



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

**PLANNING
SERVICES DIVISION**

Paul Thompson, Deputy Director

HEARING DATE: OCTOBER 10, 2013
ITEM NO.: 3
TIME: 10:40 a.m.

TO: Placer County Planning Commission
FROM: George Rosasco, Supervising Planner
DATE: October 3, 2013
SUBJECT: WORKSHOP – EVENT CENTER USES IN PLACER COUNTY

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 fourth Public Workshop with the Planning Commission to review the Draft Ordinance for Event Centers.

BACKGROUND: On April 9, 2013, the Placer County Board of Supervisors approved an interim ordinance establishing a 45-day moratorium on applications for community centers, citing concerns that the current definition of "Community Centers" 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 Centers" needs to be modified.

On May 21, 2013 the Board of Supervisors extended the moratorium on community centers for up to 22 months and 15 days to allow for the processing of a Zoning Text Amendment that would revise the definition of "Community Centers" and provide new standards and criteria for their review.

As directed by the Board of Supervisors Planning Services staff has conducted three workshops before the Planning Commission on a proposed Event Center Ordinance.

FIRST PLANNING COMMISSION WORKSHOP – MAY 9, 2013

The workshop was attended by approximately 30 members of the public, with 12 of those giving public testimony. The public testimony provided included the following 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. Examples of such standards would be mandating a minimum parcel size and establishing minimum access requirements.

The Planning Commission stated that it was pleased with the process identified by staff, 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 issues they identified 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.

SECOND PLANNING COMMISSION WORKSHOP- June 27, 2013

On June 27, 2013, the Planning Commission conducted a second workshop on "Community Centers". Staff scheduled this workshop to obtain direction from the Planning Commission on preparing a Zoning Text Amendment on Community Center. The workshop was attended by about 15 members of the public, with eight of those giving public testimony. The public testimony provided included the following concerns:

- Specific standards should be placed on Community Centers and event-type centers that must be met for a use to be approved. Examples of such standards would be mandating a minimum parcel size and minimum access requirements.
- Standards that will ensure that noise created by event-type centers in an agriculturally zoned area will be eliminated or greatly reduced.

At the second workshop, the Planning Commission gave staff direction to include the following performance standards to "Community Centers" and "Event Centers" as part of the Community Center Zoning Text Amendment:

- minimum parcel size
- setback regulations
- maximum event size

- maximum number of events
- hours of operation
- noise issues
- access issues
- parking issues
- on-site agricultural use
- on-site security
- lighting
- food guidelines
- event center density
- noticing requirements
- "Community Center" and "Event Center" code enforcement options".

In addition to the establishment of performance standards, the Planning Commission also concluded that event center uses in agricultural zone districts should be required to obtain a Use Permit. The Planning Commission also discussed the challenges faced by Placer County as a result of parcel fragmentation. Parcel fragmentation is the single greatest challenge that Placer County faces with regard to regulating event center-type uses in agricultural areas, as past actions of the County have created a patchwork of small-scale agricultural parcels inter-mixed with residential uses. As a result, there are not adequate buffers between agricultural uses and rural residences.

Ideally, agricultural lands are established on parcel sizes of 40 acres or more; however, Placer County has allowed very small (from one to ten-acres) parcels in its agricultural zoning districts. As a result, the proposed event center type uses could be located on smaller parcels where other residential/non-agricultural uses are located in proximity. Because of this influx of residential/non-agricultural uses in the County's agricultural zoning districts, the Board of Supervisors adopted a "Right-to-Farm" ordinance that gives preference to agricultural uses in agricultural zoning districts, regardless of the adjoining land use. The Planning understood and acknowledged that as Community Centers Zoning Text Amendment moves forward, this issue will need to be considered and addressed as part of the process.

THIRD PLANNING COMMISSION WORKSHOP- July 25, 2013

On July 25, 2013, the Planning Commission conducted a third workshop on "Community Centers". Staff scheduled this workshop to obtain direction from the Planning Commission on preparing a Zoning Text Amendment on Community Center. The workshop was attended by about 11 members of the public, with 8 of those giving public testimony. The public testimony given by the eight citizens requested that the Commission ensure that specific standards should be placed on Event centers that must be met for a use to be approved. Examples of such standards would be mandating a minimum parcel size and minimum access requirements.

The Planning Commission also agreed on preparing a Zoning Text Amendment that would include following five definitions for "Event Centers":

"Community Center" (land use) means a facility, which may be located on public or private property, that functions primarily to provide a community-centered meeting hall for members of the public to carry out local community-oriented activities and public and civic functions. Examples of such facilities include Grange Halls, Community Sponsored Meeting Halls, and Veterans Halls that consist of a multipurpose meeting and recreational facility, typically consisting of one or more meeting or multipurpose room and a kitchen and/or outdoor

barbecue facilities, that are available for use by various groups for such activities as public assemblies, meetings, private meetings, parties, weddings, receptions, and dances.

"Commercial Event Center" (land use) means a facility located on private property that primarily functions to provide a facility for any type of social gathering and consisting of multipurpose meeting and/or recreational facilities, typically consisting of one or more meeting or multipurpose room and a kitchen and/or outdoor barbecue facilities, that are available for use by various private groups for such activities as meetings, parties, weddings, receptions, and dances.

"Small Agricultural Event Center" (land use) means a facility located on agriculturally zoned land of ten (10) acres or larger that has ongoing viable agricultural use (as defined in section-to be determined) that provides a facility for any type of social gathering and consisting of multipurpose meeting and/or recreational facilities, typically consisting of one or more meeting or multipurpose room and a kitchen and/or outdoor barbecue facilities, that are available for use by various private groups of 100 or less for such activities as meetings, parties, weddings, receptions, and dances.

"Intermediate Agricultural Event Center" (land use) means a facility located on agriculturally zoned land of twenty (20) acres or larger that has an ongoing viable agricultural use (as defined in section-to be determined) that provides a facility for any type of social gathering and consisting of multipurpose meeting and/or recreational facilities, typically consisting of one or more meeting or multipurpose room and a kitchen and/or outdoor barbecue facilities, that are available for use by various private groups of 200 or less for such activities as meetings, parties, weddings, receptions, and dances.

"Large Agricultural Event Center" (land use) means a facility located on agriculturally zoned land of forty (40) acres or larger that has an ongoing viable agricultural use (as defined in section-to be determined) that provides a facility for any type of social gathering and consisting of multipurpose meeting and/or recreational facilities, typically consisting of one or more meeting or multipurpose room and a kitchen and/or outdoor barbecue facilities, that are available for use by various private groups of 400 or less for such activities as meetings, parties, weddings, receptions, and dances.

PROPOSED ZONING TEXT AMENDMENT:

Staff has prepared the draft community Event Center Zoning Text Amendment for review and comment by the Planning Commission and the public for this workshop. The draft Zoning Text Amendment has been prepared to consider and include comments received from the public and direction and provided by the Planning Commission. Specifically the draft Amendment has proposed standards as directed by the Planning Commission in the following areas:

- minimum parcel size
- setback regulations
- maximum event size
- maximum number of events
- hours of operation
- noise issues
- access issues
- parking issues
- on-site agricultural use
- on-site security

- lighting
- food guidelines
- event center density
- noticing requirements

The draft Zoning Text Amendment is attached for the Commission's review. Staff believes that the draft Event Center Zoning Text Amendment as proposed will meet the needs of residents, while ensuring that Event Centers are allowed to operate successfully within the County.

NEXT STEPS:

Listed below is a tentative schedule for the remaining processing of the Community Event Center Zoning Text amendment:

- Presentation of draft Zoning Text Amendment to Planning Commission (October 10, 2013)
- Presentation to Municipal Advisory Committees (October and November 2013)
- Present comments from MAC's to Planning Commission (November 2013)
- Staff preparation of revised draft Zoning Text Amendments (December 2013)
- Planning Commission review of draft Zoning Text Amendments (December 2013)
- Board Consideration of draft Zoning Text Amendments (December 2013 or January 2014)

ACTION REQUESTED: Staff requests that the Planning Commission receive public comment and provide direction to staff on the draft Zoning Text Amendment for Community Event Centers. The direction from the Planning Commission will be used to modify the draft Zoning Text Amendment for Event Centers prior to its presentation to the MACS.

ATTACHMENTS:

- Attachment A: Draft Zoning Text Amendment for Community Event Centers.
- Attachment B: Correspondence

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

CHAPTER 17: PLANNING AND ZONING

Event Centers

Event Centers

A. **Purpose.** The purpose of this section is to provide for the orderly development of Community Centers, Commercial Event Centers, Small Agricultural Event Centers, Intermediate Agricultural Event Centers, and Large Agricultural Event Centers within Placer County. Additionally this section is intended to protect the agricultural character and long-term agricultural production of agricultural lands which may have on site Agricultural Event Centers.

B. **Definitions.**

"Community Center" (land use) means a facility, which may be located on public or private property, that functions primarily to provide a community-centered meeting hall for members of the public to carry out local community-oriented activities and public and civic functions. Examples of such facilities include Grange Halls, Community Sponsored Meeting Halls, and Veterans Halls, typically consisting of one or more meeting or multipurpose room and a kitchen and/or outdoor barbecue facilities, that are available for use by various groups for such activities as public assemblies, meetings, private meetings, parties, weddings, receptions, and dances.

"Commercial Event Center" (land use) means a facility located on private property located in a commercial zone district that primarily functions to provide a facility for any type of social gathering and consisting of multipurpose meeting and/or recreational facilities, typically consisting of one or more meeting or multipurpose room and a kitchen and/or outdoor barbecue facilities, that are available for use by various private groups for such activities as meetings, parties, weddings, receptions, and dances.

"Small Agricultural Event Center" (land use) means a facility located on agriculturally zoned land of ten (10) acres or larger that has ongoing viable agricultural use (as defined in section-to be determined) that provides a facility for any type of social gathering and consisting of multipurpose meeting and/or recreational facilities, typically consisting of one or more meeting or multipurpose room and a kitchen and/or outdoor barbecue facilities, that are available for use by various private groups of 100 or less for such activities as meetings, parties, weddings, receptions, and dances.

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"Large Agricultural Event Center" (land use) means a facility located on agriculturally zoned land of forty (40) acres or larger that has an ongoing viable agricultural use (as defined in section-to be determined) that provides a facility for any type of social gathering and consisting of multipurpose meeting and/or recreational facilities, typically consisting of one or more meeting or multipurpose room and a kitchen and/or outdoor barbecue facilities, that are available for use by various private groups of 400 or less for such activities as meetings, parties, weddings, receptions, and dances.

"Conditional Use Permit" - See Zoning Ordinance Section 17.58.130.

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- C. **Permit Requirements.** The permit requirements for Community Center, Commercial Event Center, Small Agricultural Event Center, Intermediate Agricultural Event Center, and Large Agricultural Event Center are set forth below.

LAND USE TYPES	Zone Districts													
	RESIDENTIAL				COMMERCIAL								AGRICULTURAL, RESOURCE, OPEN SPACE	
	RS	RM	RA	RF	C1	C2	C3	CPD	HS	OP	RES	AE	F	
Community Center	CUP	CUP	CUP	CUP	CUP	C	C	CUP	CUP	CUP	CUP	CUP	CUP	
Commercial Event Center					CUP	C	C	CUP	CUP	CUP	CUP			
Small Agricultural Event Center			CUP	CUP								CUP	CUP	
Intermediate Agricultural Event Center			CUP	CUP								CUP	CUP	
Large Agricultural Event Center			CUP	CUP								CUP	CUP	

KEY TO PERMIT REQUIREMENTS	
Zoning Clearance required (Section 17.06.050)	C
Conditional Use Permit required (Section 17.06.050)	CUP
Use not allowed	

- D. **Development and Operational Standards.** The following development and operational standards shall apply to Community Center, Commercial Event Center, Small Agricultural Event Center, Intermediate Agricultural Event Center, and Large Agricultural Event Center as specified. If specific regulations are not set forth for an Event Center then Placer County Code, the Placer County General Plan and any applicable community plan shall apply. The event Center standards do not apply to any parcels within the Squaw Valley General Plan or the Tahoe Basin as defined by the Tahoe Regional Planning Agency.

1. **Parking.** A Community Center, Commercial Event Center and Agricultural Event Center shall provide parking at a ratio of 1 parking space for each 2.5 guests allowed onsite and one parking space for each permanent employee. No off-site parking is permitted unless approved by a Conditional Use Permit or through a Zoning Clearance process. Surfacing shall be all-weather surfacing (e.g., aggregate base, chip seal, asphalt, concrete) and capable of supporting a forty thousand (40,000) pound vehicle load.

2. **Access Standards.**

- a. Access roads to a Community Center, Commercial Event Center and Agricultural Event Centers shall comply with County Code, State and local Fire Safe Standards as determined by the County and the serving fire agency.



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- b. If a Community Center, Commercial Event Center and Agricultural Event Center are accessed from a County-Maintained Highway, an encroachment permit may be required to address ingress, egress and sight-distance requirements.
- c. If a Community Center, Commercial Event Center and Agricultural Event Center are accessed by a private road, the applicant shall provide reasonable proof of access rights as determined by the Engineering and Surveying Division.

3. Minimum Parcel Size

- a. "Small Agricultural Event Center" shall have a minimum parcel size of 10 acres.
- b. "Intermediate Agricultural Event Center" shall have a minimum parcel size of 20 acres.
- c. "Large Agricultural Event Center" shall have a minimum parcel size of 40 acres.

4. Setbacks

- a. All "Agricultural Event Centers" shall be required to have all outdoor activities associated with the Agricultural Event Center (with the exception of parking) a minimum of 200 feet from the exterior property lines or as specified by the Conditional Use Permit.

5. Event Size

- a. "Community Center" as specified by the Conditional Use Permit.
- b. "Commercial Event Center" as specified by the Conditional Use Permit.
- c. "Small Agricultural Event Center" shall be allowed a maximum event size of 100 guests.
- d. "Intermediate Agricultural Event Center" shall be allowed a maximum event size of 200 guests.
- e. "Large Agricultural Event Center" shall be allowed a maximum event size of 400 guests.

6. Number of Events

- a. "Community Center" as specified by the Conditional Use Permit.
- b. "Commercial Event Center" as specified by the Conditional Use Permit.

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- c. All "Agricultural Event Centers" shall be allowed a maximum of 26 events per year, or as specified by the Conditional Use Permit.

7. Agricultural Requirement.

- a. All "Agricultural Event Centers" shall be required to have an on site verifiable agricultural production of \$4,500 a year at the time of application for a Conditional Use Permit, or have the potential to produce \$4,500 from on site agricultural production within one year of the application. The verification of Agricultural production for "Agricultural Event Centers" shall be made by the Placer County Agricultural Commissioner or his designee.

8. Hours of Operation.

- a. "Community Center" as specified by the Conditional Use Permit.
- b. "Commercial Event Center" as specified by the Conditional Use Permit.
- c. All "Agricultural Event Centers" shall be allowed to operate from 10am to 10pm on Friday and Saturday and from 10am to 8pm Sunday through Thursday.

9. Noise Regulations.

- a.. All "Agricultural Event Centers" shall be subject to Placer County Code Article 9.36 (Noise Ordinance) and shall be required to stop all noise generating activities, such as music, at 7:30pm or move such activities into an enclosed structure which will reduce the noise level to 20 decibels or less at the event centers exterior property lines.

10. Lighting.

- a. All lighting for "Agricultural Event Centers" shall be consistent with the Rural Design Guidelines for Placer County and shall be Dark-Sky compliant as specified by the International Dark-Sky Association.

11. Food Regulations.

- a. "Community Center" as specified by the Conditional Use Permit.
- b. "Commercial Event Center" as specified by the Conditional Use Permit.
- c. "Agricultural Event Centers" as specified by the Conditional Use Permit and if a commercial kitchen is approved with the event center it shall only be used in conjunction with onsite events. Restaurants are not allowed as part of an "Agricultural Event Center".

12. Special Notice Requirements.

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- a. "Agricultural Event Centers" shall be required to post a notice three days prior to an event with a poster no smaller than 8.5' by 11' in a location commonly accessible to adjoining property owners (e.g. clustered mailboxes or at the entrance to the property that that Agricultural Event Center is located). The notice shall specify the time and duration of the event, the date of the event and shall have a contact phone number that people can call during the event if an issue arises. The phone line shall be manned by a live person during the event. An affidavit of posting for each event shall be given to County two days prior to the event on an affidavit of posting available at the Planning Services Division of Placer County.

Kathi Heckert

From: Nicole Hagmaier on behalf of Placer County Planning
Sent: Monday, July 29, 2013 12:51 PM
To: Kathi Heckert
Subject: FW: Community Center/Ag Event Center Workshop Comments
Attachments: PIC+SC Plcr Grp Comments-CC-7-25-13.pdf

Thank you,
Nicole

Placer County Planning Services Division
530-745-3117
nhagmaie@placer.ca.gov

-----Original Message-----

From: Marilyn Jasper [<mailto:mjasper2@gmail.com>]
Sent: Friday, July 26, 2013 9:05 AM
To: Placer County Planning
Cc: George Rosasco; Michael Johnson; Paul Thompson
Subject: Community Center/Ag Event Center Workshop Comments

Greetings,

The attached comments were submitted in person at the Planning Commission workshop yesterday, but I wanted to submit them in electronic format, in case that's easier to deal with (and to make certain they are included in the volumes you must be accumulating!). We apologize for not submitting in a timely manner (out of town). As stated at the workshop, our position is a bit more stringent and less flexible than that of our allies, but we fully support the concepts as submitted by Carol Rubin/Save Placer Farmlands.

We also wanted to commend the commissioners and staff for their genuine attempt to consider all aspects of these controversial issues (the Ag Event Center issues as well as the updated Winery Ordinance process). No matter what direction the final decisions take, and assuming that probably no one will be 100% happy, we feel there is at least a chance that a fair and just zoning text amendment, ordinance, or code will be the outcome.

Thank you for all the research and work that went into the staff report and the time spent preparing for and participating in the workshop(s).
Marilyn Jasper

RECEIVED
JUL 30 2013

PLANNING DEPT.



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



PUBLIC INTEREST COALITION
P.O. BOX 671, LOOMIS, CA 95650



July 25, 2013

Planning Commission
Placer County
Auburn, CA 95603

RE: Possible Criteria and Standards for Potential "Event Center" ZTA

We greatly appreciate CDRA's devotion of time to hear citizen concerns and thoroughly vet the contentious issues surrounding incompatible land uses, as perceived by all stakeholders, as they apply to holding commercial events in agricultural- and farm-zoned lands.

We thoroughly agree that performance standards are needed for each of the items in the staff report, with possibly a few more additions to be considered.

With a few minor changes, we support the thorough and comprehensive comments submitted by Save Placer Farmland ("Response to Staff Report on Community Centers for the July 25, 2013 Planning Commission Hearing") and believe they will help alleviate if not eliminate the stickiest and most controversial issues.

Here are a number of other observations, concerns, and suggestions that we hope will be factored in to any proposals to resolve future problems:

"Community Center" should be for "public benefit," with ownership via a designated 501(c) organization (could be c3, c4,) or public agency. This would preclude private ownership or for-profit corporation or partnership organizations.

With all Ag Event Centers, a statement must be included that "no variances shall be granted to when permitting events—parcels must comply in total with the acreage and other performance standards and requirements.

Ag Event Centers:

Justification for the minimum or ten-acre parcels (as opposed to the 20-40 acres in other counties) appears to be based on Placer County's agricultural parcel fragmentation issues. The fact that such improper, now-prohibited, unacceptable parcel splitting did occur in the past, cannot be used to justify further erosion. The acreage limit definitions must be based on sound principles, not on past mistakes.

Noise: An Ag Event Center should be held to more stringent requirements: Two events (TOE) may allow average noise level over one hour of 55 decibels during the day (**at what time does the "day" end? 3 pm?** May have to be specified) and 45 decibels at night. Four or more events per year reduces the average allowable noise level AND the hours of operation for any outside noise.

What is a "maximum one-time noise level" at the receiving boundary of adjoining parcels to a maximum of 70 decibels during the day and 65 decibels at night? A split second? Five minutes? Is a gunshot or a firecracker a "one-time" noise?

Just as the “Right to Farm” protects ag operations, the law that allows property owners to “enjoy their property” should trump any type of adjunct “event center” land use in Residential and/or Res Ag or Farm or Residential Forestry zones.

Staff may not have found a solution to this issue, but in addition to lowering the allowable average and one-time decibel levels, reducing the hours of event times, and requiring larger buffers, a most obvious solution is to require that the events be held at permitted event centers that are already established in proper zones. There comes a point when the issue is resolved with a “No, you cannot hold the event(s) on this parcel.”

Staff’s conclusion that “**While residents may have elected to live in farm/agricultural areas....**” Is illogical and misses the point. Residents elected to live in farm/ag because normal farm/ag operations are allowed and accepted, such as farm stands and value-added products. It’s the unacceptable stretching of the “operation” definition (from farming to winery with tastings, to now event centers) that some farm/ag operations have elected to engage in that is the issue. The onus is on the operation, not on the residents who also engage in farm/ag operations, but who follow zoning ordinances and do not impose extended “operations” impacts on the neighbors or the community. Also, the majority of ag operations are not requesting event center land use entitlements, which is an indicator that viable ag operations exist without needing or imposing the contentious event center zoning in communities.

Access Issues: We urge the county to not allow event centers on any private roads. However, should the road meet all standards of a public arterial and minimum CA Fire Safe Standards, all residents lawfully sharing and using a private road easement should have to agree in writing to the event center’s usage of that private road, possibly on an annual or biennial basis, and any costs associated with private road maintenance and upkeep (e.g., resealing or “patching”) to the point of the event center’s ingress and egress on that private road should require a 50% contribution by the event center.

On-site Security: A security requirement could be in the form of an option: Hire on-site security as in Monterey County, or post a substantial bond that will cover costs of an after-hour response from BOTH the County Sheriff and County Code Enforcement to any/all incident calls or complaints to ensure a rapid response.

Event Center Density: An allowable land-use density based on a distance separation is critically important to avoid the unacceptable impacts that dense saturation of event centers can create. However, a half-mile radius is woefully inadequate and would be akin to no density limitation at all. Considering topography, a more effective density separation would be Ag Event Centers of 10 acres or less in relatively flat portions of Placer County must also have a “density” limitation requirement of not more than one within any 2-mile radius (4-mile distance separation) of another. In areas of Placer County where elevations vary, a more appropriate density separation might be not more than one event center within any **3-mile radius (6-mile distance separation)**. No variances shall be granted to a density limitation. (Monterey’s situation came about as a unique settlement after a lengthy, contentious and litigious ordeal.)

Code Enforcement:

Provision #3 must be revised to include fines as well as increasing violation categories. With the district attorney’s packed calendar, the prosecution of a misdemeanor may be too small to bother with. The first justifiable complaint should count, whether it’s

prosecuted as a misdemeanor or as an infraction, or settlement is made; and subsequent violations should carry much more severe penalties, fines, and consequences—e.g., revocation of all event permits for a period of five years and/or permanent revocation, etc. If acquitted on a misdemeanor, assuming the complaint was viable (decibel level, number of guest violation, etc.), then there may be no fines/penalties, but it should be a part of the record and consider in subsequent actions.

From an operator's point of view, the fines on misdemeanors, if prosecuted, may be worth the risk of the violation if the event(s) is(are) lucrative. The citations and fines become a minimal cost of doing business with noses thumbed at ordinances. Thus, the neighbors and community bear the full brunt of the violations.

Provision #4 continues the existing enforcement problem or lack thereof. The word "may" is unacceptable. One solution is to revise it along the lines of: "If the facility violates any conditions of approval as determined by the county, the courts, the Planning Department (CDRA), the Planning Commission, or the Board of Supervisors, any of those entities may revoke the event center's right to continue the use after the first offense. Upon a second violation, the use shall be revoked for a period of not less than three years with fines and penalties added to cover all associated agency costs. Upon a third violation, the use shall be permanently revoked with fines and penalties added to cover all associated agency costs.

The heavy hand of the law in dealing with violations must be justly but firmly applied to violators. All three of the recent applicants for Community Center land use designation have stated that if they were in violation, they should be held accountable. For the land use approvals to be acceptable to the public, enforcement must be a meaningful deterrent and reflect the serious concerns of the community.

Additional Provisions:

A provision must be added that an online database be established that informs the public of what kind of permit any event is utilizing, the history, and the conditions of approval or other stipulations for the event.

A provision must be added to establish a performance bond requirement to ensure immediate response to calls or complaint to the sheriff or after-hours code enforcement personnel.

Thank you for considering our views on this critical issue,



Marilyn Jasper, Chair

Kathi Heckert

From: Carol Rubin <c_rubin@sbcglobal.net>
Sent: Sunday, August 04, 2013 11:05 AM
To: Kathi Heckert; Placer County Board of Supervisors; Jim Holmes
Cc: Michael Johnson; Paul Thompson; George Rosasco; don@rockhillwine.com
Subject: Fw: regarding the Ag Center definition

Kindly forward this email to the Planning Commissioners and the Supervisors.

Thank you,

Carol Rubin
Save Placer Farmlands

----- Forwarded Message -----

From: Carol Rubin <c_rubin@sbcglobal.net>
To: "don@rockhillwine.com" <don@rockhillwine.com>; George Rosasco <grosasco@placer.ca.gov>
Cc: Patricia & <huberburke@gmail.com>; Marilyn Jasper <mjasper2@gmail.com>; Mjasper <mjasper@accessbee.com>; Paul Thompson <PKThomps@placer.ca.gov>
Sent: Sunday, August 4, 2013 10:48 AM
Subject: Re: regarding the Ag Center definition

Mr. Rosasco:

I appreciate that Mr. Dupont needs to advocate for his fellow PCVA members, but I must take exception to one of his comments:

1. Any operator will be lucky to pay the overhead and earn half a typical salary. To do this the facility will need to be allowed to do at least four to six private gatherings per month and few if any restrictions on gatherings of 50 or less.

The rural residents of Placer County are not obligated to have their quality of life or property values degraded to support the poor business decisions of winery owners. If a facility on a road less than arterial and far out in the countryside needs to hold this many events per month to succeed, then the owner needs to explore revenue streams other than entertainment. Just because a winery owner wants or "needs" to have this many events and a fancy dedicated "event center" doesn't mean the county and the local residents are obliged to underwrite this usage.

Save Placer Farmlands has repeatedly pointed out that two of the major reasons The Flower Farm and Newcastle Wedding Gardens are successful businesses and well-tolerated in their neighborhoods are:

- o They are located on arterial roadways, giving easy freeway access to their clients;
- o They are located at the city limits (Granite Bay and Newcastle, respectively) of the nearest town, appropriate areas for this type of "suburban" use.

Proprietors who want to establish "event centers" on lesser roadways far in the country will have a much greater negative impact on their neighborhoods AND will have a harder time attracting

customers because of their less convenient location. Placer County has an obligation to its citizens to promote these businesses only where they will have the minimum impact upon their neighborhoods and where they will be likely to be successful.

Save Placer Farmlands has tried to be accommodating to the reasonable needs of Placer farmers and ranchers, including wineries, who feel they need to hold events to promote their agricultural products. Our particular suggestions are:

1. Make it easier for agribusinesses to hold a small number of low-impact events (e.g., eight per year, less than 50 guests/event) similar to TOEs that do not require a permanent facility. Without the high overhead construction cost of a permanent "event center," the operators will find it easier to break even.
2. Write a definition for "events" that establishes a minimum level (e.g., fewer than 25 guests at a time is not an "event") and other criteria (e.g. announced starting and ending times).
3. Limit permanent agricultural event centers to access from arterial or better roadways and locations within three miles of the nearest city limits, to lessen their impact on rural Placer County and increase the chance they will be successful.
4. Establish a tracking and enforcement mechanism that will make it easier for legitimate operators to register and hold events and will also make it easier to detect and act against those who hold illegal events.

The following is a real-world example of what Save Placer Farmlands and our supporters fear will happen if these requirements are not adopted. Gold Hill Gardens at 2325 Gold Hill Road recently received approval for a non-ag related Event Center. The MUP allows

" Use of the subject property as a Community Center for up to 150 guests. Events at the community center may take place between the hours of 10:00 a.m. and 9:00 p.m. on Wednesdays and Thursdays, 10:00 a.m. to 10:00 p.m. on Fridays and Saturdays, and between the hours of 10:00 a.m. and 6:00 p.m. on Sundays. The applicant shall not exceed 59 events per year. This approval also authorizes the construction of an approximately 5,250 square foot Community Center Structure, a 60-stall parking and circulation area(s), a bathroom facility with up to six fixtures for each male and female restroom area and a septic system. The project shall also include a minimum of three (3) ADA compliant parking stalls."

Also authorized under this permit is the construction of three guest cabins and a retail plant nursery.

This use was considered too intensive for the site by the local MAC, the Ag Commission, and the Planning Commission, and was only approved by appeal to the Board of Supervisors. The Gold Hill Grange, which holds similar events is less than a mile away.

Two wineries (Dona Dal Cielo and Lone Buffalo), that already hold events without permits, are located on Wise Road within two miles of Gold Hill Grange and Gold Hill Gardens. Gold Hill Road is the route that most customers take from I-80 to these businesses. Under the proposed "Ag Event Center" definitions, Dona Dal Cielo Winery (6100 Wise Road, 28 acres) would be allowed to have an "Intermediate" facility serving 200 guests at an undefined number of events and Lone Buffalo Winery (7505 Wise Road, 11.5 acres) would be allowed to have a "Small" facility serving 100 guests at an undefined number of events. **If both of these wineries are allowed to construct "event centers" that would place four such centers along Gold Hill/Wise Roads within two miles.** Without

standards in place specifying appropriate conditions for location and operation of event centers, we have little confidence in the ability of Planning Staff to regulate these facilities appropriately; rather, the determinant of approval becomes an issue of "fairness"; i.e., "we approved the Gold Hill Gardens application, so we have to be fair and approve these similar applications too." The area residents face the destruction of our quiet rural neighborhood and steep devaluation of our property unless sensible planning practices for event centers are adopted.

Please establish these specific standards in the ZTA! Prospective winery owners AND prospective rural property owners need to know, **before they purchase their property**, whether an event center is a permitted use and likely to be approved.

Carol Rubin
Save Placer Farmlands

From: "don@rockhillwine.com" <don@rockhillwine.com>
To: George@rockhillwine.com
Cc: Carol Rubin <c_rubin@sbcglobal.net>; Patricia & <huberburke@gmail.com>; Marilyn Jasper <mjasper2@gmail.com>; Mjasper <mjasper@accessbee.com>; Paul Thompson <PKThomps@placer.ca.gov>
Sent: Saturday, August 3, 2013 1:59 AM
Subject: regarding the Ag Center definition

Hello George:

After attending the work shops and dealing with the winery and community center opponents I have a clear understanding of the difficult task you have to draft the revised Community Center ordinance into the new Ag Event Center ordinance.

My concern is that you may be influenced to take a middle ground position in an effort to please all sides. In doing so the ordinance may become so restrictive that it will not allow a typical operator the ability to pay overhead and still earn enough to make a modest income. I already know you have a full understanding of what is needed from the County position however I would like you to consider these few points.

1. Any operator will be lucky to pay the overhead and earn half a typical salary. To do this the facility will need to be allowed to do at least four to six private gatherings per month and few if any restrictions on gatherings of 50 or less.

2. Your draft discussed three sizes for Ag Event Centers, small, intermediate, and large. It is not likely a MUP for a large center will ever be requested. The cost of the land and facility would be so expensive economically the project will never make a return on the investment. I suggest you word the ordinance to allow for project approval to be based on a case by case basis rather than stating a specific number of acres allows this size event center.

3. I suggest you avoid the probationary period as was done with Gold Hill and Wise Villa. In order to hold operators liable to their neighbors, from the first day on, the County needs the ability to revoke a license if the operator is inconsiderate with sound or hours of operation for example, Accountability/enforcement is a big issue for winery opponent and if operated correctly it should not create a hard ship for the business.

With a degree in Economics and being raised in the wine business 42 years ago, I worked a life time as a contractor building and working on every major winery in Napa and Sonoma.

I know what it takes to operate a successful winery. With the cost I face to bring my facility up to commercial standards including public water, fire sprinklers, permits fees, and traffic mitigation fees I will not be able to proceed if the new ordinance is too restrictive. It would further burdens an already difficult business and would certainly fail.

Thanks for your considerations and
best regards,

Donald F. DuPont Jr.

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