

COMMERCIAL AGRICULTURAL SALES PERMIT

INFORMATION SHEET

An Agricultural Sales Permit (Seasonal) is required for, but not limited to the following uses: Christmas tree lots, pumpkin patches, fruit and vegetable stands located on land appropriately zoned, which operate at limited times of the year. An Agricultural Sales Permit (Annual) is required for year-round businesses such as the general public picking fruit from orchards and plant nurseries (excluding wholesale only: plant nurseries which do not sell to the general public).

The requirements of a Seasonal Agricultural Sales Permit pertain to supermarkets, convenience and hardware stores that locate Christmas Trees or pumpkin patches outside of their building (e.g. in parking lot or in front of a store where displays were <u>not</u> approved). Additionally, the requirements of the agricultural sales permit apply to "Agriculture" uses when they make items grown on site available for sale to the general public. Agricultural Sales Uses are permitted in all zoning districts.

SECTION A - Submittal Requirements

Submit the Agricultural Sales Permit application three weeks prior to the opening of the Agricultural Sales Use.

1. City of Irvine Building Permit Application
2. Site Plan
Three (3) copies of the site plan are required. The site plan shall identify the following:
 □ The location of the use including boundaries, adjacent streets, and site entrances and exits. □ The location of structures, electrical power poles, lighting, parking area and temporary sanitary facilities. □ The indoor/outdoor display area square footage, the number of employees and parking spaces. □ The hours of operation and, the start and end date of agricultural sales.
3. Structural Calculations
The type, quantity and the structural calculations for any proposed structures, tents, electrical power poles, etc. which will be on-site.
4. Property Owner Authorization Letter
The owner must give written authorization for the Agricultural Sales to operate at the proposed site.
5. Permit Submittal fees
See Section B.
6. Encroachment Permit

An Encroachment Permit will be required to allow access to undeveloped sites. Applications are available at

the Inspections counter or by calling (949) 724-6524.

7. Signs

One temporary banner per street or parking lot frontage is permitted. There is no fee for a Temporary Banner Permit included in the Commercial Agricultural Sales Permit. Regulations are explained in the attached "Temporary Banner Permit Information Sheet and Application". Only Annual Agricultural Sales Uses are allowed permanent signs. Please see the regulations outlined in the sign section of the Zoning Ordinance.

8. Business License

A City of Irvine Business License is required. Visit the Business License Office located in the Police Department or contact (949) 724-7128

9. Permit Exceptions

The Agricultural Sales Permit application covers review of all structures and grading. Encroachment Permits, must be obtained separately.

SECTION B - Cost

Submittal Fee

Planning Plan Check:	Initial	\$113.00
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Renewal \$43.00

Building Plan Check: \$67.50 Automation \$3.38

Note: Permits may be issued subject to field inspection.

Final Permit Fees

Permit Issuance: \$ 37.00 Inspection: \$156.00

Automation: \$7.80

Microfilming: \$.75 per page

Business License Fee:

\$50.00

1. **Exception:** If your business has gross receipts less than \$4000, the license fee is \$10.00 plus \$1.00 for every \$100.00 of gross receipts

Example: Gross receipts = \$3500.

Fee = \$3500 divided by \$100 = \$35 + \$10 = \$45.00

SECTION C - Development Standards

1. Parking:

- a. Christmas tree lots, pumpkin patches, and similar uses shall provide 1 space/500 sq.ft. of indoor and outdoor display area including customer walkways and paths, plus 1 space/employee.
- b. Fruit and vegetable stands, and similar uses shall provide 1 space/250 sq.ft. of indoor and outdoor display area including customer walkway and paths, plus 1 space/employee.

These parking requirements only apply to Agricultural Sales Uses that propose to locate on vacant lots and retail centers that base parking on each use, instead of one parking ratio for the entire center.

2. Displays and Products:

All outdoor displays and products must relate to the primary operation of the Agricultural Sales business.

SECTION D - Planning/Building Division Review Process

- Within five (5) business days following the receipt of the completed application, the initial review shall be completed. Contact the Permit Status Line (949) 724-6313 to determine if your application has been approved or if there are corrections. See the attached flow chart for more information regarding the review process.
- Commercial Agricultural Sales Permits (CASP) for temporary structures intended for use at one location
 for not more than 90 days may be approved on the condition that erection of such structures be subjected
 to field approval by the City inspection team. You will be responsible for modifying the construction of
 such structures for safety, as requested by the City inspection team.

SECTION E - Fire Department Review

Please contact Elizabeth Deacon, Orange County Fire Department at (949) 347-2240 regarding any required Special Activity Permits and Inspections for tents, flocking or fire retardant spray booths. The Orange County Fire Authority office covering Irvine is located at 58 Station Way, Ladera Ranch, CA 92694.

SECTION F - Inspections

After obtaining your Commercial Agricultural Sales Permit and prior to the commencement of operation of the use, you are required to call for an inspection. Please call for an inspection three (3) working days before you need the "power" released on-site. The approved Agricultural Sales Permit and Business License must be posted on the premises in a conspicuous place.

Forty-eight (48) hours after the conclusion of the Agricultural Sales Use, you must call for an inspection to verify that the site and public right-of-way fronting the property have been returned to their original condition. All Agricultural Sales structures, tents, signs, fencing, trash and debris must be removed. Inspections may be scheduled by calling (949) 724-6501.

SECTION G - Time Limits

- 1. Christmas tree lots may be approved and commence operation on or after November 1st for a period not to exceed 60 calendar days.
- Pumpkin patches may be approved and commence operation on October 1st for a period not to exceed 31 days.
- 3. Fruit and vegetable stands may be approved and commence operation for a period not to exceed 120 days.

SECTION H - Renewal

The recipient of an approved Agricultural Sales Permit from the previous year (same person/organization, same use, and at the same location) may submit an application for an Agricultural Sales Permit Renewal using the following procedure:

- 1. Complete a new Agricultural Sales Permit application and attach a copy of the previous year's approved permit and stamped approved plan.
- 2. The renewal fee (see "Fees" above) shall be paid at the time of submittal.
- 3. The Planning and Building Divisions shall have five (5) business days to complete the review of the CASP Renewal application.
- Include documentation that the applicant's Business License has been paid for the current year.

SECTION I - Appeal

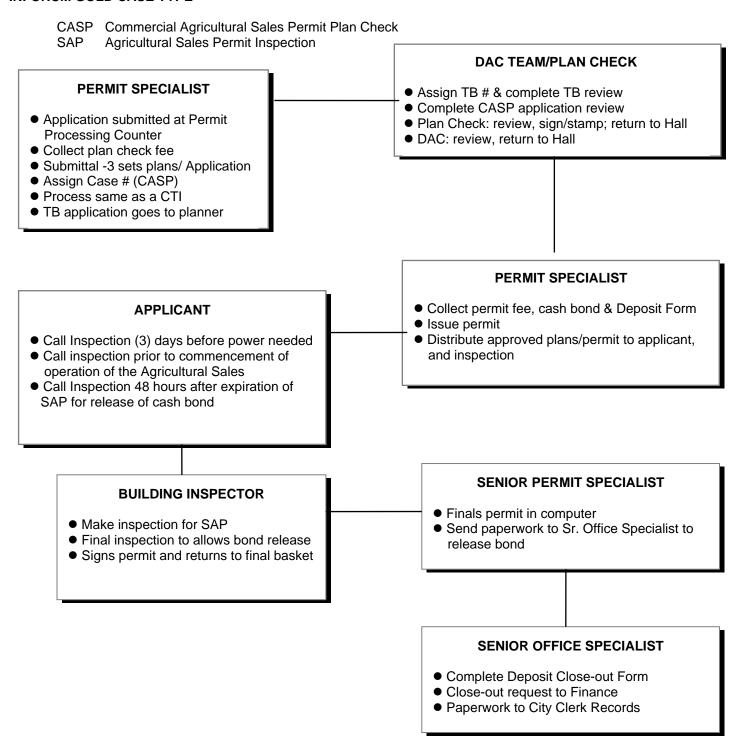
The approval or denial of the Agricultural Sales Permit shall be final unless appealed. Please refer to Chapter 2-5 of the Zoning Ordinance for the process for appeal.

SECTION J - Revocation/Transfer

- Once an Agricultural Sales Permit is issued, it cannot be transferred to another business or relocated.
- 2. Any approved Agricultural Sales Permit may be revoked per Chapter 2-4-13 of the Zoning Ordinance.

COMMERCIAL AGRICULTURAL SALES PERMIT FLOW CHART

INFORUM GOLD CASE TYPE



NOTE: The requirements of an Agricultural Sales Permit do apply to supermarkets, convenience and hardware stores etc., that propose to locate Christmas trees or other Seasonal Uses outside of their building (e.g. in parking lot or in front of stores where displays were not approved).