

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

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Memo

To: Board of County Commissioners
Frank W. Clifton, Jr., County Manager

From: Craig N. Benedict, AICP, Planning Director

Date: December 15, 2009

Re: Agricultural Support Enterprises – History & Status

This memorandum is provided to briefly outline the history and status of the Agricultural Support Enterprises (ASE) program.

The Agricultural Support Enterprises (ASE) program has been in development since 2001 and has been known by many terms. This was originally an initiative of Economic Development and ERCD with the County Attorney. Despite its many names and iterations, the intent of the program has remained consistent – to provide more agricultural business options for Orange County farmers. The attached chart, which has been presented to the BOCC at previous meetings, shows the general structure and objective of the program.

The program migrated to Planning as implementation and intergovernmental coordination was necessary. On October 14, 2008 Orange County Planning staff provided an update on the Agricultural Support Enterprises project to then County Manager Laura Blackmon. At that time, staff was finalizing the draft of the Zoning Ordinance amendments and ASE Manual, as directed, for presentation to the Board of County Commissioners and Planning Board at the February 2009 Quarterly Public Hearing. The zoning amendments proposed included the new Conditional Zoning construct, an essential component of the Agricultural Support Enterprises program. After further discussions with staff and then County Attorney Geof Gledhill, it was determined that the new Conditional Zoning construct would be brought forward at the February 2009 Quarterly Public Hearing independent of the many Zoning Ordinance amendments proposed for the Agricultural Support Enterprises program. Conditional Zoning was to be heard at the February 2009 Quarterly Public Hearing and Agricultural Support Enterprises would be presented at the subsequent Quarterly Public Hearing.

In January 2009 Planning staff received notice from then County Attorney Geof Gledhill's staff that the Zoning Ordinance amendments proposed for presentation at the February 2009 Quarterly Public Hearing would not be included on the Quarterly Public Hearing agenda. Legal staff recommended

the Conditional Zoning construct be included in the forthcoming Unified Development Ordinance (UDO), rather than creating the new construct within the existing Zoning Ordinance.

The Conditional Zoning construct is an essential component of the Agricultural Support Enterprises program. Following the approval of this new construct, the largely complete ordinance amendments necessary for the ASE program can be adjusted to fit in the new UDO and brought forward for consideration.

If you would like any additional information, please contact Shannon Berry, Special Projects Planner, or myself.

NEW WAYS TO SUPPORT OUR AGRICULTURAL ECONOMY – Rural Enterprises

Proposed Use Categories and Permitting Requirements based on Intensity

