



Rancho Bernardo Community Planning Board
 15721 Bernardo Heights Parkway - Suite B, #230, San Diego, CA 92128
www.rbplanningboard.com

AGENDA

Thursday November 10, 2011 @ 7:00 PM
Oaks North Community Center
12578 Oaks North Drive, San Diego, CA 92128

- ITEM #1** **CALL TO ORDER – REGULAR MEETING**
 Roll Call

- ITEM #2** **NON-AGENDA PUBLIC COMMENT**
For issues not on the agenda but within the jurisdiction of the Rancho Bernardo Community Planning Board. Please submit requests to speak prior to the start of the meeting. There can be no discussion or action, other than a referral. Three minutes per speaker.

- ITEM #3** **CHAIRS REMARKS**

- ITEM #4** **MODIFICATIONS TO THE AGENDA / ADOPT DRAFT AGENDA** **VOTING ITEM**

- ITEM #5** **ADMINISTRATIVE MATTERS** **VOTING ITEM**

 - Review and approval of the minutes for the October 20 ,2011
 - Review and approval of the October 20, 2011 Treasurer’s report

- ITEM #6** **COUNCILMEMBER CARL DEMAIO LIAISON REPORT**
 Tiffany Leal, Councilmember DeMaio’s Community Representative, presenting

- ITEM #7** **WEB SITE OVERVIEW**
 George Cooke to present info on web site

- ITEM #8** **URBAN AGRICULTURE ORDINANCE** **VOTING ITEM**
 Update on Urban Agriculture proposal presented by John Kowalski and Vicky Touchstone

- ITEM #9** **COMMITTEE REPORTS**

 - Traffic & Transportation..... Dick Katz/Robin Kaufman
 - Development Review..... John Woods
 - Publicity & Election..... Eugenia Contratto
 - Regional Issues..... Peter Tereschuck
 - Bylaws Committee..... Terri Denlinger

- ITEM #10** **LIAISON REPORTS**

 - Commercial Representative..... John Woods
 - Community Council..... Robin Kaufman
 - San Dieguito River Park..... John Kowalski
 - Community Planners Committee [CPC]..... Teri Denlinger/John Kowalski
 - RB Maintenance Assessment (MAD)..... Dick Katz/Robin Kaufman
 - San Pasqual/Lake Hodges Planning Group..... John Kowalski
 - SANDAG/COMPACT..... Richard House
 - Miramar Community Leaders Forum..... Jeff Frederick

ITEM #11 **PURCHASE AUDIO RECORDER**

ITEM #12 **OLD BUSINESS**

ITEM #13 **NEW BUSINESS**

ADJOURNMENT:

NEXT BOARD MEETING:

**Thursday December 8, 2011 @ 7:00 PM
Oaks North Community Center**

COMMITTEE MEETINGS:

Administrative Committee

**Monday November 27, 2011 @ 6:00 PM
Bernardo Heights Community Center**

Development Review Committee

**November 28, 2011 @ 5:30 PM
Swim & Tennis Club**

Traffic & Transportation Committee

**TBD
Westwood Club – Adult Lounge**

Publicity & Election Committee

**TBD
Bernardo Heights Community Center**

Regional Issues Committee

**November 28, 2011 @ 7:00 PM
Swim & Tennis Club**

URBAN AGRICULTURE REGULATORY SUMMARY TABLE

TOPICS		DESCRIPTION	PROPOSED REQUIREMENTS	
FARMERS MARKETS	Daily Farmers Market Stands	<p>Daily farmers markets are small scale markets where a local farmer(s) may sell produce either within the right-of-way or adjacent to the right-of-way. The market may be open 7 days/week.</p> <p>Could be permitted as a Limited Use in all commercial zones (except the commercial parking zone) and in the IL-3-1 industrial zone.</p>	<p>On Private Property</p> <ul style="list-style-type: none"> ● Permission of property owner ● Parking <ul style="list-style-type: none"> ○ No additional parking shall be required ○ No parking shall be displaced ● No value added or prepared foods may be sold 	<p>On Public Property (rights-of-way)</p> <ul style="list-style-type: none"> ● Permission of fronting property owner ● Obtain & submit for review a Certificate of Insurance for a public liability insurance policy of at least \$500,000 ● No additional parking shall be required ● No value added or prepared foods ● An area no greater than five feet in depth and sixteen feet in length ● Locational requirements <ul style="list-style-type: none"> ○ Min. 4-foot wide clear path in r-o-w ○ Min. 8-foot wide paved clear sidewalk ○ Maintain access to adjacent use. ○ Located as close as feasible to the existing storefront. ○ Not located parallel to areas for loading, bus stops, taxi zones, and pedestrians loading.
	Weekly Farmers Markets	<p>Weekly farmers' markets are establishments where farmers and other vendors sell produce and other goods directly to consumers. They are limited to one day per week per location.</p> <p>Could be permitted as a Limited Use in all commercial zones (except the commercial parking zone) and in the IL-3-1 industrial zone</p>	<p>On Private Property</p> <ul style="list-style-type: none"> ● Permission of property owner ● One day event per week per location. ● Monday through Friday ● Access to property maintained ● One restroom per 250 persons ● No onsite cooking ● Parking <ul style="list-style-type: none"> ○ No additional Parking required ○ Parking space for persons with disabilities temporarily replaced ○ No more than ___ percent of existing parking may be displaced 	<p>On Public Property (rights-of-way)</p> <p>Farmers markets on public property are regulated by the City of San Diego Office of Special Events and are not subject to the use regulations of the Land Development Code.</p>

TOPICS		DESCRIPTION	PROPOSED REQUIREMENTS
FARMERS MARKETS	Fulltime Farmers Markets	Full time farmers’ markets are primarily located within a structure where farmers and other vendors sell produce and other goods directly to consumers. located in are permanent markets	<p><i>No need to make a regulatory change currently permitted as follows:</i></p> <ul style="list-style-type: none"> • Currently classified as “Food, Beverages, and Groceries.” • Currently permitted in all commercial zones (except the commercial parking zone) and in the IL-3-1 industrial zone subject to existing regulations per the base zones. • Also currently permitted in a limited number of multi-family zones provided they comprise no more that 25% of the ground floor in a mixed use development of 25 or more dwelling units.
	Retail Farm	<p>A commercial/agriculture use where the primary purpose is to produce and sell food and related products on the same premises with only limited local distribution.</p> <p>Could be permitted as a Limited Use in all of the Commercial Regional, Commercial Office, and Community Commercial zones, and in the IL-3-1 Industrial zone.</p>	<ul style="list-style-type: none"> • Maximum area is 4 acres • Use of pesticides is prohibited • Seventy-five percent of the products sold must be produced onsite • Parking <ul style="list-style-type: none"> ○ Retail area use retail parking ratios, “Pick your own” assumes 1,000 s.f. retail per acre ○ Agricultural area one parking space per employee based on shift with most employees • Retail component <ul style="list-style-type: none"> ○ May be conducted in a built structure, temporary shade structure, or as a “pick-your-own”, or any combination of the three ○ Permanent or temporary structures shall be located according the street frontage requirements of the base zone ○ Must be accessible • All storage, equipment, and repair areas must be completely enclosed, secured, and located outside of all required setbacks
HUSBANDRY	Chickens	Keeping “backyard chickens” in single-family zones, on lots developed with single family homes, within community gardens, and within retail farms.	<ul style="list-style-type: none"> • Roosters prohibited • Up to 5 chickens <ul style="list-style-type: none"> ○ No setback from onsite house ○ Coop outside required setbacks • Up to 15 chickens <ul style="list-style-type: none"> ○ No setback from onsite house ○ Adjacent to residential 15-foot coop setback • Existing language <ul style="list-style-type: none"> ○ Up to 25 chickens ○ 50 feet from residence • Coop <ul style="list-style-type: none"> ○ Predator proof ○ Easy access for cleaning ○ Sufficient space for free movement ○ Water tight ○ Ventilated • Enclosure <ul style="list-style-type: none"> ○ Predator proof & contain chickens ○ Easy access for cleaning ○ Min.10 s.f. area per chicken

TOPICS	DESCRIPTION	PROPOSED REQUIREMENTS		
HUSBANDRY	Miniature Goats	Keeping miniature goats in single-family zones and on lots developed with single family homes.	<ul style="list-style-type: none"> ● Miniature goats only <ul style="list-style-type: none"> ○ Must have two goats, except offspring up to 12 weeks of age ● Must be dehorned ● Males to be neutered ● Shed <ul style="list-style-type: none"> ○ Predator proof ○ Easy access for cleaning ○ Watertight and draft free ○ Ventilated ○ Min. 5 s.f. per goat ○ Located outside required setbacks 	<ul style="list-style-type: none"> ● Enclosure <ul style="list-style-type: none"> ○ Minimum fence height 5 feet ○ Minimum pen area 400 square feet excluding shed ○ Secured from outside ○ No objects within to enable a goat to climb out ○ Easily accessed for cleaning ● Goats’ milk, cheese, and other food products for personal consumption only, sale of goat food products are prohibited.
	Honey Bees	Keeping bee citywide.	<ul style="list-style-type: none"> ● Located no more than 30 feet from offsite residence and 50 feet from r-o-w with up to 2 hives ● Located 600 feet from offsite residence and 100 feet from r-o-w with more than 2 hives (based on existing language) ● Reliable water source within 10 feet ● 6-foot tall screen unless elevated at least 8 feet above grade 	<ul style="list-style-type: none"> ● Hive opening must face away from closest property line ● Hive must be located within a secured area to protect the colony and members of the public ● Compliance with recognized best practices for beekeeping ● No more than 2 hive per lot
COMMUNITY GARDENS	Community Gardens	Minor modifications to recently approved regulations	<ul style="list-style-type: none"> ● Allow community gardens in residential zones to sell produce consistent with the regulations for garage sales in residential zones ● Allow for Community Gardens with an Neighborhood Use permit in the IL-21- industrial zone (the IL-1-1- and IL-3-1 allow with an NUP) 	

Article 1: Base Zones

Division 6: Industrial Base Zones

§131.0601 through §131.0620 [No Change]

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones							
	1st & 2nd >>	IP-		IL-			IH-		IS-
	3rd >>	1-	2-	1-	2-	3-	1-	2-	1-
	4th >>	1	1	1	1	1	1	1	1
Open Space [No Change]									
Agriculture									
Agricultural Processing through Raising, Maintaining & Keeping of Animals [No Change]									
Separately Regulated Agriculture Uses									
Agricultural Equipment Repair Shops		-	-	P	P	P	P	P	P
Commercial Stables		-	-	-	-	-	-	-	-
Community Gardens		-	-	N	N	N	N	N	N
Equestrian Show & Exhibition Facilities		-	-	-	-	-	-	-	-
Open Air Markets for the Sale of Agriculture-Related Products & Flowers		-	-	-	-	-	-	-	-
Residential through Signs [No Change]									

Footnotes for Table 131-05B [No Change]

§131.0530 through §131.0556 [No Change]

Article 1: Separately Regulated Use Regulations

Division 2: Agriculture Use Category--Separately Regulated Uses

§141.0201 [No Change]

§141.0202 [No Change]

§141.0203 Community Gardens

Community gardens are *premises* that are used for crop cultivation by individuals or collectively, and may be divided into multiple plots. Community gardens are permitted as a limited use in the zones indicated with an “L” and may be permitted with a Neighborhood Use Permit in the zones indicated with an “N” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) [No Change]
- (b) On-site sales are permitted as follows:
 - (1) On-site sales are permitted only in commercial and industrial zones except that sales may be permitted in residential zones consistent with the requirements for Garage, Yard, and Estate Sales, in Section 141.0305.
 - (2) Where on-site sales are permitted, sales are subject to the following:
 - (A) Onsite sales are limited to the sale of unprocessed, non value-added products grown on site; and
 - (B) All sales must be conducted in compliance with laws regulating onsite sales of products grown in the community garden.
- (c) through (i) [No Change]

§141.0204 [No Change]

§141.0205 [No Change]

Article 4: Disease Control — Nuisances

Division 4: Beekeeping

§44.0401 Purpose and Intent

It is the purpose and intent of this division to provide for the safe and orderly keeping of bees in the City of San Diego by establishing certain minimum standards for the keeping of bees to protect the public health, safety and welfare of the residents of the City of San Diego. It is also intended that this division supplement Chapters 1 and 2 of Division 13 of the California Food and Agriculture Code (Bee Management and Honey Production) pertaining to bees and the beekeeping industry.

§44.0402 Definitions

Any word or phrase used in this division and not herein defined shall be given the meaning established for such word or phrase by Chapter 1 of Division 13 of the California Agricultural Code. Whenever in this division the term “Commissioner” is used, it shall mean the San Diego County Agricultural Commissioner and regularly appointed employees of the San Diego County Department of Agriculture.

§44.0403 Provisions Supplement State Laws

This division shall in all respects be construed to supplement and harmonize with the provisions of law of the State of California pertaining to bees and the beekeeping industry.

§44.0404 Registration Required

Within 30 days of establishing a bee colony the owner of the colony shall register the colony with the San Diego County Agricultural Commissioner and shall reregister in January of every year thereafter while in possession of the apiary.

§44.0404~~5~~ Commissioner May Enter Premises Enforcement

The Commissioner is hereby empowered to enter upon any premises where bees are kept, or upon which he has reason to believe that bees are kept, in order to carry into effect the provisions of this division. It shall be the responsibility of the San Diego County Agricultural Commissioner to enforce the requirements of Chapters 1 and 2 of Division 13 of the California Food and Agricultural Code pertaining to apiary registration and disease.

§44.0405 Interference with Commissioner

~~It shall be unlawful for any person to interfere with the official actions of the Commissioner.~~

§44.0406 Notice of Violation

Any person who violates any provision of this division may be served with a written notice to cease or remedy such violation by the Commissioner or by any law enforcement officer of the County. Said notice shall require that such person cease or remedy the violation within 48 hours. Any person who fails to cease or remedy the violation within said 48 hour period or who causes a similar violation to occur within one (1) year is guilty of a misdemeanor. The notice required by this section shall be served personally on such person or, if he cannot be readily found, shall be served by mail (return receipt requested) or, if he cannot be served by mail, then service shall be accomplished by posting such notice in a conspicuous place on or near the apiary where the violation occurred. The 48 hour period for which such notice provides shall commence to run from the time on the day such notice is served pursuant to this section.

§44.0407 Abatement of Nuisance

If the Commissioner determines that the violation of any provision of this division constitutes a public nuisance to the extent that the health, safety or welfare of the public is immediately endangered through such violation, the Commissioner may forthwith take such steps to abate such nuisance as are reasonably necessary and proper under the circumstances, provided, however, that the Commissioner shall not cause the destruction of any bees or any apiary unless in his opinion the nuisance cannot otherwise be effectively and timely abated.

§44.0408 Beekeeping — Locational Requirements~~Distance from Buildings~~

~~It shall be unlawful for any person to place or keep an apiary, or cause or allow an apiary to remain, closer than 25 feet to the property line of adjoining residential property if a house or other building used for residential purposes is located on such property, or closer than 100 feet to any house or other building used for residential purposes other than a house or building used or possessed by such person, or to place or keep more than one beehive in a location which is between 100 feet and 600 feet from a house or other building used for residential purposes other than a house or building owned or possessed by such person. Any person who at the time this division becomes effective maintains any apiary which is between 100 feet and 600 feet from a house or other building used for residential purposes other than a house or building owned or possessed by such person and which is registered with the Commissioner shall be permitted to keep two (2) beehives at such location.~~

- (1) An apiary consisting of three or more bee hives shall be located no closer than 600 feet from a building used as a residence other than the onsite residence and a minimum of 100 feet from the public right-of-way.

- (2) An apiary consisting of two or fewer bee hives may be located no closer than 30 feet from a building used as a residence other than the onsite residence and a minimum of 50 feet from the public right-of-way, provided that:
- (A) A minimum 6-foot tall barrier shall surrounds the beehive leaving sufficient space to properly maintain the beehive except that the barrier shall not be required when the beehive is elevated at least eight feet above grade;
 - (B) The beehive is not visible from the public right-of-way;
 - (C) The beehive is in a location that is secured from unauthorized access;
 - (D) The opening of the beehive faces away from the nearest property line, and entrances and walkways;
 - (E) The beehive is a neutral color; and
 - (F) The beehive is requeened at least once every two years

~~§44.0409 — Beekeeping — Distance from Roads~~

~~It shall be unlawful for any person to place or keep an apiary, or cause or allow an apiary to remain within 100 feet of the exterior line of the traveled portion of a public road.~~

§44.0410 Beekeeping — Permission of Landowners

It shall be unlawful for any person to place or keep an apiary, or cause or allow an apiary to remain on land not owned or possessed by such person without first obtaining the permission so to do of the owner or person lawfully in possession of such land.

§44.0411 Beekeeping — Identification Signs

Every person owning an apiary located on premises other than where he resides shall identify such apiary by a sign prominently displayed on the entrance side of the apiary stating, in black letters not less than one inch in height on a background of contrasting color, the name of the owner or person in possession of the apiary, his address and telephone number, or, if he has no telephone, a statement to that effect.

§44.0412 Beekeeping — Transportation

It shall be unlawful for any person to transport hives of bees between sunrise and sunset, or cause the same to be done, unless such bees are confined to the vehicle by which such transportation is accomplished by screen or other equally effective means.

§44.0413 Beekeeping — ~~Firebreak~~Fire Safety

(a) Every person owning, possessing or controlling an apiary comprised three or more beehives shall maintain a firebreak not less than 30 feet wide around such apiary, which firebreak shall meet the following specifications:

- (a1) Within the 20 foot wide area closest to the apiary, a 10 foot wide area shall be cleared to mineral soil of all combustible material, and all flammable or combustible vegetation or material shall be cut or trimmed to a height not greater than six (6) inches above the ground throughout the area of the apiary lying within the inside perimeter of said 10 foot wide area; and
- (b2) Within the area 30 feet distant from the apiary and lying outside of the outside perimeter of the 10 foot wide area mentioned to subparagraph (a), all flammable or combustible vegetation or material shall be trimmed to a height not greater than 12 inches above the ground. Subparagraphs (a) and (b) shall not be construed to require the cutting or removal of individual live trees, unless such cutting or removal is required in writing by an officer or agency authorized by Section 44.0417 to enforce this section. This section shall not apply if the apiary is maintained in a residentially zoned area unless the Fire Department determines that a firebreak is necessary to protect the public safety.

(b) Every person owning, possessing or controlling an apiary comprised two or fewer beehives shall be required to locate the beehives within brush management zone one in accordance Land Development Code Section 142.0412 (Brush Management).

§44.0414 Beekeeping — Fire Fighting Materials

The following fire fighting materials shall be maintained, in good working condition, at all times when the apiary is attended by the keeper thereof, sufficiently near the apiary so as immediately to be available in case of fire:

- (a) aA shovel; and
- (b) aA fire extinguisher, of either the 2 1/2 gallon water–under–pressure type or the 5 gallon back–pump type; provided, that a fire extinguisher, equally effective as those above mentioned, may be used if written authority therefore is first obtained from an officer or agency authorized by Section 44.0417 to

enforce this section. A garden hose may be substituted for a fire extinguisher, provided the hose is connected to a source of water.

§44.0415 Beekeeping — Bee Smokers

A bee smoker, herein defined to mean an appliance utilizing smoke or fire in aid of the manipulation or transportation of bees, shall be used, if at all, in accordance with the following regulations:

- (a) The bee smoker shall be plugged, while being transported to or from an apiary, with a metal or hardwood plug;
- (b) All burning or smoldering substances within the bee smoker shall be completely extinguished with water before being transported to or from the apiary, or the bee smoker containing such substances shall be carried in a container which is securely fastened to the vehicle used for the transportation thereof;
- (c) The container shall be used for the transportation of the bee smoker at any time that the bee smoker contains any burning or smoldering substance;
- (d) The container shall be metal and shall have a top or cover, made of the same material as the container, which shall be securely fastened in the closed position whenever a bee smoker is being transported.

§44.0416 Beekeeping — Water Supply for Bees

Every person owning, possessing or controlling an apiary shall maintain within ten (10) feet of each apiary a supply of water which shall be equipped with a float valve or similar device which assures an adequate accessible and usable supply of water for the bees.

§44.0417 Enforcement

Any federal, state, district or city officer or agency that is charged with the duties of fire prevention or control is authorized, within the geographical limits of his or its jurisdiction, to enforce Sections 44.0413 through 44.0415 of this division.

~~§44.0418 — Beekeeping — Permit Required~~

~~It shall be unlawful for any person to place or keep an apiary upon any property within the City of San Diego without a license issued by the City Treasurer. The fee shall be Three Dollars (\$3) which shall defray, in part, the cost of inspection and enforcement of this division. Such license shall be valid for three (3) years from the date of issuance.~~

§44.0419 Beekeeping Regulated — Exceptions

The provisions of this division shall not apply to any apiary which is located and maintained within a school building or museum for the purpose of study or observation or which is located and maintained within a physician's office or laboratory for the purpose of medical research, medical treatment or scientific purposes.

§44.0420 Violation

Any person who violated any provision of this division other than Section 44.0412, and who has been served with written notice of such violation in the manner prescribed herein, and who fails or refuses to comply with such written notice, shall be guilty of a misdemeanor. Every person who violates any provision of Section 44.0412 shall be guilty of a misdemeanor immediately upon such violation.

Article 2: Health Regulated Businesses and Activities

Division 7: Animals and Poultry

§42.0701 through §42.0705 [No Change]

§42.0708 Fowl, Rabbits, Racing and Homing Pigeons and Fancy Pigeon Regulated

Health Regulated Businesses shall include the keeping or maintenance of more than:

- (a) twenty-five (25) fowl and rabbits; or
- (b) 100 racing or homing or fancy pigeons; or
- (c) any combination of (a) and (b) which exceeds 100.

§42.0709 Fowl, Rabbits, Racing or Homing Pigeons or Fancy Pigeons, Maintenance—Regulations and Exceptions

- (a) No fowl or rabbits shall be kept or maintained within fifty (50) feet of any building used for residential purposes, except as may be permitted in §42.0709(e).
- (b) All food for fowl, rabbits or racing or homing or fancy pigeons shall be stored in containers which offer protection against rodents as required in this Chapter.
- (c) All fowl, rabbit or racing or homing or fancy pigeon droppings and food scraps shall be removed from the premises at least once a week or more frequently if, in the opinion of the Director of Public Health, it is necessary to prevent an unsanitary condition.
- (d) No person shall keep or maintain in a residential zone more than:
 - (1) Twenty-five (25) fowl and rabbits; or
 - (2) One hundred (100) racing or homing or fancy pigeons; or
 - (3) Any combination of (1) and (2) which exceeds 100.
- (e) Keeping and maintaining chickens located on a premises zoned for a single dwelling unit, developed with a single dwelling unit developed with a community garden in accordance with Section 141.0203, or developed with a retail farm in accordance with Section 141.0505 is subject to the following requirements, except that section 42.0709(e) shall not apply to single dwelling units located in agriculture base zones.
 - (1) No rooster shall be permitted on the premises.

- (2) The number of chickens permitted and the location of the chicken coop are as follows:

 - (A) Up to five (5) chickens may be kept on a premises, provided that the coop is located outside of all required setbacks;
 - (B) Up to fifteen (15) chickens may be kept on a premises, provided that the coop is located outside of all required setbacks or 15 feet from the property line, whichever is greater; and
 - (C) Up to twenty-five (25) chickens may be kept on a premises, provided that the coop and the enclosure are a minimum of 50 feet from any structure used for residential purposes.

- (3) All chickens shall be housed in coop that is designed to be:

 - (A) Predator proof;
 - (B) Thoroughly ventilated;
 - (C) Easily accessed and cleaned; and
 - (D) Of sufficient size to permit free movement of the chickens.

- (4) Direct access from the coop to an outdoor enclosure shall be provided with the outdoor enclosure designed to be:

 - (A) Predator proof;
 - (B) Easily accessed and cleaned;
 - (C) Fenced to contain the fowl; and
 - (D) A minimum of ten (10) square feet of ground area per chicken.

- (e) Nothing contained in this section shall be deemed or construed to prohibit the keeping of fowl, rabbits or racing or homing or fancy pigeons:

 - (1) In a coop, box or run located and kept within a schoolhouse, museum or zoo for the purpose of study or observation;
 - (2) In a coop, box or run located and kept within a physician's office or laboratory, for medical research, medical treatment or scientific purposes;
 - (3) On premises zoned for ~~A1-1, A1-5, A1-10, M1-A, M1, M2-A~~ and M2AG-1-1, AG-1-2, AR-1-1, AR-1-2, IL-3-1, and IH-2-1;

- (4) On premises where the fowl, rabbits or racing or homing or fancy pigeons are sold in the ordinary and customary course of business, and are not raised, bred or grown on such premises.

§42.0711 through §42.0713 [No Change]

Article 1: Base Zones
Division 2: Open Space Base Zones

§131.0201 through §131.0220 [No Change]

§131.0222 Use Regulations Table for Open Space Zones

The uses allowed in the open space zones are shown in Table 131-02B.

Legend for Table 131-02B [No Change]

Table 131-02B
Use Regulations Table of Open Space Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones					
	1st & 2nd >>		OP-		OC-	OR ⁽¹⁾		OF ⁽¹¹⁾
		3rd >>	1-	2-	1-	1-	1-	
		4th >>	1	1	1	1	2	1
Open Space through Institutional [No Change]								
Retail Sales								
Building Supplies & Equipment								
	-	-	-	-	-	-	-	-
Food, Beverages and Groceries								
	-	-	-	-	-	-	-	-
Consumer Goods, Furniture, Appliances, Equipment								
	-	-	-	-	-	-	-	-
Pets & Pet Supplies								
	-	-	-	-	-	-	-	-
Sundries, Pharmaceuticals, & Convenience Sales								
	-	-	-	-	-	-	-	-
Wearing Apparel & Accessories								
	-	-	-	-	-	-	-	-
Separately Regulated Retail Sales Uses:								
Agriculture Related Supplies & Equipment								
	-	-	-	-	-	-	-	-
Alcoholic Beverage Outlets								
	-	-	-	-	-	-	-	-
<u>Farmers Markets</u>								
<u>Weekly Farmers Markets</u>								
	-	-	-	-	-	-	-	-
<u>Daily Farmers Markets Stands</u>								
	-	-	-	-	-	-	-	-
Plant Nurseries								
	-	-	-	-	-	-	-	-
<u>Retail Farms</u>								
	-	-	-	-	-	-	-	-
Swap Meets & Other Large Outdoor Retail Facilities								
	-	-	-	-	-	-	-	C ⁽⁷⁾
Commercial Services through Signs [No Change]								

Footnotes for Table 131-02B [No Change]

§131.0231 through §131.0260 [No Change]

Article 1: Base Zones
Division 3: Agricultural Base Zones

§131.0301 through §131.0320 [No Change]

§131.0322 Use Regulations Table for Agricultural Zones

The uses allowed in the agricultural zones are shown in Table 131-03B.

Legend for Table 131-03B [No Change]

Table 131-03B
Use Regulations Table of Agricultural Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd >>	AG-		AR-	
	3rd >>	1-		1-	
	4th >>	1	2	1	2
Open Space through Institutional [No Change]					
Retail Sales					
Building Supplies & Equipment		-		-	
Food, Beverages and Groceries		-		-	
Consumer Goods, Furniture, Appliances, Equipment		-		-	
Pets & Pet Supplies		-		-	
Sundries, Pharmaceuticals, & Convenience Sales		-		-	
Wearing Apparel & Accessories		-		-	
Separately Regulated Retail Sales Uses					
Agriculture Related Supplies & Equipment		C		C	
Alcoholic Beverage Outlets		-		-	
<u>Farmers Markets</u>					
<u>Weekly Farmers Markets</u>		-		-	
<u>Daily Farmers Markets Stands</u>		-		-	
Plant Nurseries		C		C	
<u>Retail Farms</u>		-		-	
Swap Meets & Other Large Outdoor Retail Facilities		-		C	
Commercial Services through Signs [No Change]					

Footnotes for Table 131-03B [No Change]

§131.0323 Additional Use Regulations of Agricultural Zones

The uses in this section are permitted within the agricultural zones as indicated subject to the regulations listed.

- (a) [No Change]
- (b) Horticulture nurseries are permitted subject to the following:
 - (1) Only plants are permitted to be sold on the *premises*. The sale of nonplant items requires a Conditional Use Permit for a plant nursery in accordance with Section 141.050~~34~~³⁴;
 - (2) through (3) [No Change]

§131.0330 through §131.0344 [No Change]

Article 1: Base Zones
Division 4: Residential Base Zones

§131.0401 through §131.0420 [No Change]

§131.0422 Use Regulations Table for Residential Zones

The uses allowed in the residential zones are shown in the Table 131-04B.

Legend for Table 131-04B [No Change]

Table 131-04B
Use Regulations Table of Residential Zones

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																					
	1st & 2nd >>	RE-			RS-										RX-		RT-						
	3rd >>	1-			1-										1-		1-						
	4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3
Open Space																							
Retail Sales																							

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																					
	1st & 2nd >>	RE-		RS-										RX-		RT-							
	3rd >>	1-		1-										1-		1-							
	4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3
Building Supplies & Equipment	-	-																					
Food, Beverages and Groceries	-	-																					
Consumer Goods, Furniture, Appliances, Equipment	-	-																					
Pets & Pet Supplies	-	-																					
Sundries, Pharmaceuticals, & Convenience Sales	-	-																					
Wearing Apparel & Accessories	-	-																					
Separately Regulated Sales Uses																							
Agriculture Related Supplies & Equipment	-	-																					
Alcoholic Beverage Outlets	-	-																					
<u>Farmers Markets</u>																							
<u>Weekly Farmers Markets</u>	=	=																					
<u>Daily Farmers Markets Stands</u>	=	=																					
Plant Nurseries	-	-																					
<u>Retail Farms</u>	=	=																					
Swap Meets & Other Large Outdoor Retail Facilities	-	-																					
Commercial Services through Signs [No Change]																							

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones											
	1st & 2nd >>	RM-											
	3rd >>	1-			2-			3-			4-		5-
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12
Open Space through Institutional [No Change]													
Retail Sales													
Building Supplies & Equipment	-	-			-			-			-		-
Food, Beverages and Groceries	-	-			-			P ⁽⁸⁾			P ⁽⁸⁾		P ⁽⁸⁾
Consumer Goods, Furniture, Appliances, Equipment	-	-			-			-			-		-
Pets & Pet Supplies	-	-			-			-			-		-
Sundries, Pharmaceuticals, & Convenience Sales	-	-			-			P ⁽⁸⁾			P ⁽⁸⁾		P ⁽⁸⁾
Wearing Apparel & Accessories	-	-			-			-			-		-
Separately Regulated Sales Uses													
Agriculture Related Supplies & Equipment	-	-			-			-			-		-

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones											
	1st & 2nd >>	RM-											
	3rd >>	1-			2-			3-			4-		5-
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12
Alcoholic Beverage Outlets		-	-	-	-	-	-	-	-	-	-	-	-
<u>Farmers Markets</u>													
<u>Weekly Farmers Markets</u>		-	-	-	-	-	-	-	-	-	-	-	-
<u>Daily Farmers Markets Stands</u>		-	-	-	-	-	-	-	-	-	-	-	-
Plant Nurseries		-	-	-	-	-	-	-	-	-	-	-	-
<u>Retail Farms</u>		-	-	-	-	-	-	-	-	-	-	-	-
Swap Meets & Other Large Outdoor Retail Facilities		-	-	-	-	-	-	-	-	-	-	-	-
Commercial Services through Signs [No Change]													

Footnotes for Table 131-04B [No Change]

§131.0423 through §131.0466 [No Change]

**Article 1: Base Zones
Division 5: Commercial Base Zones**

§131.0501 through §131.0520 [No Change]

§131.0522 Use Regulations Table of Commercial Zones

The uses allowed in the commercial zones are shown in Table 131-05B.

Legend for Table 131-05B [No Change]

**Table 131-05B
Use Regulations Table for Commercial Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	CN ⁽¹⁾			CR-		CO-		CV-		CP-
	3rd >>	1-			1-	2-	1-	1-	1-	1-	1-
	4th >>	1	2	3	1	1	1	2	1	2	1
Open Space through Institutional [No Change]											
Retail Sales											

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones													
	1st & 2nd >>		CN ⁽¹⁾			CR-		CO-		CV-		CP-				
	3rd >>		1-			1-	2-	1-		1-		1-				
	4th >>		1	2	3	1	1	1	2	1	2	1				
Building Supplies & Equipment			P ⁽¹¹⁾			P ⁽¹¹⁾		P ⁽¹¹⁾		-		-		-		
Food, Beverages and Groceries			P ⁽¹¹⁾			P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾		-		
Consumer Goods, Furniture, Appliances, Equipment			P ⁽¹¹⁾			P ⁽¹¹⁾		P ⁽¹¹⁾		P ^(3,11)		-		-		
Pets & Pet Supplies			P ⁽¹¹⁾			P ⁽¹¹⁾		P ⁽¹¹⁾		-		-		-		
Sundries, Pharmaceutical, & Convenience Sales			P ⁽¹¹⁾			P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾		-		
Wearing Apparel & Accessories			P ⁽¹¹⁾			P ⁽¹¹⁾		P ⁽¹¹⁾		-		P ⁽¹¹⁾		-		
Sundries, Pharmaceutical, & Convenience Sales			P ⁽¹¹⁾			P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾		-		
Wearing Apparel & Accessories			P ⁽¹¹⁾			P ⁽¹¹⁾		P ⁽¹¹⁾		-		P ⁽¹¹⁾		-		
Separately Regulated Retail Sales Uses																
Agriculture Related Supplies & Equipment			-			P		P		-		-		-		
Alcoholic Beverage Outlets			L			L		L		L		L		-		
<u>Farmers Markets</u>																
<u>Weekly Farmers Markets</u>			<u>L</u>			<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		
<u>Daily Farmers Markets Stands</u>			<u>L</u>			<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>-</u>		
Plant Nurseries			P			P		P		-		-		-		
<u>Retail Farms</u>			<u>L</u>			<u>L</u>		<u>L</u>		<u>L</u>		<u>-</u>		<u>-</u>		
Swap Meets & Other Large Outdoor Retail Facilities			-			C		C		-		C ⁽¹⁰⁾		-		
Commercial Services through Signs [No Change]																

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																		
	1st & 2nd >>		CC-																		
	3rd >>		1-			2-			3-			4-					5-				
	4th >>		1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	
Open Space through Institutional [No Change]																					
Retail Sales																					
Building Supplies & Equipment			P ⁽¹¹⁾			P ⁽¹¹⁾			-			P ⁽¹¹⁾					P ⁽¹¹⁾				
Food, Beverages and Groceries			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾					P ⁽¹¹⁾				
Consumer Goods, Furniture, Appliances, Equipment			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾					P ⁽¹¹⁾				
Pets & Pet Supplies			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾					P ⁽¹¹⁾				
Sundries, Pharmaceutical, & Convenience Sales			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾					P ⁽¹¹⁾				
Wearing Apparel & Accessories			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾					P ⁽¹¹⁾				
Separately Regulated Retail Sales Uses																					
Agriculture Related Supplies & Equipment			-			-			-			P					P				
Alcoholic Beverage Outlets			L			L			L			L					L				
<u>Farmers Markets</u>																					

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																	
	1st & 2nd >>	CC-																	
	3rd >>	1-			2-			3-			4-			5-					
	4th >>	1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
<u>Weekly Farmers Markets</u>		<u>L</u>			<u>L</u>			<u>L</u>			<u>L</u>			<u>L</u>			<u>L</u>		
<u>Daily Farmers Markets Stands</u>		<u>P</u>			<u>P</u>			<u>P</u>			<u>P</u>			<u>P</u>			<u>P</u>		
Plant Nurseries		P			P			P			P			P			P		
<u>Retail Farms</u>		<u>L</u>			<u>L</u>			<u>L</u>			<u>L</u>			<u>L</u>			<u>L</u>		
Swap Meets & Other Large Outdoor Retail Facilities		-			-			-			-			-			C		
Commercial Services through Signs [No Change]																			

Footnotes to Table 131-05B [No Change]

§131.0530 through §131.0556 [No Change]

**Article 1: Base Zones
Division 6: Industrial Base Zones**

§131.0601 through §131.0620 [No Change]

§131.0622 Use Regulations Table for Industrial Zones

The uses allowed in the industrial zones are shown in Table 131-06B.

Legend for Table 131-06B [No Change]

**Table
131-06B
Use Regulations for Industrial Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones								
	1st & 2nd >>	IP-			IL-			IH-		IS-
	3rd >>	1-	2-	1-	2-	3-	1-	2-	1-	
	4th >>	1	1	1	1	1	1	1	1	
Open Space through Institutional [No Change]										
Retail Sales										
Building Supplies & Equipment		-	-	P ^(6,15)	P ⁽¹⁵⁾	P ⁽¹⁵⁾	-	P ^(6,15)	P ⁽¹⁵⁾	
Food, Beverages and Groceries		-	-	-	-	P ⁽¹⁵⁾	-	-	-	
Consumer Goods, Furniture, Appliances, Equipment		-	-	-	P ^(2,15)	P ⁽¹⁵⁾	-	-	P ^(3,15)	

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones							
	1st & 2nd >>	IP-		IL-			IH-		IS-
	3rd >>	1-	2-	1-	2-	3-	1-	2-	1-
	4th >>	1	1	1	1	1	1	1	1
Pets & Pet Supplies	-	-	-	-	-	P ⁽¹⁵⁾	-	-	-
Sundries, Pharmaceuticals, & Convenience Sales	-	P ^(5,15)	P ^(5,15)	P ^(5,15)	P ^(5,15)	P ⁽¹⁵⁾	P ^(5,15)	P ^(5,15)	P ^(4,15)
Wearing Apparel & Accessories	-	-	-	-	P ^(3,15)	P ^(3,15)	-	-	P ^(3,15)
Separately Regulated Retail Sales Uses									
Agriculture Related Supplies & Equipment	-	-	-	P	P	P	P	P	P
Alcoholic Beverage Outlets	-	-	-	-	L	-	-	-	-
<u>Farmers Markets</u>									
<u>Weekly Farmers Markets</u>	=	=	=	=	L	=	=	=	=
<u>Daily Farmers Markets Stands</u>	=	=	=	=	P	=	=	=	=
Plant Nurseries	-	-	-	-	P	-	P	P	P
<u>Retail Farms</u>	=	=	=	=	L	=	=	=	=
Swap Meets & Other Large Outdoor Retail Facilities	-	-	C	C	C	C	C	C	C
Commercial Services through Signs [No Change]									

Footnotes for Table 131-06B [No Change]

§131.0623 through §131.0665 [No Change]

Article 1: Separately Regulated Use Regulations
Division 5: Retail Sales Use Category--Separately Regulated Uses

§141.0501 through §141.0502 [No Change]

§141.0503 Farmer's Markets

Farmers' markets are establishments where farmers and other vendors sell produce and other goods directly to consumers. A farmers market may be either a weekly farmers market occurring outdoors or a daily farmers market stand. Weekly farmers markets conducted on public property, with the exception of daily farmers market stands in the public-right-of way, are not subject to this section.

Farmers markets are permitted as a limited use in the zones indicated with an "L" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Weekly farmers markets on private property shall comply with the following:
 - (1) A farmers market shall be limited to one event per week per location;
 - (2) Parking shall comply with the following:
 - (A) No additional parking shall be required;
 - (B) No more than 30 percent of required parking may be displaced; and
 - (C) Any parking reserved for handicapped access shall be replaced during the hours of the farmers market;
 - (3) Access to all entryways and all disabled access routes shall be maintained; and
 - (4) All required approvals shall be obtained from San Diego Fire and Rescue Department and the County of San Diego.
- (b) Daily farmers market stands shall comply with the following:
 - (1) Daily farmers market stands may operate seven days per week at a given location;
 - (2) Daily farmers market stands
 - (3) Outdoor display areas shall comply with Section 142.1130 (Outdoor Display Regulations for Commercial Zones);
 - (4) No parking shall be required; and.
 - (5) No value added or prepared foods may be sold.
 - (6) Daily farmers market stands on private property shall comply with the following in addition to the requirements of Sections 141.0503(b)(1) through 141.0503(b)(5):
 - (A) Written permission of the property owner to conduct the daily farmers market shall be available upon request; and
 - (B) No required parking shall be displaced.

- (7) Daily farmers market stands located in the public right-of-way shall comply with the following in addition to the requirements of Sections 141.0503(b)(1) through 141.0503(b)(5):
- (A) A Certificate of Insurance for a Public Liability Insurance Policy of at least \$500,000 shall be required;
 - (B) Written permission of the fronting property owner to conduct the daily farmers market shall be available upon request;
 - (C) The daily farmers market stand shall occupy an area no greater than five feet in depth and sixteen feet in length per commercial frontage;
 - (D) All required approvals shall be obtained from San Diego Fire and Rescue Department and the County of San Diego.
 - (E) The location of the daily farmers market stand shall comply with the following:
 - i. A minimum 4-foot wide clear path of sidewalk shall be maintained within the public right-of-way at all times;
 - ii. Access to adjacent uses shall be maintained at all times;
 - iii. The daily farmers market stand shall be located as close as feasible to the fronting property; and
 - iv. The daily farmers market stand shall not be located parallel to loading areas, transit stops, taxi zones, or areas designated for pedestrian loading and unloading.

§141.05034 Plant Nurseries

Plant nurseries may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) through (c) [No Change]

§141.0505 Retail Farms

Retail farms are establishments whose primary function is to produce and sell food and other related products on the same premises. A retail farms is an establishment where at least 75 percent of the products sold are produced onsite.

Retail farms are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1(Base Zones) subject to the following regulations.

- (a) The maximum area inclusive of retail and farming areas shall not exceed 4 acres;
- (b) Use of pesticides is prohibited;
- (c) Seventy-five percent of the products sold must be generated onsite;
- (d) The hours of operation for the farm component shall be limited to the hours between sunrise and sunset as set forth by the National Oceanic and Atmosphere Administration for the San Diego area.
- (e) Parking shall comply with Chapter 14, Division 2, Article 5 (Parking Regulations).
 - (1) The retail component shall comply with the parking ratios for Retail Sales, Commercial Services, and Mixed use Development; and
 - (2) The farm component shall provide 1 parking space per employee working the farm during the largest shift.
 - (3) For a pick your own retail operation the retail parking ratio shall assume 1,000 square feet or retail space per acre of land farm.
- (f) All equipment shall be stored on site.
- (g) All storage, service, and repair areas shall be, located outside of all required setbacks, secured, and screened so that they are not visible from adjacent development and public rights-of-way.

§141.05046 Swap Meets and Other Large Outdoor Retail Facilities

Swap meets and other large outdoor retail facilities may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) through (f) [No Change]

Article 1: Planned Districts
Division 4: General and Supplemental Regulations

§151.0401 Uses Permitted in the Planned Districts

(a) through (c) [No Change]

(d) Conditional Use Permits/Process Three

Except as otherwise provided in the planned district, the following uses may be permitted with a Conditional Use Permit decided in accordance with Process Three, subject to the location restrictions and the Land Development Code section specified for each use.

(1) through (24) [No Change]

(25) Swap meets and other large outdoor retail facilities, except in the agricultural zoned areas of the Coastal Overlay Zone, subject to Land Development Code Section 141.05046

(26) through (29) [No Change]

(e) through (f) [No Change]

Article 4: Disease Control — Nuisances

Division 3: Animals

§44.0300 through §44.0305 [No Change]

§44.0306 Agricultural and Non-Agricultural Areas — Definitions

Agricultural areas, for the purposes of this division only, shall be any areas zoned ~~A1-1, A1-5, A1-10, R1-A, M1-D, M1-A, M2-A and M2~~ AG-1-1, AG-1-2, AR-1-1, AR-1-2, IL-3-1, and IH-2-1, as defined by Chapter ~~4013~~, Article 1, Division ~~41~~ of this Code. Non-agricultural areas shall be all other areas within the City.

§44.0307 Cattle, Goats and Sheep

- (a) It is unlawful to bring or maintain, within a non-agricultural zone within the City, any cattle, bovine animals, goats, or sheep, except as may be permitted in section 44.0307(b)(3).
- (b) Section 44.0307(a) shall not apply to the following:
 - (1) Dairies or dairy farms licensed during the month of July 1953.
 - (2) Any goats brought in temporarily, to privately-owned non-agricultural zones for the purpose of performing brush management in accordance with the Land Development Code section 142.0412.
 - (3) The keeping of miniature goats on a premises zoned for a single dwelling unit or developed with a single dwelling unit consistent with the following requirements.
 - (A) Miniature goats are those goats commonly known as Pygmy, Dwarf, and Miniature Goats.
 - (B) All miniature goats shall be dehorned.
 - (C) Male miniature goats shall be neutered.
 - (D) No more than, and no less than, two miniature goats shall be maintained on the premises, except that offspring may be maintained onsite for up to 12 weeks from birth.
 - (E) Miniature goats shall be housed in a shed designed to be:
 - (i) Predator proof;
 - (ii) Thoroughly ventilated;

- (iii) Easily accessed and cleaned;
 - (iv) Watertight and draft free;
 - (v) A minimum of 5 square feet of interior space per goat;
and
 - (vi) Located outside of all required setbacks.
 - (F) Direct access from the shed to an outdoor area shall be provided with the outdoor area designed to be:
 - (i) Secured with a minimum five-foot tall fence;
 - (ii) A minimum area of 400 square feet;
 - (iii) Secured from the outside in a manner that prevents the miniature goats from escaping;
 - (iv) Free of objects that would enable the goats to climb out of the enclosure; and
 - (v) Easily accessed and cleaned.
 - (G) Goat's milk, goat's cheese, and other goat related food products are for personal consumption only; sale of such products is prohibited.
- (c) Property owners shall remove and properly dispose of droppings from cattle, goats or sheep as needed to prevent accumulation, to avoid a health or sanitation problem, or the breeding of flies, and to prevent discharge into the *Storm Water Conveyance System*, as defined in section 43.0302.

§44.0308 through §44.0310 [No Change]

§44.0318 Domestic Animals — Definition

For the purpose of this section, a domestic animal is defined to be any horse, colt, mule, donkey, burro, ox, bull, cow, calf, hog, pig, sheep or standard goat.

§44.0319 through §44.0357 [No Change]

Draft General Plan Amendments for Urban Agriculture

Conservation Element

A. Climate Change & Sustainable Development

Page CE-6 Edits

Add “Local Food” as an issue area related to climate change in Table CE-1, and reference new policies related to urban agriculture.

Page CE-12 Edits

E-A.14 Support expansion of urban agriculture to realize environmental, economic, and public health benefits including: increasing access to fresh local food; reducing energy used for food transportation and distribution; and increasing opportunities for economic development and local enterprise (see also Conservation Element, Section L, and Recreation Element, Sections A and E).

Page CE-44 Edits

L. Agricultural Resources

Goals

- ◆ Retention of productive agricultural lands.
- ◆ Greater use of sustainable agriculture practices.
- ◆ Reduction in land use conflicts between agriculture and other land uses.
- ◆ Retention of the rural agricultural character of river valleys.
- ◆ Expansion of urban agriculture uses

Discussion

Agriculture has been an important factor in the history and local economy of San Diego. San Diego's unique location and combination of climate, soil types, and international border location have created an agricultural industry which produces off-season and specialty crops, including avocados, citrus, tomatoes, flowers and nursery stock.

Soils in San Diego vary appreciably in origin, degree of weathering, depth and texture. The Natural Resource Conservation Service (formerly Soil Conservation Service) has classified lands

Urban Agriculture General Plan Amendments

according to their productive capability, taking into account specific qualities of the soil slope of the land, degree of wetness, flooding hazards and other factors. There are still many locations in San Diego which have the productive soil and the other requisites to be especially well suited for agricultural purposes. In San Diego, the best remaining agricultural soils are found in broad river valleys. The City has developed programs to keep these valleys predominately agricultural through lease agreements, such as in San Pasqual Valley where agriculture comprises approximately 30 percent of the land use.

There is also increased public interest in urban agriculture, which is the production of food in and around cities for local consumption. Urban agriculture, including community farms and gardens, offers potential to: further sustainability goals; improve public health and equity through better access to fresh healthy food; promote food system security by reducing reliance on long-distance supply chains; reduce the amount of energy used to transport food; and to foster economic development opportunities, including micro-enterprise. A core principle of sustainability involves meeting basic human needs, such as food, shelter, and water, via renewable sources as close to their consumption as possible. Although the City has limited options for additional large-scale agriculture because of its urbanized nature, it can help support the availability of sustainable local food choices by providing opportunities for urban agriculture, community farms and gardens, and public spaces suitable for local farmers' markets (see also Recreation Element, Policies RE-E.8 and RE-A.6.b, and Urban Design Element, Policy UD-E.1). Farmer's markets provide access to local, and potentially healthier, food choices.

Page CE-45 Edits

Policies

- CE-L.1. Manage agricultural activity to minimize soil erosion and minimize the release of contaminants into surface and groundwater resources.
- CE-L.2. Limit retail activity in agriculturally-designated areas to uses that are reasonably related to agriculture (e.g., sale of locally grown farm products).
- CE-L.3. Encourage agricultural operations such as community farms and gardens (especially on City-leased lands) to provide for educational experiences which demonstrate the history, importance and value of agricultural operations, and to provide more healthy, sustainable, local food options.
- CE-L.4. Continue water reclamation research programs to develop realistic methods of providing inexpensive means of leaching soils, irrigating crops and preventing salt water intrusion.
- CE-L.5. Integrate agriculture and sustainability principles that promote clean air and water, and healthy soils, habitats, and ecosystems.
 - a. Encourage sustainable agricultural and water quality best management practices, such as tillage, use of grass filter strips, runoff detention basins, and organic farming, on all private land and require BMPs on new or renewed City land leased for agricultural purposes. Provide the minimum amount of flood control/channelization.

Urban Agriculture General Plan Amendments

- b. Encourage sustainable agricultural operations, especially on City-leased lands, to offer more sustainable, local food choices.
- CE-L.6. Provide mechanisms to permit private land owners of prime agricultural lands to take advantage of the Williamson Act.
- CE-L.7. Balance the economic benefits provided by agricultural uses with the competing water resource, biological and cultural resource management and recreation priorities.
- CE-L.8 Foster an urban agriculture system that is environmentally and economically sustainable.
- a. Encourage the use of urban agricultural techniques that require reduced land and water use as compared to conventional methods.
 - b. Recognize the cultural and economic benefits of providing opportunities for residents to grow healthy, affordable, culturally appropriate foods, and to augment their food budget through urban agriculture.
 - c. Reduce waste and increase agricultural productivity through increased composting of organic waste.
 - d. Recognize the essential role of honeybees and other pollinators in healthy ecosystems and in the food supply chain. Support safe and responsible beekeeping.
- CE-L.9 Increase opportunities for urban agriculture.
- a. Develop land development regulations that allow urban agriculture uses in appropriate locations, with parameters designed to control potential impacts to neighboring uses and properties.
 - b. Develop land development regulations that increase opportunities for farmers markets on public and private lands
 - c. Monitor implementation of urban agriculture goals and policies.
 - d. Support rooftop gardens and the use of edible landscape materials.
 - e. Encourage the use of vacant land underutilized lots for urban agriculture.
 - f. Explore potential locations for urban agricultural uses as a part of long range plans and other projects.
- CE-L.10 Support food system planning that increases food system security, links local producers to local markets, creates jobs, and re-circulates food dollars in the local economy.
- a. Participate in policy-making, and public education and outreach efforts related to food system planning.
 - b. Support efforts to establish food distribution centers within the region and encourage the development of a permanent Public Market in the City of San Diego.
 - c. Plan for and reserve areas needed for local food processing, wholesaling, and distribution through the use of zoning and economic development incentives.
- CE-L.11 Collaborate with public health professionals and others to maximize the public health benefits related to urban agriculture, and seek their participation in the community plan update process.

**Notice of Two Week Review and Comment Period
Draft Regulatory and General Plan Amendments
for Urban Agriculture**

The City of San Diego is in the process of developing regulations that assist in increasing access to local healthy foods. The proposed Urban Agriculture Amendments address changes to the keeping of chickens, goats and bees; reducing the approval process for farmers markets on private property; creating two new uses: farmers market stands and retail farms; and minor changes to the recently adopted community garden regulations. The proposed amendments plus a summary table are available at the following link: <http://www.sandiego.gov/development-services/industry/landdevcode.shtml#projectsOpen> .

The City is also proposing amendments to the General Plan to provide policy support and guidance for urban agriculture. The proposed General Plan amendments include policies to increase the availability of, and access to healthy, local, sustainable food, and describe how urban agriculture contributes to environmental, economic, and public health goals. The draft General Plan Amendments are available at the following link: <http://www.sandiego.gov/planning/genplan/index.shtml>.

There is a two week review and comment period beginning on November 4, 2011 and ending November 18, 2011. If you are interested in commenting on the draft amendments please e-mail your comments to dslldc@sandiego.gov and type ***URBAN*** in the subject line. Please feel free to forward this to others who may be interested in commenting.

This message has been sent to you because you have enrolled in the interested persons list for the City of San Diego Development Services Department – Planning Division. If you no longer wish to receive information update e-mails please contact Diane Maglaras at dmaglaras@sandiego.gov.