginning as early as Fiscal Year 2019-20. Prior Board action approved \$70,000 of Land Use and Environment Group General Fund fund balance to implement permit fee waiver pilot programs, and \$68,758 was not expended. The Department of Environmental Health (DEH) would use the remaining appropriations of \$68,758 for all three DEH fee waiver programs. The Sheriff’s Licensing Division (SLD) would use \$25,700 of existing Sheriff’s Department appropriations for a fee waiver program for goods vendor permits. Fee waiver programs would remain in effect until funds are expended. A waiver of Board policy B-29 would be required since the proposed fee waivers would not cover all operating costs. Should subsequent fee waiver funding be needed, staff will return to the Board to request General Purpose Revenue. There will be no additional staff years required.

**BUSINESS IMPACT STATEMENT**

Allowing Temporary Agritourism Community Events on agriculture producing properties in the unincorporated areas of the county will provide additional opportunities for businesses to partner with agricultural producers to sell food and goods and attract more people to support agritourism. Waiving permit fees for these vendors will reduce financial barriers for small scale, local businesses to participate in Temporary Agritourism Community Events. Additionally, eliminating the Zoning Verification Permit (ZVP) requirement to build a small agricultural store will also reduce regulatory barriers and costs to applicants.

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10658 (N.S.), entitled: AN ORDINANCE AMENDING THE COUNTY OF SAN DIEGO CODE OF REGULATORY ORDINANCES TO DEFINE TEMPORARY AGRITOURISM COMMUNITY EVENTS (POD 19-002).

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

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.

ANDREW POTTER  
Clerk of the Board of Supervisors



**Signed**  
**by** Marvice Mazyck, Chief Deputy