

Article 1: Separately Regulated Use Regulations

Division 2: Agriculture Use Category--Separately Regulated Uses

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§141.0201 Agricultural Equipment Repair Shops

Agricultural equipment repair shops 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) The location, size, and intensity of other nonagricultural establishments located in the vicinity will be reviewed to determine the appropriate size and intensity of the agricultural equipment repair shop.
- (b) The proximity and capacity of *freeways*, primary arterials, and major *streets* will be evaluated to determine the appropriate size and intensity of the facility.
- (c) Vehicle storage areas and outdoor repair work areas shall be located and *screened* to minimize noise and visual impacts to surrounding uses.
- (d) Off-street parking shall be sufficient to serve the facility and limit adverse impacts to nearby property.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§141.0202 Commercial Stables

Commercial stables 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 Section 141.0202(a). Commercial stables 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 Section 141.0202(b).

- (a) Limited Use Regulations
 - (1) Commercial stables require a lot area of at least 5 acres.

- (2) No *structures* other than portable *structures* are permitted within a *floodway*. Within the Coastal Overlay Zone, no *structures*, including portable *structures*, are permitted within a *floodway*.

(b) Conditional Use Permit Regulations

- (1) Access to the stable shall be as direct as possible from *freeways* and primary arterials.
- (2) Off-street parking shall be sufficient to serve the daily needs of the facility as well as any special or occasional events.
- (3) The hours that the stable is open to the public shall be limited as needed to minimize disturbance to neighboring property.
- (4) The applicant shall provide a litter control plan to keep the facility and adjacent property free of litter before approval of the permit.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§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) On-site sales are permitted as follows:
 - (1) On site sales are permitted only in commercial and industrial zones, except that on-site sales may be permitted in residential zones one day a week.
 - (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.

- (b) The site shall be designed and maintained to effectively handle all drainage onsite.
- (c) A minimum 4-foot-wide, clearly marked entrance path shall be provided from the *public right-of-way* to the garden.
- (d) A permanent *sign*, including, but not limited to, the name and contact information of the party responsible for the garden shall be posted at the primary entry path adjacent to the *public right-of-way*. The *sign* shall comply with the requirements of Section 142.1250(c).
- (e) Refuse storage areas shall be provided and *screened* to enclose all refuse generated from the garden. Refuse areas shall be located as close as practicable to the center of the property. Refuse shall be removed from the site at least once a week.
- (f) Storage areas for tools, fertilizers, equipment, and other material shall be enclosed and located as close as practicable to the center of the property.
- (g) Best practice standards shall be used for the following garden operations:
 - (1) Composting
 - (A) Composting may be performed onsite
 - (B) Composting materials shall only be those materials:
 - (i) generated onsite, or
 - (ii) contributed by active members of the community garden
 - (C) Composting areas shall be located as close as practicable to the center of the property
 - (2) Water use
 - (A) Irrigation water rates shall apply to community gardens
 - (B) Community gardens shall include the following water conserving techniques:

- (i) mulch shall be applied to exposed soils in planting areas;
 - (ii) soil amendments shall include water retaining matter;
 - (iii) water shall be applied only to the base of plants; and
 - (iv) all hoses shall be equipped with a trigger nozzle
 - (C) Watering of plants shall comply with the watering schedule in Section 67.3803
- (3) Community gardens shall comply with the MHPA Land Use Adjacency Guidelines of the Land Development Manual Biology Guidelines.
- (h) Hours of operation 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.
- (i) Community gardens located within a *public park* shall be designed, constructed, and maintained to the satisfaction of the Parks and Recreation Director.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 7-6-2011 by O-20065 N.S.; effective 8-5-2011.)

(Amended 2-22-2012 by O-20140 N.S.; effective 3-23-2012.)

(Amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

§141.0204 Equestrian Show and Exhibition Facilities

Equestrian show and exhibition 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) The location, number, and intensity of other nonagricultural establishments located in the vicinity will be evaluated to determine the appropriate size and intensity of the proposed establishment.
- (b) The proximity and capacity of *freeways*, primary arterials, and major *streets* will be evaluated to determine the appropriate size and intensity of the facility.
- (c) Off-street parking shall be sufficient to serve the facility and limit adverse impacts to adjacent or nearby property.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§141.0205 Open Air Markets for the Sale of Agriculture-Related Products or Flowers

Open air markets for the sale of agriculture-related products or flowers 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) Only agricultural food products and cut flowers may be offered for sale.
- (b) Only one enclosed *structure* associated with the market shall be permitted. It shall be exclusively of wood-frame construction (except for the *floor*) and shall not exceed 300 square feet.
- (c) Within open space zones, all of the products for sale must be produced on the *premises*.
- (d) Within agricultural zones, at least 25 percent of the products for sale must be produced on the *premises* and at least 75 percent of the products for sale must be produced in San Diego County.
- (e) Off-street parking shall be provided at a rate of 2.5 spaces per 1,000 square feet of area devoted to merchandise display and sales.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)