

REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO	CERTIFICATE NUMBER (FOR COMPTROLLER'S USE ONLY)
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TO: CITY COUNCIL	FROM (ORIGINATING DEPARTMENT): Development Services Department	DATE: 12/16/2011
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SUBJECT: Urban Agriculture Amendments to the Municipal Code, the City's Local Coastal Program and the General Plan

PRIMARY CONTACT (NAME, PHONE): Dan Joyce, 619-446-5388 MS-501	SECONDARY CONTACT (NAME, PHONE): Amanda Lee, 619-446-5367 MS-501
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COMPLETE FOR ACCOUNTING PURPOSES

FUND	700036				
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER	1611000011				
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00

FUND					
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER					
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00

COST SUMMARY (IF APPLICABLE): Costs associated with implementation of the regulations in the future will be borne by project applicants.

ROUTING AND APPROVALS

CONTRIBUTORS/REVIEWERS:	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
Financial Management	ORIG DEPT.	Westlake, Mike	12/22/2011
Liaison Office	CFO		
Environmental Analysis	DEPUTY CHIEF		
Equal Opportunity Contracting	COO	Goldstone, Jay	1/9/2012
	CITY ATTORNEY	Bauerle, Keith	1/17/2012
	COUNCIL PRESIDENTS OFFICE	Jurado-Sainz, Diana	1/18/2012

PREPARATION OF: RESOLUTIONS ORDINANCE(S) AGREEMENT(S) DEED(S)

ADOPT the ordinances amending Municipal Code Chapter 4, Article 2, Division 7; Chapter 4, Article 4,

<p>Divisions 3 and 4; Chapter 13, Article 1, Divisions 2 through 6; Chapter 14, and Article 1 Divisions 2 and 5.</p> <p>ADOPT the ordinances amending Chapter 13, Article 1, Divisions 2 through 6; Chapter 14, and Article 1 Divisions 2 and 5.</p> <p>ADOPT the resolution amending the Conservation Element of the General Plan.</p>	
<p>STAFF RECOMMENDATIONS: Approve Requested Actions</p>	
<p>SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION)</p>	
COUNCIL DISTRICT(S):	Citywide
COMMUNITY AREA(S):	Citywide
ENVIRONMENTAL IMPACT:	This action is exempt from CEQA pursuant to Guidelines sections 15301 (Existing Facilities), 15304 (e) Minor Alterations of Land, 15332 (Infill Development) and 15061 (b) (3) General Rule.
CITY CLERK INSTRUCTIONS:	Provide a 10 working day published notice as a 1/8 inch page. Provide a 10 working day mail notice to the City Always List, the Coastal Always List, and the Interested Parties List.

COUNCIL ACTION
EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO

DATE: 12/16/2011

ORIGINATING DEPARTMENT: Development Services Department

SUBJECT: Urban Agriculture Amendments to the Municipal Code, the City's Local Coastal Program and the General Plan

COUNCIL DISTRICT(S): Citywide

CONTACT/PHONE NUMBER: Dan Joyce/619-446-5388 MS-501

DESCRIPTIVE SUMMARY OF ITEM:

In March of this year the City of San Diego was awarded a \$50,000 grant to pursue Municipal Code and General Plan amendments supporting urban agriculture. The goal of the grant program is to combat rising obesity rates in the San Diego region by planning communities in ways that support increased physical activity and access to healthy foods. In order to achieve the goal the City proposes to strengthen the policies of the general plan related to food access, and to amend Municipal Code regulations by creating two new use categories "Farmers Markets" and "Retail Farms"; easing restrictions on the keeping of chickens, goats, and bees; and minor adjustments to the Community Garden Regulations.

STAFF RECOMMENDATION:

Approve Requested Actions

EXECUTIVE SUMMARY OF ITEM BACKGROUND:

In March of this year the City of San Diego was awarded a \$50,000 grant to pursue Municipal Code and General Plan amendments supporting urban agriculture. The grant is funded through SANDAG on behalf of the County of San Diego Health and Human Services Agency, which is implementing the Healthy WorksSM Program. The purpose of the grant program is to combat rising obesity rates in the San Diego region by planning communities in ways that support increased physical activity and access to healthy foods.

The goal of the City's Urban Agriculture Grant is to accommodate new models of urban agriculture to increase access to healthy, local, and sustainable food through amendments to the Municipal Code, the City's Local Coastal Program, and the City's General Plan. Municipal Code amendments would create two new use categories "Farmers Markets" and "Retail Farms"; ease restrictions on the keeping of chickens, goats, and bees; and make minor adjustments to the Community Garden Regulations. Local Coastal Program amendments overlap with those of the Municipal Code for farmers markets, retail farms, and community gardens. New goals and policies to foster urban agriculture are proposed within the Conservation Element of the General Plan.

On December 15, 2011 the Planning Commission held a hearing on the proposed amendments. Since that hearing modifications have been made to the draft regulations in light of public comments, and input from the Code Monitoring Team, the Community Planners Committee, and the Planning Commission. The modifications are as follow:

- The description of a farmers market has been modified to include a provision that a majority of the vendors must be selling produce to maintain the integrity of a true “farmers” market;
- Cooking/value added foods are now allowed at weekly farmers markets;
- The limit on parking spaces used for a weekly farmers market has been removed;
- The regulations have been clarified to allow only pesticides permitted by the U. S. Department of Agriculture National Organic Program at retail farms;
- Setbacks for beekeeping have been modified to outside of all required setbacks or 15 feet from the property line and 20 feet from any right-of-way, whichever is greater; and
- Sale of produce (no value added foods) would be allowed one day a week at community gardens in residential zones.

FISCAL CONSIDERATIONS:

Costs associated with implementation of the regulations in the future will be borne by project applicants.

EQUAL OPPORTUNITY CONTRACTING:

EOC Exempt per November 14, 2011 memo".

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

On July 20, 2011 and October 5, 2011 the Land Use and Housing Committee held informational hearings on the proposed amendments. The first hearing focused on potential amendments and the second hearing presented a summary of the amendments being proposed.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Planning Commission: On December 15, 2011 the Planning Commission heard the proposed urban agriculture amendments and voted 7-0 to recommend the City Council adopt the proposed amendments.

Code Monitoring Team (CMT): The urban agriculture amendments were presented to the CMT as an informational item on August 10, 2011. On October 12, 2011 the CMT and voted 8-0 to recommend approval of the amendments with the following recommendations:

- Weekly Farmers’ Markets - Expand allowable days of week for farmers’ markets to any one day of the week;
- Weekly Farmers’ Markets - Consider not limiting parking spaces taken up by farmers markets (owners would self regulate);
- Weekly Farmers’ Markets and Daily Farmer’s Market Stands- Allow value added products and onsite cooking;
- Retail Farms - Consider establishing a parking requirement for retail farms that is tied to size of use, but is not tied to gross floor area so that intensity of outdoor or partially enclosed areas is counted;
- Bees - Consider revising bee regulations to require signage for the public, reduce the setback distance requirement, and incorporate a provision for common domestic honeybees;
- Move forward with regulations to allow miniature goats in single dwelling unit zones and properties developed with a single dwelling units; and

Community Planners Committee (CPC): Urban agriculture was present to the CPC as an informational item on July 26, 2011. On October 25, 2011 the CMT the proposed urban agriculture amendments but failed to pass a motion to provide a conceptual approval by a vote of 14-15. No additional motion was made, however the discussion was that members would take the draft regulations back to their community groups for recommendations. See the listing of Community Planning Group Recommendations.

Additional Public Outreach: The amendment was made available to all individuals and organizations on the City Planning Division's interested party's list for a two week review and comment period beginning on November 4, 2011. The list contains approximately 2,800 contacts including the members of the City's community planning groups. The draft amendment was also posted on the Development Services Department's website with instruction on how to comment.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Key stakeholders include the International Rescue Committee, San Diego County Childhood Obesity Initiative, the 1 in 10 Coalition, advocates for food access and the City's community planning groups. No impacts have been identified with implementation of the amendment.

Westlake, Mike

Originating Department

Goldstone, Jay

Deputy Chief/Chief Operating Officer