

FAQ
City of San Diego's
Urban Agriculture Big Day
(a.k.a., the City Council hearing)
Tuesday, January 31, 2012
2:00 PM (or later)
202 C Street, 12th floor

What is happening?

This past summer, the City of San Diego began reviewing its regulations that were limiting urban agriculture. Since then, they developed a laundry list of ways to improve the municipal code, which includes new rules for bees, miniature goats, chickens as well as two new commercial uses, expanded opportunities for selling at community gardens and streamlined rules for farmers markets on private property. (Gory details in another attachment.) This reform ordinance has been wending its way through the legislative process for seven months. It culminates in a hearing on Tuesday in which city council votes on the ordinance. If all goes well, this will be the climax, the grand finale, of the legislative process. After this, the only big step left is the mayor's signature. (More on that later too.)

Yep, this is the 'speak now or forever hold your peace' moment.

That's cool. I'll check the newspaper Wednesday to see how it went.

No, no, no. We need you there, or if not there, contacting your councilmember (more on that in a minute too). Councilmembers are sensitive to public opinion (as they should be): doing something new involves risk for them, so why should they take a risk unless it's clear that it's important to people? Your support matters. If you have any doubt, go reread *Horton Hears a Who!*

Okay, so what exactly is this event you trying to sucker me into?

Basically, the hearing involves a fairly standard ritual: (a) waiting around until the item is up, (b) a staff presentation describing the matter before council and staff recommendations, (c) brief clarifying questions from councilmembers, (d) public testimony, (e) council discussion, which should lead to a motion that they'll vote on, and finally, (f) our going out into the hallway and talking it over.

And what would be my job?

We probably have enough public speakers, so your role is pretty simple: show support. Once you get into the city hall building (202 C St.), go through security and go up to the twelfth floor. There's no doubt what room council chambers are in because the other rooms are smaller and probably will have the lights off or fewer people in them. When you walk through the double-glass doors of the chambers, you'll see a small table on your right. There will be various handouts on it. There will be 'speaker slips' in two colors. In some happy color (likely green) will be the 'in favor' slips and in some unhappy color – I think it's a brand of pink — will be the 'opposed' slips. Grab an 'in favor' slip, fill it out, turn it in at the front of the room. That's it.

In short, do what everyone else is doing.

Speaking of most people, it's common to park over at Horton Plaza and walk over. You get three hours free if you get your ticket validated at one of the machines within the mall proper. It's more fun to carpool though.

What do I put on the speaker slip?

There's one question you won't know how to answer — the item number — and asking will be an excuse to strike up a conversation with the person beside you. Remember, if you don't need to speak, write something short about what you support in the blank and then add, "Do not need to speak." If you forget to write "Do not need to speak", you'll be called up to the podium and forced to extemporize.

Is anyone going to speak in opposition?

The County Public Health and Environmental Health Departments are opposed to the miniature goat part of the ordinance because of their concerns about raw or poorly pasteurized milk.¹ Some community planning group members oppose to one or more animal husbandry components because of (a) a lack of confidence in the ability of the understaffed Code Compliance to enforce the regulations and (b) a visceral reaction to agricultural animals in an urban setting. Some people might have concerns about the commercial components.

It is reasonable then to expect at least a few speakers to submit 'opposed' speaker slips.

I want to speak. What should I do?

First, check with other people who might be speaking on the same point. It's important to avoid redundancy and contradicting each other. Also, if there are a lot of speakers, then the Council President might cut down on how much time each person has to speak. It wouldn't hurt to run by someone who looks like a ringleader what you want to say.

If and when you speak, be enthusiastic and grateful. I've been on some conference calls with people around the country talking about their local urban ag regulations and their elected officials. We've been pretty fortunate.

If I can't attend, what should I do?

Contact your city councilmember's office either via phone or email. To find contact information or find out what district you're in, go to: <http://www.sandiego.gov/citycouncil/>.

A letter should take the general outline:

I. Greeting (e.g., 'Dear Councilmember _____:')

II. Identification of self: You live in such and such council district, you have such and such expertise or experience (e.g., you raised chickens for five years before moving to San Diego), and you are urging the councilmember to support the ordinance. (Or if you have objection, state it here.)

III. Evidence: Explain why you want the councilmember to act in a particular way. Especially if you're opposed to something, be specific.

IV. Thank you and closing: Thank the councilmember for their time/attention/etc.

Feel free to cc it to other councilmembers and/or the mayor's office.

¹ The County's past letters can be found at:
<http://dockets.sandiego.gov/sirepub/cache/2/y3mhth55whct2iuzflc1tdnd/39492401262012113402590.PDF>

If I can attend, what should I wear?

Normal street clothes that implicitly say that you're an ordinary person on the street and not a hired suit. Bonus points if what you wear indicates what you're there to support.

How long will this hearing take?

Hmm... Yeah... You had to ask the awkward question. If you've been following this over the last seven months, you know that we've sometimes had long waits (over two hours). Given that urban ag is the first item on the afternoon agenda, however, unless an item for a morning session drags on and goes into the afternoon, we should be fairly near 2:00 PM. Please don't throw fruit at me if I'm wrong.

Is it fun to attend city council meetings?

Generally speaking, no. But this time it might actually be. Urban agriculture advocates seem generally pleased with the staff recommendations, the community planning groups have been mostly supportive, we have had bipartisan support on council, and there will be plenty of like-minded people there in the audience to hob-knob with. So if we do end up waiting, you'll have plenty of kindred spirits with which to pass the time.

So if we have to wait, it'll be like a singles bar?

I wouldn't go that far.

What happens if this passes?

The City Charter requires municipal code changes to be passed twice. If this ordinance passes, then city council will vote on the matter again in two weeks. Unless something happens in the intervening time, they'll pass it again without discussing it. Then the City Clerk has 48 hours to get it to the mayor's desk. He'll have 10 business days to sign or veto it. If he does nothing, it becomes law at the end of the 10 days. To the best of my knowledge, the mayor has made no public comments on this ordinance, but it seems unlikely that the staff recommendations would include anything objectionable to the mayor's office, as the planning staff reports to the mayor.

If the mayor signs or lets the 10 days pass, then the ordinance will go into effect in 30 days.

There are a few exceptions. To go into effect in a few specific zones in the City, certain parts of the ordinance will require additional approval from one of two State boards, the California Coastal Commission or the Airport Authority. If you think this might apply to you, ask.

In short, it could be up to two months before what is approved becomes law.

Does this just affect the City of San Diego?

Legally yes. It does not affect any other city within the County or the unincorporated parts of the County. Nonetheless, it can have an impact. The ordinances are based on what other major cities do, but our suburbs are rather restrictive on some of these points. If this ordinance goes well, then that'll put pressure on other local jurisdictions to change their ordinances. This means that if you choose to have chickens, for example, it's not just about you: other people's ability to have chickens depends on what you do.

In short, be the world's best neighbor and don't put yourself in the hospital.