



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

**PLANNING  
SERVICES DIVISION**

Michael J. Johnson, AICP  
Agency Director

Paul Thompson, Deputy Director

**REVISED/UPDATED STAFF REPORT**

**HEARING DATE:** May 9, 2013  
**ITEM NO.:** 1  
**TIME:** 10:05 a.m.

**TO:** Placer County Planning Commission  
**FROM:** George Rosasco, Supervising Planner *GR*  
**DATE:** May 2, 2013  
**SUBJECT:** **WORKSHOP – COMMUNITY CENTER USES IN PLACER COUNTY**

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**GENERAL PLAN/COMMUNITY PLAN:** Placer County General Plan and all Community Plans.

**ZONING:** All Residential Zone Districts, Farm Zone District, and all Commercial Zone Districts.

**STAFF PLANNER:** George Rosasco, Supervising Planner

**LOCATION:** Countywide

**APPLICANT:** Planning Services Division of the Community Development Resource Agency

**WORKSHOP DESCRIPTION:** Conduct a Public Workshop with the Planning Commission, before the end of the 45-day moratorium on the processing of Community Center applications imposed by the Board of Supervisors, to obtain direction on developing criteria and standards for the review of "Community Centers".

**DIRECTION FROM THE BOARD OF SUPERVISORS:** 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 zone districts. On April 9, 2013, the Placer County Board of Supervisors approved an interim ordinance establishing a moratorium for 45 days on applications for "Community Centers", citing concerns that the current definition of "Community Center" does not consider impacts that may result from allowing these uses in historically rural areas. The sections in question are 17.04.030 (Definitions of Land Uses, Specialized Terms and Phrases) and 17.06.050.D (Land Use and Permit Tables) of the Placer County Zoning Ordinance. In conjunction with the moratorium, staff has been directed to explore the possibility of developing revised criteria and standards for the review of "Community Centers" and determine if the definition of "Community Center" needs to be modified.

**BACKGROUND:** 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 (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.

The processing of "Community Center" uses within the Farm Zone 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 (zoned Residential Agriculture), Emma's Place in Loomis (zoned Residential Agriculture), and the Flower Farm at the southwest corner of Horseshoe Bar and Auburn-Folsom Roads in Loomis (zoned Farm). These facilities are private venues that host weddings and other private events. More recently, since March 12, 2013, two more community centers have been approved by the Board of Supervisors: Wise Villa Winery and Gold Hill Gardens.

**Wise Villa Community Center:**

The Wise Villa Winery Community Center is located on an approximately 20-acre parcel that is developed with an operational winery, including 15 acres of vineyards and a tasting room that is open to the public. The applicant resides on-site in a single-family dwelling. The applicant requested a Minor Use Permit to allow gatherings of up to 50 people, four times per week, for agricultural, vineyard, or wine/food-pairing educational events, and to host larger events (51 to 100 people) twice per month within the existing tasting room and winery facilities. Per the applicant's description and staff's recommended Conditions of Approval, all events held at the site are required to have an agricultural or wine/food educational component.

The Wise Villa Winery Community Center project was considered by the Planning Commission at its December 20, 2012 meeting. After deliberations concerning monitoring and enforcement considerations, the Planning Commission unanimously took action to adopt the Mitigated Negative Declaration, and approve the Minor Use Permit for the community center, and a Variance to the surfacing requirement. In order to ensure that the use would be compatible with the surrounding Farm Zone District, the Use Permit was only given a two-year approval, and the applicant is required to come back before the Planning Commission prior to the two-year expiration date in order to change the condition.

The Planning Commission's approval was appealed by a third-party and on March 12, 2013, the Board of Supervisors unanimously denied the appeal and upheld the Planning Commission's decision to approve the Minor Use Permit to allow for the operation of a Community Center at the Wise Villa Winery for a two-year period.

**Gold Hill Gardens Community Center:**

The Gold Hill Gardens Community Center is located on an 11.5-acre parcel within a larger 32.68-acre tract of land owned by the applicant. The property is currently developed with a residence and is utilized for raising cattle. The applicant requested a Minor Use Permit to allow for the operation of a Guest Ranch (with up to nine units, including five individual cottages and four bedrooms within the existing residence), a Community Center, a Plant Nursery, and use of the subject property for garden

tours. The community center would include the use of the property for up to 150 guests for weddings and events, and the construction of an approximately 5,250 square foot event structure.

The Gold Hill Gardens Community Center, zoned Farm, was heard by the Planning Commission at several different meetings. At its November 12, 2012 meeting the Planning Commission adopted a motion (5:1:1:0 with Commissioner Johnson opposing and Commissioner Brentnall absent) to deny the community center and approve the guest ranch and plant nursery. The Planning Commissioners compared the Gold Hill Gardens project to the existing Flower Farm Community Center located in the Loomis area, and noted that the Flower Farm differed from the Gold Hill Gardens Community Center because it is adjacent to commercial uses and because it is located on the corner of two major roadways. It was also suggested that the Gold Hill Gardens project lacked an agricultural component, which several of the Commissioners believed should be included since the property is zoned Farm.

The applicants for Gold Hill Gardens Community Center appealed the Planning Commission's decision and on March 26, 2013, the Board of Supervisors took action (3:2:0:0 with Supervisors Weygandt and Montgomery opposing) to uphold the applicant's appeal, thereby approving the project with all of the uses originally proposed by the applicant. Per the Board's direction, staff returned to the Board of Supervisors on April 9, 2013 to present modified Conditions of Approval and Findings for the project, which the Board adopted.

#### **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.*

**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.

**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 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 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 it 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 Ag uses
- No more approved Community Center for Profit until 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 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 people 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 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

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

- 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 (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 this 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. On October 17, 2012, 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 intended to follow the Community Center issue and discuss it at future meetings as new issues develop.

**DISCUSSION OF ISSUES:** In order to obtain direction on revisions to the Zoning Ordinance with regard to Community Centers, staff has identified possible issues of concern to be discussed, and divided them into four sections: discussion of the definition of "Community Center"; discussion of establishing performance criteria for Community Centers; discussion of making no changes to the current approval process for Community Centers; and, discussion of how other jurisdictions handle Community Centers.

**Definition of Community Center:**

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 would be mainly 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 has the ability to apply conditions of approval or, if deemed appropriate, deny the application based on the required finding of compatibility. Because of the broad nature of the Community Center definition, the Community Center land use is allowed in a wide range of zone districts.

To help address the broad nature of the current definition for Community Centers, the Planning Commission 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

Planning Commission 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 Planning Commission may wish to recommend the establishment of performance criteria and standards for Community Centers and Event Centers. Performance criteria specify certain requirements that must be met for a use to be approved. The advantage of performance criteria is that it guarantees that certain standards will be maintained. The disadvantage of creating performance criteria for Community Centers and Event Centers is that the discretion of the decision-making body would be restricted. If an applicant complied with the established criteria, the decision-making body would have little discretion to deny the application. 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 the Farm Zone be directly related to and support an on-site agricultural use.

The Planning Commission and members of the public may have additional performance criteria that may be considered appropriate for inclusion in the review of Community Centers and Event Centers. Staff would recommend the Planning Commission receive comments from the public and add to or modify the list of performance criteria included in this report.

**Make No Changes to Current Approval Process:**

The Planning Commission may wish to recommend that the current provisions contained in the Zoning Ordinance are appropriate with regard to the Community Centers. By maintaining the current processes, every Community Center application would be subject to discretionary review by the Planning Commission (or on appeal to the Board of Supervisors). As a result, the decision-making body could consider each application on its own merits, and apply specific Conditions of Approval to address the unique aspects of each application.

**Review of Other Agencies:**

In an effort to better understand how other agencies 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 location, 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 what would be defined as a Community Center (in Placer County) 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 the County's Winery Ordinance which allows an unlimited number of events per year of 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. Lastly, 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 Placer County such as noise complaints, inadequate private roads to handle the traffic to an event, and people driving at night on unfamiliar country roads after an event.

*Sonoma County:*

Sonoma does not have a land use definition for Community Center in its Zoning Ordinance and does not allow what would be defined as a Community Center (in Placer County) 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 is allowed in Sonoma'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. Lastly, 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 Placer County such as noise complaints, inadequate private roads to handle the traffic to an event 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 considered a Community Center.

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 Barbara County does not allow a Community Center in its Agricultural zone district unless it in conjunction with a winery. The Santa Barbara 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.

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

Based on the research that staff has conducted with the above three counties, Placer County's current process of requiring a Use Permit with no performance criteria for Community Centers is consistent with the other counties surveyed. However, Placer County is different in one way from the counties surveyed, in that Placer County allows Community Centers in its Agricultural Zone Districts as stand-alone land uses, 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.

**LETTERS/COMMENTS RECEIVED FROM THE PUBLIC:** At the time of publication of this staff report, staff has received four 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.

**CONCLUSION:** Staff is in the process of determining how Placer County will regulate Community Centers in the future. The first step in that process is a workshop before the Planning Commission to obtain its input and direction on Community Centers. Upon obtaining direction/recommendations from the Planning Commission on the Community Center process, staff will present those recommendations to Board of Supervisors for consideration at its Extension of Time public hearing on the Community Center Moratorium to be held May 21, 2013

As shown in the information presented above, issues associated with Community Center and Event Center uses are varied and are addressed differently, by different agencies, depending upon on the unique circumstances of the local agency. While this report is not intended to be an exhaustive analysis of issues associated with Community Centers and Event Centers, it is staff's hope that this initial discussion provides a foundation for the Planning Commission to engage the community in a discussion on this issue. Based upon comments received during the workshop on Community Centers and Event Centers, the Planning Commission may want to provide additional direction to staff on how best to further address this issue.

**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, staff will be conducting a similar/parallel process associated with proposed amendments to the County's Winery Ordinance.

Earlier this year, staff was approached by members of the winery community requesting changes to the County's Winery Ordinance. While there are some common issues between wineries and event centers, staff concluded there was merit in considering the amendments to the Winery Ordinance

first, then address the larger issue of Community Centers. If, during the public review process, it is concluded that there is commonality between the two issues, the potential exists to merge the two issues into a single process. At this time, staff recommends that the two processes maintain independent tracks.

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.

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. Through this type of inclusive process, the Planning Commission 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.

**ACTION REQUESTED:** Staff requests that the Planning Commission receive public comment on issues associated with Community Centers and Event Centers, and provide direction to staff for any required future action. The findings of the Planning Commission will be reported to the Board of Supervisors at its May 21, 2013 meeting.

**ATTACHMENTS:**

- Attachment A: Planning Director Determination Regarding Community Centers
- Attachment B: Letter/Minutes from Rural Lincoln MAC, dated February 26, 2013
- Attachment C: Correspondences

cc: Engineering and Surveying Division  
Environmental Health Services  
Air Pollution Control District  
Andy Fisher - Parks Department  
Gerry Cardin - County Counsel  
Karin Schwab – County Counsel  
Michael Johnson - CDRA Director  
Paul Thompson – Deputy Director  
Holly Heinzen – CEO Office  
Subject/chrono files

o/plus/pln/plng comm/pc staff report format 11-06.doc



**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.

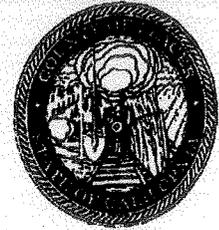
As is required of all applications reviewed by the Planning Commission, applications for the consideration of a "Community Center" will be presented to the local Municipal Advisory Council prior to any hearing before the Planning Commission. Additionally, the hearings before the Planning Commission will 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 ✓  
DS + HH  
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

18  
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



SIERRA  
CLUB  
FOUNDED 1892

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

25  
**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.

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