

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS - LAND USE
WEDNESDAY, FEBRUARY 11, 2026**

MINUTE ORDER NO. 5

**SUBJECT: NOTICED PUBLIC HEARING:
ADOPT AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING
ORDINANCE RELATED TO HEALTH CARE TRAILERS AND BOUTIQUE
WINERIES, AND ADOPT THE RELATED CEQA ADDENDUM
(DISTRICTS: ALL)**

OVERVIEW

This request is for the County Board of Supervisors (Board) to adopt an Ordinance to amend the County Zoning Ordinance related to Boutique Wineries and health care trailers (HCT), referred to as the Project. The Project addresses Board direction to allow amplified live music at Boutique Wineries and to extend the maximum permitting time for HCTs. These two Zoning Ordinance amendments are combined as part of ongoing efforts to update and improve the County's Zoning Ordinance. On February 28, 2024 (13), the Board directed staff to look for ways Boutique Wineries can have live music, with parameters, and to consider expanding wineries into Rural Residential zones, subject to an Administrative Permit. The expansion of wineries into Rural Residential zones is being processed as a separate project, with an anticipated return to the Board in Winter 2026/2027. On September 14, 2022 (3), the Board directed staff to extend the maximum permitting time for HCTs.

The County's Zoning Ordinance regulates different types of wineries and defines four winery tiers, with two winery tiers (Wholesale/Limited and Boutique) allowed by-right and the two other tiers requiring discretionary permits (Small Winery and Winery Tiers). The Boutique Winery Tier is one of four tiers in the County's Tiered Winery regulations of the Zoning Ordinance, and today's item would amend regulations for Boutique Wineries to allow amplified live music, indoors and outdoors, subject to certain parameters. Currently at Boutique Wineries, amplified live music is only allowed indoors subject to specific criteria. These changes will help small, by-right wineries enhance visitor experiences and remain financially viable while maintaining compatibility with surrounding rural communities through clear limits on noise, occupancy, licensing, and other requirements. In addition, the Ordinance includes updates related to site occupancy limits and operational requirements to support Boutique Winery operations better and improve consistency across the Tiered Winery regulations.

Boutique Wineries are a by-right tier, with no discretionary permit required in the A70 (Limited Agricultural) and A72 (General Agricultural) zones. These are small-scale operations that can include wine sales and tasting areas open to the public. The draft Zoning Ordinance amendment incorporates changes to allow amplified live music at Boutique Wineries, including clarifications on maximum site occupancies, property line setback requirements to ensure Noise Ordinance compliance, and reference to required Entertainment Establishment licensing through the County Sheriff.

Amendments are also proposed to Section 6118 of the Zoning Ordinance to extend the maximum permitting time for HCTs from one year to a maximum of five years, depending on the duration noted in a required Certificate of Need signed by a licensed physician. An HCT is a temporary dwelling on a lot with an existing single-family dwelling, intended for occupancy by either health care providers or relatives receiving care. These changes will provide families caring for relatives, or individuals with

medical needs, greater stability and convenience by eliminating unnecessary regulatory hurdles, allowing a longer-term permit authorization for temporary care trailers under a physician’s certification.

Today’s request is for the Board to adopt an Ordinance amending the San Diego County Zoning Ordinance and find that the project complies with the California Environmental Quality Act (CEQA). The draft Zoning Ordinance Amendments were informed by analysis, best practices research, and engagement with stakeholders. Outreach was conducted from summer 2024 through fall 2025 and included in-person meetings, online meetings, and culminated with a public review and comment period, which led to some adjustments to the draft Zoning Ordinance amendment.

**RECOMMENDATION(S)
PLANNING COMMISSION**

On December 5, 2025, the Planning Commission considered the Project and made the following recommendations to the Board of Supervisors (Board):

1. Recommend that the Board of Supervisors find that the Tiered Winery Ordinance Amendment Environmental Impact Report (EIR), dated August 4, 2010, on file with Planning & Development Services (PDS) as Environmental Review Number 08-00-004; and the General Plan Update EIR, dated August 3, 2011, on file with PDS as Environmental Review Number 02-ZA-001, were completed in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Board of Supervisors has reviewed and considered the information contained therein and the Addendum thereto, dated January 20, 2026, on file with PDS as Environmental Review Number PDS2025-ER-25-00-001, prior to making its decision (Attachment D, on file with the Clerk of the Board).
2. Recommend that the Board of Supervisors find that there are no changes to the Project or in the circumstances under which the Project is undertaken that involve significant new environmental impacts which were not considered in the previously certified EIRs dated August 4, 2010, and August 3, 2011; that there is no substantial increase in the severity of previously identified significant effects; and that no new information of substantial importance has become available since the EIRs were certified as explained in the Environmental Review Update Checklist dated December 5, 2025 (current Checklist dated January 20, 2026; updated to cover the Ordinance under consideration by the Board of Supervisors), on file with PDS as Environmental Review Number PDS2025-ER-25-00-001 (Attachment D, on file with the Clerk of the Board).
3. Recommend that the Board of Supervisors adopt the attached Form of Ordinance: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO HEALTH CARE TRAILERS AND BOUTIQUE WINERIES (PDS2025-POD-25-004) (Attachment A [clean] and Attachment B [strikeout/underline], on file with the Clerk of the Board) with the following two changes to the draft Ordinance that was presented to the Planning Commission. These changes have been incorporated into the Ordinance under consideration with today’s action.
 - Clarifications to Zoning Ordinance section 6910.b.6 to clarify that allowed winery activities may be open to the public or limited to wine club members or ticketed participants and that wineries may be closed to the public to limit entry
 - Changes to allow a Zoning Verification Permit to seek a reduction in the minimum 200’ buffer with evidence demonstrating compliance with noise standards

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

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

EQUITY IMPACT STATEMENT

Families can face challenges caring for family members with long-term health conditions requiring onsite care. The proposed process improvements for health care trailers (HCT) reduce annual re-permitting burdens. Of 198 HCT permits issued between 2022 and 2024, 131 of them were for annual renewals. By extending the maximum permitting time for HCTs to five years (or a duration of less than 5 years as specified by a physician), the process will be improved and streamlined for those with long-term health care needs. Additionally, staff engaged a variety of stakeholders to ensure an equitable approach to public outreach. In addition to the general public, groups such as winery operators, winery associations, musicians, neighbors to wineries, the Farm Bureau, the Ramona Chamber of Commerce, and Community Planning & Sponsor Groups provided input to address varying perspectives.

SUSTAINABILITY IMPACT STATEMENT

The Project helps to promote County Sustainability Goal 2, which calls for providing just and equitable access to County services, policy decision-making, and resource allocation in support of sustainable communities. This goal includes reference to land use and development policies to equitably balance natural spaces, housing needs, and workforce development. Allowing amplified music at Boutique Wineries improves opportunities for small Boutique Wineries to contribute to the rural economy and workforce, while preserving agricultural uses. Expanding these revenue opportunities can help small wineries remain economically viable in facing challenges such as droughts, high water costs, and other economic uncertainties. Similarly, reducing the frequency of required permit renewals will save permitting time and costs for those dealing with long-term health care needs.

FISCAL IMPACT

There is no fiscal impact associated with adopting the proposed Zoning Ordinance Amendments. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

If approved, the recommended amendments to the Zoning Ordinance will help to further support the winery industry in the unincorporated area of San Diego County, by allowing amplified live music to accompany allowed activities and gatherings at Boutique Wineries, which will help Boutique Wineries grow their businesses.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors took the following actions:

1. Found that the Tiered Winery Ordinance Amendment Environmental Impact Report (EIR), dated August 4, 2010, on file with Planning & Development Services (PDS) as Environmental Review Number 08-00-004; and the General Plan Update EIR, dated August 3, 2011, on file with PDS as Environmental Review Number 02-ZA-001, were completed in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Board of Supervisors has reviewed and considered the information contained therein and the Addendum thereto, dated January 20, 2026, on file with PDS as Environmental Review Number PDS2025-ER-25-00-001, prior to making its decision (Attachment D, on file with the Clerk of the Board).

2. Found that there are no changes to the Project or in the circumstances under which the Project is undertaken that involve significant new environmental impacts which were not considered in the previously certified EIRs dated August 4, 2010, and August 3, 2011; that there is no substantial increase in the severity of previously identified significant effects; and that no new information of substantial importance has become available since the EIRs were certified as explained in the Environmental Review Update Checklist dated December 5, 2025 (current Checklist dated January 20, 2026; updated to cover the Ordinance under consideration by the Board Of Supervisors), on file with PDS as Environmental Review Number PDS2025-ER-25-00-001 (Attachment D, on file with the Clerk of the Board).

3. Adopted Ordinance No. 10974 (N.S.) entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO HEALTH CARE TRAILERS AND BOUTIQUE WINERIES (PDS2025-POD-25-004), on file with the Clerk of the Board) with the following two changes to the draft Ordinance that was presented to the Planning Commission. These changes have been incorporated into the Ordinance under consideration with today's action.
 - Clarifications to Zoning Ordinance section 6910.b.6 to clarify that allowed winery activities may be open to the public or limited to wine club members or ticketed participants and that wineries may be closed to the public to limit entry

 - Changes to allow a Zoning Verification Permit to seek a reduction in the minimum 200' buffer with evidence demonstrating compliance with noise standards

4. Directed the CAO to explore the following and return back with options related to the following:
 - a. Review of the 30% criteria for designated tasting/retail sales to only include the specific square footage where indoor tasting and retail sales take place and exclude outdoor tasting areas.
 - b. Further reductions of the minimum 200-foot setback for live music from all property lines to the lowest possible distance.
 - i. Reassess all assumptions and attenuations in the current noise study, including but limited to:
 1. Hard Site vs. Soft Site Attenuations
 2. Factor in direction of sound amplification
 3. Consideration of physical or natural barriers between live music locations and property lines such as structures, walls, trees, or other forms of vegetation
 - ii. Evaluate feasibility of establishing a waiver process that would allow live music closer than the 200-foot setback if approved by property owners or tenants of impacted properties

AYES: Aguirre, Anderson, Lawson-Remer, Montgomery Steppe, 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 Andrew Potter