

**COUNTY OF PLACER**  
**Community Development/ Resource Agency**

Michael J. Johnson, AICP  
Agency Director

**PLANNING**  
**SERVICES DIVISION**

Paul Thompson, Deputy Director

**MEMORANDUM**

**TO:** Honorable Board of Supervisors

**FROM:** Michael J. Johnson, AICP  
Agency Director

**DATE:** May 21, 2013

**SUBJECT: EXTENSION OF INTERIM ORDINANCE 5704-B REGARDING COMMUNITY CENTERS**

**ACTION REQUESTED**

Conduct a public hearing to consider adoption of an Ordinance extending Interim Ordinance 5704-B, regarding a moratorium on approval of new applications for "Community Centers", pursuant to Placer County Code Chapter 17, Article 17.04, Section 17.04.030 (Definitions of Land Uses, specialized terms and phrases) and Article 17.06, Section 17.06.050.D (Land Use and Permit Tables), for 22 months and 15 days as allowed by State law. There is no net County cost associated with this action.

**DIRECTION BY THE BOARD OF SUPERVISORS**

On March 12, 2013, the Placer County Board Supervisors directed staff to prepare an interim ordinance establishing a moratorium on applications for Community Centers. On April 9, 2013, the Board of Supervisors took action to adopt an interim ordinance to establish a moratorium on approval of new applications for Community Centers for 45 days. Interim Ordinance 5704-B is scheduled to expire on May 24, 2013 unless extended by the Board prior to that date.

**BACKGROUND**

The Placer County Zoning Ordinance defines Community Centers as follows:

*"Multipurpose meeting and recreational facilities typically consisting of one or more meeting or multipurpose rooms, kitchen and/or outdoor barbecue facilities, that are available for use by various groups for such activities as meetings, parties, weddings, receptions, dances, etc. Includes grange halls."*

A Community Center is a permitted use in all residential land use zones and the Farm zone, subject to the approval of a Minor Use Permit, and in all commercial zones with either zoning clearance, or the approval of a Minor or Conditional Use Permit.

In 2012, members of the public expressed concerns regarding community/event centers associated with wineries in farm and agricultural zone districts. These concerns included the potential issues associated with holding "large-scale" events at wineries, and concerns that recent "Community Center" applications for Wise Villa Winery, Rock Hill Winery and Gold Hill Gardens were "attempts to get around County zoning regulations". To address the public's concerns, the Community Development Resource Agency Director, acting in his capacity as the Planning Director, made a determination

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(Attachment A) that all "Community Center" applications are to be reviewed and heard by the Planning Commission to assure the highest level of public review and scrutiny. Because the Planning Commission represents broad community interests, the Planning Director concluded the community is best served by having the Planning Commission act as the primary hearing body on Community Center uses.

Over the past year, the Board of Supervisors has observed a significant increase in applications and interest in the establishment of Community Centers and private event centers in residential and Farm land use zones. In reviewing these applications, the Board has concluded the current definition of "Community Center" does not consider impacts that may result from allowing private event centers in historically rural areas. Based upon comments received from the public, the Board has recommended the implementation of a moratorium on Community Centers and private event centers to allow staff time to develop criteria and standards that may be appropriate in the review of these facilities.

#### **REVIEW BY THE MUNICIPAL ADVISORY COUNCILS**

Because of increased interest in the establishment of Community Centers and private event centers in Residential and Farm Zone Districts, the Rural Lincoln, Weimar/Applegate/Colfax, and Meadow Vista Municipal Advisory Councils (MACs), as well as the Foresthill Forum, have requested that staff present information on the status of Community Centers. Following is a summary of the MAC discussions regarding Community Centers:

##### Rural Lincoln MAC

On January 28, 2013, staff participated in a workshop/discussion on Community Centers at the request of the Rural Lincoln MAC. The purpose of the workshop was to provide an opportunity for the Rural Lincoln community to learn what the County's Zoning Ordinance currently allows on Agricultural zoned properties, reasons the Board may wish to take a closer look at the community center definition, and the timeline and approach to studying issues associated with community centers, including how the community can become involved. Roger Ingram, Farm and Home Advisor, facilitated the discussion in order to capture input from the public and the MAC members. Josh Huntsinger, Agricultural Commissioner, and Paul Thompson, Deputy Planning Director, were present and available when questions arose. During the workshop/discussion, the MAC developed the following list of topics/issues that the MAC thought needed to be considered with regard to Community Centers:

- Promotion of agricultural uses
- No more approved for-profit Community Centers until more proper definition of text amendments developed
- Agricultural Business needs to be profitable
- Take care of community needs/community centers non-profit
- Should community centers be in agricultural zoning?
- Look at what other counties are doing
- Time limits for event
- Define nature of permitted event
- Definition of agriculture
- Scale of operation
- Attract new investment to County
- Community Center catch-all event
- Impact on property values
- Density of centers
- Sustainable
- Wine Co-ops: Suisun, Yolo, Tasting Room, event center
- Specify impact on neighbor! Number of events
- Do not infringe on neighbors

- Specify strong access and location requirements
- Minimum acreage size
- Respect neighbors
- Practical solutions
- Think win/win
- No outdoor amphitheater or amplified sound
- Enforcement - small percent of gross to fund enforcement staff since events will mainly be on the weekends
- Guidelines for food service
- Determine minimum percentage of farm's product sold
- What happens if someone else buys property?
- Require residency on property?
- If agricultural event center, prove revenue coming from agricultural
- Sunset clause for 5 to 10 years to be able to assess if the policy/requirements are working
- Limit size of events
- Require security at events if alcohol sold
- Adhere to zoning minimum/no subdivision (i.e., cannot subdivide 10 acres to two five-acre parcels and now have two event centers
- Variance or modifications to permit should require public hearing at Planning Commission
- Expand area of notification if community center being considered
- Want to see permitted events on County website
- Guidelines for structure height (i.e., square-foot limitations)
- Lighting requirements
- Coordination of events if high density of centers
- Not wanted in Residential-Ag area
- Event center has nothing to do with agricultural /that is not connected to agricultural should not be allowed
- What would trigger revocation of permit?
- What would penalties for non-compliance be?
- Original intent of community center when put in County Code
- When were community centers put in code / zoning
- Community center should be connected to agricultural uses
- Event center/commercial rental centers
- Separate community center and agricultural event center
- Event center - rental person determines what would happen
- Do not need an event center to sell agricultural products
- Weddings are not agricultural related
- Determine what are appropriate events for an agricultural event and not disturb community

The issues/concerns identified by the Rural Lincoln MAC can be distilled into the following four categories:

- Create two distinct definitions: one for a "Community Center", and one for a "Private Event Center".
- Create a process that ensures that a Community Center, if approved, is compatible with adjacent land uses.
- Community Centers in Agricultural Zone Districts should enhance and promote existing on-site agricultural uses.

- Create specific performance criteria and regulations with regard to Community Centers in Agricultural Zone District (e.g., a Community Center must be on a ten-acre parcel or larger and access directly onto a public road).

The complete minutes from the January 28, 2013 Rural Lincoln MAC meeting are attached to this staff report. (Attachment B).

On April 15, 2013, staff again attended the Rural Lincoln MAC to provide information about the newly-enacted Community Center Moratorium adopted by the Board of Supervisors. The MAC voiced its support of the moratorium, stating that the Community Center process should be revised and that the implementation of a moratorium was an appropriate first step in that process.

#### Weimar/Applegate/Colfax MAC

Staff presented information about Community Centers to the Weimar/Applegate/Colfax MAC on September 19, 2012 and October 17, 2012. At the October 17, 2012 meeting, the MAC decided that it would write a letter to the Board of Supervisor's asking that the Board establish a Task Force and commence review of the zoning definitions for Community Centers and Public Event Centers, and put a process in place that ensures that, if approved, a Community Center would be compatible with surrounding land uses. To date, staff has not received this letter.

#### Foresthill Forum

Planning staff presented information about Community Centers to the Foresthill Forum on January 7, 2013. The Foresthill Forum discussed the issue at length and concluded that two separate definitions should be created for a "Community Center" and a "Private Event Center", and that a process should be in place that ensures that a Community Center, if approved, is compatible with adjacent land uses. Additionally, the Foresthill Forum stated it would follow the Community Center issue and discuss it at future meetings as new issues developed.

#### Actions by the Agricultural Commission

Both of the recent community center applications (Wise Villa and Gold Hill Gardens) were considered by the Agricultural Commission. While similar issues were raised with each of the applications, the Agricultural Commission ultimately recommended approval for the Wise Villa application and recommended denial of the Gold Hill Gardens application. In reaching these decisions, the Agricultural Commission concluded that, because the Wise Villa application was centered around an existing vineyard/agricultural operation, the community center was an appropriate accessory use as it promoted agricultural activities. In recommending denial for the Gold Hill Gardens application, the Agricultural Commission concluded "the project did not enhance the marketability of the agricultural use of the property", and that a community center in an agricultural zoning district should be associated with an agricultural use on the property.

#### **ANALYSIS**

The following is a discussion of issues that the Board may wish to consider in determining whether to extend the interim ordinance prohibiting the approval of new Community Center applications.

#### Overview of General Plan Policies

The majority of the community centers within the County are located within the F (Farm) or RA (Residential Agricultural) zone districts. The County's General Plan has numerous programs and policies that specifically address furthering agricultural and economic development, and the preservation of agricultural resources, including:

**Land Use - Agricultural Land Use Policies**

**Policy 1.H.1.**

*The County shall maintain agriculturally-designated areas for agricultural uses and direct urban uses to designated urban growth areas and/or cities.*

**Policy 1.H.5.**

*The County shall require development within or adjacent to designated agricultural areas to incorporate design, construction, and maintenance techniques that protect agriculture and minimize conflicts with adjacent agricultural uses, except as may be determined to be necessary or inappropriate within a Specific Plan as part of the Specific Plan approval.*

**Policy 1.H.6.**

*The County shall require new non-agricultural development immediately adjacent to agricultural lands to be designed to provide a buffer in the form of a setback of sufficient distance to avoid land use conflicts between the agricultural uses and the non-agricultural uses, except as it may be determined to be unnecessary or inappropriate within a Specific Plan as part of the Specific Plan approval. Such setback or buffer areas shall be established by recorded easement or other instrument, subject to the approval of County Counsel. A method and mechanism (e.g., a homeowners association or easement dedication to a non-profit organization or public entity) for guaranteeing the maintenance of this land in a safe and orderly manner shall be also established at the time of development approval.*

**Land Use - Foothills Policies**

**Policy 1.N.14**

*The County shall support development of tourist and recreational facilities that extend the Foothill area's tourist season.*

**Agricultural and Forestry Resources – Agricultural Land Use**

**Policy 7.A.1.**

*The County shall protect agriculturally-designated areas from conversion to non-agricultural uses.*

**Policy 7.A.3.**

*The County shall encourage continued and, where possible, increased agricultural activities on lands suited to agricultural uses.*

**Policy 7.A.10**

*The County shall facilitate agricultural production by allowing agricultural services uses (i.e., commercial and industrial uses) to locate in agriculturally-designated areas if they relate to the primary agricultural activity in the area.*

**Policy 7.A.13**

*The County shall encourage multi-seasonal use such as private recreational development.*

**Policy 7.C.4**

*The County shall permit a wide variety of promotional and marketing activities for County grown products in all agricultural zone districts.*

**Policy 7.C.6**

*The County shall ensure that land use regulations do not arbitrarily restrict potential agricultural related enterprises which could provide supplemental sources of income for farm operators.*

**Review of Other Jurisdictions**

*In an effort to better understand how other jurisdictions address issues associated with community centers, staff contacted Amador County, Sonoma County and Santa Barbara County to see how each*

of these counties addresses the issue of community centers. While there are a multitude of counties that could be considered for analysis, these counties were selected because they have established agricultural operations (Sonoma and Santa Barbara counties), and the wineries in the counties have similar characteristics to those in Placer County (size, proximity to other uses). Amador County was specifically analyzed because it is seen as an emerging winery region, with many new wineries having been established over the past 20 years.

#### Amador County

Amador County does not have a land use definition for "Community Center" in its Zoning Ordinance and, as a result, does not allow Community Centers as an independent use in its Agricultural zone district unless the Community Center use is in conjunction with a winery. If a Community Center use is in conjunction with a winery, the facility is regulated through Amador County's Winery Ordinance which allows an unlimited number of events per year for events with less than 125 people. If the 125-person threshold is crossed, the winery is required to obtain a Use Permit.

Similar uses to Community Centers are allowed with design review in the County's Commercial Zone Districts. Bed-and-Breakfasts may have weddings, only with a Use Permit. Lodges and fraternal organizations are allowed in all zone districts with a Use Permit, and approval or denial is based on the merits of the project.

Staff from Amador County reports very similar problems with Community Center events as encountered in Placer County, including noise complaints, inadequate private road standards to handle the traffic, and people driving at night on unfamiliar country roads after an event.

#### Sonoma County

Sonoma County does not have a land use definition for "Community Center" in its Zoning Ordinance and does not allow Community Centers as an independent use in its Agricultural zone district unless it is in conjunction with a winery. If a Community Center use is proposed in conjunction with a winery, the facility is regulated through the County's Winery Ordinance and is required to obtain a Use Permit.

A similar use to Community Centers (as defined by Placer County) is allowed in Sonoma County's Recreation and Visitor-Serving Commercial Zone District with a Use Permit. All parcels zoned for Recreation and Visitor-Serving Commercial Zone District are near or adjacent to major thoroughfares, such as Highway 101. Bed-and-Breakfasts in Commercial Zone districts may have up to 10 weddings a year with the approval of a Use Permit. Lodges, clubs and fraternal organizations are allowed in all zone districts with a Use Permit.

Sonoma County staff reports very similar problems with Community Center events as encountered in Placer County including noise complaints, inadequate private road standards to handle the traffic, and people driving at night on unfamiliar country roads after an event. In addition, Sonoma County reported that due to a large number of wineries (400) in their county, the county often has problems with an over saturation of events in one area, causing traffic congestion.

#### Santa Barbara County

Santa Barbara County has three separate, more precise land use definitions to describe what would be defined as a "Community Center" in Placer County:

Community Center. A public meeting place where members of a community may gather for cultural, public information, social, recreational, and other purposes. Also includes functionally related internal facilities such as kitchens, multi-purpose rooms, and storage. Does not include conference and meeting rooms accessory and incidental to another primary use that is typically used only by onsite employees and clients, and occupy less floor area on the site than the offices they support (see "Offices"). Does not include: sports or other commercial entertainment

facilities (see "Theater," and "Sports and Entertainment Assembly"); or convention centers (see "Conference Center"). Related onsite facilities such as day care centers and schools are separately defined, and separately regulated.

Meeting Facility, Public or Private. A facility for public or private meetings, including community centers, religious institutions, civic and private auditoriums, grange halls, union halls, meeting halls for clubs and other membership organizations, etc. Also includes functionally related internal facilities such as kitchens, multi-purpose rooms, and storage. Does not include conference and meeting rooms accessory and incidental to another primary use that is typically used only by onsite employees and clients, and occupy less floor area on the site than the offices they support (see "Offices"). Does not include: sports or commercial facilities (see "Theater," and "Sports and Entertainment Assembly"); or convention centers (see "Conference Center"). Related onsite facilities such as day care centers and schools are separately defined, and separately regulated.

Conference Center. A building or group of buildings with accessory land and structures, that provides conference facilities for persons assembled for study and discussion of educational, religious, economic, scientific, charitable, or governmental subjects, including music, art and drama, and shall include the necessary accessory and incidental housing, dining, classroom, and recreational facilities.

All of the above land uses require a Use Permit, with the exception that a Community Center is permitted in the Single-Family Residential Zone Districts without a Use Permit. Santa Barbra County does not allow a Community Center in its Agricultural zone district unless it in conjunction with a winery. The Santa Barbra County Winery Ordinance allows events, similar to uses allowed at a Community Center in Placer County, on the winery premises based on the following criteria:

1. Wineries that comply with all of the following criteria may be allowed, subject to the issuance of a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits).
  - a. For every 1,000 cases of wine produced per year, there shall be a minimum two acres of vineyard planted on the winery premises.
  - b. The production capacity of the winery shall not exceed 20,000 cases per year.
  - c. The winery premises shall not contain a tasting room.
  - d. Winery structural development located within the winery premises shall not exceed 20,000 square feet.
  - e. Winery special events occurring on the winery premises shall not exceed four per year and the attendance at each event shall not exceed 150 attendees. Otherwise, the winery shall not be open to the public and shall not offer tours and retail wine sales to the public.
2. Wineries that comply with all of the following criteria may be allowed subject to a Development Plan approved by the Zoning Administrator in compliance with Section 35.82.080 (Development Plans).
  - a. For every 1,000 cases of wine produced there shall be a minimum one-acre of vineyard planted on the winery premises.
  - b. The production capacity of the winery shall not exceed 50,000 cases per year.

- c. The winery may include a tasting room. However, the floor area of the tasting room shall not exceed 400 square feet or 10 percent of the winery structural development area located on the winery premises, whichever is greater.
  - d. Winery structural development located within the winery premises shall not exceed 20,000 square feet.
  - e. Winery special events occurring on the winery premises shall not exceed eight per year and the attendance at each event shall not exceed 150 attendees.
3. Wineries that comply with all of the following development standards may be allowed subject to a Development Plan approved by the Commission in compliance with Section 35.82.080 (Development Plans). The production capacity of the winery is not limited and the winery may contain a tasting room.
- a. For every 1,000 cases of wine produced there shall be at a minimum one-half acre of vineyard planted on the winery premises.
  - b. Winery special events occurring on the winery premises shall not exceed 12 per year and the attendance at each event may not exceed 200 attendees.
    - (1) Winery special events in excess of 12 per year or where the attendance at one or more events exceeds 200 may be allowed in compliance with a Conditional Use Permit approved by the Commission in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).
    - (2) The number of special events allowed by a Conditional Use Permit shall not exceed 40 days per year.

As can be seen from the above standards, the larger the winery (I.E., annual cases produced and acreage), the more events are permitted. At the same time, the more events that are permitted, an increased level of discretionary/public review is required.

In Santa Barbara County, Bed-and-Breakfasts are regulated similar to Hotel or Motel land uses, and in some instances are allowed to have events on premises. Santa Barbara County staff reports very similar problems with events as encountered in Placer County, including noise complaints, facilities exceeding the allowed of attendees, and exceeding the allowed number events.

Staff Conclusions

Based on the research that staff has conducted with the above three counties, Placer County is different from the counties surveyed, in that Placer County allows Community Centers in its Agricultural Zone Districts as stand-alone land uses with a use permit, where the other counties allow Community Centers only in Agricultural Zone Districts in conjunction with a winery, and regulate that use through their Winery Ordinance.

Analysis of Community Centers in Placer County

Section 17.04.030 (Definitions of Land Uses) of the Placer County Code currently defines Community Centers as:

*"Community Centers" (land use) mean multipurpose meeting and recreational facilities typically consisting of one or more meeting or multipurpose rooms, kitchen and/or outdoor*

*barbecue facilities, that are available for use by various groups for such activities as meetings, parties, weddings, receptions, dances, etc. Includes grange halls.*

As has been discussed at multiple public hearings, this is a very broad definition that has historically encompassed every type of gathering place from rural Grange Halls to an "event-type center", which are typically geared toward weddings and private parties. Currently, Community Centers are permitted by right in all commercial zoning districts, the Highway Services zoning district, and the Resort zoning district. "Community Centers" are conditionally permitted in all residential zoning districts, the Office Park zoning district, and the Farm zoning district with the approval of a Minor Use Permit. All conditionally permitted uses are discretionary actions, meaning that the decision-making body must review each application on its individual merits, impose conditions to ensure compatibility of uses with the surrounding area or, if deemed appropriate, deny the application if the required use permit findings cannot be made.

To help address the broad nature of the current definition for Community Centers, the Board may wish to consider two separate and specific definitions to modify the existing "Community Center" definition. The following are examples of two possible new definitions to address Community Center uses. The definitions are intended to identify the differences between a "Community Center" and a "Private Event Center".

(A) **"Community Centers"** (land use) means a government or not-for-profit facility consisting of a multipurpose meeting and recreational facility, typically consisting of one or more meeting or multipurpose rooms, kitchen and/or outdoor barbecue facilities, that are available for use by various groups for such activities as public assemblies and meetings, private meetings, parties, weddings, receptions, and dances. This definition also includes grange halls.

(B) **"Event Centers"** (land use) means a for-profit facility consisting of a multipurpose meeting and recreational facilities typically consisting of one or more meeting or multipurpose rooms, kitchen and/or outdoor barbecue facilities, that are available for use by various groups for such activities as meetings, parties, weddings, receptions, and dances.

Because of the broad nature of community centers and the zoning districts in which community centers are currently permitted, staff has not – at this time – included any requirement or connection with agricultural uses within the definitions for Community Centers or Event Centers. Should the Board conclude it is appropriate to include a requirement for a connection to agricultural uses, staff will provide assistance in modifying the proposed definitions.

Establishment of Performance Criteria:

The Board may wish to require the establishment of performance criteria and standards for Community Centers and Event Centers. Performance criteria specify certain requirements that must be achieved for a proposed community center or event center to be recommended for approval to the hearing body. Some examples of performance criteria are as follows:

- A. Establish a minimum parcel size for Community Centers and Event Centers.
- B. Establish standard hours of operations.
- C. Establish a maximum number of events that can be held at a Community Center or Event center.
- D. Establish a distance limitation (e.g., there can only be one Community or Event Center within a one-half mile radius).

- E. Establish minimum access standards (e.g., Community and Event Centers must access directly onto public roadways).
- F. Establish maximum structure sizes for Community and Event Centers.
- G. Require that Event Centers in the Farm Zone be directly related to and support an on-site agricultural use.

#### **LETTERS/COMMENTS RECEIVED FROM THE PUBLIC**

Staff has received six comment letters regarding Community Centers (Attachment C). The letters request that an inclusive public process be used to address the issues associated with Community Centers and private event centers. Each letter proposes some definitions for Community Centers and private event centers, and issues associated with roadways, land use and development criteria are discussed.

Many of the issues identified in the letters are consistent with the issues identified in this staff report. Staff concurs that a series of public forums should be held to discuss issues associated with Community Centers and private event centers. Through these community forums, the greatest number of members of the public will be allowed to participate in the drafting of language to be considered by the Planning Commission and Board of Supervisors.

#### **PLANNING COMMISSION WORKSHOP**

On May 9, 2013, the Planning Commission conducted a workshop on "Community Centers". Staff scheduled this workshop to obtain direction from the Planning Commission on issues associated with Community Center uses prior to the Board's consideration of extending the moratorium on the processing of Community Center applications.

The workshop was attended by about 30 members of the public, with 12 of those giving public testimony. The members of public giving testimony voiced the following similar concerns:

- The definition of "Community Center" was too broad and needed to be more specific and based specifically on its land use.
- Specific standards should be placed on Community Centers and event-type centers that must be met for a use to be approved. Example of such standards would be mandating a minimum parcel size and minimum access requirements.

The Planning Commission stated that it was pleased with the process identified by staff (See "Next Steps"), and the Planning Commission supported staff's proposal for extensive public outreach to address issues associated with Community Centers. The Planning Commission liked the analysis provided by the Rural Lincoln MAC, and recommended that the Rural Lincoln MAC issues be considered by staff in its analysis of Community Centers.

The issue of zoning compatibility was a primary concern to the Planning Commission. When considering possible Zoning Text Amendment changes, the Planning Commission recommended that staff analyze the appropriateness of parcel sizes and the proximity to adjoining residents/properties. The Planning Commission concluded that standards of some type were needed, but that the standards should not be defined so narrowly that control was taken away from the decision-makers. The Planning Commission wanted the decision-makers to be allowed the greatest amount of flexibility in any review of a Community Center application.

The Planning Commission also discussed issues associated with Code Enforcement. The Commission noted that most violations occur during evening and weekend hours when staff is not available, and that

Code Enforcement would be a key component to the success of any proposed ordinance changes. Additionally, the Planning Commission concluded that staff should analyze the creation of different categories for Community Centers (similar to Santa Barbara County). In considering new definitions, the Planning Commission stated that it was not as important to differentiate between non-profit and for-profit facilities, but rather it was more important to clearly define the intensity of use for each definition.

Based on the staff presentation and public testimony, the Planning Commission unanimously recommended (with Chairman Gray absent) to the Board of Supervisors that staff proceed with the extensive public outreach process for Community Centers as identified in the Planning Commission staff report. Staff informed the Planning Commission that, while there are some common issues between wineries and Community Centers, there was merit in considering the amendments to the Winery Ordinance (as proposed by the Placer County Vintner's Association), and follow a parallel but separate track to address issues associated with Community Centers. The Commission concurred that these are two separate issues worthy of independent review.

### **BOARD OPTIONS**

The Board of Supervisors may consider the following options:

1. Adopt an Ordinance approving an extension of Interim Ordinance 5704-B, regarding a moratorium on applications for "Community Centers" pursuant to Placer County Code Chapter 17, Article 17.04, Section 17.04.030 (Definitions of Land Uses, specialized terms and phrases) and Article 17.06, Section 17.06.050.D (Land Use and Permit Tables), for 22 months and 15 days, and direct staff to clarify the issues surrounding Community Centers and Private Event Centers and begin processing a Zoning Text Amendment to revise the Community Center process and definition.
2. Allow Interim Ordinance 5704-B, regarding a moratorium on applications for "Community Centers" to expire. In this case, Interim Ordinance 5704-B would expire on May 24, 2013 and thereafter be of no further force and effect. Direct staff to clarify the issues surrounding Community Centers and Private Event Centers and begin processing a Zoning Text Amendment to revise the Community Center process and definition.

### **PROCEDURES TO EXTEND INTERIM ORDINANCE**

California Government Code Section 65858 authorizes the Board, as the legislative body of the County, to extend by a four-fifths vote, an interim ordinance to continue a moratorium on a use if the Board finds there is a "current and immediate threat to the public health, safety, or welfare and that approval of additional subdivisions, use permits, variances, building permits, or any other applicable entitlement for [that] use which is required in order to comply with a zoning ordinance would result in that threat to public health, safety, or welfare." (Govt. Code section 65858(c).)

Ten days prior to the initial expiration date of the interim ordinance, the Board must "issue a written report describing the measures taken to alleviate the condition which led to the adoption of the interim ordinance". (Govt. Code section 65858(d).) To ensure compliance with this provision, this report was released early and posted on the County's website on May 14, 2014.

If the Board wishes to proceed with an extension of Interim Ordinance 5704-B, in addition to the finding of a "current and immediate threat", the Board must also articulate the following findings in support of the extension of an interim ordinance to establish a moratorium on a particular use:

- The interim ordinance is necessary to mitigate or avoid the specific, adverse impact that has been identified,

- There is no feasible alternative to satisfactorily mitigate or avoid the specific adverse impact that has been identified as well or better with a less burdensome or restrictive effect, than the adoption of the proposed interim ordinance.

The Board may, by a four-fifths vote, extend the interim ordinance for a maximum additional period of 22 months and 15 days. The Board may extend the interim ordinance for a shorter term but the statute allows only one extension of a 45 day interim ordinance and a second extension for the maximum statutory period would not be available. Failure to extend the initial interim ordinance will render it null and void at the end of the 45-day term. (Govt. Code Sections 65858(b) and (e).

The present proposed interim ordinance may not be extended beyond the maximum term outlined above. If the Board has not adopted a zoning text amendment to revise the definition and/or use of "community center" before the expiration of the interim ordinance, the moratorium imposed under that interim ordinance will be lifted and of no further force and effect. The Board could adopt another interim ordinance; however, that new interim ordinance must articulate a "set of circumstances different from the event, occurrence, or set of circumstances that led to the adoption of the prior interim ordinance." (Emphasis added. Govt. Code Section 65858(f).)

### **NEXT STEPS**

Presuming that the Board of Supervisors continues to direct staff to clarify the issues surrounding Community Centers and Private Event Centers, staff envisions an expansive and robust public review process to address the issue. Listed below is a tentative schedule for the public review of Community Centers and Private Event Centers:

- Workshop with Planning Commission (May 9, 2013)
- Presentation to the Board of Supervisors (May 21, 2013)
- Second Workshop with the Planning Commission (June 2013)
- Staff preparation of draft Zoning Text Amendment (June 2013)
- Third Workshop with the Planning Commission (July 2013)
- Presentation to Municipal Advisory Committees (July, August, and September 2013)
- Present comments from MAC's to Planning Commission (September 2013)
- Staff preparation of revised draft Zoning Text Amendments (September 2013)
- Planning Commission review of draft Zoning Text Amendments (October 2013)
- Board Consideration of draft Zoning Text Amendments (November 2013)

As can be seen from this tentative schedule, there will be multiple opportunities for members of the public to participate and provide comments on the proposed Zoning Text Amendments associated with Community Centers and Private Event Centers. It is important to note that, prior to and separate from the review of Community Centers, and as recommended by the Planning Commission, it is staff's intent to conduct a similar/parallel process associated with proposed amendments to the County's Winery Ordinance.

While the above schedule could result in a final hearing by the Board on Zoning Text Amendments by the end of 2013, staff recommends an extension of Interim Ordinance 5704-B for the full 22 months and 15 days. This allows for any unforeseen circumstances that may arise during the above outlined process and cause delays in the proposed schedule. If the Board adopts Zoning Text Amendments prior to the expiration date of the extended interim ordinance, staff will bring forward to the Board a request to repeal the interim ordinance to coincide with the effective date of the Zoning Text Amendments.

Earlier this year, staff was approached by members of the winery community requesting changes to the County's Winery Ordinance. Similar to the process for the Community Centers, the public review process for the update to the Winery Ordinance will include multiple opportunities for public participation. Staff anticipates there will be multiple workshops with the Planning Commission, presentations to the MAC's, and presentations before the Board of Supervisors, each of which will allow for public comment and participation.

Because there are so many stakeholders interested in the review of Community Centers and the update to the Winery Ordinance, staff has concluded that, instead of creating similar focus groups (which may exclude the participation of some stakeholders), there is merit to conducting public workshops with the Planning Commission where all interested stakeholders can be present and participate. This process worked extremely well at the workshop with the Planning Commission, and the Commission was pleased with the open, collaborative process. Through this type of inclusive process, the Planning Commission (and the ultimately the Board of Supervisors) will hear first-hand the full breadth of comments, and any direction provided by the Planning Commission will take into consideration all comments presented by interested stakeholders.

#### **FISCAL IMPACT**

While County staff time will be required to prepare any needed Zoning Text Amendments, all required work can be performed with the General Fund monies previously allocated to the Community Development Resource Agency.

#### **CEQA COMPLIANCE**

The proposed extension of Interim Ordinance 5704-B is exempt from environmental review pursuant to the provisions of Section 15306 (Information Collection) of the California Environmental Quality Act (CEQA) Guidelines. Section 15306 exempts from CEQA a matter which consists of basic data collection, research and information gathering which do not result in a serious or major disturbance to an environmental resource. This ordinance will extend a moratorium on new "community center" approvals so that the County can continue to collect data, research and study revisions to the "community center" definition and propose associated development standards. This research will not result in a disturbance to environmental resources because no development or construction will result from this interim ordinance that will establish a "status quo" while the zoning code provisions are studied and analyzed. Any resulting zoning text amendments will be subject to separate CEQA review.

#### **RECOMMENDATION**

Based on direction from the Planning Commission and community input, staff recommends the Board of Supervisors adopt an Ordinance extending Interim Ordinance 5704-B, regarding a moratorium on applications for "Community Centers" pursuant to Placer County Code Chapter 17, Article 17.04, Section 17.04.030 (Definitions of Land Uses, specialized terms and phrases) and Article 17.06, Section 17.06.050.D (Land Use and Permit Tables), for an additional 22 months and 15 days, and direct staff to clarify the issues surrounding Community Centers and Private Event Centers by processing a Zoning Text Amendment to revise the Community Center definition and establish performance standards subject to the following findings:

CEQA:

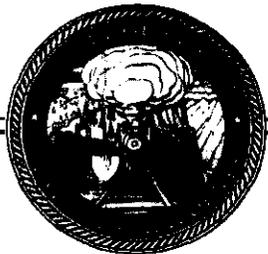
- A. The proposed interim ordinance is exempt from environmental review pursuant to the provisions of Section 15306 (Information Collection) of the California Environmental Quality Act (CEQA) Guidelines. Section 15306 exempts from CEQA a matter which consists of basic data collection, research and information gathering which do not result in a serious or major disturbance to an environmental resource. This ordinance will establish a moratorium on new "Community Center" applications so that the County can collect data, research and study revisions to the "Community Center" definition and propose associated development standards. This research will not result in a disturbance to environmental resources because no development or construction will result from this interim ordinance that will establish a "status quo" while the zoning code provisions are studied and analyzed.

EXTENSION OF INTERIM ORDINANCE 5704-B:

- A. The increase in applications and interest to establish "Community Center" is a current and immediate threat to the public health, safety and welfare of the residents of Placer County because the current definition of "Community Center" does not consider impacts that may result from allowing these uses in historically rural areas.
- B. An interim ordinance extending a moratorium on applications for "Community Centers" for an additional 22 months and 15 days is necessary because the current Community Center process does not adequately protect the public health, safety and welfare of the residents of Placer County. The moratorium will authorize the County to refuse to deem new applications complete for the term of the ordinance and focus on developing criteria and standards that may be appropriate in the review of this type of land use request in light of the character of the surrounding community.
- C. An interim ordinance establishing a moratorium on applications for "Community Centers" is necessary to avoid a potential saturation of this use in any particular land use zone and/or a proliferation of this use in land use zones or areas of the County that may not have the infrastructure or public services to accommodate it.
- D. The adoption of this interim ordinance is necessary to mitigate and avoid the adverse impacts identified herein.
- E. An interim ordinance establishing a moratorium on applications for "Community Centers" is the only feasible alternative to satisfactorily mitigate or avoid the adverse impacts identified herein as well or better with a less burdensome or restrictive effect, than the adoption of the proposed interim ordinance.

**ATTACHMENTS:**

- Attachment A: Planning Director Determination Regarding Community Centers
- Attachment B: Letter/Minutes from Rural Lincoln MAC, dated February 26, 2013
- Attachment C: Correspondences
- Attachment D: Proposed Extension of Interim Ordinance 5704-B



**COUNTY OF PLACER**  
**Community Development / Resources Agency**

Michael J. Johnson, AICP  
Agency Director

**Administration**

**MEMORANDUM**

**DATE:** June 12, 2012

**TO:** Placer County Planning Commission

**FROM:** Michael J. Johnson, AICP  
Community Development / Resources Agency Director

**SUBJECT:** Planning Director's Determination – "Community Centers"

**BACKGROUND**

At the May 22, 2012 and June 5, 2012 Board of Supervisors meetings, questions were raised during the 'Public Comment' section regarding community/event centers associated with wineries in farm and agricultural zoning districts. As stated by the speakers during 'Public Comments', there appears to be a growing concern regarding the potential for "large-scale" events at wineries. The speakers expressed concerns that recent "community center" applications for Wise Villa Winery, Rock Hill Winery and Gold Hill Gardens were "attempts to get around County zoning regulations".

Currently, most wineries within the County are located within the F (Farm) zoning district. As set forth in Section 17.10.010 (Farm Zoning District) of the Placer County Code, "Community Centers" are identified as a conditionally permitted use, subject to the approval of a Minor Use Permit. As defined in Section 17.04.030 (Definitions) of the Placer County Code, "Community Centers" are:

*"Multipurpose meeting and recreational facilities typically consisting of one or more meeting or multipurpose rooms, kitchen and/or outdoor barbeque facilities, that are available for use by various groups for such activities as meetings, parties, weddings, receptions dances, etc."*

As County staff has discussed at length, the term "Community Center" conjures images of public buildings that allow for public gatherings, yet this is the only definition in the Zoning Code that addresses such uses. In reality, what is being proposed at Wise Villa Winery, Rock Hill Winery and Gold Hill Gardens are private event centers, in conjunction with agricultural activities on the property, where the facilities are available for rent by private individuals or groups. Unfortunately, the Zoning Code does not include such a definition, which continues to lead to the mischaracterization of the proposed uses as being "community" oriented.

The processing of "Community Center" uses within the Farm Zoning District is not a new issue to the County. In recent years, several such facilities have been approved by the Zoning Administrator and/or the Planning Commission, including the Newcastle Wedding Gardens on Taylor Road in Newcastle, and the Flower Farm at Horseshoe Bar Road/Auburn-Folsom Road in Loomis. Both of these facilities are private venues that host weddings and other private events. As the County has a very defined public review process for the consideration of "Community Center" uses, it is important to note that, contrary to comments made that project applicants are trying to "get around County zoning regulations", all "Community Center" applications are discretionary actions subject to extensive staff analysis and public review. Both the Newcastle Wedding Gardens and the Flower Farm applications were approved after providing for public review and comment.

#### **ANALYSIS**

As set forth in the County's General Plan, County staff continues to work with property owners to further agricultural and economic development opportunities within the County. The County's General Plan has numerous programs and policies that specifically address furthering agricultural and economic development, including:

#### **Land Use Policy 1.N.1**

##### ***Foothills Policies***

*The County shall support development of tourist and recreational facilities that extend the Foothill's area's tourist season.*

#### **Agricultural and Forestry Resources**

##### ***Policy 7.A.10***

*The County shall facilitate agricultural production by allowing agricultural services uses (i.e., commercial and industrial uses) to locate in agriculturally-designated areas if they relate to the primary agricultural activity in the area.*

##### ***Policy 7.A.13***

*The County shall encourage multi-seasonal use such as private recreational development.*

##### ***Policy 7.C.4***

*The County shall permit a wide variety of promotional and marketing activities for County-grown products in all agricultural zone districts.*

##### ***Policy 7.C.6***

*The County shall ensure that land use regulations do not arbitrarily restrict potential agricultural related enterprises which could provide supplemental sources of income for farm operators.*

While it has taken many years to materialize, the General Plan's vision to develop tourist and economic development opportunities that promote the County's wineries and agricultural amenities is now being realized. As shown by the existing "community centers" that have been approved within Farm zoning districts, these activities can co-exist with surrounding rural residential land uses, subject to the application of specific conditions of approval. That stated, each discretionary application is reviewed on its own merits, and decisions to recommend or not support an application are based upon the specific facts associated with that particular application.

"Community Center" uses are currently permitted by right in all commercial zoning districts, the Highway Services zoning district, and the Resort zoning district. "Community Centers" are conditionally permitted in all residential zoning districts, the Office Park zoning district, and the Farm zoning district with the approval of a Minor Use Permit. All conditionally permitted uses are discretionary actions, meaning that the decision-making body has the ability to apply conditions of approval or, if deemed appropriate, deny the application. All Minor Use Permits require environmental analysis, and public hearing notices are posted in the local newspaper and are mailed to all surrounding property owners.

#### **DETERMINATION OF THE PLANNING DIRECTOR**

As set forth in Section 17.58.120(D) of the Placer County Code (Referral to Planning Commission), the Planning Director has the ability to refer a Minor Use Permit (which are typically considered by the Zoning Administrator) to the Planning Commission for a public hearing when it is deemed necessary because of unique or unusual circumstances. Given the recent concern raised regarding "Community Center" uses, it is the determination of the Planning Director that all "Community Center" applications be reviewed by the Planning Commission to assure the highest level of public review and scrutiny. Because the Planning Commission represents broad community interests, I have concluded the community is best served having the Planning Commission act as the decision-making body on "Community Center" uses.

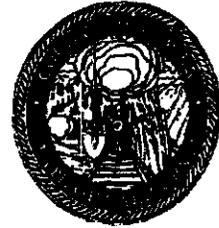
As is required of all applications reviewed by the Planning Commission, applications for the consideration of a "Community Center" will be presented to the local Municipal Advisory Council prior to any hearing before the Planning Commission. Additionally, the hearings before the Planning Commission will be publicly-noticed in the local newspaper, and notification of the hearing will be sent out to all interested parties and property owners within 300 feet of the subject property. As with all actions by the Planning Commission, the action of the Planning Commission may be appealed to the Board of Supervisors for final determination.

It is important for the Planning Commission to know that staff is very aware of the concerns being raised regarding "Community Centers", and staff will continue to assure that the highest level of public participation is provided to all "Community Center" applications, both to the project applicants as well as to other interested parties.

Should you have any questions regarding this Planning Director's Determination, please do not hesitate to call me at 530-745-3000.

cc: David Boesch, County Executive Officer  
Holly Heinzen, Chief Assistant County Executive Officer  
Board of Supervisors  
Gerald Carden, Chief Deputy County Counsel  
Karin Schwab, Deputy County Counsel  
Loren Clark, Assistant Community Development/Resource Agency Director  
Paul Thompson, Deputy Director, Planning Services Division

County of Placer  
**RURAL LINCOLN MUNICIPAL ADVISORY COUNCIL**  
P. O. Box 716  
Lincoln, CA 95648  
County Contact: Administrative Aide (530) 889-4010



February 26, 2013

Robert M. Weygandt  
Placer County Board of Supervisors  
175 Fulweiler Avenue  
Auburn, CA 95630

RECEIVED  
BOARD OF SUPERVISORS  
5 BOS Rec'd ✓ COB ✓ CoCo \_\_\_\_\_  
TSI \_\_\_\_\_ CEO ✓ Other \_\_\_\_\_  
DB + Hit  
FEB 27 2013

Dear Supervisor Weygandt:

Sup D1 \_\_\_\_\_ Sup D4 \_\_\_\_\_ Aide D1 \_\_\_\_\_ Aide D4 \_\_\_\_\_  
Sup D2 \_\_\_\_\_ Sup D3 \_\_\_\_\_ Aide D2 \_\_\_\_\_ Aide D3 \_\_\_\_\_ /LK  
Sup D3 \_\_\_\_\_ Aide D3 \_\_\_\_\_

RE: COMMUNITY CENTER DESIGNATION INPUT

As you know, at last month's Rural Lincoln MAC meeting we had a general discussion about community centers and gathered input from those interested in this issue.

Enclosed please find the January 28, 2013 approved meeting minutes summarizing the input gathered at that meeting. We hope it proves helpful as the county gets underway with their work plan to explore this issue further. As always, the MAC stands ready to constructively participate in this process as it unfolds.

We understand that regulation naturally follows innovation and are optimistic we can achieve a balanced and thoughtful approach in resolving this issue.

Thank you for your consideration and leadership in this regard.

Sincerely,

Mark Fowler

Mark Fowler, Chair  
Rural Lincoln Municipal Advisory Council

Enclosure Approved Rural Lincoln MAC Minutes 01/28/13

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**ATTACHMENT B**

# County of Placer

## RURAL LINCOLN MUNICIPAL ADVISORY COUNCIL

P. O. Box 716

Lincoln, CA 95648

County Contact: Administrative Aide (530) 889-4010

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### RURAL LINCOLN MAC MINUTES

January 28, 2013

1. Call to Order and Introduction of Members

Members Present: Mark Fowler  
Karla McAnally  
George Alves  
Deirdre Lefty  
Joyce Bachman

2. Pledge of Allegiance

3. Approval of Minutes:

4. Approval of Agenda: January Agenda approved

5. Public Comment:

Any member of the public may address the Municipal Advisory Council on any matter that is NOT listed on the agenda. Comments will normally be limited to five minutes at the discretion of the Chairperson.

6. Public Safety and School Reports:

A. Placer County Fire (530) 277-2317 – Battalion Chief Jim Mathias – [jim.mathias@fire.ca.gov](mailto:jim.mathias@fire.ca.gov) – “No Report”

B. Placer County Sheriff (916) 652-2419 – Lynn Harrison –

- Not much to report; only a few burglaries.

C. CA Highway Patrol – (916) 663-3344 – David Martinez

The following is a list of citations issued over the last year:  
19,000 citations issued last year

Over 8500 for speeding  
289 DUI Arrests  
Seatbelt citations – 366  
Verbal warnings – 3679  
Radar – 30  
Crashes – 12 fatalities (down from 15 in 2011)  
508 collisions causing injury

Collisions – 1/16/13 @ Moore and Dowd – non-injury – unsafe turn  
1/22/13 @ McCourtney – non-injury – unsafe turn

- D. WPUSD – Kris Knutsen (530) 633-2591 – Kris Knutsen – The Connecticut school shooting was discussed. It was reported that all the schools in the District have safety measures in place. It was mentioned that if a school is on lock down, it is important that parents do not try to go to the school premises they could find out more by staying at home.

With the passing of Prop 98, there will be funds available. The District will be receiving money from these funds. Instead of trying to cut \$5 million from the budget the District will be cutting approximately 2.5 million.

- E. Greater Lincoln Fire Safety Council – Warren Bostick

The Council met early in the month. They current have five proposals for actions plans in the area. The council is still accepting members; if anyone is interested they can go to the County website and download the application.

7. Information/Non-Action Item:

A. **Community Center / Update & Discussion –**

**Present for the discussion were:**

- **Josh Huntsinger, Ag Commission**
- **Paul Thompson, Dept of Planning**
- **Roger Ingram, Farm Advisor**

Roger Ingram acted as the facilitator for the discussions. The following is a list of ideas/questions that the public came up with.

- Promotion of Ag uses
- Agenda Item on Lincoln MAC to Make Recommendations to BOS

- No more approved Community Center for Profit 'til more proper definition of text amendments developed
- Ag Business needs to be profitable
- Take care of community needs/community centers non-profit
- Should community center be in this zoning?
- Look at what other counties are doing
- Time limits for event
- Define nature of permitted event
- Definition of agriculture
- Scale of operation
- Attract new investment to county
- Community center catch-all event
- Impact on property values
- Density of centers
- Sustainable
- Wine Coops: Suisun, Yolo, Tasting Room, event center
- Specify impact on neighbor/ number of events
- Do not infringe on neighbors
- Specify strong access & location requirements
- Minimum acreage size
- Respect neighbors
- Practical solutions
- Think win/win
- No outdoor amphitheater or amplified sound
- Enforcement - small % of gross to fund enforcement people since events will mainly be on the weekends
- Guidelines for food service
- Determine minimum % of farm's product sold
- What happens if someone else buys property?
- Require residency on property?
- If Ag event center, prove revenue coming from Ag
- Sunset clause for 5-10 years to be able to assess if the policy/requirements, etc. are working
- Limit size of events
- Require security at events if alcohol sold
- Adhere to zoning minimum/no subdivision i.e. cannot subdivide 10 acres to 2 five acres parcels and now have 2 event centers
- Variance or modifications to permit should require public hearing at Planning Commission
- Expand area of notification if community center being considered
- Want to see permitted events on county website
- Guidelines for structure height, sq. ft.
- Lighting requirements
- Coordination of events if high density of centers
- Not wanted in residential Ag area

- Event center has nothing to do with Ag/that is not connected to Ag should not be allowed
- What would trigger revocation of permit
- What would penalties for non-compliance be?
- Original intent of community center when put in county code
- When were community centers put in code / zoning
- Community center should be connected to Ag
- Event center commercial rental centers
- Separate community center & Ag event center
- Event center - rental person determines what would happen
- Not need an event center to sell Ag products
- Weddings are not Ag related
- Determine what are appropriate events for an Ag event and not disturb community

8. Action Item: - None

9. MAC Committee & Local Government Reports:

- A. Traffic & Public Safety – George Alves – “No Report”
- B. Schools & Parks – Karla McAnally – “No Report”
- C. Land Use – Karla McAnally, Mark Fowler, Deirdre Lefty – “No Report”
- D. Health Issues – Mark Fowler, Deirdre Lefty – “No Report”
- E. City of Lincoln, Councilmember Gabriel Hydrick – “No Report”
- F. Placer County – Jennifer Merino/Lyndell Grey

- Placer County has a new Business Development Manager, Paul Griffith
- The Economic Development Board is accepting nominations for any outstanding companies, organizations or persons who have contributed to the economic success of Placer County during 2012.
- Caltrans is realigning Highway 193
- I-80/65 work will be soon underway. Information can be found at [8065interchange.org](http://8065interchange.org) – I80/SR65 Interchange Improvements Project is intended to reduce traffic congestion, improve operations and enhance safety.
- There is an opening at the Planning Commission for the West side.
- The County is studying the relocation of the Fair grounds.
- Supervisor Weygandt will be returning to Washington DC in February to lobby the conservation plan and the regional sewer.
- OES – who is in charge of what when it comes to erosion of the creek systems
- Teichert has an extension of time.
- Draft of the EIR will be out regarding The Regional Sewer

10. Correspondence: "None"

11. Announcements & Information:

- City of Lincoln Housing update will be held on January 30, 2013
- An inquiry was brought up regarding the possibility of having a presentation on the Santucci Justice Center

12. Next Regular Meeting: February 25, 2013

13. Adjournment



PLACER GROUP  
P.O. BOX 7167, AUBURN, CA 95604



PUBLIC INTEREST COALITION  
P.O. Box 671, Loomis, CA 95650



April 29, 2013

To: Placer County Planning Commission  
175 Fulweiler Ave  
Auburn, CA 95603

Re: Addressing "Community and Entertainment Center" Issues

We appreciate approval of the moratorium to provide a "time out" on Community Center approvals and hope the 45 days will begin the process to resolve negative impacts and contentious issues. If a resolution is not agreed upon within the 45-day moratorium, we urge approval of a time extension.

We also appreciate George Rosasco's explaining Planning Department and Code Enforcement practices and policies at April's Rural Lincoln MAC meeting. As complex as the issue and policies may be, we urge the County to establish a "Community Center Working Group," composed of stakeholders, to provide input and a thorough vetting to hopefully settle the issue with a subsequent Zoning Text Amendment. One of our immediate concerns is that in such a short 45-day period, there will be little-to-no substantial public input. Being limited to three minutes during a public workshop or hearing does not equate to meaningful stakeholder input.

We have included a list of issues and recommendations, many of which we, the Ag Commission, and MAC's have mentioned in public hearings as concerns. We urge the County to consider them in setting policies to distinguish between traditional "Community Centers" (non-profit or government-owned/operated facilities) and private "Entertainment Centers" (commercial event centers).

Last, we believe the track record of our activities over past decades provides ample proof that we and others' intentions are to preserve Placer County's agricultural/farm lands. We support the County's efforts to do the same. However, "ag tourism" is being incorrectly used and inappropriately applied in misguided attempts to convince others that Community Center land-use designations will help preserve ag operations. We have presented arguments to refute those claims—the opposite is true—and would be willing to discuss in detail our rationale to support the fact that Community Center land-use designations, as currently being utilized, create a real threat to ag/farmland preservation and a potential for loss of ag operations altogether.

Thank you for your willingness to address/resolve this issue and for considering our views,

Marilyn Jasper, Chair

cc George Rosasco, Michael Johnson, Board of Supervisors

[marilyn.jasper@mlc.sierraclub.org](mailto:marilyn.jasper@mlc.sierraclub.org) - [public-interest@live.com](mailto:public-interest@live.com) - (916) 652-7005

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ATTACHMENT C

**Issues for Placer County to Consider with Regard to "Community Center," "Private Event Center," and/or "Commercial Entertainment Center"**

**(Definitions and Criteria for Approval in Agricultural and Farm Zones)**

**Definitions:**

1—"Community Center" as traditionally perceived—nonprofit or government-owned facility located in a "community," rented at nominal rates for use usually by members of that community and the public.

2— Commercial "Private Event Center" or "Entertainment Center"—commercial facility, owned and operated for profit, rented to the public for a variety of specific events.

3—"Ag Event Center"—commercial facility, owned and operated for profit with a required perpetual nexus to agriculture (akin to Williamson Act requirements) with cessation of events if/when ag operations fall below minimum threshold.

4—"Community Co-op"—commercial facility, owned and operated for profit by members who are willing to share venue to hold events that may also promote products and operations and/or rent to public.

**Debate/Discussion:**

**Location Considerations:**

Minimum public road requirements and access. Minimum distance between any of the four types of "centers" described above (e.g., five mile radius).

Appropriateness in Agricultural or Farm zones—impacts on preservation of agriculture if/when ag operation is abandoned.

Enforcement issues—Establish parameters, guidelines, restrictions, and have clear permit revocation stipulations for non-compliance. Require that once a designation as a "center" is approved in a res/ag/farm zone that any events with more than ten attendees shall be counted toward the maximum allowed (including personal, private "family" events). Require posted compliance bond to cover code enforcement responses after hours, weekends, and holidays. Require adequate fees to cover posting of permits and conditions of approval for each center on Placer County website, as well as information to report violations.

**Other**

Form a task force of stakeholders and/or conduct public forums (transparency is a critical element) to gather input which should result in an ordinance/ZTA. Topics to cover and suggestions that have been verbalized to date at various public meetings include:

Establish minimum lot size (with stipulations, such as: If a "center" is established on larger parcel, it shall not be split or divided); prohibit event center approvals that require use of any shared private road access, create restrictions on maximum facility size, design and/or building size/height, etc.

Establish maximum numbers of events and guests per event, standards for hours of operation, standards for types of facilities and activities allowed; restrict outdoor noise (amplified or not), coordinate events so that "saturation" of multiple events cannot occur on same day in one neighborhood/community (first come/first serve), revise/revisit the County's Temporary Outdoor Event (TOE) permit that currently allows two events per year.

Establish requirements to protect environmentally sensitive areas and consider enviro impacts, require residency (operation conducted by landowner living on premises).

Expand area of notification to minimum of one mile radius. In rural areas, 300' is insufficient for event centers that will impact entire rural regions.

Require that any/all modifications to any permits must be approved in public hearing before Planning Commission (no "functional equivalent" approvals).

Consider a sunset clause to revoke permit if event center operation is not operating as presented/predicted.

Require on-site security in ratio to number of guests; doubled if alcohol is being consumed.

Determine whether entertainment/event centers devalue community property values (neighbors), destabilize rural neighborhood communities, and/or whether there is an economic benefit to the community. The creation of commercial event centers may in fact be restricted only to those with existing financial resources and will have little-to-no impact on preservation of the vast majority of ag/farmlands with small or struggling ag operations.

Determine risk of ag/farm land loss when/if (1) the ag/farm operation ceases, but the event center designation/operation continues and becomes the dominant revenue-producing land use; and/or (2) other impacts (climate change, disease, insects or other conditions) render the ag/farm land inoperable so that the ag/farm operation is abandoned, but the commercial activities continue.

Support the General Plan recognition that 10 acres is a minimum for viable ag operations. Because a 4.6 acre parcel may be more hobby farming, boutique, or hobby operation, the ag/farm zoning may not be changed to event center due to hardship claims

**Kathi Heckert**

---

**From:** George Rosasco  
**Sent:** Friday, April 26, 2013 2:21 PM  
**To:** Kathi Heckert  
**Subject:** FW: "Community Center" meeting notifications  
**Attachments:** Save Placer Farmlands CC Recommendations-Rubin.doc

Workshop email list

George Rosasco  
Supervising Planner  
Placer County Planning Department  
3091 County Center Drive  
Auburn, CA 95603  
Phone (530) 745-3065

**From:** Patricia Burke & Martin Huber [<mailto:huberburke@gmail.com>]  
**Sent:** Sunday, April 21, 2013 5:48 PM  
**To:** George Rosasco  
**Subject:** "Community Center" meeting notifications

Dear Mr. Rosasco - First, thank you for your patience and good humor at the Rural Lincoln MAC meeting last Monday. Although most of us came away dissatisfied, your information and guidance was appreciated.

Please add my email address to notifications for any and all workshops or meetings pertaining to the "Community Center" issue during the 45-day moratorium (and beyond, if necessary). My email is [huberburke@gmail.com](mailto:huberburke@gmail.com).

I am attaching an abbreviated list of recommendations formulated by our Carol Rubin in hopes that they will be incorporated into your presentation.

I am also asking you to recommend that the moratorium be extended so that the "Community Center" issue can be studied and a sensible set of standards can be formulated.

Again, thank you.

Patricia Burke

## **“Community Center” Recommendations**

- o Establish a task force charged to amend the Placer County Code to address the following issues.
- o Establish separate definitions for “Community Center” and “Private Event Center”
- o Establish minimum lot size
- o Establish maximum facility size
- o Establish maximum numbers of events and guests/event
- o Establish standards for hours of operation
- o Establish location and access requirements
- o Establish standards for types of facilities and activities allowed
- o Establish requirements for association with sustainable agriculture in ag zones
- o Establish protection for environmentally sensitive areas
- o Establish mechanism for compliance bonding
- o Establish inducements for cooperative Event Centers (e.g. The Old Sugar Mill in Yolo County, Suisun Wine Coop in Solano County)

**Kathi Heckert**

---

**From:** George Rosasco  
**Sent:** Thursday, May 02, 2013 12:52 PM  
**To:** Kathi Heckert  
**Subject:** FW: Community Center Mortitorium

George Rosasco  
Supervising Planner  
Placer County Planning Department  
3091 County Center Drive  
Auburn, CA 95603  
Phone (530) 745-3065

**From:** [mbolander@skyhibroadband.net](mailto:mbolander@skyhibroadband.net) [mailto:[mbolander@skyhibroadband.net](mailto:mbolander@skyhibroadband.net)]  
**Sent:** Wednesday, May 01, 2013 10:15 AM  
**To:** George Rosasco  
**Cc:** Placer Ag; Jim Holmes; [jack@duranforsupervisor.org](mailto:jack@duranforsupervisor.org); Jim Holmes  
**Subject:** Community Center Mortitorium

Good Morning,

We agree with Carol Rubin's recommendations for event centers. I would also would like to add that common agricultural duties be protected, such as fertilization(odor), plowing(dust), spring or fall round-up, separation or weaning of animals which could cause distress due to noise levels. Individuals choosing to place "events centers" within a agricultural area must understand issues which could occur when making that choice. Example: no complaining about airplane noises when you chose to buy a house next to an airport. Agricultural endeavors should not be limited due to having an event center located within an agricultural setting. Event center owners should be responsible for any issues caused by their participants. Some examples like trespassing, feeding animal food over fences causing injury.

I am also concerned about drunk driving on our country roads. While visiting the area's "tasting rooms" I was surprised by the fact that you could purchase bottles of wine and drink them at the winery. Are these "tasting rooms" or bars without liquor licenses? Event centers will also be serving alcohol. I recently noticed there is a brewery tasting room on Wise Road, near the Mc Courtney intersection. Is it also a "tasting room" or a bar? How much alcohol can individuals consume at the tasting rooms?

Thank you for your time,  
Darwin and Margo Bolander

April 21, 2013

George Rosasco  
Supervising Planner  
Placer County Planning Department

**RE: "Community Center" Moratorium and Suggestions**

Thank you for appearing at the Rural Lincoln MAC meeting last Monday and handling the contentious discussion with good humor. Residents of our area, in which both the Wise Villa and Gold Hill Gardens Event Centers were approved within one month of each other, are very emotional about this issue. Our concerns were not addressed at either supervisors' hearing and we are, I think understandably, skeptical that the moratorium process, which calls for no public input until the Planning Commission meets, will achieve a better result.

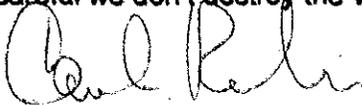
We hope Placer County Planning and the Board of Supervisors will use this opportunity to apply good planning practices to event centers, if they are to be allowed in agricultural zoning. To maintain Placer County's agricultural heritage and harmony among different land uses, facilities like event centers that have a high nuisance potential must be located and operated in a way that interferes minimally with other rural uses.

Planning personnel have stated repeatedly that The Flower Farm and Newcastle Wedding Gardens are well tolerated in their neighborhoods. As I have asserted since this issue arose about 1.5 years ago, these two facilities share three attributes that are responsible for their successful integration. There are many other criteria that should be applied (see attachment) but most conflicts could be avoided by establishing these requirements for locating private event centers:

- o Direct access from an arterial or better roadway
- o Located within three miles of the nearest city limits and/or adjacent to commercially zoned property.
- o Located at least six miles from another private event center.

Other issues, such as outdoor amplified sound, hours of operation, and minimum lot sizes also need to be addressed. I've attached a list of these criteria and suggestions for standards to be applied to private event centers.

Hundreds of people commuting several times a week to events in farm country do not fit any reasonable definition of agriculture. The land converted to 5000 ft<sup>2</sup> halls and vast parking lots will never become pasture or orchard again. If Placer County wants to promote agritourism, let's be very careful we don't destroy the very resource we are trying to exploit.



Carol Rubin  
Save Placer Farmlands

cc: Placer County Board of Supervisors  
Josh Huntsinger, Placer County Agricultural Commission

## **Text Amendment Recommendations, Private Event Centers**

**Establish separate definitions for "Community Centers" and "Private Event Centers"** with more explicit descriptions of what types of events are allowed at each

**Define Community Center as:**

"A government or nonprofit facility used for recreational, social, educational, cultural services and activities. Services may be targeted to certain populations (e.g. youth, seniors) but membership is available to the general public. Examples of services include tax assistance, fitness training, senior meals, after school tutoring sessions, food pantries and public assemblies. This use does not include schools, places of worship, banquet facilities, social or service club, or counseling services."

Rationale: Clarifies that a Community Center is a not-for-profit entity that serves the local population. Limits the types of activities permitted at Community Centers. This definition was proposed by Wyoming, MI (11/24/2009).

**Define Private Event Center as:**

*Special events facility* means a building and/or premises used as a customary meeting or gathering place for personal social engagements or activities, where people assemble for parties, weddings, wedding receptions, reunions, birthday celebrations, other business purposes, or similar such uses for profit, in which food and beverages may be served to guests. This definition shall not include places of worship, as defined elsewhere in this chapter. (Section 27-31 DeKalb County Municipal Code) (DeKalb Cty, GA)

Rationale: Distinguishes the purpose and use permitted at private, for profit vs public, non-profit facilities.

**Establish minimum lot size**

20 acres minimum

Rationale: Allows sufficient buffer zone in all directions against event noise. This is the minimum size criterion in SLO County.

**Establish maximum facility size**

Propose 5000 ft<sup>2</sup> total for all non-residential buildings on site. Rationale: Prevents establishment of arena-style venues.

Propose maximum height of building to be 2 stories above ground, no higher than 40 ft.

Rationale: Keeps low profile buildings in rural areas, preserves rural character of the neighborhood.

**Establish maximum number of events and guests**

Propose sliding scales:

40 or fewer guests, 100 events/year no more than 2/week

100 or fewer guests, 10 events/year, no more than 1/week

100 – 200 guests, 3 events/year, no more than 1/month, and requires additional permit, noticing to neighbors

No more than three total events/week of all sizes combined

No events with more than 200 guests permitted

**Rationale:** Eases traffic, noise and pollution impacts on the neighborhood. Several counties have established sliding permitting scales for these types of events based on size.

**Set standards for hours of operation**

Events must be ended by 9 pm.

**Rationale:** Noise from events and traffic is much more evident and annoying at night when neighbors are trying to sleep.

**Establish location and access requirements:**

Sites for "Private Event Centers" must be located within three miles of the closest City Limit or commercially zoned property. The site must be accessed by an arterial or greater-capacity roadway.

**Rationale:** Specifies that these Commercial Event Centers, a use defined as "suburban" by PC Planning, are in areas that are actually suburban or commercial in neighborhood type. Keeps developers from moving these facilities deep into rural Placer County. San Luis Obispo County has similar access requirements.

**Establish maximum density for event centers in ag zones.**

No private event center shall be located within 6 miles of another private event center.

**Rationale:** Keeps concentrations of event centers from overwhelming rural neighborhoods.

**Establish sustainability requirements in ag zones**

If private Event Centers are permitted in agricultural zones, require that the event center must support and be directly related to an ongoing commercial agricultural operation at the same site. If the agricultural use ceases, the Event Center MUP is void.

**Establish standards for types of facilities and activities allowed:**

Propose: No Community Center or Private Event Center shall be permitted to have an outdoor stadium or amphitheater (i.e., no outdoor events like kart racing or rodeos are permitted at these facilities). No events of lewd or obscene nature are permitted (i.e., you can't have a strip club and call it a private event center). No outdoor sound systems of any type are permitted (no amplified speech or noise outdoors).

**Rationale:** Minimizes nuisance and crime potential which may result from undesirable clientele at events. Minimizes outdoor noise at events. One of the driving factors behind San Joaquin's current drive for a moratorium on these facilities is non-permitted

outdoor amphitheaters at wineries (see [http://www.lodinews.com/opinion/editorials/article\\_1761f452-c875-5d75-ad04-8f75d909717d.html](http://www.lodinews.com/opinion/editorials/article_1761f452-c875-5d75-ad04-8f75d909717d.html)).

**Include protection for environmentally sensitive areas:**

No Community Center, Private Event Center, or parking facilities created for these centers, shall be located within 500 feet of an identified salmon habitat or spawning stream, or the habitat of any species listed as "threatened" or "endangered" by the EPA.

Rationale: Minimizes the effects of noise, pollution and runoff on wildland habitats.

**Improve code enforcement by compliance bonding:**

Each Community Center or Private Event Center shall be required to contribute 0.5% of gross rental revenue for each event serving 40 patrons or fewer; 1.0% of gross rental revenue for each event serving 41 to 100 patrons; 2.0% of gross rental revenue for each event serving 101 to 200 patrons. These assessments will fund a compliance hot line staffed every day between the hours of 5 pm and 10 pm on weekdays and 10 am and 10 pm on weekends with a county employee empowered to investigate citizen complaints. Any facility holding three or more events that generate substantiated claims must appear before the PC and justify why the MUP should not be revoked. Any facility generating the above type of substantiated claims in two consecutive years will automatically have the MUP revoked. Compliance in all provisions of the permit (e.g., number of guests, hours of operation, types of events, numbers of events, association with agriculture) will be enforced. Public service events (i.e., benefit events for which the facility receives no rental income) are exempt from the fee but subject to the enforcement provisions.

Rationale: At present there are no practical enforcement measures on MUP provisions for events like these that occur outside normal working hours. County Code Enforcement personnel are currently available only until 5 pm on weekdays. Most of these events will take place in the evening or on weekends. The County Sheriff enforces only code violations (e.g., noise complaints) and not permit violations (e.g., number of permitted guests, or event hours). These facilities have the potential to increase the need for enforcement greatly, especially concerns about noise and traffic. These extra enforcement costs should be borne by the facility owners and their guests, not by County taxpayers.

**Encourage formation of cooperative event centers**

Appropriately located cooperative ventures use the facilities more efficiently and allow small wineries, farmers and ranchers to participate and compete with larger businesses.

Text Ammendent Recommendations –Community Center definition and restrictions

Pursuant to Article 17.10 Farm (F) district.,!7.10.010 Farm (F) The purpose and intent of the farm zone is to provide areas for the conduct of commercial agriculture operations that can also accommodate necessary services to support agricultural uses, together with residential land uses at low densities.

For this reason, Community Centers need to have a primary agricultural component to qualify for events other than community meeting. Community centers should be serving the community directly and any commercial use for profit should be directly tied to agricultural including agritourism. A community center is a non profit entity that serves the local population. If we are to expand the dommunity center definition to allow events in support or alignment with primary agricultural operations with the Fram (F) district, keeping in mind the intent and purpose of the district, we must have a direct tie from the center activities and the primary agricultural operation, including agritourism, which requires a definition.

Definitions are need for community center, agritourism, event, restaurant, bar, primary agricultural component.

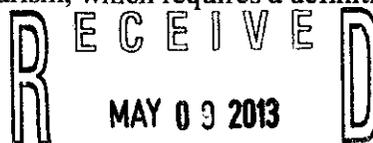
There should be no event centers within Farm Districts. Events should be subject to the rules and restrictions of the winery ordinance and temporary use permits. There should be no operation or construction of structures for commercial profit of conducting and charging for events that does not tie into the agricultural intent of the district. Should the primary agricultural operation at the same site discontinue, the MUP should be revoked. Applicants for a community center with maximum attendees requested should always have CQEA review, due to septic, aquifer, and watershed issues effected at the frequency and volume of attendees.so this may fal under a designation other than Minor Use permit.

Construction and development of structures and related parking areas for allowable agricultural event centers should be a 20 acre minimum, no greater than one center per 10 mile radius, no greater than 15% of plot size devoted to any related structures, hardscape or non residential, agricultural development. Three should not be any restaurants, or bars, and event hours should never exceed 10:00 pm. Number of attendees should not exceed 125 with staffing included. Parking areas shall conform to current requirements related to maximum attendance with staff. Safety lighting should be provided for the parking area, but low key such that neighbors do not have to deal with excess night sky illumination, and lights should be extinguished by midnight. All facilities must have a turn around for a hook and ladder fire truck, and a safe in and out access for attendees. . This number should be decided upon,a part of the zoning code and enforced. Limit of 50 events a year, and no events on Sunday. Maximum facility size should be 5000 sq ft of the exterior footprint of the structure.

Applicants for the community center MUP should pay into a code enforcement fund to help support the inevitable backlash of non compliance and county investigation and enforcement required to support rightfully upset residents and farmers. Permits should be subject to revocation on an annual basis as the result of numbers and county evaluation of complaintsEvent centers should not include an outdoor ampitheater greater than 30 person capacity. No stadiums or arenas. No amplified outdoor sound systems would be allowed. Notify residents within a 3 mile radius of the application of the MUP. Honor residents input and adjust MUP accordingly (This should go without saying, but, history shows us...)

A community center is a non profit entity that serves the local population. If we are to expand the dommunity center definition to allow events in support or alignment with primary agricultural operations with the Fram (F) district, keeping in mind the intent and purpose of the district, we must have a direct tie from the center activities and the primary agricultural operation, including agritourism, which requires a definition.

Teresa Chaney  
6281 schindler road  
Newcastle Ca 95658



PLANNING DEPT.

① PC Hearing from  
Teresa Chaney

347

May 9, 2013

R E C E I V E D  
MAY 09 2013

To: Placer County Planning Commission Members  
CC: Board of Supervisors

PLANNING DEPT.

@PCMeeting from Susan Ames

First, I'd like to thank the Planning Commission for their diligence in assessing the concerns regarding the Gold Hill Gardens applications and for their reasonable and correct decision in denying the Event Center portion of the application. I'm not sure where the whole thing went off the tracks but we do appreciate your attention to our input.

Now that door is open for further applications I feel we do need to get serious about definitive guidelines before this becomes a runaway train. Some of the issues that need to be addressed include the following:

- 1) The urgent need to split and define a "Community Center" use from the for-profit "Event Center" agenda as we all know the intent of Community Center is not and never was to be a high fee/high impact continuous money making party place which clearly does not belong in a residential area, whether zoned farm or otherwise.
- 2) The need to specify an identifiable and continuing connection between existing agricultural use and proposed MUP application use.
- 3) Establishing responsible guidelines for events, keeping in mind that this is still primarily a residential use area: such guidelines should include no amplified outdoor music at all, no outdoor music after 9 p.m., limited number of event customers to keep control of traffic, remembering that "wine tasting" areas have customers arriving and leaving pretty much randomly while events such as weddings and parties have ingress/egress all at one time.
- 4) No Event Centers within 5 miles of each other.
- 5) A REASONABLE number of events per year, possibly alternating between Event Centers, not every weekend for every center as was granted to Gold Hill Gardens.
- 6) An oversight agency with authority, funded by a fee from each Event Center, either annually or per event, to enforce rules and with specific consequences for infractions.

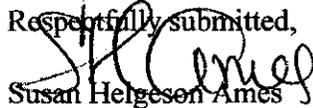
These are a few of the areas that need to be addressed, and I know that several homeowners very involved in this effort have done extensive research on the impact of this proliferation of event centers in other rural area, but we need time to meet and analyze this data and formulate a set of fair and enforceable guidelines.

A minimum 6 month continuation of the moratorium would be more effective than just the 45 days granted with no guidelines or cooperation from appropriate agencies, and we

would ask at least that time frame to work out these issues. There is no downside to extending the moratorium timeframe, but if these applications get out of control the consequences to Placer County could be severe and irreversible.

The issues addressed above are obviously not solutions to the myriad of problems this new land use has raised, but are serious concerns voiced by the many homeowners and business owners that have been involved since this process began. Please consider all ramifications of this issue and let's get control before it's out of our hands.

Respectfully submitted,



Susan Helgeson Ames

Wise Llamas  
6330 Wise Rd  
Auburn, CA

**Before the Board of Supervisors  
County of Placer, State of California**

In the matter of:

Extension of Interim Ordinance 5704-B  
Establishing Moratorium on Applications  
For "Community Centers" pursuant to  
Placer County Code Chapter 17,  
Article 17.04, Section 17.04.030 and  
Article 17.06, Section 17.06.050D.

Ordinance No.: \_\_\_\_\_

The following Ordinance was duly passed by four-fifths vote of the Board of Supervisors of the County of Placer at a regular meeting held \_\_\_\_\_ by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:  
Clerk of said Board

\_\_\_\_\_  
Jim Holmes

\_\_\_\_\_  
Clerk of the Board Signature

\_\_\_\_\_  
THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA, DOES HEREBY FIND AS FOLLOWS:

WHEREAS, on April 9, 2013, the Board of Supervisors adopted by unanimous vote Interim Ordinance No. 5704-B to establish a moratorium on

*350*  
**ATTACHMENT D**

the determination and/or processing of completed applications for "community center" as defined in Placer County Code Chapter 17, Article 17.04, Section 17.04.030 and as permitted pursuant to Placer County Code Chapter 17, Article 17.06, Section 17.06.050D.

WHEREAS, Ordinance 5704-B is valid for a period of forty-five (45) days and will expire on May 24, 2013.

WHEREAS, California Government Code ("CGC") section 65858(b) authorizes the extension of an interim ordinance for an additional period of twenty-two (22) months and fifteen (15) days by a four-fifths vote of the Board after conducting a properly noticed public hearing.

WHEREAS, CGC section 65858(d) requires a written report be published ten (10) days prior to the May 24, 2013 expiration date of Ordinance 5704-B.

WHEREAS, said report must describe the measures taken to alleviate the conditions which led to the adoption of Ordinance 5704-B.

WHEREAS, on May 14, 2013, the Clerk of the Board on behalf of the Board released the staff report entitled "Extension of Interim Ordinance 5704-B" to the public and all interested parties. Said staff report describes the measures taken by staff during the 45 day period, including a Planning Commission public workshop, research on other jurisdictions' regulations, review and interaction with the County's Municipal Advisory Councils in Rural Lincoln, Foresthill and others.

WHEREAS, on May 21, 2013 the Board conducted a noticed public hearing to consider extension of Ordinance 5704-B.

WHEREAS, by a four-fifths vote of the Board has observed competing public interests in the establishment of additional "community centers" in residential, agricultural and farm land use zones and public interests in limiting and/or regulating that use.

WHEREAS, there has been considerable community concern over the establishment of community centers and potential concentration of this use in areas in the County that may not have sufficient support services, such as fire, water, sewer and adequate roadways for ingress and egress.

WHEREAS, Government Code section 65858(b) authorizes the extension of an interim ordinance if supported by findings of a current and immediate threat to the public health, safety or welfare and findings related to the necessity of the ordinance to mitigate or avoid the identified specific and adverse impacts.

WHEREAS, the Board finds the increase in interest to establish “community centers” continues to be a current and immediate threat to the public health, safety and welfare of the residents of Placer County.

WHEREAS, the Board finds the current zoning code provisions governing “community centers” lack sufficient detail and standards and absent the same, there is an immediate threat to the public health, safety and welfare of the residents of Placer County.

WHEREAS, the Board finds that staff has begun the process of identifying potential revisions to the definition of “community centers” and establishment of development standards to mitigate identified impacts and the Board recognizes that any such potential revisions to Chapter 17 of the County Code will necessitate separate environmental review and public hearings.

WHEREAS, the Board finds the level of public interest in this subject merits a high level of public participation which cannot be concluded during the initial forty-five day period of the present interim ordinance.

WHEREAS, the Board finds that bringing completed applications forward for approval under the old standards and definitions while potential zoning text amendments to the same are being considered by the Board would be counter-productive to sound planning and zoning principles.

WHEREAS, the Board finds the extension of Interim Ordinance 5704-B is necessary to mitigate and avoid the adverse impacts identified herein.

WHEREAS, the Board finds there is no feasible alternative to satisfactorily mitigate or avoid the adverse impacts identified herein as well or better with a less burdensome or restrictive effect, than the extension of Interim Ordinance 5704-B.

WHEREAS, this ordinance is exempt under Section 15306 of the California Environmental Quality Act (“CEQA”) Guidelines. Section 15306 consists of basic data collection, research and information gathering which do not result in a serious or major disturbance to an environmental resource. This ordinance will establish a moratorium on the approval of new “community center” applications so that the County can collect data, research and study revisions to the “community center” definition and propose associated development standards. This research will not result in a disturbance to environmental resources because no development or construction will result from this interim ordinance that will establish a “status quo” while the zoning code provisions are studied and analyzed. Any zoning text amendments that

may be proposed as a result of said research shall be subject to separate CEQA review.

NOW THEREFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

1. The extension of Interim Ordinance 5704-B shall become effective immediately upon adoption and shall remain in effect for twenty-two (22) months and fifteen (15) days.
2. During the effective period of Interim Ordinance 5704-B, no new applications and no existing applications deemed incomplete as of April 9, 2013, shall be processed as a complete application pursuant to County Code Section 17.58.050A(1)(a).

EXTENSION OF INTERIM ORDINANCE 5704-B  
REGARDING MORATORIUM ON APPLICATIONS  
AND/OR PROCESSING OF APPLICATIONS FOR  
“COMMUNITY CENTERS” PURSUANT TO  
PLACER COUNTY CODE CHAPTER 17, ARTICLE  
17.04, SECTION 17.04.030 AND ARTICLE 17.06,  
SECTION 17.06.050.D., EXEMPTION,  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
GUIDELINES SECTION 15306, ALL  
SUPERVISORIAL DISTRICTS

Placer County Board of Supervisors

May 21, 2013 11:00 a.m.

Correspondence Received

5/15/13

354

RECEIVED

MAY 15 2013

CLERK OF THE  
BOARD OF SUPERVISORS

May 15, 2013

Placer County Board of Supervisors:

Re: Extension of the moratorium of Community Center applications

It is your responsibility as a Representative of the citizens of Placer County to grant the extension to provide the time to get it right the first time. It is the **FAIR** and **RIGHT** thing to do for everyone. It is within the law to grant the extension. You should not vote with your personal opinion.

The Community Development/Planning Department has done a great job in researching how other Counties deal with this issue. Let's respect their time and efforts and allow them to fine tune something that works for everyone.

Placer County and the **Board of Supervisors** should take a **PROACTIVE** approach to this rather than a **REACTIVE**, which is what I encountered with the enforcement of the Winery Ordinance. And even then it took 3 years to finally get any resolution.

  
Lorrie Lewis

6245 Wise Road  
Newcastle, CA 95658

**From:** Carol Rubin [c\_rubin@sbcglobal.net]  
**Sent:** Monday, May 13, 2013 3:24 PM  
**To:** Placer County Board of Supervisors  
**Cc:** George Rosasco  
**Subject:** Community Center Moratorium  
**Attachments:** moratorium letter to BOS\_0001.pdf

The attached letter is in support of the Community Center Moratorium, on the Board of Supervisors May 21 agenda. Thank you.

Carol Rubin

**RECEIVED**  
**MAY 16 2013**  
CLERK OF THE  
BOARD OF SUPERVISORS

**RECEIVED**  
BOARD OF SUPERVISORS  
S BOS Rec'd  COB  CoCo   
TSI  CEO  Other   
*DB/LLN*  
**MAY 13 2013**  
Sup D1\_\_\_\_Sup D4\_\_\_\_Aide D1\_\_\_\_Aide D4\_\_\_\_  
Sup D2\_\_\_\_Sup D5\_\_\_\_Aide D2\_\_\_\_Aide D5\_\_\_\_  
Sup D3\_\_\_\_Aide D3\_\_\_\_+\_\_\_\_\_

May 13, 2013

To: Placer County Board of Supervisors (via email)

**RE: Extension of Moratorium on Community Center Applications**

By extending the current moratorium on "community center" applications, Placer County has the opportunity to establish zoning standards that will serve both those who wish to promote "agritourism" and the residents of rural Placer County. Simultaneously, revisiting the winery ordinance will standardize requirements for all developers who wish to open "event centers" in rural Placer County and not single out wineries for special regulation, as is currently the case. The standards for "events" should be the same for any rural Placer property owner, and should not depend on the other uses of the property. This issue is not really about "community centers" (though the language dealing with this use in the zoning code needs revision) or wineries; the fundamental question is:

**"Under what conditions, if at all, should large, frequently occurring gatherings be permitted in Placer County ag zoning?"**

It is this question that should drive the code revision, because it is the prospect of uncontrolled large, frequently occurring gatherings in rural neighborhoods that requires mitigation "to prevent specific adverse impacts to public health, safety and welfare," as required by Calif Code sec 65858(b).

As stated above, the present ordinances relative to events are inadequate because they regulate wineries differently from other businesses and contain no standards for events at "community centers." If these events are to be permitted *at all* in agricultural zoning, minimum standards are needed specifying parcel size, hours, maximum numbers of guests, minimum access and traffic safety requirements, acceptable locations, and density of these facilities to protect rural residents and agricultural businesses.

**Please vote to continue the moratorium until these issues are resolved.** The residents and farmers of rural Placer County are relying on the Planning Department and the Board of Supervisors to use thoughtful foresight when exploiting the resource that is Placer's rural heritage.



Carol Rubin  
Save Placer Farmlands  
saveplacerfarmlands@ymail.com  
cc: George Rosasco, Placer County Planning

**From:** mjasper@accessbee.com  
**Sent:** Sunday, May 12, 2013 8:53 AM  
**To:** Placer County Board of Supervisors  
**Cc:** Michael Johnson; Paul Thompson; George Rosasco  
**Subject:** Vote to Approve 22-month Moratorium Extension--Comm Cntrs  
**Attachments:** PIC+SC to BOS-Extend Moratorium-May 21'13.pdf

Greetings,

Please accept attached document and support a "yes" vote to extend the interim ordinance--moratorium on "Community Center" applications--when it comes before you on May 21.

Thank you,  
Marilyn Jasper, Chair  
Sierra Club Placer Group  
Public Interest Coalition

**RECEIVED**  
**MAY 16 2013**  
CLERK OF THE  
BOARD OF SUPERVISORS

**RECEIVED**  
BOARD OF SUPERVISORS  
5 BOS Rec'd  COB  CoCo   
TSI \_\_\_\_\_ CEO  Other \_\_\_\_\_  
*SB/TH*  
**MAY 13 2013**

Sup D1 \_\_\_\_\_ Sup D4 \_\_\_\_\_ Aide D1 \_\_\_\_\_ Aide D4 \_\_\_\_\_  
Sup D2 \_\_\_\_\_ Sup D5 \_\_\_\_\_ Aide D2 \_\_\_\_\_ Aide D5 \_\_\_\_\_  
Sup D3 \_\_\_\_\_ Aide D3 \_\_\_\_\_ *sp*



**SIERRA  
CLUB**  
FOUNDED 1892

**PLACER GROUP**  
P.O. BOX 7167, AUBURN, CA 95604



**PUBLIC INTEREST COALITION**  
P.O. Box 671, Loomis, CA 95650



May 11, 2013

Board of Supervisors  
Placer County  
175 Fulweiler Ave  
Auburn, CA 95603

Ladies and Gentlemen:

**RE: Vote to Approve 22-Month Extension**—Event Center Interim Ordinance (Moratorium)

The decision by the Placer County Board of Supervisors on April 9 to impose a 45-day interim ordinance that established a moratorium on “Community Center” applications was commendable. It was both a welcome and proper decision, and it gives staff much-needed time to begin a process—explore the issues to determine where event centers can or may be appropriately situated.

The Planning Commission, Ag Commission, MAC’s, County staff, and the public have all expressed both concerns and frustration as to the proliferation of entertainment or event centers in inappropriate areas and the lack of definition or guiding standards—as well as a “mischaracterization” of traditional “Community Centers.” Staff and various commissioners have all stated repeatedly that existing policy is too broad, is subject to wide interpretation, and needs modification.

The moratorium has created a productive “time out,” as evidenced by the very civil and informative workshop conducted by the Planning Commission on May 9. Many good suggestions were presented. If there was one take-away message from that workshop, it was that the moratorium allows time for all to plan for the future—the very purpose of a “Planning Department,” or the Community Development/Resource Agency (CDRA)—to resolve the most volatile issues.

It will not be an easy task to work through the maze of contentious issues, real concerns of neighbors, needs of ag operators, etc., and formulate a meaningful policy/ordinance/zoning text amendment that will be satisfactory to all stakeholders. The 22-month moratorium extension will keep the process focused and moving forward. Without the moratorium extension, new applications may indeed complicate the process, waste staff and volunteer commission(s) time, and vex citizens even more.

We urge you to **vote to approve a 22-day extension of the moratorium** so that all stakeholders and staff can concentrate on the task at hand. Should the processes be completed earlier, the moratorium can always be “revoked.”

Thank you for considering our views,

*Marilyn Jasper*

Marilyn Jasper, Chair

Cc Michael Johnson, Paul Thompson, George Roscosco, Save Placer Farmlands, Neighborhood Rescue Group

