

ORDINANCE NO. 9938 (NEW SERIES)

AN URGENCY ORDINANCE REPEALING ORDINANCE NO. 9934 (N.S.) ENTITLED: AN ORDINANCE AMENDING THE ZONING ORDINANCE TO INTRODUCE BOUTIQUE WINERIES AS A PACKING AND PROCESSING USE TYPE (POD 07-001)

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

Section 1. Findings and Declaration. This Board finds and declares as follows:

(a) On April 23, 2008, the Board of Supervisors adopted Ordinance No. 9934 (N.S.) to introduce boutique wineries as an allowed use type within the Zoning Ordinance. The ordinance allows boutique wineries in the A70 and A72 zones on public roads by right and requires either a Road Maintenance Agreement or Administrative Permit based on the number of parcels on a private road. Unless repealed, the ordinance becomes effective on May 23, 2008.

(b) There exists information indicating that potentially significant environmental impacts could occur from the establishment and operation of boutique wineries that could threaten the public health and safety and which require additional California Environmental Quality Act review in the form of an Environmental Impact Report.

(c) In order to ensure the public health and safety of the citizens of San Diego County, it is prudent to conduct additional environmental review of the potential impacts from boutique wineries before an ordinance authorizing boutique wineries becomes effective. These potential impacts threaten the public health and safety and require repeal of the boutique wineries ordinance before it becomes effective on May 23, 2008.

(d) It is hereby declared that the above facts and findings constitute the urgency necessitating the adoption of this urgency ordinance for the immediate preservation of public health and safety.

Section 2. Repeal. Ordinance No. 9934 (N.S.) entitled AN ORDINANCE AMENDING THE ZONING ORDINANCE TO INTRODUCE BOUTIQUE WINERIES AS A PACKING AND PROCESSING USE TYPE (POD 07-001) is hereby repealed.

Section 3. Effective Date. This is an urgency ordinance for the immediate preservation of public health and safety, adopted by four-fifths or greater vote of the Board of Supervisors, and shall take effect immediately pursuant to Government Code Section 25123 (d).

PASSED APPROVED AND ADOPTED this 14th day of May, 2008, by the Board of Supervisors of the County of San Diego.