COLAB SAN LUIS OBISPO COUNTY

WEEK OF NOVEMBER 11-17, 2012

ALERT

SHOW UP TUESDAY NOVEMBER 13, 2012
OPPOSE THE REVISED AG CLUSTER SUBDIVISION
PROPERTY CONFISCATION ORDINANCE
1:30 PM, 1055 MONTEREY, SLO

OTHER ITEMS: AS CURRENT LAME DUCK BOARD MAJORITY PUSHES MORE REGULATIONS AND FEES

HOUSING IN LIEU FEE PROPOSED TO BE REDUCED (for now)

COMMERCIAL DEVELOPER FEES FOR HOUSING PROPOSED TO BE INCREASED

OLIVE OIL PROCESSING AND SALES BACK

FARM STAND REGULATONS BACK

GENERAL FEE INCREASE HEARING COMING NOVEMBER 20, 2012

Board of Supervisors Meeting of November 6, 2012 (Completed)

There was not a great deal of policy on this agenda.

Budget Balancing 2013-14 (Item 15). The Board received a report (an annual cycle item) in which the County Administrative Officer (CAO) explained his plan for balancing the

proposed ensuing fiscal year Budget (in this case FY 2013-14), which will be prepared in the spring of 2013 and adopted by the Board in June. It is a way for the CAO to test his process recommendations and receive Board approval and/or discover any changes that the Board might desire in the overall strategy. With this direction, the CAO can then issue budget preparation instructions to the Department Heads along with policy rules and deadlines.

Substantively, the CAO recommended that the Board continue its policy of no program expansion (unless supported by outside funding) and negotiation of employee union wage and pension concessions in order to deal with the flat revenue picture engendered by the recession and the County's de facto policy of limiting economic growth to light high tech industry, tourism, business services, education, and agriculture. It will be interesting to see if the new Board majority exerts policy leadership and tackles real issues, such as reducing the funding for Departments which continue to develop plans, ordinances, and regulations that implement the "smart growth" doctrine.

The report contained some PowerPoint slides about the County's general fund debt status, which evoked quite a bit of self-congratulation about the County's low debt-to-general budget ratio. The Supervisors were effusive in their praise. There were also several slides containing information about the County's reserves. Neither of these subjects had been mentioned in the Board letter and/or attachments. Thus COLAB did not have an opportunity to present the larger picture about the general debt, including interest, utility debt (which was not mentioned, i.e., Los Osos Sewer, Nacimiento Water, and others). The County's unfunded pension liability was not mentioned either. Patterson opined that this is the best run County in the State.

Board of Supervisors Meeting of Tuesday, November 13, 2012 (Scheduled)

Revised Agricultural Cluster Subdivision Rules (Item 14, 1:30 PM). The Board will consider the Revised Agricultural Cluster Subdivision Rules, which will eliminate the possibility for many rural landowners to attempt to apply for a permit for a cluster subdivision on their property. The Board should reject the amendments and direct the staff to cease work on the project. There are a number of reasons why the ordinance should be rejected and the flawed EIR not certified.

Confiscation of Property through Regulation: The proposed ordinance limits applications for Ag cluster subdivisions to a zone within 2 road miles of a city or village inside urban limit lines (URL's) and eliminates it anywhere in the Rural Lands (RL) zone. Owners relied on the current 5 mile straight line limit for almost 3 decades. Its sudden and arbitrary reduction/elimination constitutes a property taking without just compensation. The County's own EIR actually admits this fact. EIR's are required by law to contain an alternatives section that describes alternative ways to achieve the intended purpose of the project or policy. One of the alternatives that the County superficially lists is County

acquisition of farmland and/or presumably easements. They reject even studying this alternative because its implementation would be too expensive!

By admitting that utilizing a compensated voluntary land banking program to achieve the preservation of farmland and push development into existing urban areas would be too expensive, they admit that they know that the land has a particular value under the current ordinance. Instead of paying just compensation, they want to confiscate part of the value by changing the rules. They don't care if it lowers the value to the owner. In part, Section 6.0.4 (Page 6.5) of the EIR states:

a. Establishing a Land Banking Program
This alternative would require that the County initiate a land-banking program, wherein conservation easements are purchased by the County to actively protect agricultural land. Individual development projects that would result in impacts to agricultural resources could offset those impacts by contributing to the land bank. New funds would be used to purchase additional conservation easements. This would result in the incremental protection of agricultural land.
Under this alternative the Agricultural Cluster Subdivision Program would not be implemented and agricultural cluster subdivisions could continue to be processed and approved under existing ordinances and policies.
Accomplishment of Objectives. This alternative would theoretically achieve the project objectives; ***however, achieving these objectives through this alternative would be infeasible for economic and regulatory reasons. Economically, it is unknown what the start-up costs and long-term costs of running a land-banking program would be. Given the present economic condition, undertaking new costly programs would not be considered feasible. Similar programs in other counties (e.g. Sonoma and Marin) have been established through the creation of an open space district and a special sales tax. Duplicating this effort in this county would require that the voters approve establishment of a new special district and a special tax to fund the district. Assuming that the voters would choose to establish a new district and increase taxes to fund that district would be speculative.*** (Our emphasis)

Reduction of Significant Effects. It is unknown whether this alternative would reduce environmental effects. While inherent in the establishment of "banked" lands would be the protection of these properties, too many variables exist to determine if there would actually be a reduction of significant effects.

Rationale for Rejection. This alternative was rejected because establishing a land banking program is considered infeasible at this time. The infeasibility is related to economic (e.g. funding) and regulatory (e.g. required election) burdens. *15126.6(f) (3) states that an EIR need not consider an alternative whose implementation is remote and speculative. Additionally, it is undetermined if this alternative would actually reduce the significant effects identified with the Proposed Project.*

Will the Board Lie? They know the voters would not approve a new tax to buy the easements. Instead, they are simply zoning away a portion of the value. In the recently

adopted Economic Element of the General Plan, the Board adopted language that they "will not condemn private property without just compensation."

CEQA Review Is Stale and Fails: Since the EIR was prepared, the County has adopted a number of restrictions prohibiting the subdivision of land which overlap much of the same area included in the revised Ag Cluster subdivision proposed revisions. The cumulative impacts of these simultaneous changes have not been included. Among these are the Paso Water Basin lot creation prohibitions, changes to the Transfer of Development Credit Ordinance, and adoption of many restrictive provisions in the Conservation and Open Space Element of the General Plan. Additionally, the County has adopted its Energy-Wise Plan, which contains and/or contemplates many actions that will impact the same areas impacted by the Ag Cluster subdivision ordinance. Also, the San Luis Obispo County Air Pollution Control District has adopted mandatory greenhouse gas limit thresholds that will also impact the Ag Lands, rural lands, and the urban areas (cities and URLs), which are the presumed receiving sites for the proposed displaced development.

The Board should not certify the EIR, but instead should send it back for these accumulative impacts to be studied and recirculated for public comment.

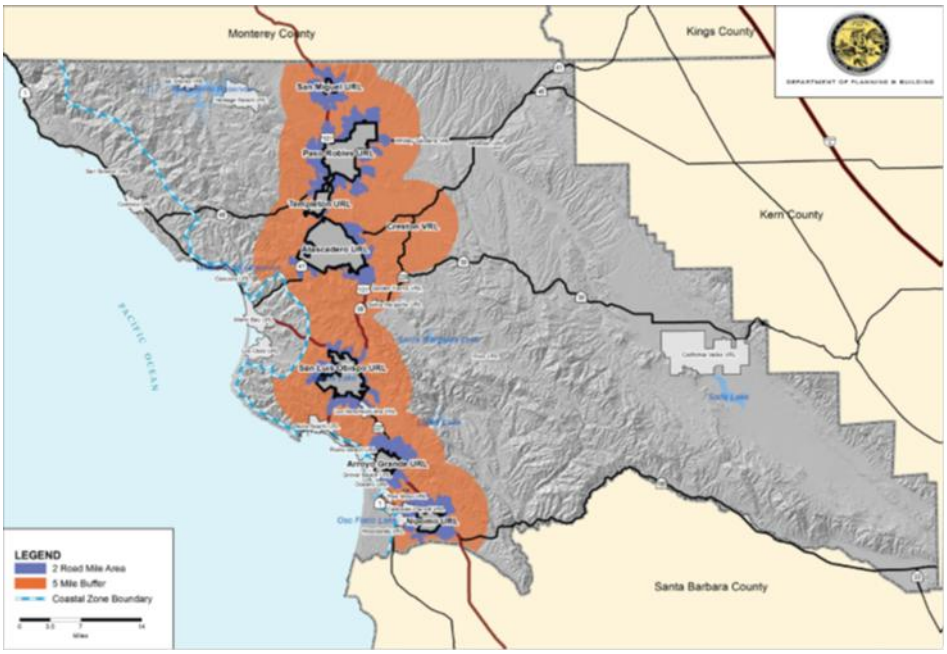
Further Reasons to Oppose:

1. Neither the Planning Commission nor the staff (and especially the Board) has articulated any good reasons why the current ordinance should be made so much more restrictive. No real problems (in terms of the County's ostensible goal to preserve agriculture and open space) have been documented. In fact, page 2-15 of the County's own EIR indicates that only 367 parcels had been created under the program between 1986 and 2011.

2. The property owners have not been adequately notified. Insofar as we know, there will only be a truncated summary official notice buried in the back pages of a newspaper.

3. Even though this proposed ordinance amendment contains many serious new restrictions and amplifies old restrictions, property owners have not been specifically notified. The County has relied on abbreviated newspaper legal notices. Should the Board actually continue consideration of this ordinance, it should stop the process until every property owner in the agriculturally zoned areas and the rural land areas, who will lose the ability to even apply for an agricultural cluster subdivision, have been specifically noticed by letter with an explanation of the proposed ordinance.

4. The proposed ordinance will eliminate 998,674 acres from having any possibility of their respective owners making an application for an Ag Cluster subdivision. The orange areas on the map on page 5 indicate the areas from which the new ordinance would eliminate the current ability to apply for an Ag Cluster subdivision in areas zoned agriculture. Presumably, most of the areas to the east of the orange areas are zoned rural lands in which the Ag cluster provisions are also entirely eliminated.



5. As noted in the environmental impact report, the new ordinance eliminates the potential of 6,275 houses from ever from being applied for, let alone built. (See pages 2-19 and 2-25 of the EIR.) The County EIR suggests that these foregone houses can be shifted to the cities and unincorporated villages. One question is whether the residents of neighborhoods in those areas will embrace higher densities to accomadate the Board's "smart growth" ideology.

As we have noted constantly, the construction and occupation of estate houses and ranchettes is one of the most successful economic drivers within the County and serves as a great complement to agriculture.

6. The proposed ordinance perpetuates the existing land expropriation provision, which requires that 95% of the land in a parcel where 5% is allowed to have an Ag cluster subdivision must be permanently and perpetually dedicated as agriculture and/or an open space. This provision in the existing ordinance, which has been perpetuated in the proposed revised ordinance, is blatantly confiscatory and essentially undermines the entire concept of private property. It does this by rendering much of it economically unusable (except for agriculture) and carries that provision forever into the future, foreclosing any modification, given changes in the economy, society, and conditions in general. In effect, it blackmails the agriculturalist who desires to use the subdivision provision into a deal with the devil in the form of the government. This provision is rendered even more odious because the wording of the ordinance requires that the owner dedicate the land in the form of a

permanent eternal Williamson Act easement and/or a perpetual easement to a "qualified public or private non-profit organization as defined by the IRS. This requirement reveals the ultimate purpose of at least the current lame duck majority of the Board of Supervisors and its leftist supporters, which is to gradually terminate the private ownership of land and convert it to the public domain.

The potential of Ag Cluster subdivisions in the areas zoned rural land (RL) is eliminated completely.

7. The EIR indicates that adoption of the ordinance will ultimately result in the permanent "protection" of 125,000 acres of land. (Protection from whom?) Essentially, this means that the County is affirmatively and proactively confiscating 125,000 acres of private property by prohibiting its current owners and its successor owners in "perpetuity" from using it for anything but agriculture (even if agriculture goes out of business or is no longer economical). It is, in effect, converting it to perpetual open space.

8. The new ordinance eliminates the density bonus provision, which currently allows more units than the underlying density would allow without clustering.

9. The current ordinance allows creation of parcels as small as 10,000 square feet. This makes sense for cluster subdivisions because it minimizes the land being used. It also provides an opportunity for creative housing development (perhaps affordable) while maintaining agricultural land. The new ordinance raises the minimum size to 2.5 acres and then caps the maximum lot size at 5 acres. This does not make sense in terms of either the economics or the ostensible provision of the ordinance. Moreover, on very large rural parcels, it may be appropriate to have a cluster subdivision of larger acreages – that is, a cluster of ranchettes. Why limit the flexibility?

10. Each parcel must be limited to one single-family residence. Secondary dwellings such as a guesthouse are not permitted. Very often, a family seeking to establish a rural estate or ranchette would also be desirous of having a guesthouse. For example, the owner of the main house might wish to have a guesthouse in which an aging parent could live. Similarly, the owner of the main house might wish to have a guesthouse in which a son or daughter could live as well. For generations, American farm families lived inter-generationally. This was a very successful pattern and strengthened family life and values. Why is the Board of Supervisors determined to attack this very traditional part of the American heritage? It should be noted that an existing agriculturally zoned lot may have a second residence. Under the new Ag Rules, and if an owner does somehow get approval for an Ag Cluster subdivision and wishes to develop a 2nd residence on an existing parcel, a lot must be extinguished from the Ag Cluster subdivision in exchange.

11. The ordinance would forbid the cluster subdivision from having a community water system. Each house must have its own well. This seems strange in view of the Board's concerns related to the Paso Water Basin. Studies of that basin, which resulted in the Board's complete lockdown of creation of any new parcels, were in part justified because some scattered properties reported the need to drill their wells deeper. This in turn was

attributed to the large water uptake of the burgeoning vineyard industry. The vineyards typically drill deeper wells. During the discussion, it was pointed out that in the Central Valley a creative solution allows farmers with large pumps and well fields to help individual residents of the area by banding together to create a voluntary association to distribute water. In that discussion, the Board actually asked staff to take a look at that possibility and return for a policy discussion. This ordinance would appear to prevent that eventuality, at least in the case of future agricultural cluster subdivisions.

12. Another problem is that the proposed ordinance will actually help promote inferior development within what is called antiquated subdivisions. Antiquated subdivisions contain lots created before the 1960s and prior to the adoption of the State Subdivision Map Act, which is the enabling legislation under which County and City subdivision regulations are authorized (and required). There are many owners who have antiquated subdivisions that sprawl over the rural hills, that abut watercourses, and which are otherwise not in conformance with modern land use standards. These lots are not going away. The existing Ag Cluster subdivision ordinance provides the County with an opportunity to work with landowners and trade out some of the less desirable impacts of the existing antiquated lots for a better and more environmentally sound development pattern. Why would the County foreclose this option?

Many other onerous, costly, and property rights eroding provisions are included. The Board may try to take credit for allowing an amendment to the Coastal Zone Ordinance, which would allow Ag Cluster subdivisions in limited portions of the coastal zone where none had been permitted previously. This minor concession (although severely limited) should not be used to camouflage the severe and debilitating provisions in the revised inland ordinance. In the end, the issue is clearly the confiscation of private property without just compensation and conversion of more and more rural lands into public domain.

Only one thing counts: Anyone who thinks they remotely care about this issue should show up on November 13th and confront the bureaucrats and Supervisors protractedly and vigorously. Do not get sucked into compromises and language tweaking. The proposed ordinance should go away or the County officials should go away.

Housing In Lieu Fees (Item 7). Housing Related Fee (Tax) and Exaction Increases. The Board will consider whether to lower certain taxes, disguised as fees (which are levied on home builders), and to raise certain exactions (housing impact fees), which are levied on the developers of commercial property.

The staff is actually recommending that the fee formula for the homebuilder side of the issue be lowered. There has been little home development and over the past 5 years and home prices have dropped.

This will give the homebuilders some breathing room.

Background: As summarized in the County staff report, *the County's inclusionary housing ordinance allows developers to meet their affordable housing requirements by providing affordable dwellings, paying fees, or donating land. Residential projects pay in-lieu fees, and commercial projects pay housing impact fees pursuant to the Title 29 fee schedules. Title 29 also requires the County to consider annual fee adjustments. The annual adjustments may reflect changing construction costs and a periodic review of the fee formulas.*

The year two Nexus Studies were prepared that reviewed the Title 29 fee formulas for residential and commercial projects. The Studies recommend significant changes due to the current housing market prices, construction costs, and the affordable housing needs caused by today's residential and commercial projects in the County. The Studies offer a legally defensible set of fees for Title 29. They update the fee schedules from the previous studies in 2007.

Sample Commercial Project Rate Increases:

Commercial Retail projects, which now pay $2.22 per square ft., would be charged $3.34 per sq. ft., a 46% increase.

Hotel/Motel projects, which now pay $2.22 per sq. ft., would pay $3.40, a 56% increase.

Industrial/Warehouse projects, which now pay $1.03 per sq. ft., would pay $1.35 per sq. ft., a 31% increase.

The theory is that if you build and office building, hotel or whatever, you add space for new employees who need housing, so you should pay a "fee" (which is really an exacted tax) into a housing fund to help subsidize affordable housing. Generally such costs are passed on to the ultimate users of the building.

Background: The bottom line is that over the decades the process of developing residential and commercial property has become so overregulated and expensive that developers cannot afford to produce affordable housing and prefer to develop larger, more expensive units. In turn, the State Legislature made things worse by enabling cities and counties to require that developers include a stipulated number of affordable units in their projects or pay an "in lieu fee," which is really a tax on development. The dollars generated from the "in lieu fee" are accumulated and then given to non-profit housing developers to help finance their affordable projects. This is really a government blackmail program to force homebuilders to charge more for their market units to bail out the politicians' failed public policy.

Homebuilders are required to provide one affordable unit for each five market units or pay a "fee" (tax) into the affordable housing fund in lieu of actually building the unit. The amount of the fee is based on a complex black box study called a nexus study, which analyzes economic and market factors to come up with the base per sq. ft. costs. This data is then

manipulated into a standard "fee" (tax) based on the size of the market houses (unsubsidized houses). It is then applied to each market house (per unit fee).

The Good News is that the Staff is recommending that the "fees" (tax) be lowered based on its study of the issue (at least for now).

Some Sample Taxes – For every 5 market houses, the builder would have to pay the amounts listed below to help create one affordable house:

For a 900 sq. ft. house, $15,975.

For a 1500 sq. ft. house, $26,625.

For a 2000 sq. ft. house, $35,500.

For a 2500 sq. ft. house, $44,375.

For a 3000 sq. ft. house, $53,250.

And so on.

This cost along with the entire County-imposed permitting costs, facilities exaction taxes (for future capital improvement such as roads, fire houses, parks, etc., attributable to the development), and the costs of hiring experts to help processes the permits, get built into the price of the home.

Changeup in the Board Letter from Last Week to This Week: Last week's set hearing item did not contain any data about the impact of the program. We had noted that in 2011 they had reported that the program supported 3.5 units. This week's version contains a table indicating that the County contributed a total of $34,755 to help support 56 affordable housing units, a whopping $620 per unit. It is likely that preparing this agenda item, doing the nexus studies, and otherwise administering the program cost far more than the $34,755. What a waste of money just to hassle the homebuilders!!!

The Program Doesn't Work: Because of the recession and because the program obviously wasn't working, the Board decided to "phase in" the program over 5 years by dividing the total fee by 5 and then requiring that only one-fifth be paid in the first year, two-fifths in the 2nd year and so on. One policy question before the Board this year is whether to maintain the freeze at the 1st year cost or to allow the 2nd year of the phase-in to take place. The staff recommends the former but then invites the Board to consider the latter. During a recent review of the program at the Planning Commission, 3rd District Commissioner Christianson (Hill's Commissioner) muttered that she would like to see the phase-in of the higher fees accelerated.

What a morass!!!!

See the fee resolution for the full picture at the link:
http://agenda.slocounty.ca.gov/agenda/sanluisobispo/1612/Qm9TX1Jlc29sdXRpb24tTm92Ll8xMyxfMjAxMi1JSE9fZmVlX2FkanVzdC1ORVhVU19BLnBkZg==/12/n/9988.doc

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Items Combined. For whatever reason the staff chose to combine the ag cluster subdivision issue with the pending farm stand regulatory ordinance and the pending olive oil processing ordinance. Whether this is a strategy to add confusion, limit comment, or simply jam everything through is unclear.

Farm Stands (Item 14): While allowing olive oil to be crushed and sold, the revised ordinance adds a variety of restrictions and requirements for all farm stands. Please see the addendum at the end of this report which contains the actual text of the new Ag Retail Sales ordinance (Farm stands are now Ag Retail sales.) It is illustrative of the expanding and oppressive regulatory mentality.

Olive Oil Processing (Item 14): The olive oil processing ordinance is designed to assist olive orchard owners who wish to produce and sell the oil at the grove. The staff, at the request of the growers, has brought back some adjustments.

Arroyo Grande/County Deal on Future Growth-Expansion of the City's Sphere of Influence (Item 6). The Board will consider approval of a Memorandum of Agreement (MOA) with the City of Arroyo Grande to expand its Sphere of Influence (SOI), which is a State designation for areas in which cities may expand in the future by annexing land that is in the County jurisdiction. This is a normal process provided for by State law (The Cortese, Knox, and Steinberg Act). What is significant about this item is that the County requires Arroyo Grande to incorporate its "Smart Growth" doctrine into its planning. Provisions of the MOA are summarized in part in a portion of the Board letter below:

Staff from the County of San Luis Obispo, City of Arroyo Grande, and LAFCO developed an MOA for consideration by the Arroyo Grande City Council and County of San Luis Obispo Board of Supervisors. The draft MOA includes many provisions that will guide development on lands outside the Arroyo Grande City Limits. They include provisions for development impact mitigation, coordinated review of development proposals, consideration of the City's and County's General Plan Policies for unincorporated areas in the City's SOI, preservation of agricultural and open space resources, identification and evaluation of adequate and reliable water supplies, and timing for the development of land use policies and regulations in advance of requests for annexation. It also includes guiding principles for future development of lands within the City's SOI. ***These principles are consistent with the Strategic Growth Policies contained in the County's General Plan. Those principles include:*** (our emphasis)

- *Direct development toward existing incorporated and unincorporated urban areas with logical infrastructure connections.*

 Create walkable and transit friendly neighborhoods that have logical connections to other parts of the City.
 Provide a variety of transportation choices that are feasible and financially viable.
 Create a range of housing opportunities and choices.
 Use land more efficiently.
 Improve the regional or sub-regional jobs/housing balance.

ADDENDUM: Agricultural Retail Sales

22.30.075 - Agricultural Retail Sales
These standards apply to the retail sale of agricultural products in structures, or a portion of a structure, constructed or converted for agricultural product merchandising. Hay, grain and feed sales are subject to Section 22.30.210 (Farm Equipment and Supplies). Sales from vehicles and seasonal sales are subject to the applicable provisions of Section 22.30.330 (Outdoor Retail Sales). Sales in the field not involving a structure that requires a building permit, including U-Pick operations, are considered Crop Production and Grazing. The standards of this Section apply in
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addition to all applicable permit requirements and standards of the County Health Department, and any other applicable Federal and State statutes or regulations. It is recommended that applicants contact the County Health Department as early as possible to determine if any additional standards apply.
A. Limitation on use.
1. Field Stand. Field Stands allowed under this section are defined as an open or fully enclosed structure, where 100 percent of the fruits, vegetables, flowers, shell eggs, nuts, raw fiber or honey offered for sale are grown or produced by the operator and the stand is located on the site where the products offered for sale are grown or produced. Does not include packaging, processing, sampling or tasting or the sales of any packaged or processed produce or products.
2. Farm Stand. Farm Stands allowed under this section are defined as a structure or portion thereof, where at least 50 percent of the floor area of the stand is dedicated to selling fruits, vegetables, flowers, shell eggs, nuts, raw fiber or honey that is grown or produced by the operator and the stand is located on the site where the products offered for sale are grown or produced or the sale of prepackaged non-potentially hazardous food, including olive oil, from a state approved source grown or produced on-site. The remaining 50 percent of the floor area of the stand may be used for the selling of fruits, vegetables, flowers, shell eggs, nuts, raw fiber or honey that is grown off site. The sale of prepackaged non-potentially hazardous food from a state approved source not grown or produced on site and other non-food ancillary items is limited to 50 square feet of storage and sales area and may include bottled water and soft drinks. Food preparation is prohibited except for food sampling or tasting.
B. Design Standards.

1. Sales Area Limitation. The floor area of the structure, portion of a structure and/or any outdoor display area shall be limited to a total of 500 square feet unless otherwise authorized by Minor Use Permit approval.
2. Use of Structures. Agricultural Retail Sales located in a structure shall be permitted as required by applicable building codes.
3. Location. The principal access driveway to a site with a Field Stand or Farm Stand in a residential land use category shall be located on or within one mile of an arterial or collector. The driveway approach shall conform to current county standards for construction and sight distance.
4. Setbacks. Agricultural Retail Sales shall be located a minimum of 50 feet from the front property line, 30 feet from side and rear property lines, but no closer than 400 feet to any existing residence outside the ownership of the applicant. If it is not possible to maintain 400 feet from a residence outside of the ownership of the applicant, the setback can be modified through a Minor Use Permit.
5. Parking. One parking space is required per 250 square feet of structure or outdoor display area. Parking shall be provided as follows, with such parking consisting at a minimum of an open area with a slope of 10 percent or less, at a ratio of 400 square feet per car, on a lot free of combustible material, on areas of the site that are not
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Class I soils as defined by the Natural Resource Conservation Service (NRCS), and outside of the public road right-of-way. Parking areas shall be located in an off-street area accessed by a driveway which conforms to local fire agency standards. The parking area shall be surfaced with crushed rock, Class II aggregate base or similar semi-permanent all weather surface.
6. Discontinued agricultural use. In the event that the agricultural use that justified the Agricultural Retail Sales is discontinued for more than one growing season in consultation with Agriculture Department, all use of the site for Agricultural Retail Sales shall be terminated.
C. Notice and hearing requirements.
1. Public notice. For stands in the Residential Rural, Residential Suburban and Recreation categories, notice shall be provided to owners of property within 300 feet of the exterior boundaries of the site. The notice shall be provided not less than 10 days before the date of action on the Site Plan Review in compliance with Section 22.62.040. The notice of a Site Plan Review shall declare that the application will be acted on without a public hearing if no request for a hearing is made in compliance with Subsection C.2.
2. Public hearing. No public hearing shall be held on the application for a Site Plan Review, unless a hearing is requested by the applicant or other affected person. Such request shall be made in writing to the Director no later than 10 days after the date of the public notice provided in compliance with Subsection C.1. If a public hearing is requested, the Agricultural Retail Sales use shall be subject a Minor Use Permit and the Director shall provide notice of the public hearing for the Minor Use Permit in compliance with Section 22.62.050.
D. Application content.
1. Site Plan. A site plan which clearly shows the location of the structure(s) to be used as the Agricultural Retail Sales facility, setbacks to nearest property lines, location of road access and designated parking areas.

2. Floor Plans and Architectural Elevations. A floor plan with dimensions and elevations of the structure(s) to be used.
3. Fire Protection. A fire safety plan that sets forth adequate fire safety measures for the proposed Agricultural Retail Sales facility. Facilities are to be provided as required by the County Fire Department or applicable Fire Agency.
4. Water Supply, Sanitation, and Food Preparation. For Farm Stands, a clearance letter from the County Health Department shall be submitted with the land use permit application that sets forth facilities and permits that are required. The Health Department requirements may include but are not limited to: vermin proof storage, toilet, hand washing facilities and potable water.
E. Exceptions. A Conditional Use Permit may be used to modify the limitation on use and the site design standards as set forth in Subsections A. and B.

OK, let's spend about $50,000 at the County permitting this.
Wonder if it has to be sprinklered?