

**ATTACHMENT B -
AN ORDINANCE AMENDING THE
SAN DIEGO COUNTY ZONING
ORDINANCE RELATED TO
HEALTH CARE TRAILERS AND
BOUTIQUE WINERIES (PDS2025-
POD-25-004)
(~~STRIKEOUT~~/UNDERLINE)**

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ORDINANCE NO. _____ (NEW SERIES)

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO HEALTH CARE TRAILERS AND BOUTIQUE WINERIES [PDS2025-POD-25-004]

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the following amendments to the Zoning Ordinance to amend the health care trailers regulations and Boutique Wineries regulations are reasonable and necessary for public health, safety, convenience, and welfare.

Section 2. Section 6118 USE OF A TRAILER COACH is amended to read as follows:

6118 USE OF A TRAILER COACH

The temporary use of a trailer coach for the following purposes may be permitted in compliance with the following conditions:

a. Business Uses.

1. Business office for a financial institution or public utility which is required, as a condition of a franchise granted by the United States, the State or a public agency, to maintain a place of business at a location at which no permanent structure suitable for the purpose is available.
2. Business office incidental to and located on a site on which a temporary carnival, circus, amusement center, Christmas tree sales or similar temporary or seasonal business is being lawfully conducted.
3. Business office or sales facility on or adjacent to a site on which construction of a permanent business office or sales facility for use of the permittee is being diligently pursued.
4. Construction office on or adjacent to any site on which a building or construction project is being diligently pursued; or for temporary offices on a site used for a borrow pit, quarry, asphalt paving plant, concrete batch plant, or mining operation for which a major use permit has been granted.
5. Political campaign office located on private property for a period not to exceed one year provided, however, such trailer shall be removed within 15 days following the next general election held after such trailer is sited.
6. Real estate sales office when the trailer coach is located on a lot or parcel of land adjacent to or within a proposed subdivision for which a Tentative Map has been approved and a final map thereof submitted to the Department of Public Works for checking to which such real estate office is incidental. Such permit may be issued to expire six months after completion of all sales but not exceed a period of three years.

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7. Business office associated with the production and distribution of agricultural or horticultural products grown on the premises in zones subject to the A70, A72, S90, and S92 Use Regulations upon issuance of an Administrative Permit for a period of not to exceed five years.
 8. Government service uses in accordance with the provisions of Section 6120.
- b. Residential Uses.
1. Dwelling to accommodate visiting relatives for a period not to exceed thirty (30) calendar days in any calendar year on land owned or leased by the host and on which there is located a permanent dwelling occupied by the host.
 2. Dwelling on land owned by the applicant on which the applicant is diligently pursuing construction under a valid building permit for the first permanent dwelling provided that the trailer coach shall maintain all setbacks required for the main building except that the Director may waive meeting the rear yard setback otherwise required by this ordinance provided such waiver is necessary to prevent interference with construction activities and the trailer will be located no closer to the rear lot line than the required interior side yard setback. However, the Director may allow an ETOP (pursuant to subsection 7) converting to a temporary occupancy permit (TOP) to remain in its previously permitted location.
 3. A dwelling for temporary health care on a lot where there is a permanent single family dwelling is permitted subject to the requirements set forth below. This trailer is exclusively for temporary occupancy by either: (a) providers of health care or administration of health services which are required by an occupant of the main dwelling, or (b) relatives of an occupant of the main dwelling who require ~~physical care~~ health care directed by a health services provider.

The following are requirements for health care trailer approval:

- a) The health care unit shall be a trailer or mobile_home not exceeding 800 square feet measured from the interior surface of the exterior walls, with adequate facilities for living, sleeping, cooking, eating, and sanitation for one or more persons.
- b) The trailer shall meet main building setbacks.
- c) The trailer shall be connected to existing utility systems or required expansion of said systems on site whenever possible. Where there is no connection to public sewer, prior to the issuance of the building permit, a connection to an onsite wastewater treatment system (OWTS) shall be evaluated and meet the standards of the Local Agency Management Program.
- d) Prior to issuance of a building permit for a health care trailer, a Certificate of Need signed by a physician licensed to practice medicine in the State of

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California shall be submitted to and approved by the Director. The Certificate shall be renewed ~~annually~~ upon expiration of the permit. Initial permits and subsequent renewals shall be active for a time period determined appropriate by the licensed physician signing the Certificate of Need, with a minimum period of one year and a maximum period of five years.

- e) When the health care need no longer exists, the unit shall be removed. Failure to comply is a violation of The Zoning Ordinance and may result in any or all remedies or penalties specified in the Enforcement Procedures commencing with Section 7700, including a \$1,000 fine per day or six months jail sentence or both.
 - f) If the applicant complies with the terms of the temporary occupancy permit, then, upon removal of the trailer coach by the applicant, the full amount of any previously furnished deposit shall be refunded or security released.
4. Dwelling for security personnel on or adjacent to any site on which construction of a major residential, commercial, industrial or public works project is being diligently pursued and for which security personnel are employed.
 5. Dwelling for security personnel on any site on which construction of a residential, commercial, industrial or public works project has been completed and for which security personnel are employed pending construction of permanent dwelling facilities for such security personnel.
 6. Dwelling for security personnel on a site used for a borrow pit, quarry, asphalt paving plant, rock rushing plant, concrete batch plant, or mining operation for which a Major Use Permit has been granted.
 7. Dwelling for displaced residents or security personnel on a site where the principal dwelling has been rendered unoccupiable by reason of an officially declared disaster or emergency relating to fire, wind, flood, earthquake or other similar circumstance. An emergency temporary occupancy permit (ETOP) for such a temporary dwelling shall expire at such time as a building permit for the repair or replacement of the principal dwelling has been issued (at which time the ETOP shall be converted to a temporary occupancy permit (TOP) pursuant to subsection b.2), or one year after the declaration date of the event causing the damage or destruction of the principal dwelling, whichever is earlier.

Prior to the expiration of the ETOP, the Director may grant one or more extensions of up to one year each upon making all of the following findings:

- a) That the granting of the extension will not be detrimental to the public health, safety and welfare;
- b) That there is a special circumstance or a hardship to the displaced residents;

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- c) That the special circumstance or hardship is not the result of the residents own actions.
- c. Termination of Use.
- 1. When use of a trailer coach is related to a use authorized by a use permit or Administrative Permit, occupancy or use of the trailer coach shall terminate with the expiration, abandonment or revocation of the related use permit and thereafter said trailer coach shall be removed from subject property.
 - 2. When use of a trailer coach is related to the construction of a related permanent facility, occupancy or use of the trailer coach shall terminate upon completion of construction of the permanent facility and thereafter said trailer coach shall be removed from subject property.
- d. Compliance with County Code. The use and occupancy of any trailer coach shall comply with the provisions of Chapter 2, of Division 5, Title 5, of the County Code or Regulatory Ordinances relating to trailer coaches.

Section 3. Section 6910 WHOLESALE LIMITED, BOUTIQUE AND SMALL WINERIES is amended to read as follows:

6910 WHOLESALE LIMITED, BOUTIQUE AND SMALL WINERIES

The provisions of Section 6910 shall be known as the Wholesale Limited, Boutique and Small Wineries Regulations. The purpose of these regulations is to promote production of wine from fruit grown in San Diego County, to support local agriculture and to prescribe reasonable standards and procedures for the operation of wineries. Commercial activities not expressly allowed pursuant to the provisions of Section 6910 are prohibited, ~~with the exception of Temporary Agritourism Community Events as defined in Section 6157.b.4~~ except for permitted uses consistent with the Zoning Ordinance and Agricultural Tourism as defined in Section 6157.b if all qualifying criteria are met.

- a. Wholesale Limited Winery. A Wholesale Limited Winery shall comply with the following provisions:
 - 1. Prior to the occupancy of the winery structures and the production of wine, a Wholesale Limited Winery shall have a valid permit and bond issued by the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau, if required by the Bureau, and a current 02 Winegrowers license issued by the California Department of Alcoholic Beverage Control. Licenses issued by the California Department of Alcoholic Beverage Control that allow other types of alcohol sales are prohibited.
 - 2. On-site sales to the public of wine and other goods from the winery, tasting rooms, and/or special events, including but not limited to weddings and parties, are prohibited. Internet sales, phone sales and mail-order sales are allowed.

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3. The maximum floor area of a production facility (non-residential structure(s) used to crush, ferment, store and bottle fruit, wine and other products and equipment used in winemaking, including shipping, receiving, laboratory, maintenance and offices) is limited as follows

Lot Size (gross)	Production Facility Size (cumulative max.)
< 1 ac	1,000 sf
1 ac - <2 ac	1,500 sf
2 ac - 4 ac	2,000 sf
For each acre over 4 acres	200 sf additional per acre, not to exceed 5,000 sf

No barns, agricultural storage buildings and/or other accessory structures permitted pursuant to Section 6156 shall be used as a production facility for the Wholesale Limited Winery Use.

4. A minimum of 25% of the winery’s production shall be from fruit grown on the premises. Up to 75% of the winery’s production may be from sourced fruit/juice from inside or outside San Diego County.

SOURCE	PRODUCTION AMOUNT	GRAPES (FRUIT/JUICE)	WINE
On-site	25% (min.)	Required	N/A
Within/Outside San Diego County	75% (max.)	Permitted	Prohibited
TOTAL	100%		

No wine produced off of the premises may be used in the winery’s production or sold from the premises.

- i. The owner of the winery shall keep records detailing the amount of fruit grown on the premises and the amount of fruit and/or juice imported from off the premises, to demonstrate compliance with this Section.
 - ii. The records shall indicate the dates of receipt and quantities of all imported fruit and/or juice and shall indicate the off-site growers name, address and location of the growing operation from which the fruit is imported.
 - iii. All records shall be provided within 14 days of request by County staff.
5. Wine production shall be less than 12,000 gallons annually.

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- 6. All operations shall comply with the provisions of Section 36.401 et seq. of the San Diego County Code relating to Noise Abatement and Control.
- 7. A Wholesale Limited Winery shall demonstrate compliance with the adopted standards of the applicable fire service provider.
- b. Boutique Winery. A Boutique Winery shall comply with the following provisions:
 - 1. Prior to the occupancy of the winery structures and the production of wine, a Boutique Winery shall have a valid permit and bond issued by the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau, if required by the Bureau, and a current 02 Winegrowers license issued by the California Department of Alcoholic Beverage Control. Licenses issued by the California Department of Alcoholic Beverage Control that allow other types of alcohol sales are prohibited.
 - 2. Wine production shall be less than 12,000 gallons annually.
 - 3. A minimum of 25% of the winery's production shall be from fruit grown on the premises. A minimum of 50% of the winery's production shall be from fruit grown in San Diego County or from sourced juice and/or wine produced in San Diego County with San Diego County grown grapes. No more than 25% of the winery's production may consist of fruit, juice or non-bottled bulk wine sourced from outside San Diego County.

SOURCE	PRODUCTION AMOUNT	GRAPES (FRUIT/JUICE)	WINE
On-site	25% (min.)	Required	N/A
San Diego County	50% (min.)	Permitted	Permitted
Outside San Diego County	25% (max.)	Permitted	Permitted
TOTAL	100%		

- i. The owner of the winery shall maintain records detailing the total annual production amount of fruit grown on the premises and the amount of fruit, juice and/or wine imported from off the premises, to demonstrate compliance with this Section.
- ii. The records shall indicate the dates of receipt and quantities of all imported fruit, juice and/or wine and shall indicate the off-site growers name, address and location of the growing operation from which the fruit/juice and/or wine is imported.
- iii. All records shall be provided within 14 days of request by County staff.
- 4. The maximum floor area of the production facility (non-residential structure(s)) used to crush, ferment, store and bottle fruit, wine and other products and equipment used in winemaking, including shipping, receiving, laboratory, maintenance and offices, is limited as follows:

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Lot Size (gross)	Production Facility Size (cumulative max.)
< 1 ac	1,000 sf
1 ac - <2 ac	1,500 sf
2 ac - 4 ac	2,000 sf
For each acre over 4 acres	200 sf additional per acre, not to exceed 5,000 sf

No barns, agricultural storage buildings and/or other accessory structures permitted pursuant to Section 6156 shall be used as a production facility, ~~or~~ tasting/retail sales area, or live music area for the Boutique Winery.

5. The Boutique Winery structures permitted in Section 6910.b.4 may contain one designated tasting/retail sales area in addition to the Boutique Winery structures permitted in 6910.b.4. Live music at Boutique Wineries must be accessory to winery sales and tasting activities, and no additional square footage shall be allowed for the live music use, beyond the tasting/retail sales area maximum square footage noted in this Section. The designated tasting/retail sales area shall be accessory to wine production, shall not exceed 30% of the total square footage of all permitted Boutique Winery production facility structures, and shall comply with the following:
 - i. All areas accessed by the public must be permitted and constructed in compliance with the applicable commercial building code, including the requirements of the Americans with Disabilities Act;
 - ii. Barns and agricultural storage buildings on the premises which are not permitted as part of the Boutique Winery production facility shall not be included for purposes of calculating the allowed area of the tasting/retail sales area;
 - iii. For the purposes of this Section, a tasting/retail sales area is defined as a room, cave, trellis and/or outdoor patio area (covered or uncovered) that is dedicated for wine tasting and sales of wines produced on-site, ~~and~~ and food-related items, and live music;
 - iv. The California Retail Food Code and the food provisions of the County Code apply as provided in those codes; and
 - v. Internet, phone and mail-order sales are allowed.

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6. Events, including but not limited to weddings and parties, are prohibited except as provided in this Section. An event, for purposes of this Section, is defined as the use of the site for organized activities or gatherings ~~(other than wine production, wine sales, wine tasting, agricultural instruction and educational tours)~~, including any activities or gatherings that are advertised or promoted. The following types of activities and gatherings are allowed and can be advertised, ticketed and promoted as incidental promotion of the winery:
- Wine production
 - Wine sales
 - Wine tasting
 - Agricultural instruction
 - Educational tours

Live music, as allowed subject to additional criteria in this Section, does not constitute a prohibited event provided it is incidental to the primary activities listed above, and does not require a separate paid ticket or other entry fee. Allowed winery activities may be open to the public or limited to wine club members or other ticketed participants. For private activities, the winery may close in order to limit entry.

Pursuant to Section 6106 of the Zoning Ordinance, Community Events as defined in and as limited by Chapter 2 of Division 1 of Title 2 of the San Diego County Code (sections 21.201 – 21.208) may be allowed and subject to all applicable licenses required by the Sheriff pursuant to Chapter 1 of Division 1 of Title 2 of the San Diego County Code (sections 21.101 – 21.117).

7. Amplified live and mechanical music, both indoor and outdoor, is allowed pursuant to the following requirements:
- i. Winery operators facilitating the performance of live music entertainment by entertainers shall be subject to the San Diego County Code of Regulatory Ordinances, Title 2, Division 1, Chapter 21 requirements regulating Entertainment Establishments (i.e., Entertainment Establishment License). An Entertainment Establishment License does not exempt a winery operator from any Zoning Ordinance requirements.
 - a) Mechanical music produced only by a jukebox, radio, stereo system, hi-fi system, CD player, tape player or other similar device, not accompanied by a disc jockey or other announcer, is allowed pursuant to all applicable standards, criteria, and regulations and is not subject to an Entertainment License.
 - b) A musical performance is not an Agricultural Tourism activity pursuant to Section 6157.b, private event, or concert.
 - c) A Boutique Winery and any accompanying live music shall not be considered a Section 1535 Spectator Sports and Entertainment use.

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- d) Live amplified music shall only be allowed during tasting room hours of operation, from 10:00 a.m. to legal sunset (until 6 p.m. from November 1 to March 1).
 - e) Musical performances can be advertised incidental to promoting a winery.
 - f) Karaoke is prohibited.
 - g) Prior to providing live amplified music, all necessary building permits must be obtained, and all outstanding code violations must be resolved.
 - h) Total site occupancy limits as provided in Section b.16 shall not be exceeded in order to accommodate live music.
8. Outdoor amplified music levels shall comply with the sound level limits at property lines as provided in the County of San Diego Code of Regulatory Ordinances, Title 3, Division 6, Chapter 4, Section 36.404, General Sound Level Limits (50 dBA at the property line). All sound measurements shall be conducted in accordance with guidelines provided in the San Diego County Code of Regulatory Ordinances Title 3, Division 6, Chapter 4, Section 36.403, Sound Level Measurement. For the purposes of this Section, outdoor is defined as any location that is not within a fully enclosed structure.

Outdoor amplified live music shall adhere to the following requirements:

- i. Outdoor amplified music shall comply with the setback requirements and decibel levels provided in Table 6910.1, Sound Levels and Attenuating Setback Distances, to ensure compliance with the County of San Diego Code of Regulatory Ordinances, Title 3, Division 6, Chapter 4, Section 36.404, General Sound Level Limits.
- ii. Amplifiers, speakers, and other music amplification devices shall adhere to a minimum 200-foot setback from all property lines. In accordance with Table 6910.1, additional setback distance will be required for sound levels greater than 75 dBA as measured 10 feet from the source.
- iii. A Boutique Winery that cannot meet the Table 6910.1 setback requirements for sound levels as measured 10 feet from the source, due to site-specific constraints, or intends to provide outdoor amplified music louder than 92 dBA, as measured 10 feet from the source, shall submit a Zoning Verification Permit application, which shall include a site-specific noise study prepared by a County-approved California Environmental Quality Act consultant for acoustics. The site-specific noise study shall show how the decibel level at the property line complies with sound level limits as provided in the County of San Diego Code of Regulatory Ordinances Title 3, Division 6, Chapter 4, Section 36.404, General Sound Level Limits. In addition, the site-specific noise study shall identify any

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required noise attenuating site design features that may be required to meet the property line noise limits.

- iv. A Boutique Winery that is found to be providing live music in excess of property line sound level limits as provided in the County of San Diego Code of Regulatory Ordinances Title 3, Division 6, Chapter 4, Section 36.404, General Sound Level Limits, based on an investigation by the PDS Code Compliance Division, can be required to submit a Zoning Verification Permit application, which shall include a site-specific noise study prepared by a County-approved California Environmental Quality Act consultant for acoustics. The site-specific noise study shall show how the decibel level at the property line complies with sound level limits as provided in the County of San Diego Code of Regulatory Ordinances Title 3, Division 6, Chapter 4, Section 36.404, General Sound Level Limits.

Table 6910.1 Sound Levels and Attenuating Setback Distances

<u>Music Volume Level</u>	<u>Sound Level 10 ft from source (dBA)¹</u>	<u>Required Setback from Property Line (Feet)²</u>
Quieter  Louder	<u>75</u>	<u>200</u>
	<u>76</u>	<u>225</u>
	<u>77</u>	<u>250</u>
	<u>78</u>	<u>275</u>
	<u>79</u>	<u>300</u>
	<u>80</u>	<u>350</u>
	<u>81</u>	<u>400</u>
	<u>82</u>	<u>450</u>
	<u>83</u>	<u>500</u>
	<u>84</u>	<u>550</u>
	<u>85</u>	<u>600</u>
	<u>86</u>	<u>650</u>
	<u>87</u>	<u>700</u>
	<u>88</u>	<u>800</u>
	<u>89</u>	<u>900</u>
	<u>90</u>	<u>1,000</u>
<u>91</u>	<u>1,200</u>	
<u>92</u>	<u>1,400</u>	

1. A-Weighted Sound Level (dBA): The sound level in decibels as measured on a sound level meter using the A-weighted network. The A-weighted network measures sound that most closely resembles what the human ear hears. Sound measured using the A-weighted network is designated dBA.

2. Setback distances are calculated to ensure a sound level of less than 50 dBA at the property line.

- 9. All operations shall comply with the provisions of Section 36.401 et seq. of the San Diego County Code relating to Noise Abatement and Control.
- 10. The sale and consumption of pre-packaged food is allowed on the premises. Refrigeration shall be permitted by the County of San Diego Department of Environmental Health and Quality (DEHQ). Catered food service is allowed by a

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DEHQ-permitted caterer, but no food preparation is allowed at a Boutique Winery, except as described below in this Section. Catered food service includes the provision of food that is ready to eat and that has been prepared off the Boutique Winery premises.

- i. One mobile food facility may be allowed on the Boutique Winery premises to serve the patrons of the tasting room during the approved hours of operation as specified in 6910.b.8-11;
 - ii. The mobile food facility shall not be parked in the required parking spaces for winery patrons or employees, nor shall it interfere with the safe ingress or egress to and from the premises;
 - ii. The mobile food facility shall have a valid Mobile Food Facility Health Permit from ~~the Department of Environmental Health~~ DEHQ and shall conform to all requirements applicable to a mobile food facility, including access to a permitted commercial restroom.
11. A tasting/retail sales area in conjunction with a Boutique Winery may be open to the public seven days a week from 10 a.m. until legal sunset, or until 6 p.m. from November 1 through March 1.
 12. A minimum of six parking spaces shall be provided for patrons using the Boutique Winery, and a minimum of three spaces shall be provided for Boutique Winery operations and employees. No parking for a Boutique Winery is allowed off the premises.
 13. The on-site driveway and parking area used to access the Boutique Winery shall not be dirt. The on-site driveway and parking area may be surfaced with cChip sSeal, gravel, or an alternative surfacing material such as recycled asphalt suitable for lower traffic volumes. Any disabled access parking stalls, access aisles, and accessible routes provided for compliance with California Building Code chapter 11B shall be stable, firm, and slip-resistant.
 - ~~11. Outdoor amplified sound is not allowed.~~
 - ~~14. Outdoor eating areas shall be limited to a combined maximum of five tables and seating for no more than 20 people and shall be used in conjunction with allowed Boutique Winery operations only during the hours specified in subsection b.8.~~
 14. Vehicles with a capacity in excess of 15 passengers are not allowed to serve the Boutique Winery.
 15. A Boutique Winery shall demonstrate compliance with the adopted standards of the applicable fire service provider.
 16. Total site occupancy for a Boutique Winery shall be limited to the combined sum of the maximum occupancy for all permitted winery structures and patios (covered and uncovered patios) open to the public. During building permit review and as

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part of PDS input for Entertainment Establishment licensing (for wineries seeking an Entertainment Establishment license to host live music), the PDS Building and Zoning Division will set maximum occupancy for all commercial winery structures and patios open to the public, to inform the maximum site occupancy.

- c. Small Winery. A Small Winery shall comply with the following provisions:
 - 1. Prior to the occupancy of the winery structures and the production of wine, a Small Winery shall have a valid permit and bond issued by the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau, if required by the Bureau, and a current 02 Winegrowers license issued by the California Department of Alcoholic Beverage Control. The applicant shall disclose if any other licenses issued by the California Department of Alcoholic Beverage Control will be relied upon for operations at the Small Winery.
 - 2. Wine production shall be less than 120,000 gallons annually.
 - 3. A minimum of 25% of the winery's production shall be from fruit grown on the premises. An additional minimum of 25% of the winery's production shall be from fruit grown or juice/wine produced in San Diego County with San Diego County grown grapes. No more than 50% of the winery's production may consist of sourced fruit, juice or wine from outside San Diego County.

SOURCE	PRODUCTION AMOUNT	GRAPES (FRUIT/JUICE)	WINE
On-site	25% (min.)	Required	N/A
San Diego County	25% (min.)	Permitted	Permitted
Outside San Diego County	50% (max.)	Permitted	Permitted
TOTAL	100%		

- i. The owner of the winery shall maintain records detailing the amount of fruit grown on the premises (including properties pursuant to subsection iv) and the amount of fruit/juice and/or wine imported from off the premises, to demonstrate compliance with this Section.
- ii. The records shall indicate the dates of receipt and quantities of all imported fruit/juice and/or wine and shall indicate the off-site growers name, address and location of the growing operation from which the fruit/juice and/or wine is imported.
- iii. All records shall be provided within 14 days of request by County.
- iv. "Fruit grown on the premises," as that phrase is used above in c.3, may include fruit grown on a separate property or properties under the same ownership or lease as the Small Winery, provided all of the following criteria are met:

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- a) “Separate property” or “properties” shall mean parcels located within the County that are not contiguous to one another, are under the same ownership or lease as the Small Winery, and are part of the same Small Winery operation;
 - b) All properties shall be clearly delineated and included as part of the Small Winery Administrative Permit and shall be subject to all conditions of approval;
 - c) Only one of the parcels shall have the wine production facilities, tasting area and/or event areas. That parcel shall be a minimum of 4 acres in size;
 - d) For wineries smaller than 8 acres in size, at least 50% of the “fruit grown on the premises” shall be grown on the parcel which contains the wine production facilities and tasting area. For wineries 8 acres or larger in size, at least 25% of the “fruit grown on the premises shall be grown on the parcel which contains the wine production facilities and tasting area;
 - e) Events of any kind are permitted only on the parcel which contains the production facility, tasting area, and approved event areas. No events shall be permitted on any of the other properties included as part of the Small Winery.
4. The California Retail Food Code and the food provisions of the County Code apply as provided in those codes. The sale and consumption of pre-packaged food is allowed on the premises. Refrigeration shall be permitted by the County of San Diego Department of Environmental Health (DEH). Catered food service is allowed by a DEH-permitted caterer, but no food preparation is allowed at a Small Winery, except as described below in this Section. Catered food service includes the provision of food that is ready to eat and that has been prepared off the Small Winery premises.
- i. One mobile food facility may be allowed on the Small Winery premises to serve the patrons during the approved hours of operation;
 - ii. The mobile food facility shall not be parked in the required parking spaces for winery patrons or employees, nor shall it interfere with the safe ingress or egress to and from the premises;
 - iii. The mobile food facility shall have a valid Mobile Food Facility Health Permit from the Department of Environmental Health and shall conform to all requirements applicable to a mobile food facility, including access to a permitted commercial restroom.
5. Events, including but not limited to weddings and parties, may be allowed as specified in the Administrative Permit upon the making of the findings in Section 6910.c.6. Events shall comply with the requirements of Section 21.201 et seq. of the County Code.

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Pursuant to Section 6106 of the Zoning Ordinance, Community Events as defined in and as limited by Chapter 2 of Division 1 of Title 2 of the San Diego County Code (sections 21.201 – 21.208) are allowed and subject to all applicable licenses required by the Sheriff pursuant to Chapter 1 of Division 1 of Title 2 of the San Diego County Code (sections 21.101 – 21.117).

6. An Administrative Permit for a Small Winery is required and may be approved in accordance with the Administrative Permit Procedure commencing at Section 7050 if it is found:
 - i. That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 - a) Harmony in scale, bulk, coverage and density.
 - b) The availability of public facilities, services and utilities.
 - c) The harmful effect, if any, upon desirable neighborhood character.
 - d) The generation of traffic and the capacity and physical character of surrounding streets.
 - e) The suitability of the site for the type and intensity of use or development which is proposed.
 - f) Any other relevant impact of the proposed use.
 - ii. That the impacts, as described in paragraph "i" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.
 - iii. That the requirements of the California Environmental Quality Act have been complied with.
 - iv. Notice shall be provided pursuant to Section 7060.c. No hearing is required unless requested by the applicant or other affected person pursuant to Section 7060.d.
7. A Small Winery shall demonstrate compliance with the adopted standards of the applicable fire service provider.

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APPROVED AS TO FORM AND LEGALITY

Damon M. Brown, County Counsel

By: Jerod Markley, Supervising Deputy County Counsel