

ORDINANCE NO. 9647 (NEW SERIES)

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE
TO EXTEND THE TIME THAT AGRICULTURAL EMPLOYEE HOUSING
IS EXEMPT FROM SPECIFIED FEES AND DEPOSITS AND THE
PARK LANDS DEDICATION ORDINANCE RELATING TO FEE COLLECTION
REF: POD 03-04

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 will continue an on going program to waive fees for agricultural employee housing applications. The purpose of these amendments is to continue a program to provide affordable housing for low-income agricultural employees.

Section 2. Section 51.0107.17 of the San Diego County Code is hereby amended to read as follows:

SEC. 51.0107.17. WAIVER OF SPECIFIED FEES FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provisions of this chapter, the fee specified in Section 51.0106.4.8 for a flood hazard report, the fees specified in Section 51.0107.2 for a permit, the plan review fees specified in Section 51.0107.3, the compliance survey fee specified in Section 51.0107.7, the residential driveway fee specified in Section 51.0107.8, the demolition permit fee specified in Section 51.0107.10, the energy conservation review fees specified In Section 51.0107.19, the Zoning Ordinance review fees specified in Section 51.0107.20, and the Fire Code review fees specified in Section 51.0107.21 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S) and (ii) the application was approved; or
- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is

applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No _____ (N.S).

Section 3. Section 52.504 of the San Diego County Code is hereby amended to read as follows:

SEC. 52.504. WAIVER OF SPECIFIED FEES FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this chapter, the permit fees specified in Section 52.501, and the reinspection fees specified in Section 52.502 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); .); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. _____ (N.S) and (ii) the application was approved; or
- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.);

or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. _____.(N.S).

Section 4. Section 53.129 of the San Diego County Code is hereby amended to read as follows:

SEC. 53.129. WAIVER OF SPECIFIED FEES FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this chapter, the permit fees specified in Section 53.109 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S) and (ii) the application was approved; or
- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. _____ (N.S).

Section 5. Section 56.207 of the San Diego County Code is hereby amended to read as follows:

SEC. 56.207. WAIVER OF SPECIFIED FEES FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this division, the fee for an operating permit specified in Section 56.107, the installation permit fees specified in Sections 56.202.3, 56.221, and 56.221.5 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. _____ (N.S.) and (ii) the application was approved; or
- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S.).

Section 6. Section 58.124 of the San Diego County Code is hereby amended to read as follows:

SEC. 58.124. WAIVER OF SPECIFIED FEES FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this chapter, the permit fees specified in Sections 58.108 and 58.114, and the reinspection fees specified in Section 58.112 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed

between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S) and (ii) the application was approved; or

- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.) or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S).

Section 7. Section 65.110 of the San Diego County Code is hereby amended to read as follows:

SEC. 65.110. WAIVER OF SPECIFIED FEES FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this division, the fees specified in Section 65.107 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. _____ (N.S) and (ii) the application was approved; or
- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code

enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. _____ (N.S).

Section 8. Section 67.449 of the San Diego County Code is hereby amended to read as follows:

SEC. 67.449. WAIVER OF SPECIFIED FEES FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this chapter, the permit fees specified in Sections 67.441.B and 67.445 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. _____ (N.S) and (ii) the application was approved; or
- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S).

Section 9. Section 68.155.1 of the San Diego County Code is hereby amended to read as follows:

SEC. 68.155.1. WAIVER OF SPECIFIED DEPOSITS AND FEES FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this division, the deposit for checking plans and specifications specified in Section 68.152, the deposit for checking rights-of-way specified in Section 68.153, the deposit for inspection and testing specified in Section 68.154, the deficiency deposits specified in Section 68.155, the permit fees specified in Sections 68.326 and 68.326.1, the project review fee specified in Section 68.326.2, and the examination fees specified in Section 68.328.1 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 _____ (N.S.); and (ii) the application was approved; or
- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S).

Section 10. Section 71.233 of the San Diego County Code is hereby amended to read as follows:

SEC. 71.233. WAIVER OF SPECIFIED FEES FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this division, the permit fee specified in Section 71.204.1, the route evaluation deposit specified in Section 71.209.5, the permit

fee specified in Section 71.307, the permit fee specified in Section 71.407, the engineering and/or inspection fee specified in Section 71.408, and the permit fee specified in Section 71.608 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 1998, pursuant to Ordinance No. 8574 (N.S.) or Permit was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S) and (ii) the application was approved; or
- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. _____ (N.S).

Section 11. Section 79.111 of the San Diego County Code is hereby amended to read as follows:

SEC. 79.111. WAIVER OF SPECIFIED FEES FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this division, the fees for street naming specified in Section 79.104, and the fees for street address numbering specified in Section 79.106 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S) and (ii) the application was approved; or
- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S).

Section 12. Section 87.305 of the San Diego County Code is hereby amended to read as follows:

SEC. 87.305. WAIVER OF SPECIFIED FEES AND DEPOSITS FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this chapter, the examination, plan checking and inspection fees and deposits specified in Section 87.301 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for any Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768

(N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.); or any farm employee housing or farm labor camp project for which a complete application for a Building Permit or Minor Use Permit was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S.) and (ii) the application was approved; or

- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S.).

Section 13. Section 88.207 of the San Diego County Code is hereby amended to read as follows:

SEC 88.207. WAIVER OF SPECIFIED FEES AND DEPOSITS FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this chapter, the examination, plan checking and inspection fees and deposits specified in Section 88.207 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for any Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998 pursuant to

Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S) and (ii) the application was approved; or

- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. _____ (N.S).

Section 14. Section 362.2 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 362.2. WAIVER OF SPECIFIED FEES AND DEPOSITS FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this article, the environmental action fees and deposits authorized by County Ordinance 4901 (N.S.), as specified in Schedule E of Section 362, shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993, and June 30, 1994 pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.) or was filed between May 14, 1999 and June 30, 2004 pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S) and (ii) the application was approved; or
- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active

agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004 pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S).

Said fee waiver for a Minor Use Permit for a farm labor camp shall be subject to the \$5,000.00 maximum waiver for all costs expended by staff within the Department of Planning and Land Use as set forth in the San Diego County Zoning Ordinance Section 7602 d.7. Said fee waiver for a farm labor camp project for which a Minor Use Permit is prohibited under Section 17021.5 or Section 17021.6 of the California Health and Safety Code shall also be limited to a \$5,000.00 maximum waiver for all costs expended by staff within the Department of Planning and Land Use.

Section 15. Section 395.3 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 395.3. WAIVER OF SPECIFIED FEES FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this article, the fee for processing an amendment to an agricultural preserve specified in Section 395, and the fee for processing an amendment to, or abandonment of, an open space easement specified in Section 395 shall be waived for:

- (1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004 pursuant to Ordinance No. 9021 (N.S.) and (ii) the application was approved; or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S).
- (2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code

enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004 pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S).

Section 16. Section 810.103 of the San Diego County Code is hereby amended to read as follows:

SEC. 810.103. DEDICATION OF LAND OR PAYMENT OF FEE REQUIRED.

As a condition of approval of any development, as defined in Section 810.102(a), the applicant shall dedicate land, pay fees in lieu thereof, or do a combination of both, pursuant to the provisions of this Chapter for neighborhood and community park or recreational purposes to serve future residents of such development except as follows:

- (1) In the event that subsequent development occurs with respect to property for which fees have been paid or land dedicated, additional fees or dedication shall be required only for additional lots or dwelling units which were not included in computing the prior fee or dedication requirement;
- (2) Prior to the issuance of any building permit or other permit for development under the jurisdiction of the Director, the applicant shall pay to the Director the fees prescribed in Section 810.106 or shall present a written statement from the Director certifying that the requirements of this chapter have otherwise been satisfied with respect to the development for which permits are sought.
- (3) The requirements of this Chapter shall not apply to 1) the replacement on the same parcel by the owner of a dwelling or dwellings destroyed by fire or other calamity, provided that the application for a building permit to replace such dwelling is filed with the Director within six (6) months after destruction of the dwelling; or 2) an accessory apartment or accessory living quarters as defined by the County Zoning Ordinance.
- (4) Waiver of Specified Fees for Farm Employee Housing and Farm Labor Camps. Notwithstanding any other provision of this Chapter, the requirements of this Chapter shall not apply to:
 - (a) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7769 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7876 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No.

8087 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8272 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8437 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8575 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S) and (ii) the application was approved; or

- (b) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of the Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8272 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8437 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8575 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S).

Section 17. Section 810.102 of the County Code is hereby amended to read as follows:

SEC. 810.102. DEFINITIONS.

Words used herein that are defined in the Subdivision Ordinance but not specifically defined in this Chapter shall have the same meaning as is given to them in the Subdivision Ordinance. Any zoning matters referred to herein shall have the same meaning as is ascribed to them in the Zoning Ordinance. Whenever the following words are used in this Chapter, they shall have the meaning ascribed to them in this section.

- (a) "Development" means a subdivision, mobilehome park or construction or installation of a dwelling. Development does not include: (1) Subdivisions created for industrial or commercial purposes, (2) Transient habitation resort services for which occupancy is limited to 90 days for any person in any 12 month period pursuant to Sections 6400 through 6449, inclusive, of the Zoning Ordinance, or cabin or motel units which are not to be used as primary residences and which are to be constructed within and primarily to serve Federal, State or County parks or forest, (3) Recreational Trailer Parks, Temporary Trailer Parks, or Travel Trailer Parks as those terms are defined in the Mobilehome Parks Act; (4) Condominium projects or stock cooperatives, as defined in the Subdivision Ordinance, which consist of the subdivision of air-space in an existing

apartment building which is more than five (5) years old when no new dwelling units are added.

(b) "Director", unless otherwise specified, means the Director of the Department of Planning and Land Use of the County of San Diego.

(c) "Dwelling" shall mean a building or portion thereof used for residential purposes, including one-family, two-family and multiple dwellings, and shall also mean mobilehome, and mobilehome sites or spaces in mobilehome parks.

(d) "Dwelling Unit" shall mean one or more rooms in a dwelling or multiple dwelling or apartment hotel used for occupancy by one family (including servants and employees of such family) for living or sleeping purposes, and having only one (1) kitchen.

(e) "Family" shall mean an individual, or two (2) or more persons related by blood or marriage, or a group of not more than five (5) persons, excluding servants, who are not related by blood or marriage, living together as a single housekeeping unit in a dwelling unit.

(f) "Neighborhood and Community Park or Recreational Purposes" shall mean local parks as defined in the Recreation Element of the San Diego County General Plan - 1990 including mini parks (playlots and vest pocket parks), neighborhood parks, and community parks; and shall also mean the types of facilities common to local parks when they occur in a regional park and are available to serve the recreational needs of residents within the local park service radius as defined in the standards for park and recreation facilities in the Recreation Element.

(g) "Active Recreational Uses" shall mean recreation facilities occurring on level or gently sloping land (maximum 10%) restricted for park and recreation purposes in a planned development which are designed to provide individual or group activities of an active nature common to local parks in San Diego County, including, but not limited to, open lawn, sports fields, court games, swimming pools, children's play areas, picnic areas, recreation buildings, dance slabs, and recreational community gardening. Active Recreational Uses do not include natural open space, nature study areas, open space for buffer areas, steep slopes, golf courses, riding and hiking trails, scenic overlooks, water courses, drainage areas, water bodies (lakes, ponds, reservoirs), marinas and boating areas, parking areas, and archaeology areas.

(h) "Recreational Community Gardening" means the land and facilities in a planned development for the cultivation of plant material, not for sale, by persons other than, or in addition to, the owner of such land.

(i) "Approving Body" shall mean the Planning and Environmental Review Board, the Planning Commission or the Board of Supervisors as the case may be.

PASSED, APPROVED, AND ADOPTED this 19th day of May 2004.